



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **EXECUTIVE** will be held in David Hicks 1 -
Civic Offices, Shute End, Wokingham RG40 1BN on
THURSDAY 30 JANUARY 2020 AT 7.00 PM

A handwritten signature in black ink, appearing to read 'Susan Parsonage', written in a cursive style.

Susan Parsonage
Chief Executive
Published on 22 January 2020

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

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WOKINGHAM BOROUGH COUNCIL

Our Vision

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

Our Priorities

Improve educational attainment and focus on every child achieving their potential

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

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

Tackle traffic congestion in specific areas of the Borough

Improve the customer experience when accessing Council services

The Underpinning Principles

Offer excellent value for your Council Tax

Provide affordable homes

Look after the vulnerable

Improve health, wellbeing and quality of life

Maintain and improve the waste collection, recycling and fuel efficiency

Deliver quality in all that we do

MEMBERSHIP OF THE EXECUTIVE

| | |
|--------------------------|--|
| John Halsall | Leader of the Council |
| John Kaiser | Deputy Leader and Executive Member for Finance and Housing |
| Parry Bath | Environment and Leisure |
| UllaKarin Clark | Children's Services |
| Charlotte Haitham Taylor | Regeneration |
| Pauline Jorgensen | Highways and Transport |
| Charles Margetts | Health, Wellbeing and Adult Services |
| Stuart Munro | Business and Economic Development |
| Gregor Murray | Climate Emergency |
| Wayne Smith | Planning and Enforcement |

| ITEM NO. | WARD | SUBJECT | PAGE NO. |
|----------|--|--|----------|
| 71. | | APOLOGIES To receive any apologies for absence | |
| 72. | | MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Executive Meeting held on 28 November 2019 and the Extraordinary Executive Meetings held on 23 December 2019 and 15 January 2020 | 7 - 40 |
| 73. | | DECLARATION OF INTEREST To receive any declarations of interest | |
| 74. | | PUBLIC QUESTION TIME To answer any public questions A period of 30 minutes will be allowed for members of the public to ask questions submitted under notice. The Council welcomes questions from members of the public about the work of the Executive Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Council or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to www.wokingham.gov.uk/publicquestions | |
| 74.1 | Hawkedon; Loddon; Maiden Erlegh; Winnersh | Michael Smith has asked the Executive Member for Highways and Transport the following question: Question Traffic congestion in and around the eastern end of Lower Earley and Winnersh generally is getting worse, | |

with hundreds of cars, buses and lorries stalled in long traffic queues on all main routes for many hours during extended morning and evening peak periods each weekday. The improvements to the Showcase end of Lower Earley Way have had a small effect currently, but the increases in traffic from the Strategic Development Locations is quickly adding to the existing congestion as more homes are occupied. Aside from the completion of the Winnersh Bypass Phase 2, what other plans does the Council have to alleviate these problems for vehicle movements specifically in this area?

75.

MEMBER QUESTION TIME

To answer any member questions

A period of 20 minutes will be allowed for Members to ask questions submitted under Notice

Any questions not dealt with within the allotted time will be dealt with in a written reply

75.1 None Specific

Gary Cowan has asked the Executive Member for Highways and Transport the following question:

Question

With reference to the recent TfSE Transport Strategy Consultation. What implications does the Council see this might have for the Council and its evolving consultation starting next month on housing delivery to 2036?

75.2 Wescott

Prue Bray has asked the Executive Member for Environment and Leisure the following question:

Question

I am asking this for an older resident who for health and age reasons, does not feel able to come to the committee in person, so has asked me to ask this question on his behalf.

Unfortunately in November he was left battered and bruised by a fall in the bottom part of Denmark Street near Stitchery Do in Wokingham Town Centre after tripping on the pavement. He contacted the Council to ask when the pavement in that part of Denmark Street would be brought up to the same standard as the Market Place, and was told that the area of pavement in question would be inspected for faults. He asked to be told what the inspection found.

That was on 3rd December. He asked again on 10th

January. As of the date of writing this question, 21st January, he still has not had a response. He hopes that an answer will be forthcoming tonight. So please, when the area of pavement outside Stitchery Do was inspected after his fall, what did the inspection show?

Matters for Consideration

| | | | |
|------------|--|---|------------------|
| 76. | None Specific | SHAREHOLDERS' REPORT | 41 - 48 |
| 77. | None Specific | REVENUE BUDGET MONITORING REPORT FY2019/20 - QUARTER 3 | 49 - 60 |
| 78. | None Specific | CAPITAL MONITORING 2019/20 - END OF DECEMBER 2019 | 61 - 64 |
| 79. | None Specific | CHIEF FINANCE OFFICER'S REPORT | 65 - 96 |
| 80. | Remenham, Wargrave and Ruscombe | TEMPORARY CLOSURE REMENHAM FOOTPATH 4 HENLEY FESTIVAL | 97 - 112 |
| 81. | None Specific | CENTRAL AND EASTERN BERKSHIRE JOINT MINERALS AND WASTE PLAN: SAND AND GRAVEL PROVISION AND OPERATOR PERFORMANCE REGULATION 18 CONSULTATION | 113 - 210 |
| 82. | Arborfield; Barkham; Finchampstead South; Swallowfield | OPTIONS FOR THE MANAGEMENT OF THE NEW ARBORFIELD PRIMARY SCHOOL PROVISION | 211 - 220 |
| 83. | Wokingham Without | SOUTH WOKINGHAM COMMUNITY FACILITY OPERATOR | 221 - 226 |
| 84. | None Specific | ACQUISITION OF A PROPERTY WITHIN THE BOROUGH | 227 - 244 |

EXCLUSION OF THE PRESS AND PUBLIC

The Executive may exclude the press and public in order to discuss the Part 2 sheets of Agenda Item 84 above and to do so it must pass a resolution in the following terms:

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

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

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**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD ON 28 NOVEMBER 2019 FROM 7.30 PM TO 7.48 PM**

Committee Members Present

Councillors: John Halsall (Chairman), John Kaiser, UllaKarin Clark, Pauline Jorgensen, Charles Margetts and Wayne Smith

Other Councillors Present

Laura Blumenthal
Lindsay Ferris
Michael Firmager
Malcolm Richards
Rachelle Shepherd-DuBey
Caroline Smith
Bill Soane

50. APOLOGIES

Apologies for absence were submitted from Councillors Parry Batth, Charlotte Haitham Taylor, Stuart Munro and Gregor Murray.

Councillor Laura Blumenthal, Deputy Executive Member for Climate Emergency, attended the meeting on behalf of Councillor Murray and Councillor Michael Firmager, Deputy Executive Member for Environment and Leisure, attended on behalf of Councillor Batth. In accordance with legislation Councillors Blumenthal and Firmager could take part in any discussions but were not entitled to vote.

51. MINUTES OF PREVIOUS MEETING

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

52. DECLARATION OF INTEREST

Councillor UllaKarin Clark declared a personal interest in Agenda Item 57 Gorrick Square Development by virtue of the fact that she was an unpaid Non-Executive Director and Chairman of Loddon Homes Ltd. Councillor Clark remained in the meeting during discussions but did not vote on the matter.

53. PUBLIC QUESTION TIME

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

There were no public questions received.

54. MEMBER QUESTION TIME

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

54.1 Caroline Smith asked the Executive Member for Finance and Housing the following question:

Question

Is there going to be any affordable housing in the Carnival Pool Development?

Answer

Phase 2 of the Carnival regeneration scheme will deliver fantastic new leisure, cultural and community facilities for all our residents. This includes a new library, new swimming pools, a new large sports hall and studios that can be converted for performance and community use. There will also be extended fitness provision and a children's soft play area. The centre has been designed to make it more accessible for all our residents. Alongside these new facilities, over 50 one and two bedroom apartments are being built on the site.

A key aim of the Council's wider town centre regeneration is to deliver a range of additional benefits, including a mix of community, social and leisure uses such as the new Elms Field play area, public realm improvements and key worker housing that we have delivered at Peach Place. These would not necessarily be delivered to such an extent if the Council was not the developer of these projects and it was led solely by a private sector developer.

In order to deliver the wide range of leisure, cultural and community facilities in Phase 2 of the Carnival scheme, the Council is taking a lower financial return on the development of the site than would normally be acceptable to a private developer. Unfortunately this does mean that there are insufficient remaining finances within the project specifically to fund on-site affordable housing.

However the scheme is contributing over £800,000 towards the Community Infrastructure Levy which, as well as being used to contribute to the provision of other infrastructure and services across the Borough, this money could be used to fund affordable housing projects elsewhere.

The Council remains strongly committed to the provision of affordable homes and, working with our housing association partners and our own housing companies, last year we delivered 365 new affordable homes and in this year 2019/20 we are also expecting to deliver 380.

Supplementary Question

So that was a no then – no affordable housing? Will there be some assurance in that the extra money you have put on one side you are going to commit to some affordable housing?

Supplementary Answer

We are doing some restructuring with regard to our housing companies which are cross party now. We have directors from different parties and one of the things we are making a commitment to is to deliver 1,000 homes in four years. A vast majority of those homes will be affordable and we will be using various streams of finance to deliver those homes. We will be using the headroom, which is basically what can be borrowed from the Housing Revenue Account, which will mean they will be able to deliver more social housing and we will be using commuted affordable sums to deliver affordable housing. Also, as you probably know, the Council is committed to commercial investments and parts of these commercial investments will be housing as we move forward.

55. FEES AND CHARGES

The Executive considered a report relating to proposed fees and charges for Council services.

The Leader of Council introduced the report and advised the meeting that he wished to propose an amendment to the report which related to the introduction of a new charge of £14.00 for the EU Settlement Scheme ID Document Scanning service for non-Borough residents, which would take effect from 1 December 2019. Councillor Halsall provided some background to the charge and confirmed that this service would be free for Borough residents.

This amendment was agreed by the Executive.

RESOLVED that:

- 1) the schedule of fees and charges, as set out in Appendix A to the report, be approved to be effective from the dates listed on the schedule;
- 2) Wokingham's discretionary fees and charges for the Public Protection Partnership be approved, and the statutory charges be noted, as set out in Appendix B, effective from 1 April 2020;
- 3) the impact of the Public Protection Partnership unifying charges across the three partner authorities on a cost recovery basis, which will be covered in the Medium Term Financial Plan as a Special Item, be noted;
- 4) a fee of £14.00 (incl) for the EU Settlement Scheme ID Document Scanning service for non-Borough residents be introduced from 1 December 2019.

56. ARBORFIELD AND BARKHAM NEIGHBOURHOOD PLAN

The Executive considered a report setting out the response of the Independent Examiner to the Arborfield and Barkham Neighbourhood Plan.

When introducing the report the Executive Member for Planning and Enforcement highlighted the process that had been followed which included a six week consultation and the examination of the Plan which was carried out by an Independent Examiner in September 2019.

Councillor Smith advised that feedback had been received from the Examiner and this had been included in the report. It was noted that the next stage in the process was a Neighbourhood Plan Referendum which was scheduled to take place on 6 February 2020.

Councillor Kaiser highlighted the importance of the Plan to the neighbourhood area which had taken four years of committed hard work by Arborfield and Barkham Parish Councils.

RESOLVED that:

- 1) the report of the Independent Examination into the Arborfield and Barkham Neighbourhood Plan be accepted and that the modifications recommended by the Independent Examiner be made to the plan prior to a local referendum being held; and

- 2) it be agreed that the referendum version of the Arborfield and Barkham Neighbourhood Plan, as modified in accordance with the recommendations following Independent Examination, meets the basic conditions and complies with the provisions of Paragraph 8 (1) (a) (2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011). A statement to that effect will be published on the Council's website as well as the 'Referendum Version' of the Plan; and
- 3) a local referendum be organised and conducted on 6 February 2020 in the Arborfield and Barkham Neighbourhood area. This will allow all eligible persons that are registered on the electoral roll within the two parishes, to vote on whether the Arborfield and Barkham Neighbourhood Plan should be used by Wokingham Borough Council to help it determine planning applications in the Neighbourhood Area.

57. GORRICK SQUARE DEVELOPMENT

(Councillor UllaKarin Clark declared a personal interest in this item)

The Executive considered a report in relation to a proposal for a revised funding model to develop a 3-bedroom bespoke bungalow on land between 24 and 25 Gorricks Square to meet the specialist housing needs of three individuals with learning/physical difficulties.

The Executive Member for Finance and Housing advised the meeting that the Gorricks Square project was being carried out by the Council's housing company. When the project was first agreed by the Executive in 2016 the land between 24 and 25 Gorricks Square was identified for the development of a single 3-4 bedroom bungalow with an estimated cost of £349,000. Prior to the planning application being submitted a more appropriate need for the site was identified by the Adult Social Care Team who asked for the scheme to be redesigned to provide a bespoke bungalow for three individuals with learning and physical disabilities.

Councillor Kaiser advised that the new scheme includes three ensuite bedrooms, staff offices, shared kitchen and living room which totals 155 m². The scheme is 50% larger than the original proposal and has a revised cost of £815,000.

Councillor Kaiser highlighted the business case, as set out in the report, and the fact that the current scheme would enable the three individuals to live independently.

RESOLVED: That the revised funding model for the proposed revised development totalling £815,000, including confirming the allocation of up to £349,000 of Section 106 receipts and a long term loan to Loddon Homes of £231,000, be approved.

58. CARNIVAL POOL SITE, WELLINGTON RD, WOKINGHAM

The Executive considered a report relating to the appropriation of land at the Carnival Pool site, which is held by the Council, to enable the delivery of the final phase of the town centre regeneration in accordance with detailed planning consent (ref. 170212) granted in February 2018.

The Leader of Council provided a comprehensive update on the progress of the site and advised the meeting that construction of the new Leisure Centre and library at the Carnival Site was due to start on site in the Summer of 2020 and the new facility would open in the

Summer of 2022. It was noted that a procurement process to appoint a build contractor had begun.

Councillor Halsall provided detailed information on appropriation which was a statutory process that Councils could exercise to reallocate land for one purpose eg public open space, employment, housing to a planning purpose. Appropriation was part of the process to ensure that the Council was ready to start on site next year with no legal or property issues outstanding and had been used across all the town centre regeneration sites, including Peach Place and Elms Field.

Councillor Halsall reminded the meeting that in July 2019 the Executive had authorised the making of a Compulsory Purchase Order (CPO) to acquire all outstanding parcels of land not owned by the Council. Since July all remaining freehold interests in the site had been acquired by agreement therefore there was no need for the Council to exercise its CPO powers.

RESOLVED that:

- 1) it be noted that the Council no longer needs to proceed with a compulsory purchase order ("CPO") in respect of land to the 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) (the "1990 Act") because all outstanding freehold interests in the Site have been acquired by agreement;
- 2) it be authorised, to the extent that it is not already held for such purposes, that the land held by the Council and comprising the Site shown coloured red and blue on the plan at Appendix 2 of the report, be appropriated for planning purposes in accordance with section 122 of the local Government Act 1972 from the date this resolution is made, such land being no longer required for the purpose for which it was previously held.

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**MINUTES OF AN EXTRAORDINARY MEETING OF
THE EXECUTIVE
HELD ON 23 DECEMBER 2019 FROM 7.00 PM TO 7.30 PM**

Committee Members Present

Councillors: John Kaiser, Parry Bath, UllaKarin Clark, Charlotte Haitham Taylor, Pauline Jorgensen, Charles Margetts, Stuart Munro, Gregor Murray and Wayne Smith

Other Councillors Present

Lindsay Ferris
Malcolm Richards
Imogen Shepherd-DuBey
Alison Swaddle
Rachel Bishop-Firth
Rachelle Shepherd-DuBey

59. APOLOGIES

There were no apologies for absence received.

60. DECLARATION OF INTEREST

There were no declarations of interest received.

61. PUBLIC QUESTION TIME

There were no public questions received.

62. MEMBER QUESTION TIME

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

62.1 Malcolm Richards asked the Executive Member for Finance and Housing the following question:

I am pleased to see that the Council treats homelessness and rough sleeping seriously, and as a priority, even though it remains at a low level in the Borough. Can you please confirm what action is being taken to manage this issue going forward?

Answer

Thank you for your question.

As you can see tonight in the agenda, I am bringing forward the Homeless and Rough Sleeping Strategy which forms part of the overall Housing Strategy. It is probably one of the most important papers that I will bring to the Council.

I can confirm that the Council does treat homelessness and rough sleeping very seriously and, although the numbers involved are relatively low, as you have said, the Council recognises the devastating impact it can have on individuals and families. Those impacts can be wide ranging and long term affecting their health, education and employment among things in other areas of their lives.

The draft Homelessness and Rough Sleeping Strategy that is being recommended for approval by Executive at this meeting sets out the strategic approach to prevention,

management and support for those threatened with homelessness or who are unfortunate enough to be already homeless or sleeping rough. It contains 4 strategic priorities:

1. Early intervention and prevention
2. Working towards ending rough sleeping and tackling hidden homeless
3. Building more affordable homes each year
4. Supporting our vulnerable residents

Within that fourth strategic priority the strategy highlights current actions and proposals for a number of key groups including care leavers and young people, those who have experienced domestic abuse, people with mental health problems, those with learning disabilities, ex-offenders and military veterans.

The Strategy includes an Action Plan that will be monitored, reviewed and updated annually. That action plan highlights the key outcomes we are aiming to achieve under each strategic priority.

In line with the Homelessness Reduction Act, the main focus for the Council and our partners is to prevent homelessness through early intervention and support. The Council has strong partnerships with agencies, charities and organisations across the Borough and there are a number of active and effective forums and working groups both across Directorates within the Council and more widely.

Through those partnerships, we aim to identify at an early stage those who may be at risk of becoming homeless and provide early support and advice. We also continue to work together to set up clear and accessible housing pathways for all identified key groups.

Supplementary Question:

When did the Council last carry out a survey of rough sleepers across the Borough and what were the results?

Supplementary Answer:

We carry out a survey of rough sleepers across the Borough on an annual basis, and the last one we carried out was in the middle of November. Through the information we collated through our partners, with charities and other organisations, we identified that we have 10 sleeping rough in the Borough. This figure compares to 7 in 2018, which although small numbers is a significant increase.

For information, this compares with Reading, they obviously have some different problems, but they actually have 25 rough sleepers, at this moment in time.

62.2 Imogen Shepherd-DuBey asked the Executive Member for Finance and Housing the following question:

Within the Homelessness and Rough Sleeping Strategy, I can see that some people have been moved into temporary accommodation. Is there any data on how long people stay in temporary accommodation, before being moved to permanent accommodation?

Answer

Thank you for your question and I can confirm that the Council monitors and reviews the use of temporary accommodation and works closely with the individuals and families involved to help them find a secure and permanent address to live in.

The Council uses its own stock (for instance we are currently using between 30 and 40 properties within the proposed Gorse Ride regeneration area) or specialist accommodation to provide temporary accommodation but also occasionally, and we do not like doing this, we need to use bed & breakfast, but that tends to be on an emergency basis. We are committed to reducing the use of bed and breakfasts and in particular for families with children, as it does not really fit what they need.

Between April and November 2019, we have placed 89 households (mainly single people) in bed and breakfasts with the average stay per household being 25 days. All these households are owed a 'Relief Duty' as introduced under the Homelessness Reduction Act which came into force in April 2018. That placed a new duty on local authorities to relieve homelessness for up to 56 days for all eligible homeless applicants, regardless of priority need.

All households housed in emergency bed and breakfast (and in all temporary accommodation) have a personalised housing plan (PHP) to help support them to find sustainable permanent accommodation. Each case is then reviewed and discussed at a weekly review meeting.

Supplementary Question:

What would be the longest time that people would be staying in temporary accommodation?

Supplementary Answer:

The average, as I have said here, is 25 days.

The issue around the accommodation is very much around finding suitable accommodation because if you have got a family for instance that have got 3 or 4 children, and they are of an age that cannot really share rooms if they are different sexes, it is a lot more difficult with the larger families because we do not have a great number of 4 or 5 bedroom homes.

Normally I would be very surprised if the majority of the people that we have got in temporary accommodation are there for more than 2 and a half weeks.

62.3 Alison Swaddle asked the Executive Member for Environment and Leisure the following question:

Cantley Park enhancement. I understand that some part of the project funding will come from S106 allocation. Can you please advise from which development this portion of S106 will come from?

Answer

I have been asked that question many times and some people are confusing it with some other developments like Arborfield and Spencers Wood etc. The actual money is coming from the North Wokingham SDL, the land at Kentwood Farm House Road, but it is closely related to Matthewsgreen as well, and that is probably what has happened. More specifically, it is the Kentwood Farm House Road development.

Supplementary Question

Can you assure us that the funding that will come from the Football Foundation is well in hand?

Supplementary Answer

Yes, I can. There has been several meetings between the officers and the Football Foundation people. Our track record is very good, excellent in fact, in securing funding from them in the past and based on that I am very, very confident that we will secure that funding from the Foundation.

62.4 Lindsay Ferris asked the Executive Member for Finance and Housing the following question:

What is the estimated capacity of WBC to house homeless single people and homeless families this financial year?

Answer

I will reiterate some of the stuff I said earlier on. This document that I will be presenting later on tonight is actually part of our Housing Strategy and it is probably one of the most important documents that I will present to this Council while I am in this role.

As you know, the Council does treat homelessness and rough sleeping very seriously and recognises the devastating impact it can have on individuals and families. The Homelessness and Rough Sleeping Strategy and Action Plan being considered by Executive tonight sets out our strategic and practical approach to preventing, managing and support those people who are threatened with homelessness or who have unfortunately become homeless.

The key focus of the Council and our partner agencies and organisations remain on early intervention and prevention – providing advice and support to help individuals and families to remain in their current home or, if that is not possible or appropriate, to find secure, permanent and appropriate alternative accommodation.

We will only use temporary accommodation where we have exhausted those other alternatives and we will continue to work with those individuals or families, using their agreed Personal Housing Plans (PHPs), to find them a permanent solution.

The Council uses a range of temporary accommodation – from specialist accommodation to some of our own general needs housing stock. In addition, there may be occasions when we will use private rented properties or in real emergencies, bed and breakfast accommodation, but we do not like using that because it is not always possible to do it within the Borough.

The Council owns a number of properties specifically identified for temporary accommodation:

- On the Oxford Road we have very nice 9 self-contained units (including one disabled adapted flat)
- Foxwood – we have 5 contained units (including one disabled adapted flat)
- Grovelands – we have 12 mobile home units which have been renovated, including skirting round them underneath so they do not just look like mobile homes.
- Broadway – we have 10 units.

However, we have been a bit more inventive as you probably know. With Gorse Ride, we are beginning to move people out because what we want to do is refresh the stock there. We have got at the moment between 30 and 40 families actually living in Gorse Ride in temporary accommodation, in the regeneration area.

The combined budget for supporting homeless families and Housing Needs for 2019/20 was £366,000 and it is important to note that these budgets are subject to grant funding and are reviewed regularly.

Where we can we build our own accommodation, or buy our own accommodation, or convert our own accommodation, for the needs of homelessness rather than put them in bed and breakfast.

Supplementary Question

What additional facilities would the Council need to meet forecast homelessness in the Borough over the next 18 months?

Supplementary Answer

The Action Plan attached to the Strategy sets out our proposed approach to tackling Homelessness and Rough Sleeping. However, this Plan is not a plan that we draw up and put on a shelf. It is constantly monitored and reviewed – for example in Adult Social Care we have recently identified a specific need around providing move-on accommodation for adults with mental health problems coming out of hospital and potentially being at risk of becoming homeless.

However, it is not proposed to build any additional facilities for general needs temporary accommodation provision. As highlighted in the Strategy our main focus will be to actually find homes for people that are permanent homes.

In 2018/19 248 households presented as homeless to the Council. 91 of them were accepted as homeless, but in the first 6 months of 2019/20 42 households were accepted as homeless. Those households accepted as homeless are placed in Band 1, which means they are ready for immediate allocation, which ensures they receive top priority for any appropriate affordable accommodation that becomes available. I am happy to report that in the first 6 months of this year, bearing in mind that we actually accepted 42 households that were homeless in the first 6 months of this year, 212 affordable homes actually came up for allocation. We expect that number to be about the same for the last 6 months, so as you can see we are gaining on it.

It does depend on the type of home they need. If they need 4 or 5 bedroom accommodation that is more complicated for us to find, but I can tell you that those 42 had actually been placed, but at this point, 6 months, I would expect them only to be in temporary accommodation for around about 2 and a half weeks. I said the average time for someone being in temporary accommodation is 25 days.

63. HOMELESSNESS AND ROUGH SLEEPING STRATEGY

The Executive considered a report setting out the Homelessness and Rough Sleeping Strategy for 2020-2024.

The Executive Member for Finance and Housing introduced the report.

Councillor Haitham Taylor expressed concern that referrals to Berkshire Women's Aid in Q1 2019/20, had increased, and questioned whether the Strategy would also refer to those fleeing coercive domestic abuse and also male victims of domestic abuse. Councillor Kaiser commented that domestic abuse victims were a top priority.

In response to a query from Councillor Jorgensen regarding those who became homeless as a result of substance abuse, Councillor Kaiser commented that the Council would work with the Police and other relevant agencies.

RESOLVED: That Wokingham Borough Council's Homelessness and Rough Sleeping Strategy 2020-2024 be recommended to Council for approval.

64. CANTLEY PARK ENHANCEMENT

The Executive considered a report setting out proposals to enhance the current facilities at Cantley Park. These proposals included: a new 3G pitch; upgraded sports pavilion and changing rooms; new café and social space; additional car parking spaces, new artificial cricket wicket, upgraded grass football pitches and a destination play area.

Councillor Murray stated that he was pleased with the investment into Cantley Park and asked that consideration also be given to other sports users such as cricket.

Councillor Bath emphasised that Phase 1 work would commence in Summer 2020 and that Phase 2 would commence in Spring 2021.

RESOLVED that:

- 1) a consultation be undertaken and subject to the consultation outcomes the upgrade of the facilities be agreed;
- 2) in principle the upgrade of the pavilion, additional parking and an additional café be agreed;
- 3) the enhancing of football pitches and building the new 3G pitch, café and social space, upgrading the sports pavilion, artificial cricket wicket, additional 40 car parking spaces be agreed (subject to funding from the Football Foundation and planning permission), commencing summer 2020;
- 4) subject to funding from the Football Foundation the release of S106 monies to the value of £528k be agreed. This will need to be released at the start of the project.

65. APPROVAL OF WOKINGHAM'S STRATEGY FOR RESIDENTS WITH A LEARNING DISABILITY

The Executive considered a report setting out the Council's strategy for Wokingham residents with a learning disability and the families, partners and carers who support them.

The Executive Member for Health, Wellbeing and Adult Services advised the meeting that whilst nationally 68% of adult social care departments would be overspent this was not the case in Wokingham Borough. He thanked officers for their hard work. The Executive Member for Health, Wellbeing and Adult Services went on to advise Members that the Council spent £19.8m a year on learning disability support for 520 residents which was 42% of the adult social care budget.

Councillor Haitham Taylor commented that she was pleased that service users had been involved in designing the Strategy and asked whether feedback would be sought from them at a later stage. Councillor Margetts indicated that it would and that the document needed to be responsive.

In response to a question from Councillor Kaiser, Councillor Margetts stated that the Council would work with charities regarding what services and support they could offer and would not simply offer a block grant.

RESOLVED: That Wokingham Borough Council's Strategy for People with a Learning Disability, as set out in Appendix 1 of the report, be approved.

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**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD ON 15 JANUARY 2020 FROM 7.00 PM TO 8.25 PM**

Committee Members Present

Councillors: John Halsall (Chairman), John Kaiser, Parry Batth, UllaKarin Clark, Charlotte Haitham Taylor, Pauline Jorgensen, Charles Margetts, Gregor Murray and Wayne Smith

Other Councillors Present

Rachel Bishop-Firth
Gary Cowan
Paul Fishwick
Clive Jones
Sarah Kerr
Adrian Mather
Andrew Mickleburgh
Barrie Patman
Malcolm Richards
Imogen Shepherd-DuBey
Rachelle Shepherd-DuBey
Caroline Smith

66. APOLOGIES

An apology for absence was submitted from Councillor Stuart Munro.

67. DECLARATION OF INTEREST

There were no declarations of interest received.

68. PUBLIC QUESTION TIME

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

68.1 Dennis Goodlad asked the Executive Member for Planning and Enforcement the following question:

Question

I want to understand the decision making process leading to the proposal for 250 houses to be built at Winnersh Farms. The documentation for tonight's meeting states that sites listed "have been discussed with and are preferred by the relevant Town and Parish Council". The Parish Councillors at Winnersh (3 of whom are also Members of Wokingham Borough Council) are adamant that they recommended against any development at Winnersh Farm. Indeed as recently as February 2019, less than 12 months ago, Winnersh Parish Council submitted a comprehensive list of objections to the last Planning Application to be submitted for development of this land. This is a substantial disconnect. My question is: Who has made the decision to include Winnersh Farm in the list of sites in the local plan update and why was the decision made after all previous planning applications were refused for significant and valid non-compliance with adopted Planning Policies?

Answer

I accept that the Parish Council did not support the residential development at Winnersh Farm in our discussions with them in November 2017. The reasons put forward included flooding, access and noise.

The proposed allocation now includes a wider area than what was discussed with the Parish Council. The wider area presents an opportunity to provide a well-designed development which addresses the issues of access and does not require building on that area that floods. We are also confident that the issues of noise can be suitably addressed.

With part of the wider area being owned by the Council this site is an opportunity to deliver increased numbers of affordable homes to support those who cannot access suitable housing elsewhere.

In terms of process, all of the proposed allocations in the recommended Draft Plan were discussed and agreed by a cross party Planning and Transport Member Working Group.

The recommended consultation provides an opportunity for residents and others to let us know whether they agree or disagree with our proposals.

Supplementary Question

Much has been said about the Council wanting to take back control of the planning process from developers and that is fine; I totally agree with that. However it seems that that ethos does not apply to Winnersh. In reality it seems that developers such as Taylor Wimpey, for instance, seem to call the shots.

The Council has not followed their own procedures as laid out in the documentation. I ask tonight whether the Council will reject this flawed plan and commission an independent and external investigation into the probity of this decision to build 250 houses at Winnersh Farm.

Supplementary Answer

As I said you will have an opportunity through the consultation process. This tonight is only to take us to an agreement to go to the consultation process and through that process you, along with the Ward Members, along with the Parish Council, will have the opportunity to feed all that information back to us.

68.2 Anthony Pollock asked the Executive Member for Planning and Enforcement the following question:

Question

Wokingham Borough Council's track record of winning planning appeals in Shinfield South is very poor and has resulted in the 2010 local plan number of 2,500 houses increasing to over 4,000. How do you propose to protect the sites owned by the University of Reading and others within Spencer's Wood and Shinfield from being approved for development at future planning appeals?

Answer

There is no hiding that changes to the Government planning policy have unnecessarily and unacceptably undermined our local planning decision making. We continue to put considerable resources into defending our decisions and I am glad to say that we have

won the majority of appeals involving developments in unplanned locations over the last few years.

In November this Council approved a £630,000 'fighting fund' to help defend our decisions against speculative developers. For the current public inquiry at Cutbush Lane, Shinfield we have employed Neil Cameron QC, one of the Country's top barristers to present our case.

As you know, the main defence against unplanned development is to have a local plan which ensures that our planning policies continue to be effective and demonstrates that we meet our planning development needs. The recommended Draft Plan consultation is a vital step to achieving this.

Without effective planning policies, there would be no real control or influence over the new housing and what type of development will take place. This is because our position to defend appeals becomes untenable.

Supplementary Question

Your answer reminds me of when I sat where you are today approving the 2010 Local Plan and I approved it on the basis that there was a limit in my ward of 2,500 houses. The system has not delivered and I am concerned. What guarantee does the residents of the area where I live, and also where all of you live? Where is the defence from Government and from yourselves for residents because as I said in my question from your track record I do not see you winning 50% in Shinfield for sure. The track record and Government policy leads me to be concerned, and you know this as I have said it to all of you, that we will end up with Grazeley plus 10,000 houses because you have allowed Grazeley to go ahead. They will say tick the box thank you very much and the other developers and land owners in Twyford or in Arborfield or Barkham will make good arguments at the public inquiry and the Inspector will look at his numbers and say how many can I get to the 300,000 a year. Oh I can get a bit more – tick box thank you very much.

My concern and my question to you is do not think that by approving Grazeley that actually you do a disservice to the Borough because you actually open the door to extra housing in all of your wards because the Government want to build houses and there is nothing in the last five years that I have seen that really protects this Council or the residents from excessive housing anywhere.

How are you going to protect us given that you have not managed to do it in the last five years?

Supplementary Answer

I think there is a lot there. If you look at the draft Plan there is a specific note around what we need to do for Shinfield, Three Mile Cross and Spencer's Wood around a buffer zone to no development.

I think the big point will be at Grazeley and how that development is managed. I do not think it can be conventionally managed how other sites have been managed. I know we have got good and bad examples. I would say Arborfield is a great example. I would say some of our other SDLs are not because as you know you only need a big land owner or a Parish Council working against a previous local plan and it can go against you. You know better than me what has happened and that is why we have got the problems in Cutbush Lane.

I think having Grazeley and taking it down the route of a Council led or a development led approach may help us in making sure that we do not have these dips and there are people in the room tonight that know in the past the five year land supply has been our Achilles heel. That is now moving away and it is no longer our Achilles heel it is the fact that what has recently come out in one of the Inspector's report is that if you do not have a Local Plan, that is within the last five years, it is deemed that you do not have a Plan. So that is now the latest argument. So by not having a Plan we are putting this Borough at risk.

I have had many conversations with you and I do take on board all of your points. We are going to have to fight and that is why this Council spent the extra money getting the best of the best to defend our unplanned development through appeal.

68.3 David Lee asked the Executive Member for Planning and Enforcement the following question:

Question

You are proposing some 15,000 houses in Grazeley to meet the required housing numbers. This should, as you have said, provide for the excessive housing imposed on our region by central Government for quite a few years to come.

However as a Borough we have seen large sites allocated in the last plan being slow at delivery so how will you ensure that such a large site as Grazeley with the huge infrastructure required does not present the same problems. Should you split it into smaller packages to ensure you meet the five year land supply problems experienced in the past?

Answer

We together with West Berkshire Council and Reading Borough Council have submitted a bid to the Housing Infrastructure Fund to help accelerate the delivery of the recommended Grazeley garden market allocation. The joint bid is key to the comprehensive approach to governance, design, planning and delivery.

In order to specifically address the risk of deliverability, as you were referring to, we are considering whether a delivery model such as a Locally Led New Town Development Corporation would be a good fit for the Grazeley garden town proposal. A Development Corporation is a delivery model and potentially puts the control of development and speed of delivery in the hands of the Council through enhanced land assembly, investment, development and planning powers. It is a model that can adapt more easily to ensure the continuous supply of new housing.

A successful outcome of the joint bid will enable the provision of upfront infrastructure, one of the principal messages we have had from residents, and remove one of the key early costs of delivery from the development industry. The upfront provision of primary infrastructure will open up the entire site, maximising the delivery area and enabling accelerated development.

As you say we would expect delivery to be, or could be, through smaller packages of land all conforming to the overall strategic vision and supporting the master planning. One of these packages could be Council owned land.

Separate to the recommended consultation we are continuing to have dialogue with the Government through the Garden Settlement Programme and the HIF bid with a view to securing freedoms and flexibilities in recognition of the housing delivery and its proposals at Grazeley.

Supplementary Comment

I don't really have a supplementary question but I would urge you please that the Government is giving you a green light. It does not matter what the landowner says you can impose smaller development sites to ensure you meet that 5 year land supply. If you do not with absolute certainty you will fall into the same elephant trap that we have done with South Wokingham and with North Wokingham. So please look at it very seriously. It is the answer to the problems that we will otherwise experience.

68.4 Jackie Rance asked the Executive Member for Planning and Enforcement the following question:

Question

What will be the benefit of the proposed Grazeley development of 15,000 houses be to the current and future residents of Shinfield South?

Answer

As you know it is 15,000 across West Berkshire, Reading and Wokingham.

The recommended creation of the Grazeley garden town offers the opportunity to create a self-contained, infrastructure rich new community limiting the need to travel by car for everyday journeys, with rail links to Reading and Basingstoke, and a dedicated public transport route into Reading, providing a viable alternative to the car. This meets our climate change emergency agenda and is consistent with the direction of our wellbeing strategy.

A successful outcome of the bid to the Housing Infrastructure Fund will enable the upfront delivery of a wide range of infrastructure projects including measures designed to mitigate the traffic issues and effects.

The delivery of the garden town at Grazeley supplements our current strategic developments, reducing or eliminating the need for large scale development on the edge of other towns and villages, including those in the Shinfield Parish, allowing the new and expanded communities to fully form and mature.

It will also provide, as I mentioned earlier, the 5,000 affordable homes to support those who cannot access suitable housing elsewhere.

Due to the proximity of Grazeley to the current strategic development in Shinfield Parish, the recommended approach expressly seeks to protect the area from larger further development in this area. Furthermore residents of Shinfield should benefit from the transport infrastructure and the community facilities as part of the large scale Grazeley development which will also provide improved access via pedestrian, cycle and bus links across the A33. These facilities will include a new railway station, at least one new secondary school, a health hub, indoor and outdoor leisure facilities, community buildings, public parks and children's play areas.

Supplementary Question

How much infrastructure spending will take place outside the boundary of the proposed Grazeley development to alleviate the additional traffic impact of the Grazeley development on the residents of Shinfield South?

Supplementary Answer

At this moment in time the proposed infrastructure early or rich, as you refer to it, is around £252m. There is a further £600m that will come from CIL receipts for the whole of that area and there will obviously need to be masterplanning to work through the links. I have spoken at a very high level about links across the A33, links into Green Park etc, etc. There will need to be a lot of traffic modelling.

I fully understand the issues on the A33 and I fully understand the issues of Shinfield and that is all the area that we are going to have to make sure they improve the lives for those people.

68.5 Laura Edmonds had asked the Executive Member for Planning and Enforcement the following question which was asked by Jonathan Pollock in her absence:

Question

This local plan update proposal is based on large development sites. The experience with all of the current Strategic Development Locations since 2010 is that the houses are delivered late. Does this plan therefore imply that many of the 300 rejected sites will be approved by the Planning Inspectorate to compensate for the delays in delivering the houses identified in the local plan update?

Answer

I believe the recommended strategy is the right one.

Our four existing Strategic Development Locations will continue to make a significant contribution to meeting the housing needs in the new plan. The vast majority of the proposed housing on the SDLs are under construction and have planning permission.

Through consultations, respondents have clear preferences for development needs to be met through large scale developments, where infrastructure can be planned, funded and provided alongside. That is why the recommended strategy proposes the creation of a garden town at Grazeley.

We have greater choice over potential delivery models for the Grazeley garden town proposal than compared to what we do for the existing SDLs. For example we are considering, and I mentioned this earlier, whether a delivery model such as a Locally Led New Town Development Corporation would be a good fit for Grazeley garden town proposal. A Development Corporation is a delivery model that potentially puts control of the development and speed of delivery in the hands of the Councils through enhanced land assembly, investment, development and planning powers. It is a model that can adapt more easily and ensure a continuous supply of new housing.

We, together with West Berkshire and Reading Borough Councils, have submitted a bid to the Housing Infrastructure Fund to help unlock and accelerate the delivery of the recommended Grazeley town allocation. The joint bid will help us increase the volume

and rate of housebuilding through an early investment in primary infrastructure, opening up the site and unlocking suitable development.

The other proposed allocations are a mix of size and types of sites that are spread across the whole Borough.

68.6 Martin Haitham Taylor asked the Leader of the Council the following question:

Question

Does this Council and its Executive believe in transparency, democracy and accountability?

I was dismayed to read about the recommendations as set out in this report on Page Five. Recommendations Three and Four, if implemented as written, set out that this Executive will only agree that 'minor changes' will be taken forward into the final Local Plan, following this consultation. The recommendations also set out that the decision on these 'minor changes' ('minor' is not defined) will be a delegated decision. This means that any amendments will not be brought back before the Executive for further scrutiny. Therefore, how can this consultation be meaningful, and will the public not simply conclude that this exercise is a total charade? Furthermore, how can any future amendments made to this plan have democratic legitimacy, when they are signed off behind closed doors?

Answer

Unfortunately I think Martin you have misunderstood the recommendations and I can assure you that decisions on the Local Plan will be transparent.

The delegation of minor changes to the Director of Locality and Customer Services, in consultation with the Lead Member of Planning, is standard practice in preparing for a consultation and we are talking about a consultation not a Plan.

The delegation solely relates to the documentation for the consultation. It does not relate to, or impact on, future decisions of the Council or the Executive.

Following this consultation we will need to reflect whether the changes are required. It will be for the future meetings of the Executive and Council to consider these and approve the plan to be consulted on at the next stage.

The Local Development Scheme is simply the document that sets out the programme for reviewing the local plan. We are required to produce this and keep it up-to-date so people are able to understand when consultations are likely to occur.

Supplementary Question

If following the consultation support emerges for some additional new housing for example affordable housing to be built on green belt would this Council consider amending the current planning conditions as contained in the Local Plan draft?

Supplementary Answer

The purpose of a consultation is to hear the views of the people you are consulting and yes.

69. MEMBER QUESTION TIME

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

69.1 Gary Cowan asked the Executive Member for Planning and Enforcement the following question:

Question

The report states and I quote “Analysis of the housing market clearly shows a number of failings with the way the Government has calculated the minimum number of homes a Council must plan for. A case will be advanced to demonstrate exceptional circumstances exist to deviate from the normal application of this Government planning policy reducing the requirement to 769.2 dwellings per annum. We will review and adjust this figure downwards if the future circumstances permit.”

Why then since 2013 every time the housing numbers were increased, this Council never challenged them and just accepted them along with the implications that it had for housing numbers and the 5 year housing land supply?

Answer

Since 2013 the Council has been tenacious and doggedly fought a fairer housing number. All Leaders of this Council have taken the challenge to Governments, Secretary of States, Ministers, through our MPs and directly.

To support our position we have directly engaged with residents to demonstrate the strength of feeling and welcome the support we have received from all Members and Town and Parish Councils in our efforts. This fight must go on and will continue.

The answer to why we are putting forward a case for exceptional circumstances now, is simply that the time is right.

A case for exceptional circumstances to deviate from the Government policy can only be made through the Local Plan itself. This has been confirmed by one of the top planning barristers.

The recommended Draft Plan consultation is the first opportunity for us to put forward our case. Until now we have had estimated housing need based on the Government's policy and guidance. The outcome of the previous studies, and the current standard method, simply reflects this.

The element of discretion we have within Government planning policy is limited and any argument we made will no doubt be challenged by the development industry. Ultimately a Government Planning Inspector will decide whether the case will be accepted or not.

Supplementary Question

Best of luck with that. I would be more than happy to support you on that.

My question did talk about numbers but linked to numbers is actual locations. When Grazeley was first raised, when it became public four years' ago I think there is a reference in EM5 which is a question linked to that, the Conservative Leader of the Council then, Keith Baker, stated on 16th December that if the Council's bid for £250m is successful,

along with £5.38m for technical studies, and the plans for Grazeley are approved then another £5m will be raised via CIL and you mentioned £600m a second ago.

Nearly three years' later on 26 March 2019 the then Conservative Leader, Julian McGhee-Sumner, admitted that he was surprised as just having made a statement on housing 'Enough is Enough' to hear that the Government had given them £750k to fast track the proposals which is largely supported. He added that "they had given us money to work out whether it was feasible or not" and he added "that it was not feasible before".

This would suggest that £600m CIL alone without the extra £255.38m to unlock Grazeley's potential would make Grazeley not suitable and become a non-starter.

The question is as Grazeley has always been the Conservative's intention to develop for well over four years, whether they get the requested £255.38m or not, is in the new Local Plan consultation. Is it worth the paper it is written on?

Supplementary Answer

I think it is a rhetorical question.

69.2 Rachelle Shepherd-DuBey asked the Executive Member for Planning and Enforcement the following question:

Question

What is the backup plan (plan b?) for yearly housing delivery quota if there is a housing slowdown/recession (like 2007/8) or any delay in the yearly delivery of housing in Grazeley?

Answer

In order to specifically address the risk of slowdown or recession we are considering, and I am going into it again, such delivery models like a Locally Led New Town Development Corporation which would fit the garden town proposal. As I have said earlier the Development Corporation is a model that offers potential to put control and speed of delivery in the hands of the Councils and enhances it through land supply and I have said this previously so you have heard me twice already.

Other factors and actions also reduce the risk. We currently have a healthy bank of land with planning permission for homes, as a result of our existing Core Strategy and part of our Local Plan. We know that these permissions will continue to deliver over the coming years.

A successful outcome of the bid to the Housing Infrastructure Fund will accelerate delivery of the garden town at Grazeley by supporting the upfront infrastructure, removing the key costs and opening up the site early.

The recommended strategy also includes a range and size of other types of sites, and reasonable flexibility in supply, all helping to maintain a healthy supply across the Borough. As an organisation we can also use our ownership of land to influence other developments that come along.

Supplementary Question

In the past we have been forced to have a larger quota because we were not delivering the number of houses we were supposed to deliver during that time and they are not

selling them as is happening in North Wokingham, what is happening in Hatch Farm, what is happening all over the Borough. What are we going to do because at this point Grazeley is not going to come on line for a while and we are expecting all of the houses to come from the existing SDLs and they are not selling them and they are not going to do that so we are going to increase our quota? Where are you going to put the extra 100 houses or something like we got in the last round?

Supplementary Answer

It is a very good point and you know we have discussed this on many occasions. I think what you have got to look at is if Grazeley, through the consultation, gets the go ahead infrastructure will start very early and you will potentially have buildings start in 2024. You are absolutely right we have got a gap between now and 2024 to ensure that these other areas are delivering and that is why our own housing corporate companies, which John will support me on, can actually help deliver those and step in on those areas where we can either develop with the developer or do a joint relationship where we can accelerate the housing.

The good thing about Grazeley, and I know everybody will not sing from the same hymn sheet, is 5,000 plus of those houses will be affordable and if we go down the route of a housing corporation we are in control not the developers.

The problem we have got with our SDLs at the moment, apart from, and John knows far more about Arborfield than I do, is Arborfield seems to be working because they have got this commitment to the MOD whereas at other sites, as you quite rightly say, the developers will sell when it is right for them to sell and that is why we have got to look at other models for Grazeley to try and even out the ups and downs.

But you must also look at Wokingham as an area. I know that there are these statements out there that some are selling and some are not selling. They are selling far better in Wokingham than they are across the whole of the rest of the country if you just look at the sales. Last year we did 1,250, the year before we did 1,565. The reason why this housing is coming late is because the SDL approach was backended; it was never designed to deliver in the early stages it was like the old hockey stick of setting up a new business and they will develop and grow as we go along. But you are right the next few years we have got to make sure they continue to deliver because if Grazeley does go ahead we have got to bridge that gap.

The Leader of Council provided the following response:

I would just add that the current Plan is a Plan from 2019-2036. Of the 13,000 houses presumed there only 3,000 are due to come from Grazeley; the other 10,000 are from other sites or the majority from the hangover of the current Core Strategy. So the current Plan that we are looking at in the consultation is not talking about 10,000 or 15,000 houses from Grazeley; we are talking about 3,000.

69.3 Paul Fishwick asked the Executive Member for Planning and Enforcement the following question:

Question

Under Policy H2, sites allocated for residential use/mixed use on page 80 of the Local Plan Update it indicates that Winnersh Farm, Winnersh will be allocated 250 dwellings. Up until now the Winnersh Borough Councillors have been informed that Winnersh would only have a couple of small sites allocated.

Why have these 250 dwellings suddenly been added to this schedule?

Answer

Firstly I would like to clarify that there has never been a position where Winnersh Parish Council will only accommodate a couple of small sites.

However the land at Winnersh Farm presents an opportunity to provide a well-designed development. With part of the land being owned by the Council, and it builds up the point I mentioned to Rachele just a moment ago about having more flexibility in owning our own land and therefore controlling development, this site is an opportunity to deliver the increased numbers of affordable homes to support those who cannot access suitable housing elsewhere in the Borough.

Supplementary Question

As this was a material change to the original consultation by combining a number of sites together forming one due process should have been followed. Therefore why were the Ward Borough Councillors and Winnersh Parish Council not consulted prior to the meeting of the Planning and Transport Policy Member Working Group so that their views could have been put forward to the Member Working Group so they were properly informed? The Ward Borough Councillors and Winnersh Parish Council are against this new site.

Supplementary Answer

There are two answers to that. The agenda goes out before so the cross-party can discuss with their various Members, including the Ward Members, so if there is somebody there who wants to discuss the sites then they could have done that. Equally at that meeting they could have put forward an objection or asked for further information or there is a whole range of things they could have asked for at the various meetings where all site allocations were discussed.

I was at that meeting and Members of your Party were also at that meeting.

69.4 Adrian Mather asked the Executive Member for Climate Emergency the following question:

Question

For the WBC carbon neutral objective, what specific standards e.g. triple glazing, renewable energy, no gas boilers/appliances are going to be mandated?

Answer

One of our key priorities in creating this Local Plan was to seek to achieve net zero carbon emissions from new homes built in the major residential and commercial developments across the Borough. The Local Plan Update is in the process of being developed so there is an opportunity to implement sustainable planning policies.

To this end, developments will embrace innovative sustainable design solutions for energy efficiency and renewable energy generation and will enable the use of walking, cycling and public transport through ensuring that these options are central to the design and layout of the new development.

The Government is also proposing changes to Building Regulations that would increase the energy efficiency requirement for new homes from 2020; so this year. This is seen as a

stepping stone to the introduction of the Future Homes Standard from 2025. The intention is to make new homes more energy efficient so that they may produce 75-80% less CO₂ emissions than one built to current requirements. Energy efficiency will be achieved through the introduction of more efficient boilers, waste water heat recovery, improvement to ventilation and airtightness standards, improvements in fabric efficiency of walls, roofs, floors and windows and as you said triple glazing.

The Council also plans to encourage the owners of existing homes to retrofit and improve their own homes so that they can become as energy efficient as is possible.

Supplementary Question

Where will this information be documented?

Supplementary Answer

Many of the plans will be put forward as part of the Local Plan and some will go as part of our Borough Design Guide and some will be included as part of the Carbon Emergency Action Plan going forward.

69.5 Clive Jones asked the Leader of the Council the following question:

Question

As you know Grazeley was kept secret by senior Conservative Councillors in 2016. With hindsight do you think that was the right thing to have done?

Answer

I do not actually know as I was not a senior Conservative Councillor at that time.

I believe that the original proposals for Grazeley were when there was a Liberal administration which goes back some 20 years which you probably also do not remember. I believe and I understand that a confidential Expression of Interest (EoI) to the locally led Garden Villages, Towns and Cities Prospectus was made by West Berks, Reading and Wokingham Councils in 2016 following the encouragement of the Government. I understand that the EoI allowed the Borough to outline a case for upfront funding of infrastructure and to discuss planning freedoms which could help us address the problem of appeals for speculative developments, with the submission allowing us to keep the lines open which are currently being exploited.

The submission was made, I understand, with the full understanding that the concept was at a formative stage and that no Council was committed to the proposal. Given this position all of the Councils agreed the submission should remain confidential until such time as we were able to assess other possible planning strategies and engage with residents.

I believe that not submitting an EoI would have potentially passed up an opportunity for significant investment funding; one of the key messages we hear from residents.

Supplementary Question

You appear to be acting in the belief that Grazeley will protect the rest of the Borough from development. I do not agree with this and believe that there will be many, many planning appeals that could cost the council tax payers of Wokingham Borough Council many thousands of pounds and perhaps many millions of pounds.

Why are you so confident that Grazeley protects the rest of the Borough from development?

Supplementary Answer

First of all we are currently in the situation where we are spending a lot of money on appeals. We have engaged the leading barristers in the UK to defend the Borough's position. Wokingham Borough is unfortunate in that it is surrounded by protected land and it is a very desirable place for putting houses and people want to live here. So we are a prime opportunity for developers to attack and that is why we have strengthened our defences and we are winning appeals and I suggest that is the right thing to do.

I am not confident that we can do anything because we are a local authority and we have certain powers and we have certain guidelines which are given by central Government to us. But the approach we have taken is the strongest approach that we can possibly take to strengthen the position of the Borough and that is all I can really say. There are no guarantees because we are at the behest of Government and almost all parties seem to agree uniformly and without reservation that the country needs more homes and the calculation of the homes they believe we need are 300,000 and that filters down to a number for us and we have to find provision for that. If we do not do that we will find ourselves in the same sort of problems that your colleagues in South Oxfordshire are finding themselves in where central Government will take over our Planning Department.

So I think what we are proposing is the only route which protects our position.

69.6 Barrie Patman asked the Executive Member for Planning and Enforcement the following question:

Question

Has the Council come to a formal signed agreement with Central Government on the £252 million Housing Infrastructure Bid?

Answer

The simple answer is no we have no formal agreement in place. The bid is currently under consideration following the due diligence process as part of the bid. We do hope for an announcement early this year.

Feedback to date would indicate that the Grazeley Garden Town proposal is an 'exciting proposition' with sufficiently strong appeal for Ministers to be willing to announce Government support. In fact the HIF bid submission included a letter of support from Teresa May, at the time Prime Minister, identifying it as the best option for growth in Wokingham Borough.

It is also worth noting that in March 2019 the Government, in a demonstration of its support for our proposals, designated Grazeley with Garden Town status under its Garden Communities Prospectus. This included £750,000 in capacity funding to support the delivery of the Grazeley Garden Town. It is expected that will become an annual tranche of capacity funding to help us in our bid.

Supplementary Question

Without the Housing Infrastructure Funding is the Grazeley development viable?

Supplementary Answer provided by the Leader of Council

Our plan is based upon having that Infrastructure Funding.

69.7 Caroline Smith asked the Executive Member for Planning and Enforcement the following question:

Question

In the new Local Plan it states that Wokingham will require affordable homes to be provided in all new developments of five or more houses of about 20% to 40% depending on the site. This departure from Conservative Government Policy which only requires affordable housing on developments of 10 or more. What reason do you have for believing that Wokingham will be allowed to insist on a more generous policy that is currently allowed by Government?

Answer

Access to affordable, high quality, housing is a challenge for people living in Wokingham Borough, and in particular the young, given that they are more likely to be on lower incomes and less able to secure mortgages, finance or access to the private sector in the rental side. High house prices and rents mean that there is a high need for affordable housing and it is a priority for this Council to increase the numbers of affordable homes as I have mentioned earlier on the 5,000 at Grazeley etc.

The proposed approach in the Draft Plan is to continue what has already been applied successfully through the adopted Core Strategy local plan in the Borough. This requires developments of five or more dwellings to make proportionate contributions to affordable housing.

Whilst this deviates from the Government's planning policy I believe there is a clear need for affordable housing in the Borough and it is sufficient justification to be more ambitious. Deviating from the Government policy has been achieved elsewhere including Reading Borough Council, if you have seen their recent Local Plan.

We know from applying our current policy that the approach is achievable.

Supplementary Question

How many additional affordable homes do we expect to be delivered through this policy compared to the numbers that you have delivered under current Government policy?

Supplementary Answer

I do not have the actual numbers, I am looking at John, but am I giving you a hospital pass. I do not have them but I will get them to you.

70. LOCAL PLAN UPDATE: DRAFT PLAN CONSULTATION

The Executive considered a report seeking approval to carry out consultation on a proposed Local Plan Update: Draft Plan which once adopted would guide how development was managed.

The Leader of Council introduced the report and clarified that what was being considered was only the carrying out of a planned consultation and not approving the final Local Plan. The consultation, which was the beginning of the due process for adopting the Local Plan, would be the means by which people could formally comment on the proposals in the draft Plan. Councillor Halsall pointed out that there were a number of steps that were required

to be taken before the adoption of the Local Plan including: signing up with the Government for the HIF bid; seeking protection for the Council's planning policies; and referral to Executive and Council to consider representations to this consultation and approve any amendments to the Local Plan going forward. If approved by Council then it would still need to go through the Examination in Public process.

Councillor Haitham Taylor, Member for Shinfield South, voiced her disappointment with the proposals for a new town in Grazeley particularly when these proposals followed on from the tremendous and unprecedented response from residents against the Government's housing targets during the Council's 'Enough is Enough' campaign.

From a ward perspective Councillor Haitham Taylor felt that this was a 'kick in the teeth' for residents who had already suffered mass development from the last Core Strategy local plan which had changed the nature and character of Shinfield, Three Mile Cross, Ryeish Green and Spencer's Wood. She believed that a new town could never be self-contained as promised in the draft Plan.

In addition Councillor Haitham Taylor stated that because of the following reasons, and the fact that she did not believe that residents' responses to the consultation would be taken seriously, she would not be able to support the draft Plan:

- The Local Plan Update was based on the assumption that the Council would be successful in winning the HIF bid which would unlock a £252m infrastructure fund to forward fund projects to make Grazeley sustainable. However she did not believe that due to the time limit imposed on the funds that the money could be spent within such a short timeframe;
- It assumes that the Government would allow a moratorium on development numbers for the rest of the Borough which would stop speculative sites coming forward; however there was no guarantee that this would happen. It could however end up with a new town the size of Wokingham in a totally unsustainable location and hundreds of speculative applications elsewhere;
- It dismisses many other viable and very sustainable developments in other parts of the Borough and it was likely that developers would still submit planning applications for these sites which could lead to more appeals being lost at a substantial cost to the Council;
- Grazeley, as a much smaller development site, was proposed over 20 years ago and it failed at the Examination in Public stage. She felt that many of the reasons it failed then were still appropriate now;
- The reasons why the site was not sustainable for a new town were as follows:
 - the site was currently under water;
 - the roads were already at full capacity with the A33 causing tailbacks of 3-4 miles in the morning and Junction 11 onto the M4 at full capacity;
 - it was unlikely that residents in Mortimer and surrounding areas would stand by and watch their railway station being shut;
 - the types of houses needed to make this development sustainable were high rise blocks which were not suitable for the location;
 - there were constraints on the site in relation to the Atomic Weapons Establishment;
 - the Borough had the highest car ownership in the UK therefore the assumption that everyone would make use of public transport could not be backed up;
 - there was a total lack of capacity in the health service.

Councillor Haitham Taylor highlighted that Grazeley was a rural community containing small businesses, farms, a small number of social housing, GRT sites and mobile homes and was not an affluent area that was necessarily engaged with the Council as much as residents in other areas of the Borough. It was therefore important that the Council should be making every effort to ensure that these residents' views were heard.

In response the Leader of Council reiterated that if the Council did not have a Local Plan that set out how it would meet the Government's target it would end up with unplanned development and subsequently lose a large number of appeals. Developers who were unhappy with the proposals in the Local Plan Update would start submitting appeals for their sites. The Local Plan Update consultation sets out how the 13,000 houses would be delivered i.e. 750 per year; which was considerably less than the 1,200 previously expected. Of those 13,000 houses 3,000 were from the Grazeley development and the rest were either the remainder of the SDLs or new small sites.

Councillor Halsall reminded Members that discussions on the Grazeley site had been ongoing over the last 20 years, and not just the last four years as had been asserted, and Grazeley was the only site that the Government was prepared to consider for the provision of an infrastructure-led delivery. If sites were lost by appeal no infrastructure would be provided.

In relation to the 'Enough is Enough' campaign Councillor Halsall confirmed that a complete moratorium on house building across the Borough was never a realistic option.

The Executive Member for Planning and Enforcement clarified that if the HIF bid was successful 3,000 houses would be built at Grazeley between now and 2036; not 15,000. This was in addition to development on the smaller packages of sites across 10 towns and parishes whilst also ensuring that the other sites set out in the Core Strategy local plan were still delivered. If a Corporation was set up this would provide the Council with greater control.

In relation to a Plan 'B' option, as mentioned by one of the questioners, Councillor Smith confirmed that the only other option was to take all the 300 sites and downsize them to achieve the prescribed number however this would lead to development across the whole Borough and a lack of necessary infrastructure. This type of approach would also lead to the Council having to borrow millions of pounds. Whereas the approach proposed would deliver £252m; which was the equivalent based on current CIL receipts of 6,500 homes. In addition to the £252m CIL receipts from the Grazeley development amounting to around £600m would also be received.

Although the formal adoption of the Local Plan Update would not be for some time Councillor Smith advised that the fact that the Local Plan process had formally started helped in the defence of planning appeals.

Councillor Jorgensen stated that she believed that the housing targets were too high and that the issue was that there was too much growth in the south east and not enough across the country. Borough residents had suffered from too much development too fast without sufficient infrastructure which had caused amongst other things traffic jams, lack of facilities etc. Therefore despite feeling that the Council was being pushed into a corner in relation to housing numbers, which she believed were fundamentally wrong, Councillor Jorgensen felt that the proposal being put forward was the only solution.

Councillor Kaiser advised that in relation to the Arborfield development he and the neighbouring Ward Councillor had had to fight very hard to ensure that the relevant infrastructure was provided eg relief road and new school which would never have been made available if the 3,500 houses had not been accepted. Councillor Kaiser did not believe that there was a more suitable site than Grazeley but wanted to ensure that the correct infrastructure would be delivered before the houses are built. He hoped that the infrastructure that would be provided with the development would solve some of the existing problems in the area particularly as services and schools were under huge pressure. Councillor Kaiser also felt that the housing numbers were too high and cited the fact that the Council had discussed the matter with Ministers on many occasions. He felt that the Council should be able to make its own decision on what its housing numbers should be.

RECOMMENDATION that:

- 1) the Local Plan Update: Draft Plan (as set out in Appendix 2 to the report) and other supporting documents be agreed for consultation;
- 2) the proposed consultation framework be agreed;
- 3) any minor changes to the Draft Plan and material produced to support the consultation be delegated to the Director of Locality and Customer Services, in consultation with the Lead Member for Planning and Enforcement; and
- 4) the Local Development Scheme 2019 (as set out in Appendix 3 to the report) be adopted.

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EXECUTIVE ACTION SHEET

| DATE OF MEETING | MINUTE NUMBER | QUESTIONER | SUBJECT | ACTION/RESPONSE | STATUS |
|------------------------|----------------------|-------------------|------------------------------|-------------------------|---------------|
| 15/01/20 | 69.7 | Caroline Smith | Delivery of affordable homes | Response to be provided | Progressing |

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| | |
|-----------------------------|--|
| TITLE | Shareholders' Report |
| FOR CONSIDERATION BY | The Executive on Thursday, 30 January 2020 |
| WARD | None Specific; |
| LEAD OFFICER | Deputy Chief Executive - Graham Ebers |
| LEAD MEMBER | Executive Member for Finance and Housing - John Kaiser |

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

Transparency in respect of Council Owned Companies

RECOMMENDATION

The Executive is asked to note:

- 1) the budget monitoring position for the month ending 31st December 2019;
- 2) the operational update for the period to 31st December 2019;
- 3) the Optalis budget and operational position update for November 2019.

EXECUTIVE SUMMARY

WBC Holdings Limited (WBCHL)

Housing. The Council recognised that the provision of good quality affordable housing was a priority for Wokingham and established a group of wholly-owned housing subsidiaries to develop and manage those much needed homes.

The housing group consists of Wokingham Housing Limited (WHL) who, to date, have led on the development of around 150 new affordable homes, Loddon Homes Limited (LHL) and Berry Brook Homes Limited (BBHL). Once developed by WHL the homes are sold within the group to Loddon Homes or Berry Brook Homes who act as landlords for the properties.

More recently the Deputy Leader of the Council and Executive Member for Finance and Housing has set an ambitious target for the Council to deliver 1,000 homes over 4 years producing a 5% return – known as the Housing 1-4-5 project.

To achieve this it was agreed to move to a more efficient and effective ‘One Team,’ approach between the Council and its housing companies. This approach is already producing results with a combined pipeline of over 1,200 potential new homes now identified and being investigated or actively progressed. It has also allowed us to be more pro-active and agile in identifying additional affordable housing opportunities from private developers.

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

Strategy and Objectives of the Council's Subsidiary Companies

There has been no change to the strategy and objectives of any of the Council's subsidiary companies since the last report to Executive in July 2019

Operational Update

An operational update is provided in section 1 for each of the companies as at 31st December 2019. Any changes to the Directorships of the companies is provided at the end of the relevant company's operational update.

Wokingham Housing:

There are currently 61 new homes on site across five separate projects. Phase 1 of the Gorse Ride Arnett Avenue is the largest of these with the construction of 46 new affordable houses and flats, which will in turn create decanting opportunities for the wider regeneration of the Gorse Ride estate (Phase 2).

The two projects that have recently started on site are 10 houses on the site previously occupied by Woodley Age Concern and a 3 bedroom bespoke bungalow at Gorrick Square to meet the specialist housing needs of 3 individuals with learning/physical difficulties.

There are a further 498 potential new homes being actively progressed through design and/or planning under the 'One Team' approach including 249 new homes as part of the Gorse Ride regeneration project.

Working as 'One Team' with colleagues in Commercial Property, and through recent contacts with private developers interested in selling some of their new homes to us, Wokingham Housing has continued to raise its profile externally and also been more effective in helping progress some of the Council's own development opportunities..

As part of the Housing 1-4-5 project colleagues in Adult Social Care have identified a number of priority housing projects that are also being progressed through the 'One Team' approach.

Following the departure of the housing companies' Finance Director the strategic finance function is now being carried out by the Council providing a more streamlined and integrated service.

Changes to Directors & Company Secretary (for all housing companies):

Following the departure of the housing companies' previous Executive Director (Bill Flood) and Company Secretary (Rachel Harrison), Nigel Bailey (Assistant Director Housing and Place Commissioning) has been appointed as interim Executive Director

and Emma Jane Brewerton (Legal Solutions) has been appointed as Company Secretary.

Berry Brook Homes Limited (BBHL):

Since the last report to Executive, BBHL have purchased the first 17 key worker homes at Peach Place from the Town Centre Regeneration Team. The remaining 5 properties are expected to be handed over in the next few weeks. The flats have proved very popular with the majority now occupied or allocated, in particular to local NHS staff, BBHL is also investigating potential opportunities to trial a small number of private rented accommodation units alongside key worker and other affordable rented options. Whilst addressing a shortfall of provision it also could potentially help cross fund other affordable homes.

Loddon Homes Limited:

In August 2019 two new shared ownership homes were completed by Wokingham Housing and purchased by Loddon Homes for shared ownership. In addition there all 61 homes currently on site through Wokingham Housing will eventually come across to Loddon Homes.

As a regulated Registered Provider the focus for LHL Board has been to strengthen its governance and compliance – working with WBC Housing Services as its service provider. LHL (and BBHL) have also recently completed a full review of all key policies to ensure they are fit for purpose and meet current regulatory requirements. This review was done in tandem with WBC Housing to make sure they are aligned and new customers can expect the same high standard of service irrespective of their landlord.

2. Financial Report

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

| P09: Dec-19 | WBC Holdings - Profit & Loss | | | | | | | | |
|-------------------------|------------------------------|--------|----------|--------|--------|----------|-----------|----------|----------|
| | Month | | | YTD | | | Full Year | | |
| | Dec-19 | Dec-19 | | Dec-19 | Dec-19 | | Budget | Forecast | Variance |
| | Budget | Actual | Variance | Budget | Actual | Variance | Budget | Forecast | Variance |
| | £K | £K | £K | £K | £K | £K | £K | £K | £K |
| Income | 44 | 44 | 0 | 396 | 396 | 0 | 528 | 528 | 0 |
| Expenditure | (56) | (56) | 0 | (511) | (511) | 0 | (751) | (751) | 0 |
| Operating Profit/(Loss) | (12) | (12) | 0 | (115) | (115) | 0 | (223) | (223) | 0 |

There were no major variances to budget for WBC (Holdings) Ltd during July 2019.

At this point in the year, the full year results are expected to be in line with budget for WBC Holdings assuming completed schemes finish within budget and estimated timeframes.

Wokingham Housing Limited (WHL)

Following the departure of WHL management team, WHL is in the process of transitioning it's function to WBC and as such the accounts will be finalised at year end and the details of the financial status is currently unavailable.

Loddon Homes Limited (LHL)

| Loddon Homes Limited- Profit & Loss | | | | | | | | | |
|-------------------------------------|--------|--------|----------|---------|--------|----------|-----------|----------|----------|
| P9: Dec -19 | Month | | | YTD | | | Full Year | | |
| | Dec-19 | Dec-19 | | Dec-19 | Dec-19 | | Budget | Forecast | Variance |
| | Budget | Actual | Variance | Budget | Actual | Variance | Budget | Forecast | Variance |
| | £K | £K | £K | £K | £K | £K | £K | £K | £K |
| Income | 52 | 52 | 0 | 1,618 | 1,121 | (497) | 1,773 | 1,533 | (239) |
| Expenditure | (25) | (25) | 0 | (1,396) | (925) | 471 | (1,359) | (1,253) | 107 |
| Operating Profit/(Loss) | 27 | 27 | 0 | 222 | 195 | (27) | 413 | 281 | (133) |

Income and Expenditure:

On a year-to-date basis, income reached £1.1m at LHL, reflecting a £497k negative variance, primarily due to delays with completion of Middlefields & Finch Road. Full year income is expected to reach £1.5m, reflecting a £239k negative variance due to this delay.

Full year expenditure is expected to reach £1.2m, reflecting a £107k positive variance against budget.

Berry Brook Homes Limited (BBHL)

| Berry Brook Homes Limited- Profit & Loss | | | | | | | | | |
|--|--------|--------|----------|--------|--------|----------|-----------|-------|----------|
| P9: Dec19 | Month | | | YTD | | | Full Year | | |
| | Dec-19 | Dec-19 | | Dec-19 | Dec-19 | | Budget | FCAST | Variance |
| | Budget | Actual | Variance | Budget | Actual | Variance | Budget | FCAST | Variance |
| | £K | £K | £K | £K | £K | £K | £K | £K | £K |
| Income | 49 | 49 | 0 | 483 | 483 | 0 | 729 | 639 | (90) |
| Expenditure | (48) | (48) | 0 | (533) | (502) | 31 | (906) | (655) | 252 |
| Operating Profit/(Loss) | 1 | 1 | 0 | (51) | (19) | 32 | (177) | (15) | 162 |

Income and Expenditure:

Income in December 2019 at BBHL reached £49k, which was in line with Budget. Year-to-date income of £493k was also in line with the Budget.

Full Year Budget doesn't currently reflect income and costings for acquiring the first 17 new keyworker flats at Peach Place.

Full Year Forecast figures have been updated by the new finance team but Income and Expenditure for Peach Place has been excluded and remains work in progress.

Adult Care Services Group

Optalis Limited

1. Operational Report

Staff

The staff from Nicholson House successfully TUPED to 1st Homecare on 15 December.

The Comms team produced a short video wishing everyone a merry Christmas, this demonstrates the strong bonds our teams and customers have - it was fun and clear to see.

Quality

The quality within services remains high, notably with the recent CQC inspection for Homeside which resulted in the service receiving a 'GOOD' rating after 6 years of 'POOR' ratings, it has taken Optalis 2 years of managing this service to turn it around.

Non-Regulated services are producing very good audit scores which follow the same/similar format of the regulated services.

There is work needed on the statutory services audit framework which is led by Dan Simms, some of the early results there is poor recording by social workers and further work is needed to improve practice.

Customers

Our services have been very busy enjoying the Christmas season. Activities have included pantomimes, Christmas parties, raffles, quizzes and coffee mornings to bring people together to celebrate the season.

There were no major incidents to report over the festive period, staff delivered all services that were required over the holiday period.

Growth

The YTD profit as of November has exceeded expectation. This is in addition to the money accrued which will be paid back to WBC as a reserve. If this continues, a discussion around re-investing some of the funds should be held at Board level. The overspend on the RBWM contract continues and changes dependent on when in the month we ask for and are given financial information. The end of year prediction is currently £698k.

We have been asked to look at new contracts for both RBWM and WBC. The appetite for growth remains strong.

2. Financial Report

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

Optalis Limited - Total YTD November 19

| Service | Actual | | | Budget | | | Variance | | |
|--|----------------|---------------------|----------------------------|----------------|---------------------|----------------------------|----------------|---------------------|----------------------------|
| | Income £000 | Expenditure £000 | Profit / (Loss) £000 | Income £000 | Expenditure £000 | Profit / (Loss) £000 | Income £000 | Expenditure £000 | Profit / (Loss) £000 |
| Statutory Services | 5,177 | (5,080) | 97 | 5,438 | (5,434) | 5 | (261) | 354 | 92 |
| Provider Services | 10,378 | (10,269) | 109 | 10,586 | (10,520) | 66 | (208) | 251 | 43 |
| Central Management | 79 | (174) | (95) | 28 | (52) | (24) | 51 | (122) | (71) |
| Total Excluding Commissioned Services | 15,634 | (15,523) | 111 | 16,052 | (16,006) | 47 | (418) | 482 | 65 |
| Commissioned Services | 14,105 | (14,105) | (0) | 13,837 | (13,837) | 0 | 268 | (268) | (0) |
| Grand Total | 29,739 | (29,628) | 111 | 29,889 | (29,842) | 47 | (150) | 214 | 64 |

November 2019 results:

The two main contracts with WBC and RBWM are set to break-even with year-end entries put through to balance the books. Profit is generated from the Private business coming on the back of the WBC contract. Currently on the WBC contract a YTD reserve provision of £180k has been provided. The Brokerage Service was taken back into WBC on the 01/11/19 and currently WBC has agreed to fund the current Central Management Costs up until the year-end.

The budget process for FY20-21 is underway and various meetings are taking place to co-ordinate this process so it ties in with the councils' own budgeting process.

Agreement is currently being sought for the split of funding to meet Optalis's central management costs for FY20-21

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

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

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| Public Sector Equality Duty |
| An Equality Impact Assessment is not required for this report |

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| List of Background Papers |
| None |

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|-------------------------------------|---|
| Contact Kajal Patel | Service Business Services |
| Telephone Tel: 0118 974 6163 | Email kajal.patel@wokingham.gov.uk |

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|-----------------------------|--|
| TITLE | Revenue Budget Monitoring Report FY 2019/20 - Quarter 3 |
| FOR CONSIDERATION BY | The Executive on Thursday, 30 January 2020 |
| WARD | None Specific; |
| LEAD OFFICER | Deputy Chief Executive - Graham Ebers |
| LEAD MEMBER | Executive Member for Finance and Housing - John Kaiser |

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

The Council agrees and sets its budget in February for the following financial year and this report seeks to update Executive on the budget position throughout the year and provide an estimate of the outturn position at year-end (31 March 2020)

RECOMMENDATION

That the Executive:

- 1) note the current position of the revenue budget to date;
- 2) note the forecast of outturn and the projected level of balances in respect of the General Fund.

EXECUTIVE SUMMARY

This report is to allow the Executive to note the current expenditure to date (as at 31 December 2019) for the first 9 months of the current financial year and to inform the Executive of the forecast outturn positions for 2019/20 for the Council's net revenue expenditure, its General Fund Balance (GFB), the Housing Revenue Account (HRA), and the Schools' Block funding.

The Executive has agreed to consider Revenue Monitoring Reports on a quarterly basis.

In February 2019 the Council agreed and set its net General Fund (Revenue) budget at £134.281 million; following year end, this is to be further adjusted to account for agreed carry forward of budget and approved supplementary estimates. This gives a working budget for each of the Council's Directorates. The working budgets, spend to date and forecast outturn are shown below.

| Directorate | 2019/20 - net budget position - as at 31 December 2019 | | | | |
|------------------------------|---|-----------------------------|------------------------------------|---------------------|---------------------------|
| | Approved (working) budget | Spend to date (Qtr 3) | %age budget spent to date | Forecast outturn | Variance of outturn |
| | £,000 | £,000 | % | £,000 | £,000 |
| Adult Social Care | £49,991 | £33,168 | 66% | £49,562 | (£429) |
| Chief Executive | £8,752 | £5,603 | 64% | £8,804 | £52 |
| Children's Services | £31,163 | £25,213 | 81% | £33,256 | £2,093 |
| Corporate Services | £12,799 | £3,940 | 31% | £12,256 | (£543) |
| Customer and Localities | £34,395 | £25,983 | 76% | £34,195 | (£200) |
| Net Expenditure Total | £137,100 | £93,907 | | £138,073 | £973 |

Details of the outturn forecast position and variances are also shown at Appendix A. The main items of variance identified to date are:

Adult Social Care – Completion of work looking at the review and impact of forecast assumptions across the service has now finished. This has resulted in an underspend of £429k. The majority of which is made up of one-off benefit, including backdated income from health and one-off income from Optalis. Close monitoring of budgets through the next crucial period of winter pressures will test system resilience and capacity as the Adult Social Care baseline position remains tight.

Chief Executive – One off costs of £52k due to redundancy costs.

Children's Services - Variance of £2.093m. The main areas of variance include children in care placements, where increased demand and complexity of cases has led to an increase in spend on expensive residential and semi-independent placements. Pressures in legal costs, where an increase in cases entering the court system combined with a small number of complex cases and rising costs of commissioning QCs and experts has led to increased costs. Home to school transport continues to be a pressure for the Council and in staffing, where there is a higher than anticipated use of agency staff;

A number of areas have been identified for further investigation or action:

1. Staffing: Action is being taken to reduce the number of agency staff. Seek further detail on the in-year benefit of this work.
2. Placements: Review of the assumptions for the current forecast to ensure it takes account of higher cost placements not needed for the full year and potential placement moves.

3. Legal Costs: Review of the forecast figure to ensure it takes account of a small number of cases being unusually complex and unlikely to be repeated in-year.
4. Home to School Transport: Confirm the impact of an additional 50 requests received at the start of the school year. Analyse of the costs of transport of children with Special Educational Needs and Disability (SEND) and those in the mainstream.
5. Budget Forecast Review: Line by Line review of budgets to identify any areas of potential non-essential spend not yet included in the forecast.

Corporate Services – £543k favourable variance consisting of additional income from commercial properties with returns greater than budgeted. Savings also expected from debt management costs due to delayed borrowing and capitalisation of salaries.

Customer & Localities – £200k favourable variance due to reduction in landfill costs. October Executive have approved an in year supplementary estimate of £630k in relation to increased pressure for legal support and additional workload from planning appeals. Other pressures which are currently being managed within the directorate budget include pressures in Customer Delivery, relating to impact of year on year demographic growth not being reflected in front-line staffing levels. Options are being looked at with regards to technology improvements which will aim to reduce the impact on staffing costs longer term. One off pressures on postage costs in Income and Assessments as a result of delay to moving to online billing which we are working to resolve in-year. Planning Fee income is currently forecast to be less than budgeted, reflecting current market conditions and lack of large site applications coming forward.

Taking account of the variances above and the effect of the supplementary estimates, the balance on the General Fund as at 31 March 2020 is estimated to be £8.454 million. See Appendix B.

Housing Revenue Account (HRA)

The HRA is currently forecasting a nil variance against planned spend of £962k in relation to housing repairs and general management costs. The balance on the HRA reserve is forecast to be £1.821 million at 31st March 2020. See appendix C for further detail.

Dedicated Schools Grant (DSG)

Shortfalls in the level of the Dedicated Schools Grant funding from central government continue to cause a pressure for both the Council and its maintained schools. Particular concern is the High Needs Block and the Home to School Transport. The Council is predicting to carry forward a deficit on the HNB (which is permitted) of £3.333 million. A turnaround and recovery plan is being developed with the DfE to not only prevent this from increasing annually, but will eventually reduce the ongoing deficit. See Appendix D.

Investment balances

The Council's treasury portfolio has investment balances of just under £129 million as at the end of the quarter. Predicted interest on this portfolio is forecast to be £4.024 million by year-end. The portfolio is managed (in order of priority) with consideration for the security of funds, the liquidity of the cash and to provide a return on investment. Thus security and liquidity outweigh the need to make a return.

MTFP outlook

There are funding pressures in years 2 and 3 of the current MTFP that are being addressed, An MTFP refresh has been completed and work on the next three-year financial plan is progressing in accordance with the agreed timetable.

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) | Net budget £137.100m | No – forecast o/s of £0.973m | Revenue |
| Next Financial Year (Year 2) | n/a | Budget set in Feb '20 | Revenue |
| Following Financial Year (Year 3) | n/a | Budget set in Feb '20 | Revenue |

Other Financial Information

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

Stakeholder Considerations and Consultation

None

Public Sector Equality Duty

An equalities impact assessment is not required for this report

List of Background Papers

Appendix A – Revenue Monitoring Summary
Appendix B – General Fund Balance
Appendix C – Housing Revenue Monitoring Summary
Appendix D – Dedicated Schools Grant

| | |
|-------------------------------------|--|
| Contact Mark Thompson | Service Business Services |
| Telephone Tel: 0118 974 6555 | Email mark.thompson@wokingham.gov.uk |

REVENUE MONITORING REPORT December 2019

GENERAL FUND SUMMARY

| Directorate | End of Year Position | | | Comment on major areas of estimated over / (underspend) |
|----------------------------------|----------------------------------|---------------------------|-----------------------------------|---|
| | Current Approved Budget £,000 | Current Forecast £,000 | Net over / (under) spend £,000 | |
| Corporate Services | 12,799 | 12,256 | (543) | Additional income from commercial properties. Further savings expected in debt management due to delayed external borrowing costs. Additional savings from capitalisation of costs |
| Chief Executive | 8,752 | 8,804 | 52 | One off redundancy costs. |
| 53 Children's Services | 31,163 | 33,256 | 2,093 | Significant pressures in placement budgets for children in care continue with increased demand and complexity of cases resulting in increased expenditure on residential and semi-independent placements. Staffing budgets remain under significant pressure in meeting levels of demand, and the corresponding use of agency staff. Pressures in legal costs, where an increase in cases entering the court system combined with a small number of complex cases and rising costs of commissioning QCs and experts has led to increased costs. Home to school transport continues to be a pressure for the Council with further increases experienced for the new academic year. |
| Adult Social Care | 49,991 | 49,562 | (429) | Completion of work looking at the review and impact of forecast assumptions across the service has now finished. This has resulted in an underspend of £429k. The majority of which is made up of one-off benefit, including backdated income from health and one-off income from Optalis. Close monitoring of budgets through the next crucial period of winter pressures will test system resilience and capacity as the Adult Social Care baseline position remains tight. |
| Customer and Localities Services | 34,395 | 34,195 | (200) | Favourable variance due to reduction in landfill costs |
| Revenue Expenditure Total | 137,100 | 138,073 | 973 | |

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Estimated General Fund Balance - 31st March '20

| Note | £,000 | £,000 |
|--|----------|-----------------|
| 1 General Fund Balance (as at 31/3/2019) | | (£8,828) |
| Budgeted contributions to reserves (as per MTFP) | (£3,499) | |
| | | (£3,499) |
| <u>Supplementary Estimates</u> | | |
| 2 New assistant director for Highways and Transport (Jul'19 Exec) | £70 | |
| One off costs for interim assistant director for Education (Jul'19 Exec) | £75 | |
| Future Housing Consultation (May'19 Exec) | £80 | |
| Planning appeal consultancy costs (Oct'19 Exec) | £630 | |
| | | £855 |
| <u>Carry Forwards from 2018/19</u> | | |
| Adult Social Services | £300 | |
| Chief Executive | £724 | |
| Children's Services | £0 | |
| Corporate Services | £891 | |
| Customer and Localities Services | £129 | |
| | | £2,044 |
| <u>Service Variance (including 20/21 carry forwards requests)</u> | | |
| Adult Social Services | (£429) | |
| Chief Executive | £52 | |
| Children's Services | £2,093 | |
| Corporate Services | (£543) | |
| Customer and Localities Services | (£200) | |
| | | £973 |
| Estimated General Fund Balance 31/3/2020 | | (£8,454) |

Notes

1. General balance as at 31/03/19 is taken from the unaudited statement of accounts and is subject to audit signoff in Feb 2020. The balance (after carry forwards) has improved from the balance estimated in the medium term financial plan due to an improved financial outturn for 2018/19 financial year.

2. Figure is to cover part year effect for 2019/20.

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REVENUE MONITORING REPORT December 2019

HOUSING REVENUE ACCOUNT

Director: S Hollamby

Lead Member, Housing Services: John Kaiser

| Service | Year to Date Position | | | End of Year Position | | | |
|--|-----------------------|----------------|----------------|-------------------------|------------------|----------------------|----------|
| | Budget YTD | Actuals YTD | Variance YTD | Current Approved Budget | Current Forecast | Provisional Variance | |
| | £,000 | £,000 | £,000 | £,000 | £,000 | £,000 | |
| Rents | Expenditure | 0 | 906 | 906 | 0 | 0 | 0 |
| | Income | (9,952) | (10,640) | (689) | (13,872) | (13,872) | 0 |
| | Net | (9,952) | (9,734) | 218 | (13,872) | (13,872) | 0 |
| Fees & Charges / Capital Finance Charges | Expenditure | 95 | 99 | 4 | 97 | 97 | 0 |
| | Income | (94) | (112) | (18) | (125) | (125) | 0 |
| | Net | 1 | (14) | (14) | (28) | (28) | 0 |
| Housing Repairs | Expenditure | 2,100 | 2,925 | 825 | 3,056 | 3,056 | 0 |
| | Income | (23) | (102) | (79) | (30) | (30) | 0 |
| | Net | 2,078 | 2,824 | 746 | 3,026 | 3,026 | 0 |
| General Management | Expenditure | 1,117 | 951 | (166) | 1,194 | 1,194 | 0 |
| | Income | (23) | (53) | (30) | (31) | (31) | 0 |
| | Net | 1,094 | 898 | (196) | 1,163 | 1,163 | 0 |
| Sheltered Accommodation | Expenditure | 209 | 199 | (10) | 267 | 267 | 0 |
| | Income | (273) | (226) | 46 | (409) | (409) | 0 |
| | Net | (64) | (28) | 36 | (142) | (142) | 0 |
| Capital Finance | Expenditure | 1,560 | (26) | (1,586) | 5,476 | 5,476 | 0 |
| | Income | (44) | (0) | 44 | (59) | (59) | 0 |
| | Net | 1,515 | (26) | (1,542) | 5,417 | 5,417 | 0 |
| Subtotal Excluding Internal and Capital Charges | | (5,328) | (6,080) | (752) | (4,436) | (4,436) | 0 |
| Internal and Capital Charges | | 3,327 | 3,327 | 0 | 4,436 | 4,436 | 0 |
| Total | | (2,001) | (2,753) | (752) | 0 | 0 | 0 |

Housing Revenue Account Reserve

£,000

| | |
|--|----------------|
| HRA Reserves as at 31st March 2019 | (2,783) |
| 2019/2020 Planned Spend | 962 |
| 2019/2020 Forecast Variance | 0 |
| Estimated HRA balance as at 31st March 2020 | (1,821) |

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REVENUE MONITORING REPORT December 2019

SCHOOLS BLOCK MONITORING REPORT

Reported to Schools Forum in January 2020

| | End of Year Position | | | Comment on major areas of estimated over / (underspend) |
|---|-------------------------|------------------|----------------------|--|
| | Current Approved Budget | Current Forecast | Provisional Variance | |
| | £000 | £000 | £000 | |
| Schools Block including academies (excluding De-delegation) | 102,109 | 102,109 | 0 | No material variance identified. |
| Early years | 10,235 | 10,611 | 376 | Additional EY payments, reflecting increased block allocation as below. |
| High needs block | 18,861 | 20,616 | 1,755 | Recovery plan submitted to the DfE, action plan being delivered in conjunction with SEND improvements. Mainly independent special schools and top ups due to increases in the number of children, not matched by increasing grant. |
| Central Schools Services Block (includes Growth Fund) | 1,746 | 1,752 | 6 | No material variance identified. |
| De-delegation | 1,313 | 1,313 | 0 | No material variance identified. |
| Other schools grant | 7,204 | 8,220 | 1,016 | Additional expenditure as a result of additional grant income. |
| Total Expenditure | 141,468 | 144,621 | 3,153 | |
| Dedicated School Grant (DSG) | (134,264) | (134,640) | (376) | Additional EY block grant, reflecting updated census info. |
| Other school Grants | (7,204) | (8,220) | (1,016) | New Pension Grant to fund the increase in Teacher's pension contribution from approx. 16% to 23% from Sept 19. |
| Total Income | (141,469) | (142,860) | (1,392) | |
| Total in-year (surplus) / deficit | 0 | 1,761 | 1,761 | In Year expenditure less income |
| Brought Forward (surplus) / deficit balance | 0 | 1,572 | 1,572 | Deficit brought forward from previous years |
| Total Year End (Surplus) / Deficit | 0 | 3,333 | 3,333 | |

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Agenda Item 78.

| | |
|-----------------------------|--|
| TITLE | Capital Monitoring 2019/20 - end of December 2019 |
| FOR CONSIDERATION BY | The Executive on Thursday, 30 January 2020 |
| WARD | None Specific; |
| LEAD OFFICER | Deputy Chief Executive - Graham Ebers |
| LEAD MEMBER | Executive Member for Finance and Housing - John Kaiser |

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

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

RECOMMENDATION

The Executive is asked to:

- 1) note the quarter three position for the capital budgets as set out in Appendix A to the report;
- 2) note the transfer of £275k budget from environmental work at Carters Hill (static caravan site, non-HRA) to environment and accommodation works at Groveland's Park (static caravan site, non-HRA) project in the capital programme for 2019/20. Diverting budget between similar projects, to where on further investigation works required.

EXECUTIVE SUMMARY

This report informs the Executive of the progress of the Council in delivering its capital programme for the financial year 2019/20. The Executive have previously agreed to consider Capital Monitoring Reports on a quarterly basis and this report highlights the capital monitoring as at the end of the third quarter of the financial year (31st December 2019).

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

BACKGROUND

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

BUSINESS CASE

The current approved Capital Budget is 322.088 million. We are presently reporting a under-spend of £0.002million. It is now estimated that £231.153 million will be spent this financial year. The remaining budget of £90.934 million will be carried forward into 2020/21.

Uncommitted Capital balances (capital resources received, but not yet allocated to the capital programme) are currently estimated to be £0.4 million as at 31th December 2019 (prior to any announcement about funding cuts and on the assumption that the level of capital receipts will be achieved). The estimated capital receipts received for 2019-20 that are expected to be received in year are £1 million.

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) | £231.153m | Yes | Capital |
| Next Financial Year (Year 2) | £90.934m | Yes | Capital |
| Following Financial Year (Year 3) | | | |

Other Financial Information

None

Stakeholder Considerations and Consultation

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

Public Sector Equality Duty

An equalities income assessment is not required for this report.

List of Background Papers

None

| | |
|-------------------------------------|--|
| Contact James Sandford | Service Business Services |
| Telephone Tel: 0118 974 6577 | Email james.sandford@wokingham.gov.uk |

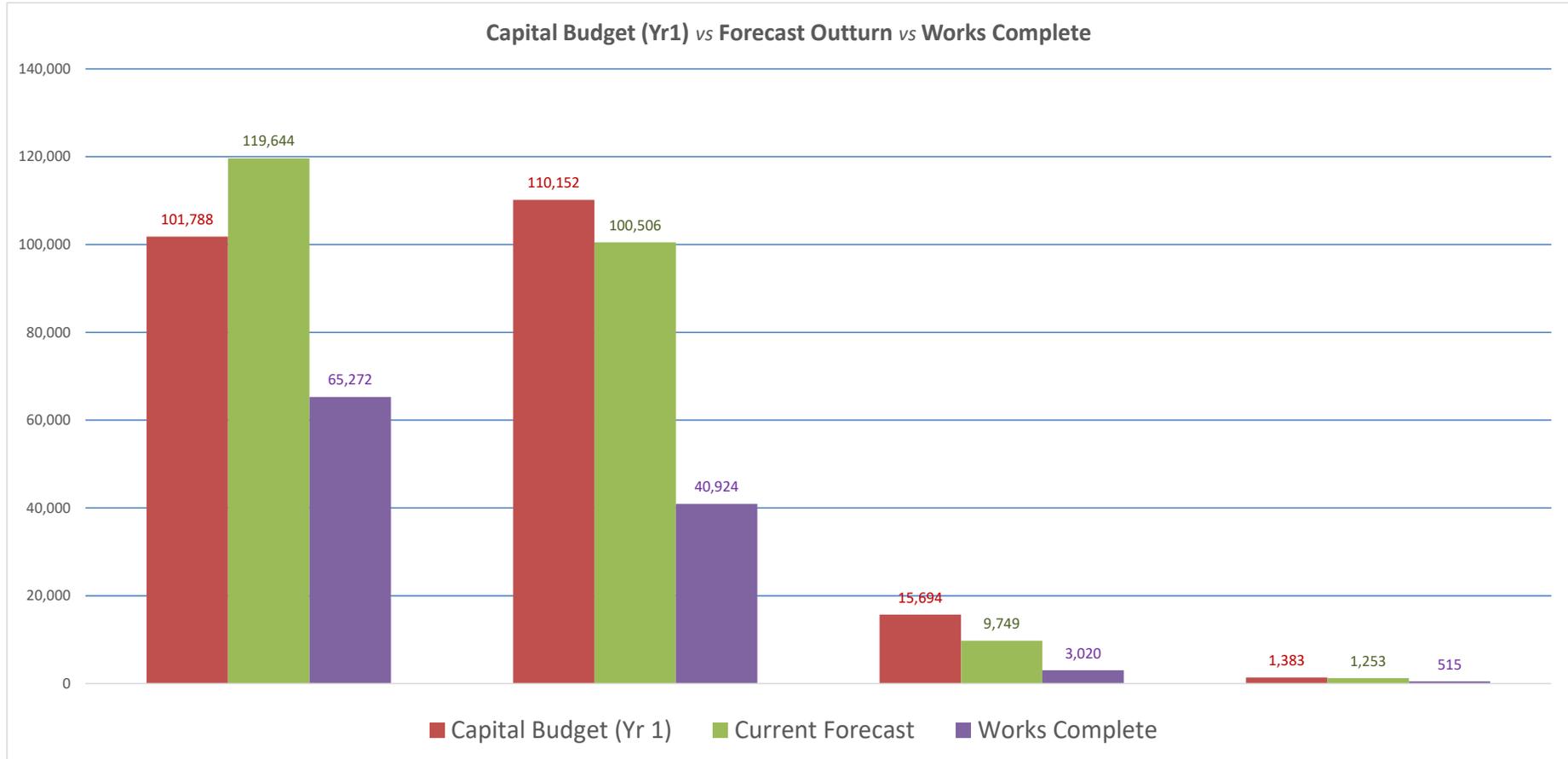
CAPITAL MONITORING REPORT December 2019

| Directorate | Current Approved Budget | Current Approved Budget is split into: | | Analysis of Current Year (Yr 1) | | | Comments |
|----------------------------------|-------------------------|--|------------------|---------------------------------|----------------|---------------------|--|
| | | Current Year (Yr 1) | Next Year (Yr 2) | Current Forecast | Carry Forward | (Under) / Overspend | |
| Notes | £,000 | £,000 | £,000 | £,000 | £,000 | £,000 | |
| | 1 | 2 | 2 | 3 | 4 | 5 | 6 |
| Corporate Services | 152,815 | 101,788 | 51,027 | 119,644 | (17,859) | (2) | Material carry forward variances are: <u>Slippage:</u> £2.96m Town Centre Regeneration - due to construction profiling £728k Alexander House Refurbishment - Related to relocation of office tenants from the Carnival Pool area ahead of regeneration of the area - Alexander House Refurbishment works to begin imminently but expected to extend into 20/21. Full scope is still to be determined <u>Acceleration:</u> £(21)m Strategic Property and Commercial Assets (plus £10.2m already profiled in Yr1) - Three target planned purchases of £8.6m, £9.15m and £13.62m for 19/20 £(664)k Carnival Pool Phase 2 works - relates to continued development of Carnival Pool regeneration project |
| Customer and Localities Services | 135,145 | 110,152 | 24,993 | 100,506 | 9,645 | 0 | Material carry forward variances are: <u>Risk of Overspend:</u> Investigating possible £300k overspend for Housing Repairs to vacant premises (Tenant Services) - Due to large and sustained increase in activity mostly due to Gorse Ride South redevelopment. The expectation is to look to fund from HRA Reserves <u>Slippage:</u> £2.4m Great Crested Newt District Level Licence - Natural England have yet to enforce mandatory requirements, delaying spend requirement into future years. £1.92m Toutley Highways Depot Modernisation - Forecast carry forward reflects delays caused by planning application and likelihood that construction will now not begin until 2020/21 £900k Transport corridor improvements - Shepherds Hill to Thames Valley Park (Park & Ride) - Option Appraisal & Design in 19/20 with construction planned for 20/21 onwards, £900k Nine Mile Ride Extension - Awaiting planning permission, detailed design with construction to follow, still issues with delivery mechanism, £899k Wokingham Borough Cycle Network - LSTF4 - Scheme to move to May 20/21 due to network issues, £700k Shinfield SDL Community Centre - Shift in delivery date as a consequence of additional work to minimise the impact of the building works being conducted in a site directly adjacent to a primary school, Tender scheduled for early January 2020, £500k Greenways - Originally due to construct this phase before Winter however part of scheme slow to obtain land owner permission. Other section being looked at but no major spend planned till March 2020, |
| Children's Services | 32,210 | 15,694 | 16,516 | 9,749 | 5,946 | 1 | Material carry forward variances are: <u>Slippage:</u> £2.1m Aborfield Primary school and £2.45m Matthews Green - Following failure of Dawnus, proposed build and spend programme is aligned to complete buildings ready for September 2021, £731k Enhanced accommodation for the Foundry Pupil Referral Unit - to reflect the progress since submission of planning earlier in the year, taking on board the school's aspirations and requirements, and reflecting the timeline provided by the contractor |
| Adult Social Care | 1,918 | 1,383 | 535 | 1,253 | 130 | 0 | No material variances |
| Total | 322,088 | 229,017 | 93,071 | 231,153 | (2,137) | (2) | |

Notes

- 1) Current approved budget is made up of approved budget through the MTFP plus additional budget approved in year.
- 2) Current approved budget is split at the start of the year into budgeted spend in current year and spend in next year.
- 3) Current forecast is estimated spend in year against current year budget.
- 4) Carry forward is the estimated amount of current year budget which will be spent in later years.
- 5) (Under) / Overspend is the current year forecast plus carry forward less current year budget
- 6) Slippage is where the forecast outturn drops, but the total project cost remains unchanged, thus the works slide into the following year, normally sustained when delay in delivery occurs. Year1 budget moves to year2
Acceleration is where the forecast outturn rises with no change to (but still less than) the total project costs, thus Year2 budget is brought into current year1. This occurs when project delivery speeds up
The sum of Slip / Acceleration plus Year2 is the total planned carry forward (subject to Exec approval)

Please note when a negative number is shown in the Proposed Carry Forward this shows that the schemes expenditure has accelerated from the original profile of spend



| Forecast Outturn | Works Complete | % Completed in 8 months | |
|------------------|----------------|-------------------------|----------------------------------|
| 119,644 | 65,272 | 55% | Corporate Services |
| 100,506 | 40,924 | 41% | Customer and Localities Services |
| 9,749 | 3,020 | 31% | Children's Services |
| 1,253 | 515 | 41% | Adult Social Care |

| | |
|-----------------------------|--|
| TITLE | Chief Finance Officer's Report |
| FOR CONSIDERATION BY | The Executive on Thursday, 30 January 2020 |
| WARD | None Specific; |
| LEAD OFFICER | Deputy Chief Executive - Graham Ebers |
| LEAD MEMBER | Executive Member for Finance and Housing - John Kaiser |

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

The Local Government Act 2003 requires the Chief Finance Officer (Deputy Chief Executive and CFO) to report to Members, when setting the level of Council Tax, on the robustness of the budget presented and adequacy of reserves. The report outlines the major financial issues facing the Council.

RECOMMENDATION

The Executive is recommended to:

- 1) note the Chief Finance Officer (CFO) report and the issues contained within, including the local government finance settlement and the sections on key risks, and that they consider these when setting the council tax for 2020/21 and agreeing the Council's medium term financial plan (MTFP);
- 2) support the Council's response to the draft local government finance settlement as set out in Appendix 2 to the report;
- 3) support the Council's ongoing representations for fairer funding for the residents of Wokingham Borough Council.

EXECUTIVE SUMMARY

The Local Government Act 2003 requires the Chief Financial Officer (Director of Finance and Resources) to report to Members as part of the budget setting process. A major influence on the budget is the local government finance settlement. It is important to note that the current draft finance settlement is for **one year only**. Wokingham still face major uncertainty on future funding levels and await the outcome from the delayed Government's comprehensive spending review now due in 2020/21.

Other points to note;

- a) This is a one year settlement for 20/21 following the end of a four year settlement from 2016/17 to 2019/20.
- b) The funding settlement imposes a triple taxation effect on Wokingham's council tax payers; firstly they have been required to pay the largest contribution to local services as a result of previous poor settlements, then their significant contribution is used as a basis on which to calculate their penalty (grant reduction) and lastly, the

local taxation levy is assumed (inflationary council tax increases plus a 2% Adult Social Care precept). Although this punitive approach has been applied to all Local Authorities, it has a significantly disproportional effect on Wokingham's council tax payers who have, through previous poor settlements, been required to make the highest percentage contribution to their local services.

- c) The Council's main grant, revenue support grant (RSG) has reduced from £6.1m in 2016/17 to £0.2m in 2017/18 and £0 since 2018/19. For 20/21, through the draft finance settlement, it was announced that no negative RSG was to be paid. This announcement was only for 1 year, with Wokingham still unclear on the future arrangements with negative grant. An allowance was made in the planned budget for this and it is now available on a one-off basis. It is proposed that this will be used for projects to reduce expenditure in future years. Wokingham have no certainty that this payment and more wouldn't be required for 21/22 onwards. Revenue support grant for 2020/21 is therefore £0.00 per resident per year.
- d) Wokingham again has one of the lowest settlement funding assessment per head of all unitary authorities in the country.

The report identifies some of the most significant financial risks faced by the Council. These include increases in clients' care costs, increasing demand in children services, forward funding of the Council's investment ambitions (particularly the Strategic Development Locations (SDLs), and Town Centre Regeneration (investment in property assets) and the business rate retention scheme.

BACKGROUND

The Local Government Act 2003 requires the Chief Finance Officer (Deputy Chief Executive and CFO) to report to Members, when setting the level of Council Tax, on the robustness of the budget presented and adequacy of reserves. The report outlines the major financial issues facing the Council.

The Chief Financial Officer's report contains issues, risks and strategic considerations in respect of revenue and capital. Key issues are considered under the following headings and will be updated for the revised version of this report to be issued after the local government finance settlement has been released:

- a) Revenue resources outlook
- b) Capital resources and borrowing outlook
- c) Key risks: services and financial.

The draft local government finance settlement was released on 20th December 2019, outlining Wokingham's funding levels for 2020/21. A response to the consultation has been prepared and is attached as appendix two.

Corporate Implications

The Medium Term Financial Plan covers both the revenue and capital budgets required to deliver the priorities of the Council over the next three years. The proposed net revenue budget for 2020/21 is approximately £143m (including depreciation) (£136m in 2019/20). The Council needs to set a balanced budget in the context of this. The budget requirements for 2021/22 and 2022/23 are also shown in the plan as indicative figures only.

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) | See MTFP | Yes | Revenue and Capital |
| Next Financial Year (Year 2) | See MTFP | Yes | Revenue and Capital |
| Following Financial Year (Year 3) | See MTFP | Yes | Revenue and Capital |

Other Financial Information

Included in MTFP

Stakeholder Considerations and Consultation

The budget setting process starts early in the previous financial year with a focus on areas which require budget growth to meet growing demands and areas which can deliver savings through efficiencies and additional income generation. A budget

submission process is undertaken to ensure budget bids can be challenged in the context of the Councils aims and objectives. To enhance transparency and budget setting engagement this year's process has included consultation with the Community and Corporate Overview and Scrutiny Committee (CCOSC). Information provided at CCOSC is also available to the Public.

Public Sector Equality Duty

Public Sector Equality Duty was considered throughout the budget bid process.

List of Background Papers

CFO Section for Medium Term Financial Plan
Appendix Two - WBC Consultation response letter to draft settlement

| | |
|-------------------------------------|--|
| Contact Mark Thompson | Service Business Services |
| Telephone Tel: 0118 974 6555 | Email mark.thompson@wokingham.gov.uk |

CHIEF FINANCE OFFICER'S STATUTORY REPORT

1. Introduction

The Local Government Act 2003 requires the Chief Finance Officer (CFO) to report to Members, when setting the level of council tax, on the robustness of the budget presented and adequacy of reserves. The report below is a precursor to this and provides a strategic overview of the council's financial position as a context before making specific considerations on the 2020/21 budget.

The budget setting process starts early in the previous financial year with a focus on areas which require budget growth to meet growing demands and areas which can deliver savings through efficiencies and additional income generation. A budget submission process is undertaken to ensure budget bids can be challenged in the context of the Council's aims and objectives. To enhance transparency and budget setting engagement this year's process has included consultation with the Community & Corporate Overview & Scrutiny Committee (CCOSC). Information provided at CCOSC is also available to the Public.

In December 2019, CIPFA published their financial resilience tool which highlighted key financial indicators such as reserves sustainability, external debt and social care ratios based on the 2018 / 2019 financial year. The index shows a council's position on a range of measures associated with financial risk. The selection of indicators has been informed by the extensive financial resilience work undertaken by CIPFA over the past four years, public consultation and technical stakeholder engagement. Wokingham have been rated in the top 20 of upper tier Councils for financial sustainability (source: 9th Jan – The Management Journal). Although Wokingham have been rated highly for financial sustainability, the Council still face significant challenges and risks in the future which are outlined in this report and throughout the Medium Term Financial Plan (MTFP).

2. Strategic Overview

Government's Spending Round September 2019

The Spending Round sets out the government's spending plans for 2020/21. From 2019/20 to 2020/21, day-to-day departmental spending will now grow at 4.1% in real terms. Since 2010 the amount the government borrows each year has reduced and is now just 1.1% of gross domestic product (GDP), enabling the government to spend more on the UK's public services in a sustainable way.

The Spending Round targets additional money on the priorities of healthcare, education and tackling crime and for the first time since Spending Review 2002, no department faces a cut to its day-to-day budget. The Spending Round marks a new focus on the outcomes the government will deliver. This approach will be further developed at the Spending Review in 2020.

Local Government Finance Settlement December 2019

Local authorities up and down the country have continued to push for a fairer funding review and long-term finance settlements to provide sustainable long term funding. This funding review has been delayed to 2021/22, meaning the local government finance settlement 2020/21 is for one year only.

As a result of numerous years of local government funding driven by a formula that is skewed toward deprivation factors (as opposed to recognising the basic cost of providing services) and reductions in centrally funded grants based on percentage reductions to previous years, Wokingham Borough Council has been for many years the lowest funded unitary authority (per head of population) in the country. A consequence of this is that Wokingham Borough Council's local services are almost entirely funded by its council taxpayers. Whilst the average unitary authorities receive revenue support grant and retained business rates to fund around 28% of their service costs, Wokingham receive only 10%.

The Local Government funding methodology that has been in place for the past 5 years is particularly challenging for Wokingham. Firstly Wokingham's council taxpayers are required to pay the largest contribution to local services; then this income from council taxpayers is used as a basis on which to calculate an annual Government grant reduction and lastly, the highest local taxation levy is assumed each year of the settlement (council tax at inflation plus a 2% adult social care precept) in order to maximise the grant reduction. Wokingham's situation is further compounded by the way the new homes bonus (NHB) has been included within the grant cut calculation and assumed to income that is generally available as opposed recognising its requirement for Housing Development and Regeneration Activity. Furthermore, now that our housing supply projects are underway and delivering on their intention, our NHB should be increasing. Under the current one year settlement, NHB funding has been cut and restricted to a single in-year payment, despite the significant number of new homes being built in the borough.

In recent years the government has capped council tax increases to under 2% (excluding the adult social care precept) and any increase above this would require a local referendum funded by the local taxpayer. The previous 2 years have seen an exception where the referendum cap was increased to under 3%. For 2020/21, this additional flexibility has been removed with increases reducing back to the 2% cap before a local referendum is required.

Wokingham, along with its Berkshire neighbours successfully bid to be part of a 100% business rates retention pilot for 2018/19. The Berkshire councils were again successful in their pilot bid in 2019/20 however instead of 100%, the retention level is set at 75% to better reflect the proposed new scheme. For 2020/21, it has been announced that the 75% Berkshire business rates pilot will stop with Wokingham reverting to the pre-pilot funding arrangements for business rates.

Negative Revenue Support Grant

In line with last year, the December 2019 draft finance settlement proposed that the government would forgo the additional tariff (colloquially known as negative RSG) in 2020/21 (originally forecast at £7.14m in the four-year settlement and assumed to increase in 20/21 in line with previous settlements) which is a significant one-off benefit for Wokingham. The government is producing a new methodology for the 'fairer-funding' of local government and therefore the Council must remain extremely cautious with regard to its ongoing base-line

funding; the outcome of this review will not be known until late in 2020. It is expected that business rates will be retained by local authorities within the overall funding considerations. However this is likely to mean there is will be no overall real-term increase in total resources available to the local government community.

Future Funding Settlements

With 2019/20 being the final year of an agreed four-year settlement, the Council were expecting the announcement of a new four-year settlement however with continued uncertainties surrounding the UK economy, the finance settlement for 2020/21 has been restricted to one year only. This means that there is still much uncertainty around future settlements in terms of duration and the actual amount of funding Wokingham will receive. Consequently it has been difficult to make definite determinations about budgets in 2021/22 and 2022/23, but with government money being allocated to ring-fenced departments (eg: DoHSC, DfE and MoD) it is likely that local government will once again experience a reduced real-terms settlement going forward, and therefore must budget accordingly. This context means it is extremely important the Council takes a prudent approach in its budget setting proposals for the 2020-2023 medium term financial plan.

Adult Social Care (ASC)

The Government's continued aim is that by 2020 health and social care will be integrated across England, with joined up services between social care providers and hospitals, and that it should feel like a single service for patients. The long-promised Green Paper on Social Care has once again been delayed.

In recognition of the continual increasing statutory care costs faced by Local Authorities an ASC precept of up 2% has been re-introduced for 2020/21, replacing the previous scheme that permitted a 6% increase over a 3 year period. It is unknown what will be in place beyond 20/21 but this will no doubt be a key consideration in any future sustainable Local Government funding system.

Commercialisation, Regeneration and Housing Development

The Council continues its ambition to deliver on major capital investment for housing and regeneration with the infrastructure needed to create sustainable developments. The rewards are not just about creating better places to live but are also about creating new income streams to the Council, where possible and appropriate, to fund the continually increasing costs of vital services. The regeneration of Wokingham Town centre is a good example of this. With an ambitious Capital Programme there is an inevitable increase in risk and increase in borrowing (pending future capital receipts and associated income streams). This risk has not been helped by recent increases in Public Works Loan Board Borrowing rates.

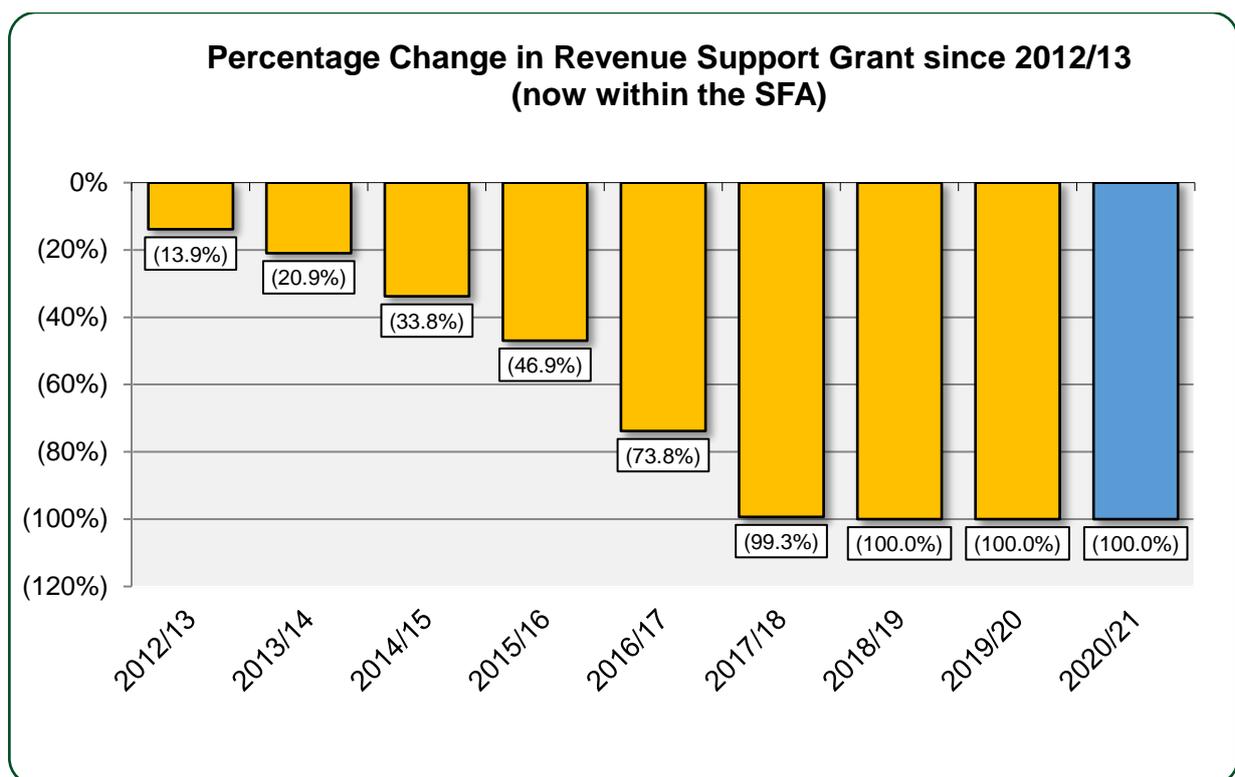
The MTFP will seek to ensure a prudent approach to Capital investment requirements, assumed Revenue Income streams and balances to mitigate risks, in the context of the Council's considerable investment ambition.

3. Analysis of Reductions in Government Funding

The percentage changes in Government Funding since 2012/13 are shown below. Following the December 2010 Local Government Finance Settlement, Wokingham suffered a reduction in RSG for the first time in 2011/12, that is followed by reductions cumulatively as shown in the graph below. In 2018/19 and 2019/20 RSG had reduced to zero. It was expected that by 2019/20 the grant would be cut still further with some authorities required to pay a 'negative RSG'. However, following consistent representations made by this authority, we have been informed again through the finance settlement that negative RSG will not be enacted in 2020/21 (similar to 2019/20). The funding position is unclear from 2021/22 onwards and Wokingham will need to continue to make representations with regard to the new methodology for financing local authorities to ensure we secure a fair and viable ongoing funding settlement from the Government.

RSG was previously the significant unringfenced grant that supported the council's ongoing revenue expenditure. From 2013/14 it has been incorporated within the settlement funding assessment (SFA). The 100% RSG reduction for Wokingham is higher than the Berkshire average reduction and the average for all unitary authorities.

The graph below shows the cumulative reductions in grant for Wokingham.

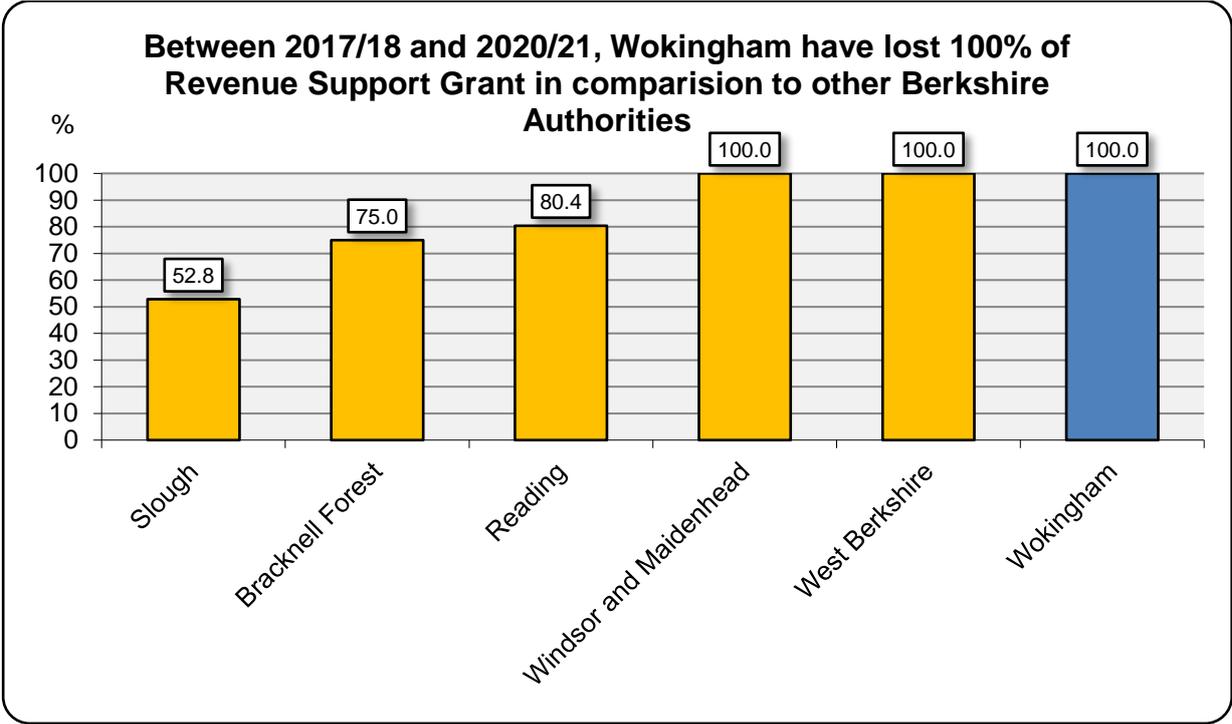


The graph above shows that in 2020/21 the Council faced no further reduction in RSG due to the removal of negative RSG announced in the draft finance settlement. This good news is short lived as the Council will face a new base-line funding assessment in 2021/22.

The reductions in Government grants highlighted above have had a major impact on the council's finances and budgets since 2010/11. The Council's net expenditure budget has been reduced each year since 2010/11 as shown in the table below, which indicates that the net expenditure budget has been reduced by £32.9m (31%) between 2010/11 and 2020/21.

| | £m |
|--|---------------------|
| WBC 2020/21 net expenditure budget | 129.7 |
| Less reduction in grants for services now part of formula grant | (12.5) |
| Less discount re inflation since 2010/11 (based on CPI) | (29.8) |
| Less discount re growth in council tax base since 2010/11 | (15.1) |
| Net expenditure budget 2020/21 discounted to 2010/11 Prices | 72.3 |
| WBC 2010/11 net expenditure budget | 105.2 |
| Reduction in expenditure since 2010/11 | £32.9m (31%) |

The graph below compares the RSG reductions by 2020/21 across Berkshire councils.



A growing number of councils now no longer receive RSG. Wokingham was one of the first to lose all its RSG funding.

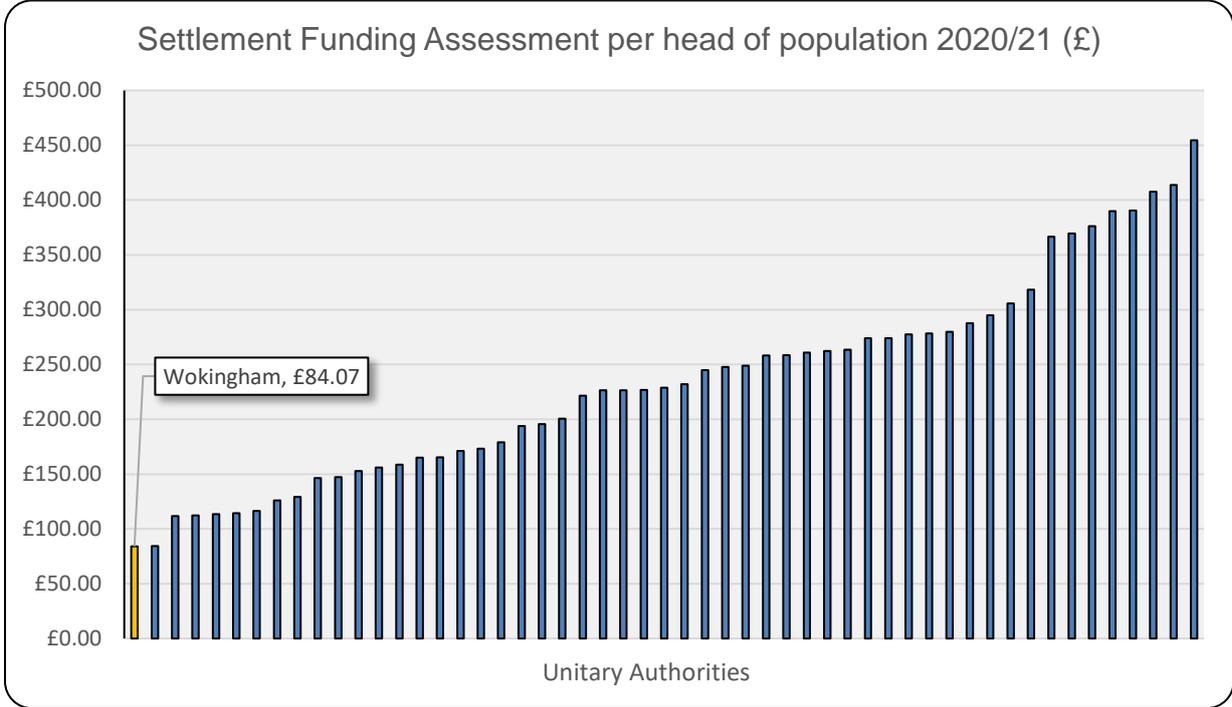
Similar to 2019/20, for 2020/21 Wokingham's RSG remained at zero. A negative RSG was proposed for 2020/21 however following the finance settlement, it was announced there would be no negative RSG in 2020/21. This is good news for Wokingham. However only for a short period of time as the funding for 2021/22 is unclear and subject to the outcomes of the comprehensive spending review.

Settlement Funding Assessment (SFA)

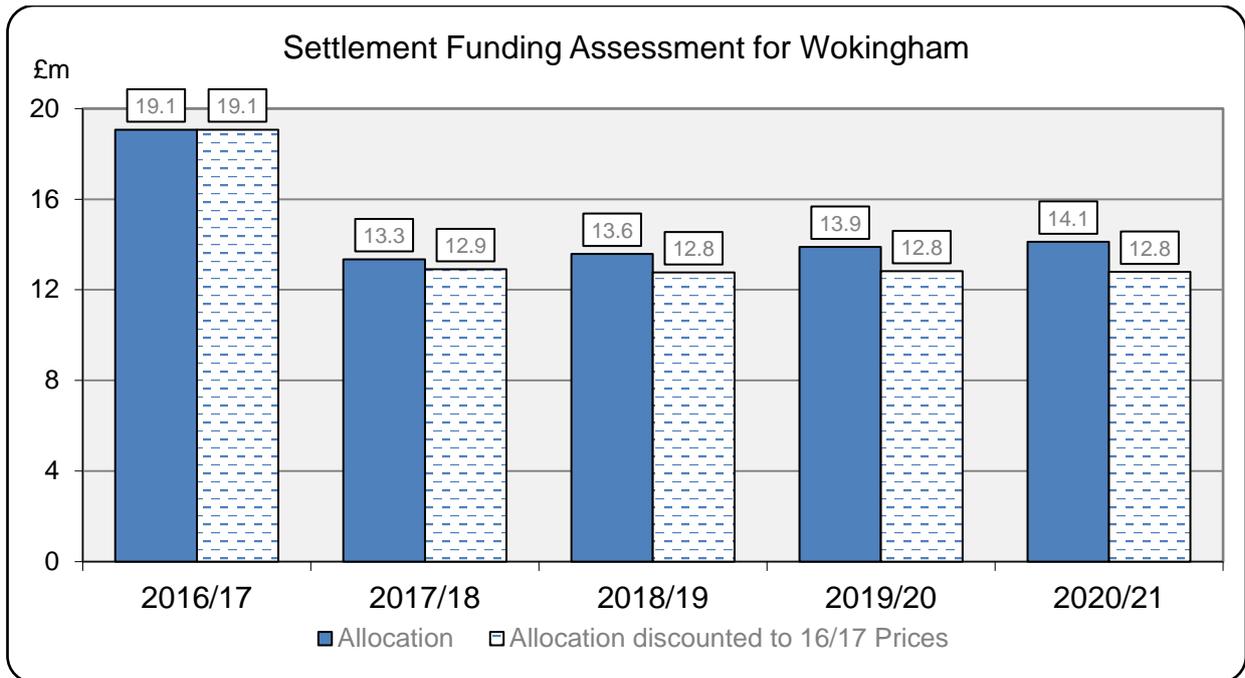
The SFA is a calculation consisting of the sum of baseline funding level (BFL) and the revenue support grant (RSG). The BFL represents Wokingham’s share of business rates retained income (£14.1m) and the RSG represents a grant from government to help fund services within Wokingham (£Nil).

Wokingham’s total SFA will be £14.1m in 2020/21, compared to £19.1m in 2016/17, a reduction of 26.2%, or £5.0m.

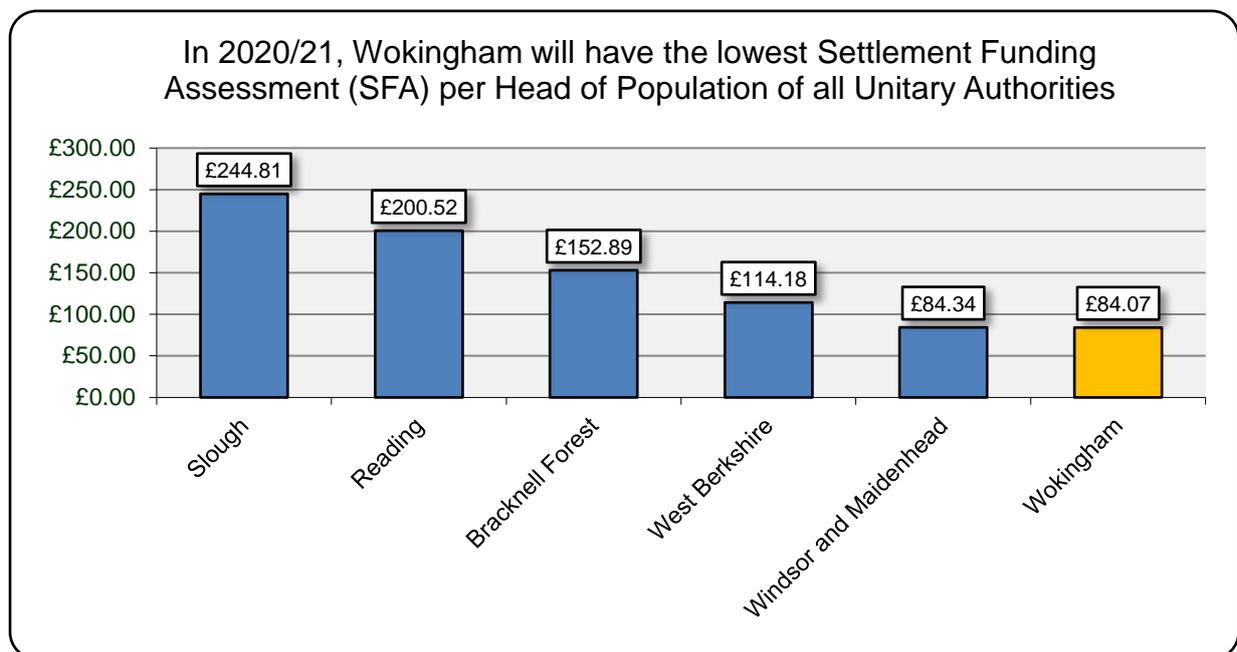
The graph below shows the position for 2020/21 and confirms that Wokingham is the lowest funded unitary authorities, well below the unitary average, and less than 19% of the highest funded unitary authority:



The graph below shows the settlement funding assessment for Wokingham over a five year period covering the last four year finance settlement. The reduction since 2016/17 is mainly due to the Councils revenue support grant reducing to £Nil. The allocations have increased since 2017/18 in line with inflation however when discounted back to 2016/17 prices (i.e. pre reductions), the graph shows the allocations have been static at the same time when demand pressures and cost of services have increased.

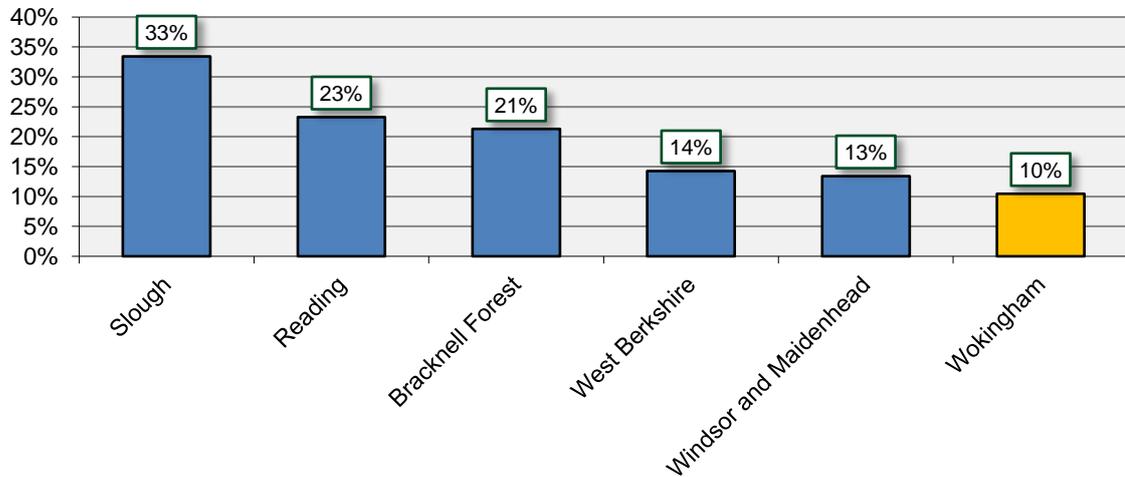


The graph below shows the settlement funding assessment on a per-head of population basis for each Berkshire council. Wokingham will receive the SFA per head of £84.07, which is significantly lower than the unitary authorities' average. It is also less than half the funding of two of the Berkshire authorities.



Wokingham's settlement funding assessment income is only 10% of its 2020/21 total available income (known as core spending power). This is less than a third of one Berkshire council (33%), and lower than all other unitary authorities. The practical implication for Wokingham is that it must fund a higher proportion of the council's expenditure through council tax than any other unitary authority, and therefore increases/decreases in council tax have a greater proportional impact on services.

In 2019/20, Wokingham will have the lowest Settlement Funding Assessment as a percentage of available Income

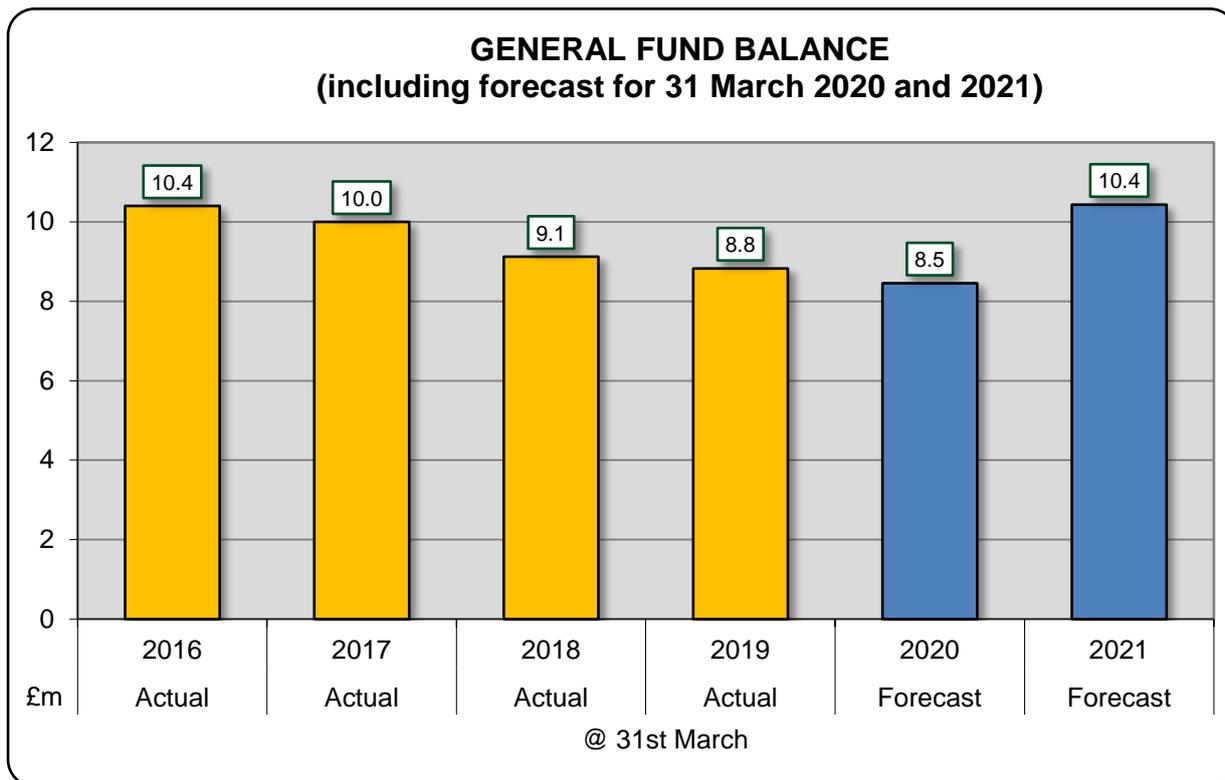


In 2020/21, Wokingham will receive the lowest percentage of SFA grant as a share of its total income, of any unitary authority. Wokingham will receive 10%, compared to some unitary councils for which government grants will fund over 40%, and an average of 28%. As a result, the percentage of expenditure met by Wokingham council tax payers is the highest of any unitary authority.

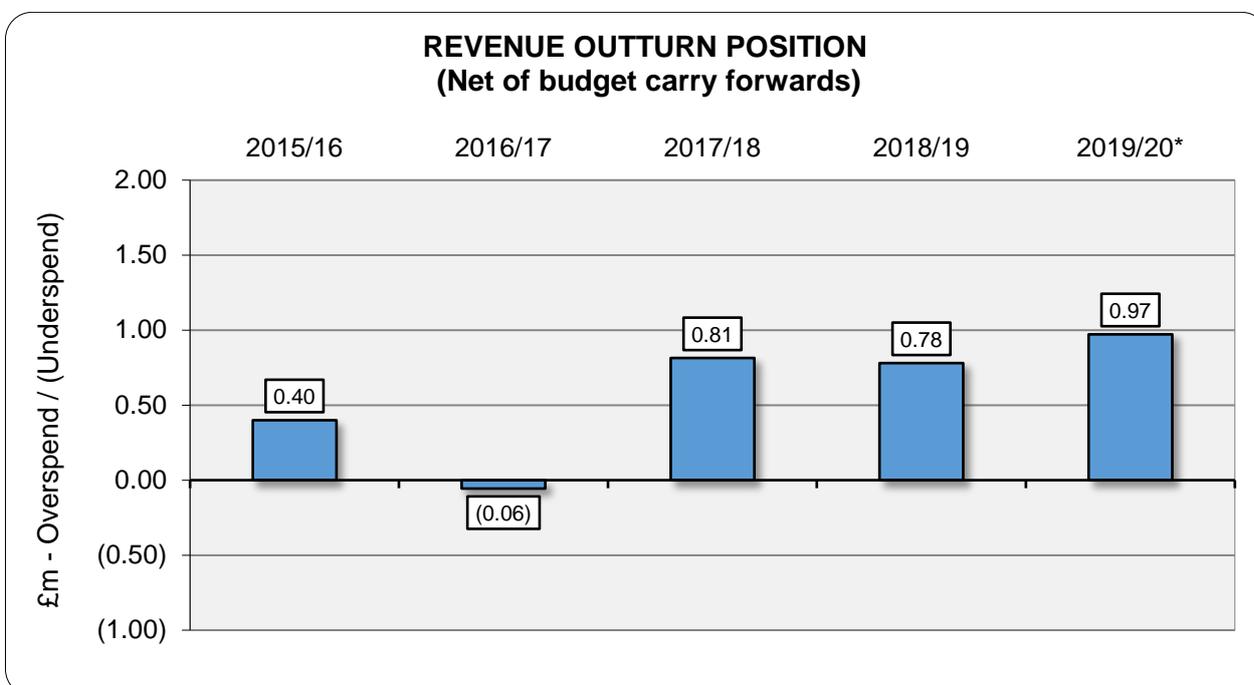
4. General Fund Balances (GFB)

The GFB is required as a contingency to meet unforeseen spending requirements and to provide stability in medium term financial planning (e.g. by using balances to contain growth in future years). The level of balances is informed by a budget risk analysis. This approach was introduced in 2003/04 when the council agreed the policy on reserves and balances. The budget risk analysis is included annually in the medium term financial plan. The graph below shows actual GFBs at 31 March 2019 and a forecast for 31 March 2020 and 31 March 2021. The expected reduction for 31 March 2020 is as a result of in year supplementary estimates, carry forwards and projected overspends across directorates.

The risks facing the council's finances have increased significantly, they include the implication of future years of austerity; further grant reductions; additional service pressures; substantial regeneration programmes requiring forward funding; dependency on future commercial income and capital contributions; risks around business rate receipts, and the level of retained business rates.



A further consideration in setting a prudent level of GFBs and setting a safe budget is the underlying trend of (under) / over spending against the budget set at the beginning of the year (see below).



*19/20 also includes supplementary estimates, which masks an underlying pressure.

It is important that the council ensures that sufficient budget is approved to deliver the agreed levels of service to avoid base budget deficiencies (inadequate budgets).

The forecast budget variance in 2019/20 currently shows an overspend of £0.973m compared to the budget approved in February 2019, based on December monitoring, as well as the inclusion of supplementary estimates and carry forward requests. It should be recognised that within the overall position there are significant underlying cost pressures within the 2019/20 budget including, for example, pressures on social care placements and increasing demand on children services; this will need to be considered within the 2020/21 budget submission.

5. Other Balances

The council holds other earmarked balances in addition to the general fund balance. These should be reviewed as part of the budget submission and in the context of their benefit and opportunity cost.

Many of the earmarked reserves are held for specific purposes such as developer funding for future maintenance of assets, grants received in advance and equalisation funds to smooth annual changes on demand led areas such as waste and recycling. Other reserves include interest equalisation and forward funding which are linked to the capital programme where infrastructure is delivered ahead of receipt of developer funding.

6. Council Tax

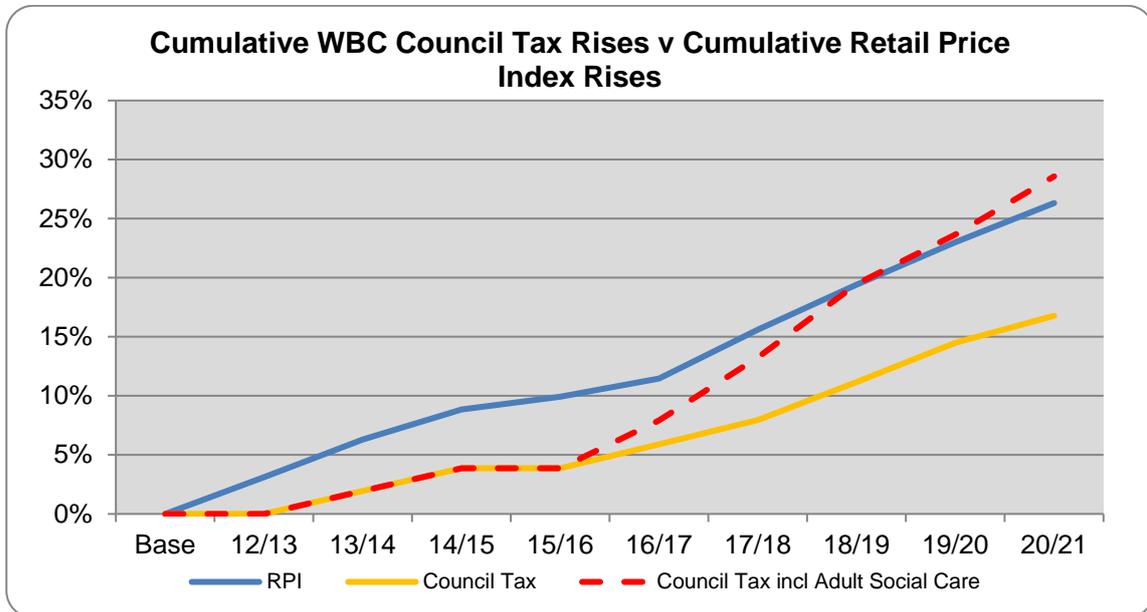
Funding is fixed by the Government and therefore increases in service funding affects the level of council tax that must be levied. This is a major area of tension in every budget setting year; the increase in council tax versus the quality and level of service delivery. This is a particularly difficult tension in the context of public affordability (e.g. those on a fixed income) and also because a high proportion of the council's services are statutory with escalating costs driven by increasing client needs and numbers.

The expenditure pressures for council tax increases above inflation are similar each year: client increases (particularly in social care); increase in statutory requirements (e.g. recycling, standards of care); unavoidable expenditure increases above inflation (e.g. maintenance contracts, social care contracts, etc.) and pressures to improve services from both the public and the Government. Across recent years Wokingham has succeeded in keeping council tax increases in line with or below inflation (achieving a freeze in 2012/13 and 2015/16) as shown in the table below. Since 2016/17 the increases have exceeded the inflation level, but this is due to the government's calculations which assume both inflationary increases and an additional adult social care increase to council tax. Recent changes in council tax can be seen in the table below.

| Year | 2014/15 | 2015/16 | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21* |
|---|---------|---------|---------|---------|---------|---------|----------|
| RPI (May figures) | 2.4% | 1.0% | 1.4% | 3.7% | 3.3% | 3.0% | 2.7% |
| Wokingham BC Council tax (core element) | 1.9% | 0.0% | 1.9% | 1.9% | 2.99% | 2.99% | 1.99% |
| Wokingham BC Council tax (Adult social care) | n/a | n/a | 2.0% | 3.0% | 2.5% | 0.5% | 2.00% |

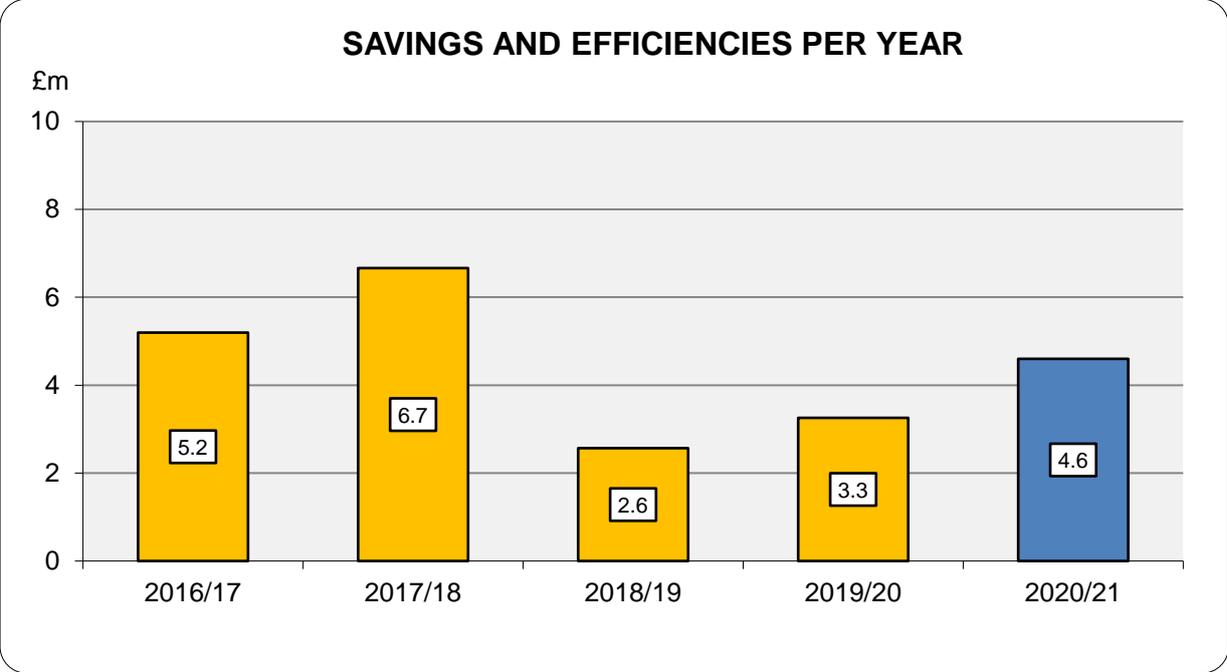
* OBR November 2019 forecast of 2020 Q1 RPI

Taken across a longer time period, as can be seen in the graph below, council tax increases (excluding Adult Social Care precept) have always been kept below inflation. This is a reflection of the council's continuing pursuit of efficiencies and value for money, particularly relevant in the context of it being the lowest grant funded unitary authority per head of population.



Savings

The total savings, efficiencies and income generation that have been identified in setting the council tax in previous years are shown below. It equates to over £22.3m over the five years. Savings are used to fund growth, inflation and reductions in Government grants.



The savings shown above reflect the budgeted savings made for each financial year (or planned savings in the case of 2020/21).

7. Budget Pressures

An overview of the 2020/21 budget pressures is shown below. The detail of the full and updated set of budget movements will be contained in the Summary of Budget Movements (SoBM) section of the Medium Term Financial Plan (MTFP).

| | Inflation | Growth | Savings |
|-------------------------------|-----------|--------|---------|
| Budget Pressures 2020/21 (£m) | £3.6m | £6.5m | (£4.6m) |

This growth is largely driven by demographic pressures in adults’ and children’s services. The current outturn is showing further pressures in these areas including home-to-school transport.

8. Revenue Resources Outlook and Risks 2020/21 and Beyond

The financial future remains very challenging and the council will experience pressure on its resources in a way it has not had to endure previously. Under the council's budget management protocol Members are required to agree budgets based on the best estimate for the agreed level of service.

A budget risk analysis has been undertaken for 2020/21 and is detailed in the MTFP. This identifies budgets where there remains a risk of overspending. The budget risk analysis is used as a guide to determine the level of general fund balance required.

Given the growing unavoidable expenditure pressures to meet the council's statutory responsibilities, coupled with significant reductions in overall Government Grants, the budget will inevitably contain a degree of risk. A reasonable measure of caution is included to mitigate some of the risks. However, there are considerable unknowns at this stage and the council will need to keep a close watching brief on developments.

The major issues that may impact on future revenue resources are:

Statutory Costs of Care

Care needs are based on a national threshold, with demand strong across adult services. In addition, Children's Services also have budget pressures in 2019/20 for agency care staffing, and increased home to school transport demand. The increase in the living wage to £8.72 per hour for those over 25 years old in 2020/21 from £8.21 in 2019/20 will continue to put additional pressure on care providers as they seek to retain staff and recover costs. The impact of the ruling that employees should be paid at least the minimum wage for "sleep-ins" (support during the night) has also impacted providers. Further increases in the living wage have been promised by Government which will continue to put pressure in this area. These pressures will need to be considered along with other budget pressures in the 2020/21 budget and beyond.

Spend Driven by Demand

Further to the pressures identified under the Care Act there are additional statutory services pressures, which are notoriously difficult to control. Although best efforts have been made to accurately forecast budget requirements and contain escalating demand through prevention, there will always be a considerable degree of uncertainty. In the context of pressures on public health funding and the costs of council tax support this uncertainty is compounded in the current economic climate alongside increasing service needs, and cost increases as a result of the living wage. These, together with overnight support pressures mean care providers are likely to be operating at even tighter margins leading to the risk that they could enter financial difficulties and possibly even provider failure. These risks will need to be managed as part of the 2020/21 budget and beyond.

Special Educational Needs and Disability (SEND)

The Council is facing extreme cost pressures around its SEND provision, due to increased demand and a requirement for out-of-borough placements which are traditionally more expensive than provision within the Wokingham area. These also attract higher home-to-school transportation expenses as well giving a double charge to the already stretched budgets. The Council is focusing much of its effort in preventing the requirement to place young people outside the borough wherever possible, and in ensuring the resources available are aligned with strategic priorities.

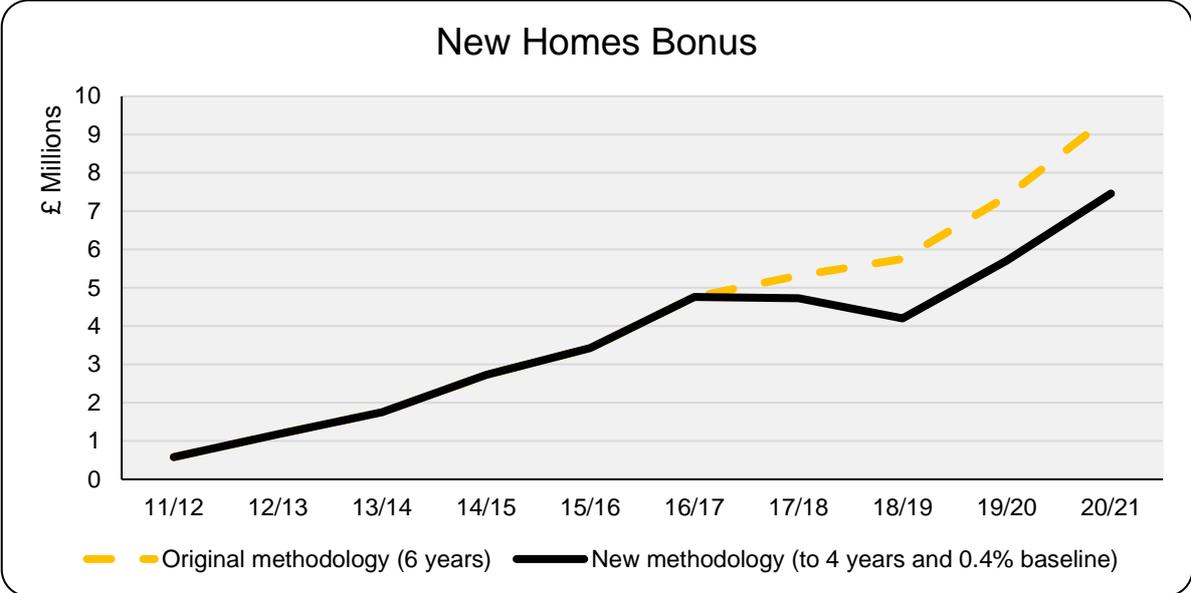
This also impacts on Adult Social Care budgets as these young people transition into adulthood.

Funding the Council's ambitions for regeneration

The council is at a stage of significant investment in its strategic development locations (SDLs) and town centre regeneration (TCR) ambitions. This requires substantial up front funding pending the receipt of developer contributions, house sales and income from commercial assets. As such the Council will meet the initial capital costs of investment which generates a sizeable funding pressure on the council's revenue account. Reserves have been established with the aim of mitigating this risk.

New Homes Bonus (NHB)

The Autumn Statement 2015 proposed changes to the NHB which make the scheme less attractive for Wokingham by reducing the length of payments from six years to four. The council is now set to receive £7.5m in NHB in 2020/21, up from £5.7m NHB in 2019/20. This grant should have increased more to fund the authority for the significant amount of house building which has taken place in the borough. The government have reduced the national amount of NHB grant, and therefore the amount Wokingham receives has reduced. From 2020/21, Wokingham will be rewarded for 1 year only with legacy payments also being honoured, compared to six years in 2016/17, as well as not rewarding authorities for the first portion of growth they enable. Furthermore the NHB has been included in the council’s core spending power calculation. These developments appear to fundamentally undermine the initial intention behind the NHB scheme: to incentivise housing growth and reinvest in regeneration. Although the council’s previous approach has been to use NHB to fund special items, most notably for regeneration, the sustainability of such an approach has been brought into question due to its impact on the funding of essential council services. The graph below shows the new homes bonus grant over the years including the impact of the changes to the methodology.



Impact of the economic environment

Services directly related to meeting the needs of those suffering from the impacts of economic uncertainty will need to continue to meet the increased level of demand.

Following weak UK economic growth in previous years, independent forecasters are predicting growth of 1% for GDP. With average CPI inflation of 2.2% predicted in 2020, this remains above the Government’s inflation target of 2% for CPI, caused by the devaluation of sterling, increasing the cost of imports. In addition, recent rises in global energy prices contributing to above target inflation. To help contain inflation and stimulate growth, the official bank rate has remained at 0.75% throughout 2019 with little movement expected during 2020.

Economic forecasting remains difficult with so many external influences weighing on the UK.

Sustainability

The council faces potential new and increasing penalties or taxes from the Government if it does not meet certain targets in the future. Most notable areas are around waste landfill, with landfill tax increasing year on year and more waste generated through an increased number of dwellings. This is an area that will need to be kept under review, particularly in the context of the Brexit implications.

The Council has three designated Air Quality Management Areas (AQMAs) and are focused on improving air quality through the Council's 'My Journey Programme' which aims to promote active and alternative sustainable transport to reduce vehicle emissions which are the biggest causes of air quality problems in Wokingham Borough.

Localisation of business rates, business rates revaluation and council tax

From 2013/14 the localisation of business rates began with a 50% share for local authorities. From 2013/14 onwards local authorities have been able to share part of any growth in business rates, which is an incentive to encourage growth. However, councils will also have to bear a share of any shortfall on business rates, due to closures of premises, successful appeals against valuations of which many are still outstanding from the 2010 revaluation, as well as the impact of the new 2017 valuations, bad debts and other factors. These factors significantly add to the council's financial risk profile. In addition the council now directly meets the cost of council tax support and will bear the risk of economic conditions giving rise to an increase in claims.

2017/18 was the first year based on updated business rate valuations. Despite increases in the value of properties in Wokingham, the council will not be rewarded for these, as increases are distributed across the country. The new valuation list delivers more risk to the authority as all the properties can again challenge their business rates bill which may require the authority to pay large amounts of business rate income.

Previous Government announcements make clear an intention to return all business rates to local authority control in 2020, with the aim now is for authorities to retain 75% of business rates from 2021/22 (previously 20/21). The government invited local authorities to pilot 100% business rates retention from 2018/19 and pilot 75% from 2019/20, and WBC were successful in its application, resulting in additional one off funding to the authority over two years. The finance settlement announced that WBC would no longer continue to be in the pilot for 20/21 and would revert back to the current arrangements where central government receive 50% off additional growth. Due to the continued delays from Central Government, the future arrangements of business rates funding beyond 20/21 create a degree of uncertainty and risk, making longer term financial planning more difficult.

9. Capital

Capital strategy

A 10 year capital strategy has been developed with the aims of realising the council's vision, raising the quality of life of residents and improving medium to long term planning.

To finance the capital strategy, an approach to funding has been taken that: optimises assets; seeks flexible use of future section 106 contributions and Community Infrastructure Levy (CIL); and attracts new funding sources where available (particularly through the bidding for Government grants).

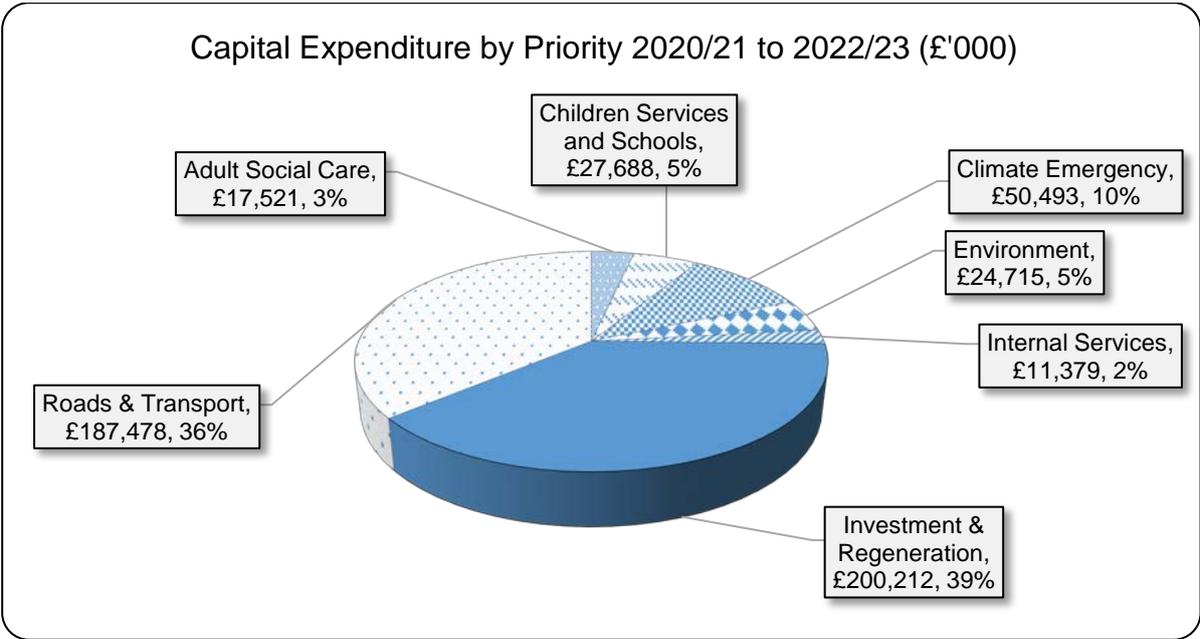
Under the prudential code, all authorities are able to borrow as much as they require to fund their capital programme provided it is affordable, prudent and sustainable. The financing costs of any new borrowing falls directly upon the council tax payer unless funded by income generation or developer contributions. The annual revenue cost of new borrowing is approximately 7% of the sum borrowed (4% principal repayment and 3% interest).

Capital programme

The first three years of the capital vision is effectively the capital programme. This has been developed following an assessment against key council priorities, including a value for money and risk analysis.

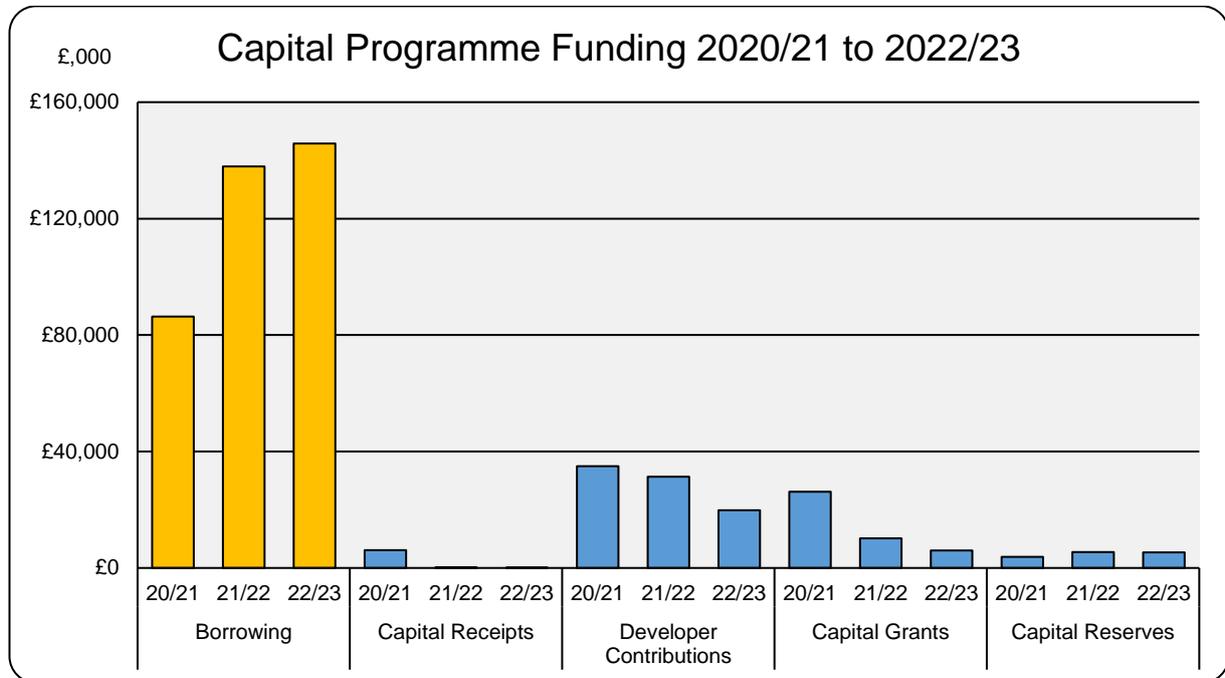
The capital programme over the next three years will include existing asset investment (predominantly school buildings and infrastructure assets) and schemes that seek to deliver the council's vision.

The graph below shows the capital expenditure planned for the next 3 years by Council priority.

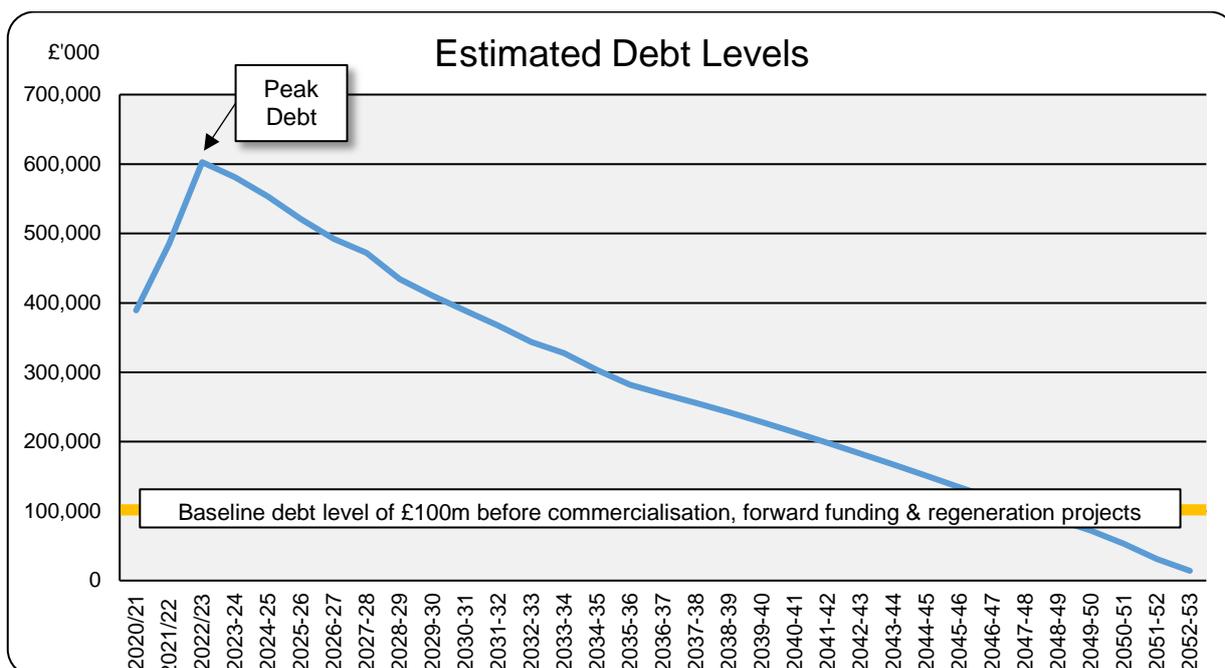


The capital programme is funded from a variety of sources: capital receipts, borrowing, grants and other contributions. The relative reliance on each funding source is set out below and shows a greater dependency on borrowing and developer contributions as the council embarks on its ambition to develop its four strategic development locations, regenerate the borough and reducing our impact on the climate.

The graph below shows how the capital programme will be funded over the next 3 years.



The following graph shows the estimated debt levels for the Council over the next 33 years. The initial increase in debt is driven by the Council's capital programme. Debt is then repaid over the next 30 years to bring debt levels back to a funded baseline level of approx. £100m (pre 2011/12 debt levels).



Capital resources and borrowing outlook

There are some significant developments in the council's capital programme.

Town centre regeneration

The Wokingham Town Centre Regeneration programme remains one of the council's key investment priorities and is progressing well towards completion.

The new Peach Place square opened in spring 2019 with a great range of excellent national and independent businesses. Summer 2019 saw the opening of the new Aldi Foodstore at Elms Field, along with the new landscaped park and destination play area which have proved incredibly popular with the local community.

Winter 2019 saw the opening of the Premier Inn hotel along with the new Everyman Boutique Cinema at Elms Field and the completion of the wider works at Peach Place. New tenants have started moving into the Key Worker housing at Peach Place which aims to attract essential workers to the local area such as nurses, police officers and social workers.

Preparations to start work on building a new Leisure Centre and Library at Carnival progress well with a main contractor due to be appointed in spring 2020. Construction work is expected to start on site in summer 2020, following the opening of the new Bulmershe Leisure Centre in Woodley, with the new Carnival facility completed and opening in 2022.

Capital receipts and contributions

Significant costs relating to the development of SDLs are in respect of building major roads and schools. Developer contributions through S106 contributions or Community Infrastructure Levy are key to funding these and minimising the burden on general council capital resources. Given the size of the investment required the timing of the capital receipts becomes important as the capital financing costs of any timing lag falls on the general fund. The capital ambition of the organisation is high, and future years of the programme show a rising deficit of funding available against investment ambition. This will be bridged through a combination of maximising resources, modifying and prioritising schemes.

10. Housing Revenue Account (HRA)

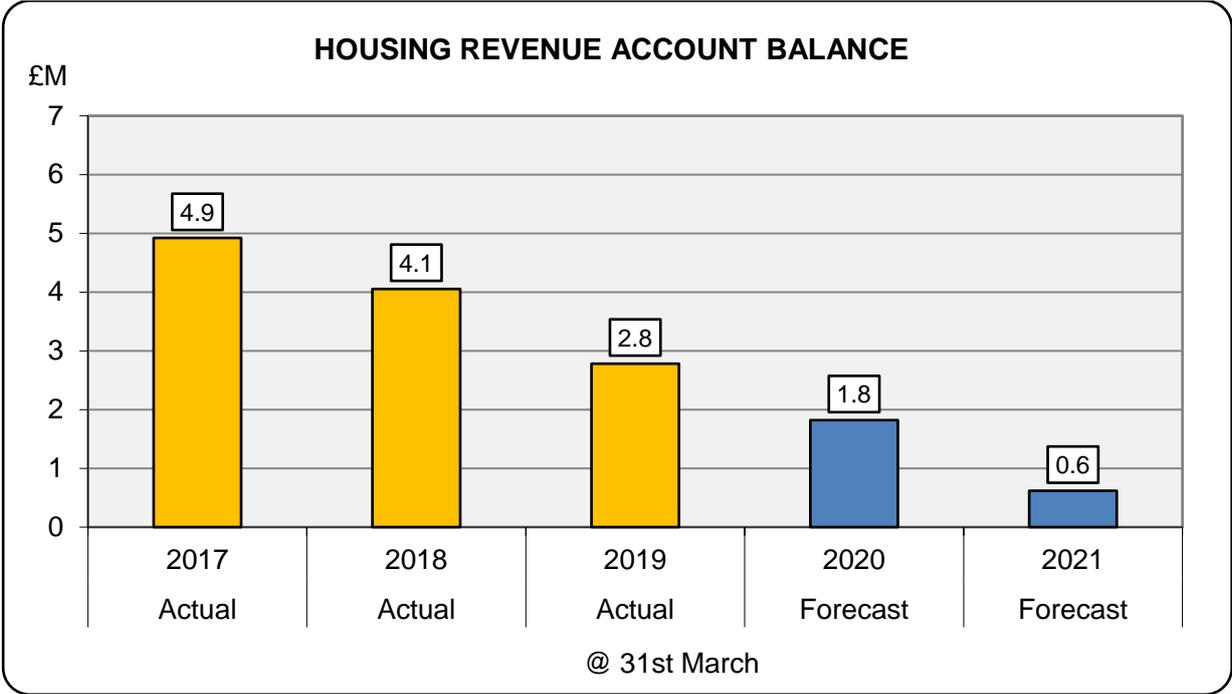
The HRA is a ring-fenced account and as such has no impact on the level of council tax. The money spent maintaining the council’s housing stock (valued at approximately £202m) and providing a service to council tenants is mainly funded by housing rents paid by council tenants. Gross expenditure on the HRA is in the region of £17m per year and is predominately in the areas of repairs and maintenance, capital financing, investment in capital works, and management. Housing rents are required to be adjusted annually in accordance with Government guidelines.

Under the Localism Act the council took control of its housing rental income thus enabling more effective planning for the long term management of these key assets. In return Wokingham took on its share of the £28bn national housing debt as part of the self-financing settlement. Although the council took on significant debt to do this, the scheme should be beneficial to the council and its tenants in the longer term both with regard to retaining income and generating capacity to invest in the housing stock.

In line with the Government’s 2016 budget, housing rents must be reduced by 1% each year on a cumulative basis for the four years from 2016/17 to 2019/20. From 2020/21, rent increases will be in line with CPI + 1%. The real terms reduction in the HRA forecast rental income over the past 4 years will be greater than 1% annually as HRA rents were based on increasing them as part of the convergence policy whenever new tenancies were commenced; the Government policy no longer permits a convergence policy of increasing rents when tenancies are re-let.

| | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 |
|------------------------|---------|---------|---------|---------|---------|
| Annual rent change (%) | -1% | -1% | -1% | -1% | 2.7% |

The HRA requires a balance in the same way as the General Fund. A risk analysis is also undertaken on HRA budgets to inform a prudent level of balance.



The chart above shows actual HRA balances from previous years and a forecast for 31 March 2020 and 2021. The estimated balance at 31 March 2020 will be used to part fund capital expenditure in 2020/21 and later years, and to maintain a prudent level of reserves.

The reduction in reserves is caused as a result of the rent reductions over the 4 years between 2016 and 2019. This has reduced the income available to the HRA whilst expenditure and debt repayments have maintained at pre rent reduction levels. This has led to the need to use HRA reserves to fund expenditure. HRA rent income is expected to increase under current Government policy meaning future HRA reserves are expected to increase to approximately £1m.

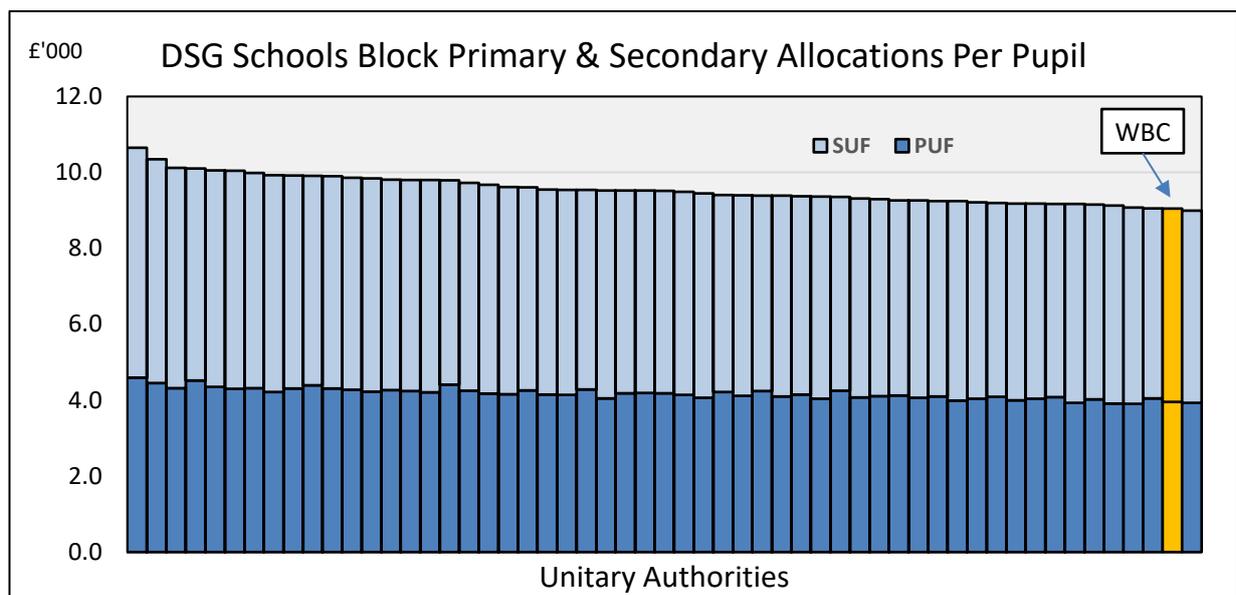
Schools

The Dedicated Schools Grant (DSG)

The council receives DSG annually and it must be used in support of the schools budget as defined in the Early Years and Schools Finance (England) Regulations 2018. The purpose of the schools budget is defined in legislation as the provision of primary and secondary education.

The amount of DSG the council has received in previous years for maintained schools and academies is shown below. The amount for 2020/21 was notified to the authority by the Department for Education (DfE) in December 2019, however, a proportion of this amount is in respect of free schools and must be paid to them. The actual DSG allocation available to the council for 2020/21 is £142.74m, compared to £134.68m in 2019/20. The increase to 2020/21 is accounted for by increased funding on both two unit costs, one for primary unit cost (PUF) and one for secondary unit cost (SUF). The DfE has now created a centrally retained schools block for the council to carry out its statutory duties which includes an element of the old education support grant.

The actual 2020/21 PUF is £3,954 and SUF is £5,093 estimated per pupil compared to £3,770 (PUF) and £4,887 (SUF) in 2019/20. Wokingham remains to receive one of the lowest funding amounts of all unitary authorities.



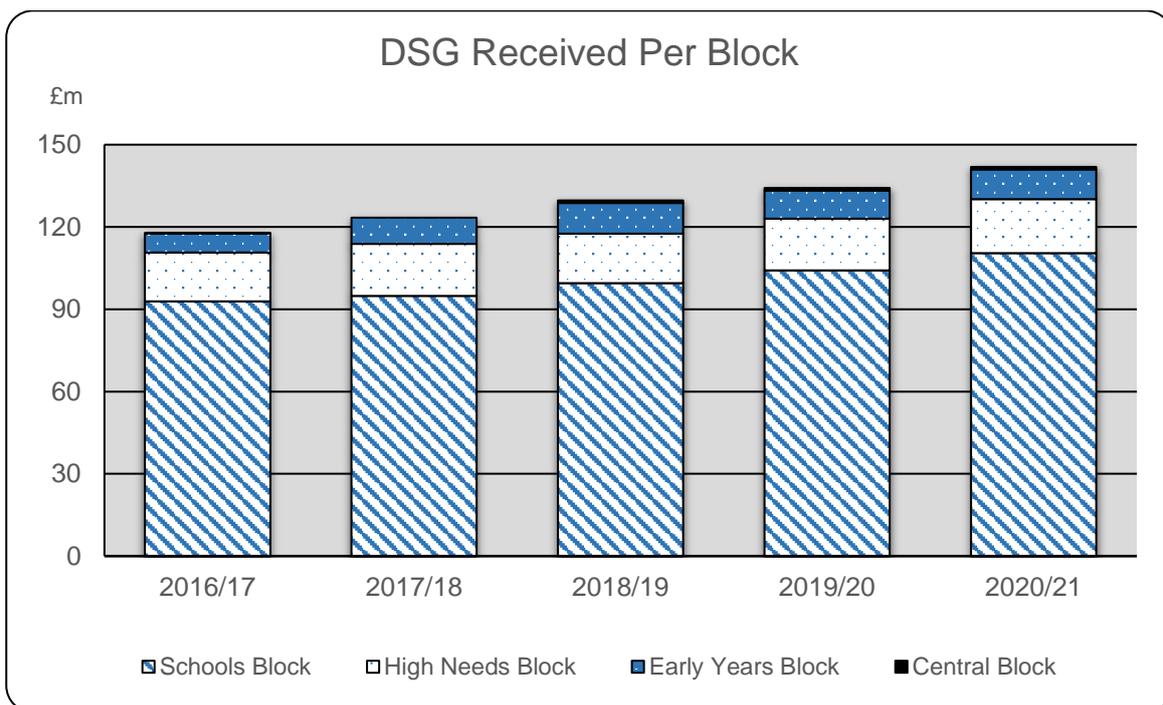
DSG and the national funding formula

The Government's long term intention has been to move school funding to a national funding formula. The over-arching objective is to have a simpler, transparent and more equitable approach to funding pupils irrespective of where they live in the country.

The implications for Wokingham schools is that a number of them may lose out as there is less ability for the council to target funding to any school. This will have the effect of compounding the financial challenge already being faced by schools across the borough

resulting in an increased need for effective school financial management in order to help them manage their finances.

In summary, the DSG changes mean that schools' block money is much more aligned to pupil numbers but there is no growth mechanism in the High Needs Block (HNB) and schools have less ability to incorporate fixed budget allocations. Schools with falling pupil numbers will therefore be more affected than others. Furthermore there are growing SEND pressures on the overall budget which may reduce the money available for allocation. For the 2019/20 and 2020/21 financial years', schools will continue to be funded through the local authority funding formula. From 2021/22, the Government proposes to introduce the National Fair Funding formula.



High Needs Block

The High Needs Block is separate block of funding to support those young people with SEND requirements. This has been underfunded by central government for the past few years and, when combined with the increased demand and out-of-borough placements (see above) this has meant that the account has operated in a deficit position since 2017/18. Whilst this is permitted under regulation in the short term, it is not an ideal scenario nor sustainable in the medium to long term; the Council is now taking significant steps to reduce this deficit going forward, although this will take some capital investment to reduce the future revenue pressures.

11. Local Authority Trading Companies

Optalis Ltd

Optalis provides care and support services to older people and adults with a disability. The objective of Optalis is to provide a sustainable social care service that is known for its quality and commitment to service delivery. Optalis expanded significantly during 2017/18 through a merger with the Royal Borough of Windsor and Maidenhead.

Wokingham Housing Companies

The housing companies are now delivering a range of high quality affordable and market housing schemes for the residents of Wokingham Borough. Work is well underway, with some developments having gone live, others being completed, and others in the development pipeline for future years. The financial implications of the housing companies' business plans will be included in the MTFP. Significant investment has been included in the Capital Programme with two major developments, at Phoenix and Fosters now complete. The cost of borrowing will be funded by the company. The company has a detailed business plan and the financial impact of this is incorporated into the council's MTFP.



Graham Ebers

Deputy Chief Executive
(and Chief Financial Officer)

12. Glossary

| Abbreviation | Description |
|--------------|---|
| ASC | Adult social care |
| DSG | Dedicated Schools Grant |
| ESG | Education services grant |
| GFB | General fund balances |
| HND | High Needs Block |
| HRA | Housing revenue account |
| MTFP | Medium term financial plan |
| NDR | Non-domestic (business) rates |
| NHB | New homes bonus |
| RSG | Revenue support grant |
| SDL | Strategic development locations |
| SEND | Special Educational Needs and Disability |
| SFA | Settlement funding assessment |
| SoBM | Summary of budget movements |
| TCR | Town centre regeneration |
| WHL | Wokingham Housing Limited |

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**WOKINGHAM
BOROUGH COUNCIL**

Tel: 0118 974 6557 (Direct Line)
Email: graham.ebers@wokingham.gov.uk

Date: 9 January 2020
Our ref: CorpFin/02/19-20/DFS
Your ref:

Local Government Finance Settlement Team
Ministry of Housing, Communities and Local Government
2nd Floor, Fry Building
2 Marsham Street
LONDON
SW1P 4DF

| |
|--|
| Corporate Services |
| PO Box 150 |
| Shute End, Wokingham |
| Berkshire, RG40 1WN |
| 0118 974 6000 |
| DX: 33506 - Wokingham |
| www.wokingham.gov.uk |

Dear Sir,

LOCAL GOVERNMENT FINANCE SETTLEMENT 2020/21 – CONSULTATION RESPONSE

Wokingham Borough Council once again welcomes the Government's decision not to enact the potential transfer of our council taxpayers' money to other councils through the imposition of Negative Revenue Support Grant. We hope that this baseline funding for 2020/21, without the imposition of Negative Revenue Support Grant, will be honoured in any new long term settlement beyond this year. In the interest of sound financial planning, it is also important that any future settlement is for at least a four year period, in the same way as previously announced for the period 2016/20.

The ministerial statement that accompanied the 2020/21 provisional settlement made reference to a new local government funding model based on needs and resources. We very much hope that the disproportionate amount of income we are already required to levy from our council taxpayers, as a result of our extremely low historical government funding, is not taken into account in a way that penalises them further. We also very much hope that there is a greater weighting given towards recognising the basic cost of delivering services, when determining need, as opposed to steering funding elsewhere as a result of recognising specific factors such as deprivation. In 2020/21, Wokingham will once again receive the lowest percentage of Settlement Funding Assessment Grant as a share of its total income, of any unitary authority. Wokingham will receive 10%, compared to some unitary councils for which government grants will fund over 40%, and on average 28%. As a result, the percentage of expenditure met by Wokingham council tax payers is already the highest of any unitary authority.

There are a number of one-off funding items included in the 2020/21 settlement and although additional funding is always welcome, it makes longer term financial planning difficult and therefore ongoing funding commitments in future settlements are strongly encouraged, particularly where they are required to address long term terms challenges within our statutory care services.

We believe that the continuation of the New Homes Bonus is important if local authorities are to remain financially incentivised for their work in "fixing our broken housing market", and therefore support its inclusion in the 2020/21 proposed settlement and hopefully its continued inclusion beyond this year; the decision to

restrict NHB to a single payment for next year is regretted and it is further hoped that any fairer funding model continues to recognise the long term planning of authorities attempting to address the national housing shortage. We would however urge the Government to introduce measures to prevent housing developers sitting on significant Local Authority granted planning permissions and thereby frustrating housing delivery. Again certainty over future year settlements would be appreciated to allow longer-term budget planning and investment in local services, whilst recognising and rewarding the important part that local authorities play in the delivery of additional housing in support of key national objective.

The Council also welcomes the additional flexibility to increase its Council Tax and believes that local discretion to levy taxes and generate additional income should be provided to councils in any new funding settlement, particularly in the context of the escalating costs of statutory demand led care services.

On a final point, this Council like many other councils, face spiralling special education needs costs that cannot be accommodated within existing budgets and are extremely difficult to contain. Whilst the right noises are being made by DfE, the funding for this nature of expenditure is still both significantly constrained by regulation and wholly inadequate. Ideally we would like this addressed through the 2020/21 settlement, but if this is not possible it should be incorporated in the fundamental funding review for 2021 onwards.

I hope the above response clearly conveys this Council's key concerns in respect of the proposed Local Government Finance Settlement and informs future funding considerations. If you would like to discuss any of the points raised then please do not hesitate to contact me.

John Kaiser
Executive Member for Finance and Housing

Graham Ebers
Deputy Chief Executive (& Chief Finance Officer)

| | |
|-----------------------------|--|
| TITLE | Temporary Closure Remenham Footpath 4 Henley Festival |
| FOR CONSIDERATION BY | The Executive on Thursday, 30 January 2020 |
| WARD | Remenham, Wargrave and Ruscombe; |
| LEAD OFFICER | Director of Locality and Customer Services - Sarah Hollamby |
| LEAD MEMBER | Executive Member for Environment and Leisure - Parry Batth |

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

The temporary closure will allow the Henley Festival to be organised and run in a safe manner whilst enabling residents and visitors to continue to use Remenham Footpath 4 via a short detour. The Festival Trust applies annually for this closure to enable the safe management and execution of a locally and regionally enjoyed festival.

RECOMMENDATION

The Executive is recommended to:

- 1) approve the making of an order for the closure of Footpath Remenham No 4, for a closure of an 80m section of the footpath for the set up and de rig of the Festival stage from Monday 6th to Wednesday 8th July 2020 inclusive and from Monday 13th July to Tuesday 14th July 2020 inclusive;
- 2) include within the closure a 620m section for evening performances from Wednesday 8th July to Sunday 12th July 2020 inclusive and day time performances on Saturday 11th July and Sunday 12th July 2020, under Section 16A of the Road Traffic Regulation Act 1984, subject to the receipt of the requisite consent of the Secretary of State for Transport.

EXECUTIVE SUMMARY

The Authority is required to consider whether it is necessary for traffic to be restricted for the purpose of facilitating the holding of a relevant event and whether it is reasonably practical to hold the event otherwise than on the highway (in this case a footpath). The applicant has stated that it is necessary to restrict traffic for the holding of the event and that it is not reasonable for the organisers to hold the event other than on the road in question. Therefore a decision is needed on whether to approve the making of the closure order if the event is to proceed. The duration of the closure is also required to be approved by the Secretary of State for Transport.

BACKGROUND

A request has been received from the organisers of the Henley Festival of Music and the Arts for the closure of part of Footpath No.4 Remenham between the hours of:

| Day (2020) | Times | Length of closure (metres approx) |
|--------------------------------|-------------------|-----------------------------------|
| Monday 6th July | 00.01- midnight | 80m |
| Tuesday 7th July | 00.01- midnight | 80m |
| Wednesday 8 th July | 00.01- 17: 45pm | 80m |
| Wednesday 8 th July | 17: 45 - midnight | 620m |
| Thursday 9 th July | 17: 45 - midnight | 620m |
| Friday 10 th July | 17:45 - 01:00 | 620m |
| Saturday 11 th July | 10:45 - 14:45 | 620m |
| Saturday 11 th July | 17: 45 – 02:00 | 620m |
| Sunday 12 th July | 10:15 – 14:15 | 620m |
| Sunday 12 th July | 17:45 - 23:30 | 620m |
| Monday 13 th July | 06:00 - midnight | 80m |
| Tuesday 14 th July | 00:01- 23:59 | 80m |

The closure periods from Monday 6th July to Wednesday 8th July 2020 and from Monday 13th July to Tuesday 14th July 2020, are for the build and dismantling periods when there will be movement of equipment and vehicles on the footpath. The closures required for the set up and dismantling of the stage will be for the shorter length of footpath approximately 80m. An alternative route will run parallel to the closed section of the right of way at a distance of approximately 15m from the footpath. Henley Festival will make every effort to re-open the towpath sooner on Tuesday 16th July, as long as it is safe to do so.

The Festival takes place after the Henley Regatta. The Festival's organisers make use of the Regatta's infrastructure such as marquees and stands, which are already in situ. The main Festival events are held on a large 'floating stage' constructed in the river bed, the building of which takes place on and adjacent to Footpath No.4.

As Highway Authority, this Council has a statutory duty under the Highways Act 1980 to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the Highway Authority. As such, it is for the Council to consider any application for the closure of a highway, albeit on a temporary basis, in conjunction with this statutory duty.

Notwithstanding the above, in its capacity as a Traffic Authority, the Council is empowered by the Road Traffic Regulation Act 1984 to make an Order to regulate traffic on a temporary basis in order to facilitate the holding of certain events (a "relevant event") on the highway, provided that it is satisfied that the event cannot be held otherwise than on a road. At section 142(1) of the Act the term "road" is defined as any length of highway or any other road to which the public has access and therefore includes any footpath.

If the Order is made as recommended, it would continue in force for more than three days. Section 16B(1)(b) of the 1984 Act provides that, before the Order can be made, the consent of the Secretary of State for Transport would be required. Since 2009 the Secretary of State, after detailed consideration of the material facts, approved the

making of a similar length closure order annually. The length of time for the closure and the alternative route requested for 2020 is the same as that granted in 2019.

Whilst there is no legal requirement to consult in respect of the application, the Council agreed at Executive on June 25th 2015, that for applications for temporary closures on rights of way affecting the Thames Path and the Blackwater Valley Footpath, (for special events) the following policy will be adopted:

- 1) prior consultation will be carried out with the following groups: The Ramblers' Association, The Open Spaces Society, Natural England, the relevant Parish Council and the ward member for the area through which the path is situated; and
- 2) the decision as to whether a closure will be made will be taken by the Executive unless it is agreed by the Executive Member for Environment that such referral to the Executive is not required.

Consultations were sent out in October to the local Ward Members, Remenham Parish Council, The Thames Path National Trails Officer, Loddon Valley Ramblers and the Open Spaces Society as well as Henley Town Council, who had asked to be consulted in previous years. Natural England confirmed in 2018 that they do not need to be consulted on application provided that the Thames Path National Trails Office are included.

Councillors John Halsall and Graham Howe as the local Ward Members, and Councillor Parry Bath as the Executive Member for Environment and Leisure have raised no objections to the temporary closure.

The Ramblers' Association, Thames Path National Trails Officer, Remenham Parish Council and Henley Town Council have raised no objection to the temporary closure.

The Open Spaces Society has objected to the closure and the points raised in their letter are considered below.

Details of the responses to the consultation and details of permission granted for the alternative paths by the landowner are included in the accompanying documents.

In 2017, 2018 and 2019 there were no complaints or objections to the Temporary Closure of part of footpath Remenham 4 during the Festival in July, from members of the public, local clubs or Remenham residents.

Analysis of Issues

| Open Space Society issues | WBC response |
|--|---|
| The legislation proposed to be used to close the path was not stated in the consultation | <p>The proposed temporary closure will be under Section 16A of the Road Traffic Regulation Act 1984.</p> <p>This legislation was referred to in the original email consultation and the map supplied to the consultees.</p> |

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| <p>Objection to the additional four hours added to the closure time for 2020.</p> | <p>The hours that The Festival has applied for are the same as those granted in 2019. There are no additional hours of closure proposed for 2020.</p> <p>The Festival wants to develop its work with local community organisations by offering a facility for groups to perform using the Festival's performance venue. The performances will be using the floating stage and therefore the footpath is considered to be a part of the Festival venue and closure of the path is necessary at this time to enable the event to take place.</p> |
| <p>The event could be held elsewhere.</p> | <p>The event uses the same infrastructure as used during the Henley Regatta. It is not a matter for the Authority to specify where the organisers should hold the Festival but whether or not it is necessary to close the footpath at the point where they chose to hold the event.</p> |
| <p>The council must satisfy itself that it is not reasonably practicable for the event to be held otherwise than on a road. The OSS believes that there is nothing about the Festival which requires the use of a road.</p> | <p>The stage is next to the footpath where ticket holders watch the performances. Access needs to be limited to satisfy the licensing requirements and because electrical cabling etc is placed across the footpath. It is therefore considered that it is necessary that the relevant event encompasses the use of the adjoining footpath.</p> |
| <p>The council needs to be aware of its statutory duty, under section 130 of the Highways Act 1980, 'to assert and protect the rights of the public to the use and enjoyment of the highway'.</p> | <p>The duty is effectively suspended during such times as the Council uses its available statutory powers to close the path by legal order.</p> |
| <p>This is the Thames Path National Trail, a route of international importance, which should not be interfered with merely for a private event.</p> | <p>The legislation does not preclude the making of orders for commercial events or on national trails.</p> |
| <p>The council needs to 'have regard to the safety and convenience of alternative routes suitable for traffic which will be affected by the order.</p> | <p>The alternative routes identified for use by the public during the closure period is considered to be appropriate for this relatively short term diversion.</p> |

| | |
|---|---|
| The OSS states that the alternative route needs to be a public highway. | This is not the case. WBC should only have regard to the suitability and convenience of the alternative route for the traffic affected by the order. The owner of the land agrees annually to the use of their land as an alternative footpath during the closure period and to date the alternative route has been provided for the duration of the closure periods so there is no reason to suggest that this would not be the case for the 2020 closure. |
|---|---|

BUSINESS CASE

Not applicable as the organisers of the Henley Festival pay all legal and advertising fees.

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 |

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| Other Financial Information |
| The organisers of the Henley Festival pay all legal, advertising costs of the Closure Order. |

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| Stakeholder Considerations and Consultation |
| The local Members have been consulted together with the Parish Council, the Ramblers’ Association, the Open Spaces Society, Thames Path National Trails Officer and Henley Town Council. |
| An objection to the closure is usually received from the OSS annually. Whilst the Authority must have regard for objections, the Temporary Closure Order can still be made by the Executive if it considers that the requirements of the legislation have been met. Any objections are sent to the Secretary of State so that they are aware of them to consider alongside the application for consent under section 16B(i)(b). |

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| Public Sector Equality Duty |
| An initial equality impact assessment has been carried out and has not identified any negative impact to the proposal. |

| | |
|---|---|
| List of Background Papers | |
| Application from the organisers of the Henley Festival Map of the proposed temporary closure and alternative paths Details of responses from consultees Initial Equality Impact Assessment | |
| Contact Andrew Fletcher | Service Customer and Localities |
| Telephone Tel: 0118 908 6593 | Email andrew.fletcher@wokingham.gov.uk |

HENLEY FESTIVAL 2020 APPLICATION FOR TOWPATH DIVERSION - hours applied for :

STAGE BUILD - short diversion taking walkers approx 15m off the towpath for a length of approx 80m around the stage construction site.

Monday 6th July 2020 00:01 - Wednesday 8th July 2020 17:45

Henley Festival will make every effort to re-open the towpath sooner, so long as it is safe to do so.

SHOW NIGHTS – full diversion with diverted route to rear of the site

Wed 8th July 2020 17:45 - midnight

Thurs 9th July 2020 17:45 – midnight

Friday 10th July 2020 17:45 – 01:00

Saturday 11th July 2020 10:45 – 14:45

Saturday 11th July 2020 17:45 – 02:00

Sunday 12th July 2020 10:15 – 14:15

Sunday 12th July 2020 17:45 – 23:30

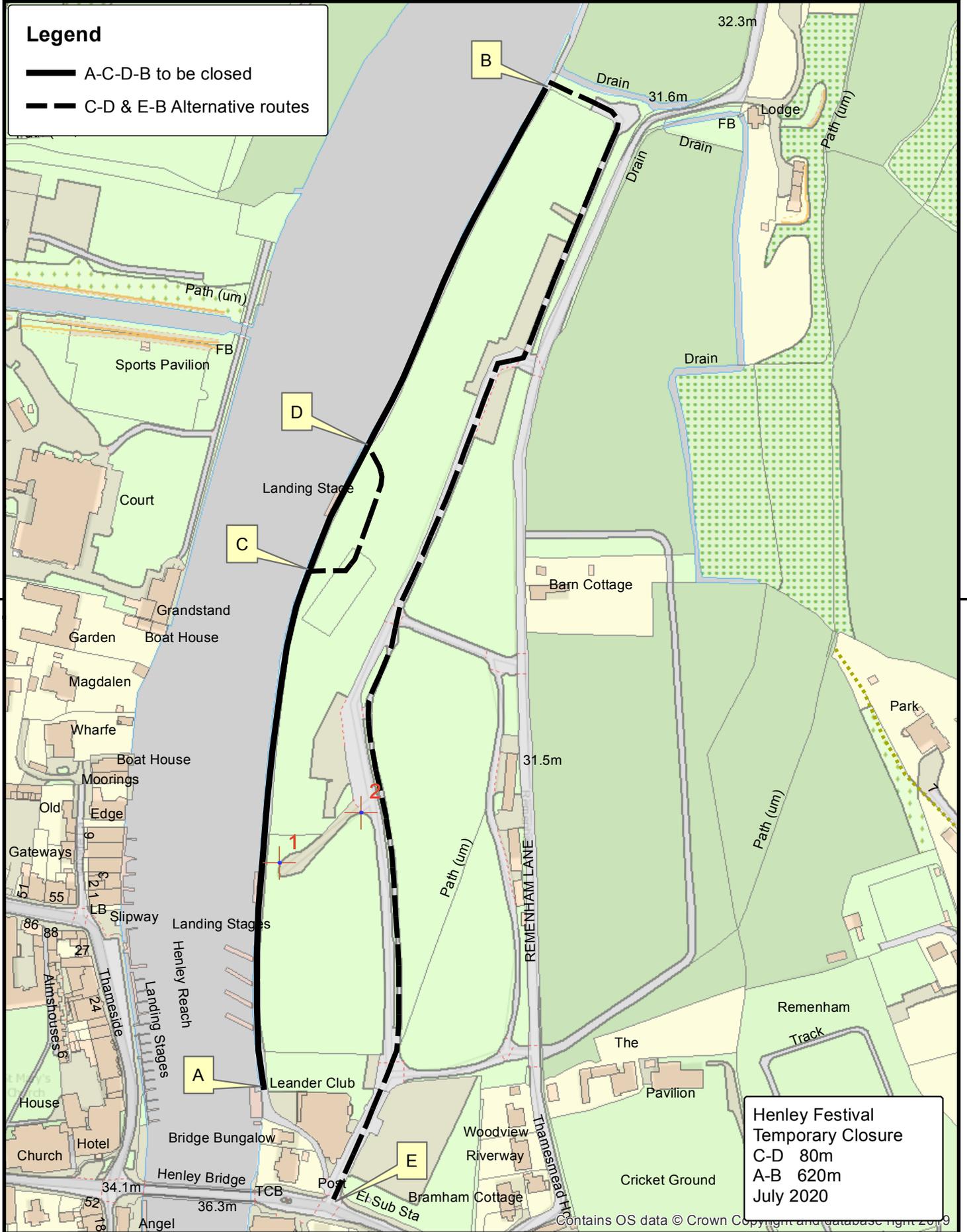
STAGE DE-RIG - short diversion taking walkers approx 15m off the towpath for a length of approx 80m around the stage construction site.

Mon 13th July 2020 06:00 – Tues 14th July 2020 23:59

Henley Festival will make every effort to re-open the towpath sooner, so long as it is safe to do so.

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WOKINGHAM BOROUGH COUNCIL
 ROAD TRAFFIC REGULATION ACT 1984 SECTION 16A
 TRAFFIC REGULATION ORDER
 REMENHAM FOOTPATH 4 (PART) 2020



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Temporary Closure Remenham Footpath 4 Henley Festival 2020
Details of responses to stakeholder consultation and permission from landowner

| Organisation | Date Received | Details of response |
|------------------------------|---------------------------|---|
| Open Spaces Society | 24 th Oct 2019 | Objects to the order on numerous grounds which have been considered and responded to in detail in the main report |
| Remenham Parish Council | 15 th Oct 2019 | No objection |
| Henley Town Council | 12 th Nov 2019 | No objection |
| Loddon Valley Ramblers (LVR) | 15 th Oct 2019 | No objection |
| Thames Path National Trail | 9 th Oct 2019 | No objection |
| Henley Royal Regatta | 13 th Nov 2019 | Confirms that the alternative route will be made available and kept open for the use of members of the public during the closure period. Confirms that no other party is required to give consent. |

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Equality Impact Assessment (EqIA) form: Initial impact assessment

If an officer is undertaking a project, policy change or service change, then an initial impact assessment must be completed and attached alongside the Project initiation document.

EqIA Titular information:

| | |
|---|--|
| Date: | 21 st November 2019 |
| Service: | Delivery and Infrastructure |
| Project, policy or service EQIA relates to: | Temporary Closure of Remenham Footpath 4 for the Henley Festival |
| Completed by: | Andrew Fletcher |
| Has the EQIA been discussed at services team meeting: | No |
| Signed off by: | Francesca Hobson |
| Sign off date: | 27 th November 2019 |

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1. Policy, Project or service information:

This section should be used to identify the main purpose of the project, policy or service change, the method of delivery, including who key stakeholders are, main beneficiaries and any associated aims.

What is the purpose of the project, policy change or service change , its expected outcomes and how does it relate to your services corporate plan:

A request has been received from the organisers of the Henley Festival of Music and the Arts for the closure of part of Footpath No.4 Remenham to allow for the land to be used to host the Henley Festival between 6th and 14th July 2020. During this time an alternative route will be available for the public to use.

Outline how you are delivering your project, policy change or service change. What governance arrangements are in place, which internal stakeholders (Service managers, Assistant Directors, Members ect) have/will be consulted and informed about the project or changes:

The Council have powers to approve the temporary closure of public rights of way to allow for events to take place under the Road Traffic Regulation Act 1984.

Whilst there is no legal requirement to consult in respect of the application, the Council agreed at Executive on June 25th 2015, that for applications for temporary closures on rights of way affecting the Thames Path and the Blackwater Valley Footpath, (for special events) the following policy will be adopted:

- 1) prior consultation will be carried out with the following groups: The Ramblers' Association, The Open Spaces Society, Natural England, the relevant Parish Council and the ward member for the area through which the path is situated; and
- 2) the decision as to whether a closure will be made will be taken by the Executive unless it is agreed by the Executive Member for Environment that such referral to the Executive is not required.

Outline who are the main beneficiaries of the Project, policy change or service change?

The Henley Festival for Music and the Arts are the main beneficiaries of this decision. Should the closure be approved the public will have an alternate route available during the times that the public footpath is closed.

Outline any associated aims attached to the project, policy change or service change:

2. Protected characteristics:

There are 9 protected characteristics as defined by the legislation:

- Race
- Gender
- Disability
- Gender re-assignment
- Age
- Religious belief
- Sexual orientation
- Pregnancy/Maternity
- Marriage and civil partnership:

To find out more about the protected groups, please consult the EQIA guidance.

3. Initial Impact review:

In the table below, please indicate whether your project, Policy change or service change will have a positive or negative impact on one of the protected characteristics. To assess the level of impact, please assign each group a Positive, No, Low or High impact score:

For information on how to define No, low or high impact, please consult the EQIA guidance document.

If your project is to have a positive impact on one of the protected groups, please outline this in the table below.

For details on what constitutes a positive impact, please consult the EQIA guidance.

| Protected characteristics | Impact score | Please detail what impact will be felt by the protected group: |
|---------------------------|--------------|--|
| Race: | No | |
| Gender: | No | |

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| | | |
|---------------------------------|----|---|
| Disabilities: | No | The alternative route runs parallel to the closed path, will be fully signed and fully accessible. The effect of the closure if thus not considered to pose any impact on people with disabilities. |
| Age: | No | |
| Sexual orientation: | No | |
| Religion/belief: | No | |
| Gender re-assignment: | No | |
| Pregnancy and Maternity: | No | |
| Marriage and civil partnership: | No | |

Based on your findings from your initial impact assessment, you must complete a full impact assessment for any groups you have identified as having a low of high negative impact. If No impact, or a positive impact has been identified, you do not need to complete a full assessment. However, you must report on this initial assessment and it must receive formal approval from the Assistant Director responsible for the project, policy or service change.

Initial impact assessment approved by... Francesca Hobson

Date: 27/11/2019

| | |
|-----------------------------|---|
| TITLE | Central and Eastern Berkshire Joint Minerals and Waste Plan: Sand and Gravel Provision and Operator Performance Regulation 18 Consultation |
| FOR CONSIDERATION BY | The Executive on Thursday, 30 January 2020 |
| WARD | None specific |
| LEAD OFFICER | Director of Locality and Customer Services - Sarah Hollamby |
| LEAD MEMBER | Executive Member for Planning and Enforcement - Wayne Smith |

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

This report seeks agreement to undertake a focussed consultation on the Central and Eastern Berkshire Joint Minerals and Waste Plan, focussing on sand and gravel provision and past performance of Minerals and Waste operators.

The Joint Plan will provide a robust strategy to demonstrate how action has been taken to address the future supply of minerals and sustainable management of waste.

This consultation is a further stage of the plan preparation process, following a Draft Plan consultation in summer 2018, and an Issues and Options consultation in 2017.

RECOMMENDATION

That the Executive agree:

- 1) the Central and Eastern Berkshire Joint Minerals and Waste Plan: Sand and Gravel Provision and Operator Performance Regulation 18 Consultation for public consultation;
- 2) the proposed consultation framework;
- 3) that any minor amendments to the Central and Eastern Berkshire Joint Minerals and Waste Plan: Sand and Gravel Provision and Operator Performance Regulation 18 Consultation and material to support this consultation be delegated to the Director of Localities and Customer Services, in consultation with the Lead member for Planning and Enforcement.

EXECUTIVE SUMMARY

Councils are required to plan for the future production of minerals and the management of waste disposal. It is a requirement to review and update local plans – the documents that contain the council's planning policies, which are the starting point for determining planning applications.

Minerals and waste planning policies date from 1998 and 2001. The preparation of a new local plan will ensure that our planning policies are effective in managing development proposals.

Due to the nature of minerals and waste matters, it is better to plan at a larger geographical scale. In response, Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead (RBWM) and Wokingham Borough Council have agreed to work together to review and update the existing planning policies through the preparation of a Joint Minerals and Waste Plan (Joint Plan).

The next step in preparing the Joint Plan is a focused consultation to be held between Monday 10th February and Friday 20th March 2020.

The consultation seeks information and feedback on three aspects. Firstly, on two areas of land recently promoted through a 'call for sites' process:

- Land West of Basingstoke Road, Spencers Wood - located in Wokingham Borough for the extraction of sand and gravel
- Area between Horton Brook and Poyle Quarry - located in the Royal Borough of Windsor and Maidenhead for the extraction of sand and gravel.

Secondly, despite the promotion of the above sites, insufficient minerals sites to meet needs have been identified. In order to demonstrate a positive steps towards meeting needs, an 'Area of Search' has been identified where geological data suggests that sand and gravel are present. The acceptability of the production of minerals would be assessed through the planning application process.

Thirdly, a new policy is proposed that seeks to ensure the past performance of minerals and waste operators forms part of the material considerations taken into account in future decision making.

Following this consultation, a further consultation on the pre-submission version of the Joint Plan is anticipated in summer 2020, followed by submission to government for examination.

BACKGROUND

County councils and unitary authorities have responsibility for planning for the future production of minerals and for the management of waste disposal within their administrative area. Local plans should be regularly reviewed, and where necessary updated. Without effective planning policies, there would be no real control or influence over where and how minerals are produced, or where waste facilities are located.

In Berkshire, planning policies for the production of minerals and for the management of waste are contained in the Replacement Minerals Local Plan for Berkshire (adopted in 1995 but subject to Alterations in 1997 and 2001) and the Waste Local Plan for Berkshire (1998).

Minerals and waste are matters that are better planned for on a larger geography than an individual unitary authority. In response, Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead (RBWM) and Wokingham Borough Council have agreed to work together to review and update the existing planning policies through the preparation of a Joint Minerals and Waste Plan (Joint Plan).

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

CONSULTATION

Local plans must be prepared in consultation with the local community and other stakeholders. The councils undertook an Issues and Options consultation in 2017, and consulted on a Draft Joint Plan in 2018. A summary report of the representations made is available on the Joint Minerals & Waste consultation website.¹ Following a late site promotion, a targeted consultation on an extension to the Bray Quarry minerals site in the Royal Borough of Windsor and Maidenhead was also undertaken in the summer 2019.

NEXT STEPS

The next step of preparing the Joint Plan is undertaking a focused consultation on the proposed policy approach of identifying 'areas of search', on two newly promoted sites and a new policy approach on operator past performance. The representations received will help to confirm the policy approaches and allocations to be taken forward.

The amended plan will then be subject to a further consultation and subsequently submitted to the government for examination.

CONSULTATION OVERVIEW

The proposed consultation has been guided and endorsed by the Joint Member Sounding Board which met on 4 December 2019. The Board consists of

¹ www.hants.gov.uk/berksconsult

representatives from each of the four authorities. The full Draft Consultation is provided in Appendix 1.

Areas of Search

National planning policy requires councils to plan for the sufficient production of minerals. Several 'call for sites' have been undertaken in order to identify potential sites which may meet future needs. Despite this, insufficient minerals sites have been identified. This has been exacerbated by the withdrawal of land at Bridge Farm, Arborfield for minerals production by the landowner.

In order to demonstrate positive steps to meeting needs, it is recommended that the Draft Plan identifies 'areas of search' where geological data suggests sand and gravel resources is present. The acceptability of the production of minerals would be subject to consideration of impacts through the planning application process.

The 'areas of search' do not include areas which national planning policy advises development should be avoided. In addition, areas with potential minerals resource have been excluded where they are under 3ha on non-viability grounds. Built up areas are also excluded.

A plan of the area of search is within the consultation document at Appendix 1.

As identifying areas of search does not guarantee planning applications coming forward, or that any applications will be found suitable, further engagement with neighbouring council is being undertaken given the potential increase in demand on them for sand and gravel.

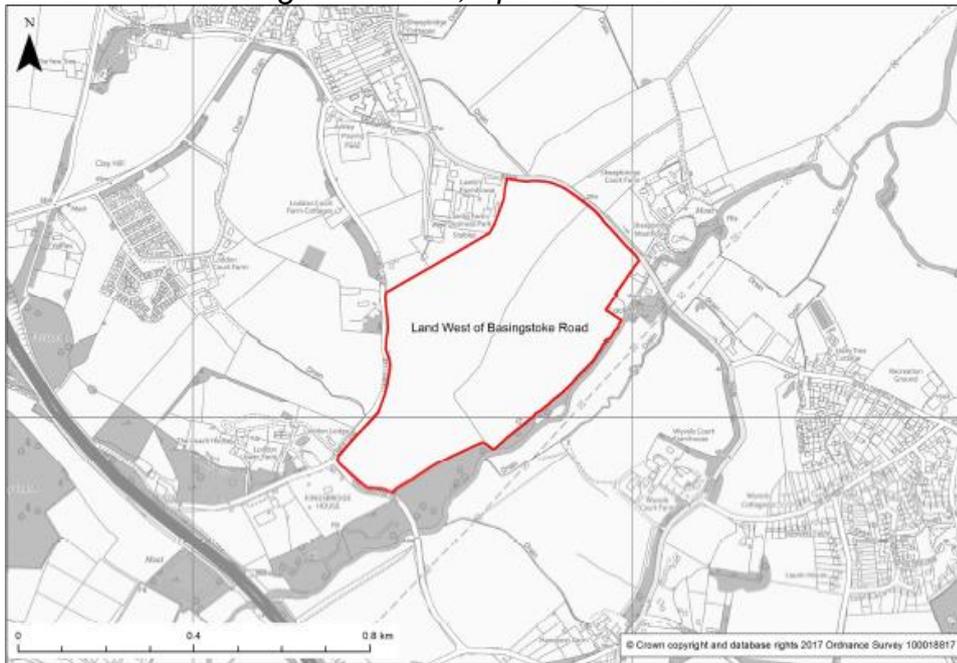
Promoted Sites

As a result of the most recent 'call for sites' in October/November 2019, two further sites have been promoted.

The first site is located in the Royal Borough of Windsor and Maidenhead, and referred to as 'Area between Horton Brook and Poyle Quarry.' The land is promoted for the extraction of around 250,000 tonnes of sand and gravel, and lies between two existing minerals extraction sites.

The second promoted site is located in Wokingham Borough, and referred to as 'Land West of Basingstoke Road, Spencers Wood.' The land is promoted for the extraction of sand and gravel, with the exact amount subject to further site investigations and confirmation from the landowner.

Land west of Basingstoke Road, Spencers Wood



The site is located between the settlements of Spencers Wood to the north and Swallowfield to the south, and is 25 hectares in size. The site is currently in agricultural use, with access potentially via the Basingstoke Road (B3349). Once extraction has ended it is proposed to be restored with inert waste material to reinstate the agricultural fields and/or wetland habitat to enhance the ecology of the area. There are a number of site constraints, including the close proximity of the Stanford End Mill and River Loddon SSSI and the location of three Listed buildings opposite the site.

This consultation seeks further information and feedback on this area of promoted land, to help inform further stages of plan preparation. Planning permission would be required for any development to take place on the site.

Further information regarding both sites are contained in Appendix 1.

Operator Past Performance

Responses to the consultation on the Draft Plan in 2018 raised concerns regarding the operation of existing waste and minerals sites. This included environmental and amenity issues. The past performance of an operator can therefore provide information on how successful they have been in managing sites.

In 2019, the Planning Practice Guidance² was amended to state that the planning history of a site may be a relevant consideration in the determination of an application. Building on this recent guidance, and to address the issues raised, a new development management policy is proposed to allow past performance to be taken into account. This approach is set out in Policy DM15: Past operator performance.

The policy seeks to protect communities located near minerals and waste development from any significant adverse effects. A similar policy approach forms part of the Hampshire Minerals and Waste Plan (2013) following approval by a Planning Inspector,

² Planning Practice Guidance (Paragraph: 010 Reference ID: 21b-010-20190315, 15/03/2019 revision) - <https://www.gov.uk/guidance/determining-a-planning-application#how-decisions-on-applications>

and is currently in operation. The policy was subject to a legal assessment, sustainability appraisal and an informal engagement with operators and minerals and waste planning authorities in summer 2019, and now forms part of this focussed consultation.

PROPOSED CONSULTATION FRAMEWORK

Subject to approval by all Councils, the consultation is planned to take place from Monday 10th February to Friday 20th March 2020.

The consultation will meet the arrangements set in the Statement of Community Involvement. The consultation will involve the following:

- Notification of all those on the existing Planning Policy consultation database;
- Notification to all those people and organisations registered on the major development sites, vulnerable groups information databases;
- Making the documents available on:
 - The council's website;
 - At the Shute End offices;
- Using social and traditional media to promote the consultation;
- Staffing a drop-in session to discuss the consultation with residents.

BUSINESS CASE

The council is required under legislation and national planning policy to plan for minerals production and the sustainable management of waste. The next step in preparing a new Joint Plan is the recommended consultation.

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) | Circa £61k | Yes | Revenue |
| Next Financial Year (Year 2) | Circa £80k | Yes | Revenue |
| Following Financial Year (Year 3) | Circa £100k | Yes | Revenue |

Other Financial Information

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

This is a multi-year project and therefore the costs will be spread across a number of financial years, the exact timing of which will be subject to external influences such as the Planning Inspectorate's availability for the examination. The profile of the budget

may vary according to external other factors, and unless exceptional costs arise, is expected to be covered by agreed budgets.

If the consultation on the above matters is not approved then there is increased risk of the preparation of the Joint Plan being extended beyond its current programme. This will result in increased financial pressures across the four councils.

Stakeholder Considerations and Consultation

Public consultation will be carried out in accordance with the Statement of Community Involvement. This will include email notifications to the existing consultation database, information available on the website, and a public drop in event.

Public Sector Equality Duty

An Equalities Impact Screening Report Form is attached.

Climate Emergency – This Council has declared a climate emergency and is committed 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

The Joint Plan will help ensure the sustainable extraction of minerals and management of waste across the four authorities. This will help to reduce vehicle movements to/from sites in other locations, and ensure that as far as possible, waste is managed locally in a sustainable manner.

List of Background Papers

Joint Central and Eastern Berkshire Minerals and Waste Local Plan – Sand and Gravel Provision and Operator performance, regulation 18 Consultation.

| | |
|-------------------------------------|---|
| Contact Ian Church | Service Place Commissioning |
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Central and Eastern Berkshire

Joint Minerals & Waste Plan

Focussed Regulation 18 Consultation: Sand & Gravel Provision and Operator Performance

February 2020



www.rbwm.gov.uk



**WOKINGHAM
BOROUGH COUNCIL**

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Hampshire County Council

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Executive Summary

Local Planning Authorities have a statutory responsibility to prepare and maintain an up-to-date local plan. Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead and Wokingham Borough Council (collectively referred to as the 'Central & Eastern Berkshire Authorities') are working in partnership to produce a Joint Minerals & Waste Plan which will guide minerals and waste decision-making in the Plan area for the period up to 2036.

The Joint Minerals & Waste Plan will build upon the formerly adopted minerals and waste plans for the Berkshire area, and improve, update and strengthen the policies and provide details of strategic sites that are proposed to deliver the vision.

To-date several information gathering consultations have been achieved to inform the Plan, each of these form part of the preparation stage of Plan-making (Regulation 18¹):

- In Summer 2017, an 'Issues and Options' consultation was undertaken to gather technical information and confirm the evidence base;
- During Summer / Autumn, a 'Draft Plan' consultation set out the proposed approach for the Joint Minerals and Waste Plan.
- Due to a limited number of site options, a further 'Call for Sites' exercise was carried out. This resulted in an addition site (Bray Quarry Extension) being proposed. This was subject to consultation during the Summer 2019.

Work is underway to prepare the Proposed Submission version of the Plan. However, one of the proposed allocations was recently refused planning permission. The landowner has 'shelved' any plans for extraction and not renewed the option with Cemex. This meant that the plan was making limited provision of sand and gravel. In order to try and help address this, a further call for sites was undertaken and an 'Area of Search' approach was explored.

This is a consultation paper on some targeted issues rather than a full draft plan. It sets out the proposed criteria for defining the 'Area of Search' for sand and gravel provision as well as two new sites which are being considered for allocation in the Plan:

- 1) Land west of Basingstoke Road, Spencers Wood is located within the Borough of Wokingham and has the potential to provide sand and gravel².
- 2) Area between Horton Brook and Poyle Quarry is located within the Royal Borough of Windsor & Maidenhead and has the potential to provide 250,000 tonnes of sand and gravel.

In addition, following the responses received in relation to the 'Draft Plan' and the concerns raised by local residents, a new Policy has been drafted which seeks to ensure the past performance of minerals and waste operators forms part of the material considerations taken into account in decision-making.

¹ The Town and Country Planning (Local Planning) (England) Regulations 2012

² The quantity of resource is yet to be determined. This information is expected to be received shortly and this Consultation Document will be updated accordingly.

The Central & Eastern Berkshire Authorities are required to undertake the same level of consultation on these new sites and policy as the rest of the Plan and background evidence base which will inform the Proposed Submission Plan (Regulation 19) which is the version of the plan that is intended to be submitted to the Secretary of State for independent examination.

The Central & Eastern Berkshire Authorities are therefore inviting feedback from statutory consultees, stakeholders, communities, local organisations and businesses on the 'Areas of Search' approach, the potential new sites (Land west of Basingstoke Road, Spencers Wood and Area between Horton Brook and Poyle Quarry) and Policy DM15 (Past Operator Performance).

The responses received from this Sand & Gravel Provision and Operator Performance Regulation 18 consultation will inform the Proposed Submission Plan (Regulation 19) which is being prepared by Hampshire Services on behalf of Central & Eastern Berkshire Authorities.

1. Introduction

- 1.1 Local Planning Authorities have a statutory responsibility to prepare and maintain an up-to-date local plan. Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead and Wokingham Borough Council (collectively referred to as the 'Central & Eastern Berkshire Authorities') are working in partnership to produce a Joint Minerals & Waste Plan which will guide minerals and waste decision-making in the Plan area for the period up to 2036.
- 1.2 The Joint Minerals & Waste Plan will build upon the formerly adopted minerals and waste plans for the Berkshire area, and improve, update and strengthen the policies and provide details of strategic sites that are proposed to deliver the vision.
- 1.3 Preparing the Joint Minerals and Waste Plan has involved engagement and collaboration with communities, local organisations and businesses. Public consultation will be held for each stage of the plan-making process.

2. Joint Central and Eastern Berkshire Minerals and Waste Plan

Background

- 2.1 The currently adopted minerals and waste plans for the Berkshire area are the Replacement Minerals Local Plan for Berkshire, adopted in 1995 and subsequently adopted alterations in 1997 and 2012 and the Waste Local Plan for Berkshire adopted in 1998. The Minerals Local Plan and Waste Local Plan cover the administrative areas of the Central & Eastern Berkshire Authorities, as well as Slough Borough Council and West Berkshire Council. While these plans covered the period until 2006, the Secretary of State has directed that a number of policies in them should be saved indefinitely until replaced by national, regional or local minerals and waste policies. For the Central & Eastern Berkshire Authorities, these saved policies will be replaced by the Joint Minerals & Waste Plan, when it is adopted.
- 2.2 Whilst the Joint Minerals & Waste Plan does not cover Slough Borough Council or West Berkshire Council, close coordination of the work between the Berkshire authorities will continue in order to plan for minerals and waste strategically and address any cross-border issues that may arise.

Status of the Joint Minerals and Waste Plan

- 2.3 The Central and Eastern Berkshire - Joint Minerals and Waste Plan forms the land use planning strategy for minerals and waste development within the administrative area covered by the Central & Eastern Berkshire Authorities
- 2.4 Together with the individually adopted Local Plans for each Authority, it will form the development plan for the area. The Plan guides the level of minerals and waste development needed within Central and Eastern Berkshire and identifies where development should go. Proposals for minerals and waste developments will be considered against the policies contained in the Plan. The Plan is also relevant to the determination of non-minerals and waste applications which may be determined by those Authorities (in terms of other matters such as housing).
- 2.5 The Central & Eastern Berkshire – Joint Minerals and Waste Plan (JMWP) covers the period to 2036. This aligns the Plan with other Local Plans being developed by the authorities and meets the National Planning Policy Framework requirements.

What have previous consultations covered?

- 2.6 To-date several information gathering consultations have been achieved to inform the Plan, each of these form part of the preparation stage of Plan-making (Regulation 18³):

³ The Town and Country Planning (Local Planning) (England) Regulations 2012

- In Summer 2017, an 'Issues and Options' consultation was undertaken to gather technical information and confirm the evidence base;
- During Summer / Autumn 2018, a 'Draft Plan' consultation set out the proposed approach for the Joint Minerals and Waste Plan.
- Due to a limited number of site options, a further 'Call for Sites' exercise was carried out. This resulted in an additional site (Bray Quarry Extension) being proposed. This was subject to consultation during the Summer 2019.

What is the purpose of this consultation?

- 2.7 Work is underway to prepare the Proposed Submission version of the Plan. However, one of the proposed allocations (Land at Bridge Farm, Arborfield) was recently refused planning permission. The landowner has since 'shelved' any plans for extraction at this site and has not renewed the option with the operator (Cemex). This means that the plan will be making limited provision of future sand and gravel. In order to try and help address this matter, a further call for sites was undertaken and an 'Area of Search' approach has been explored.
- 2.8 This is a consultation paper on some targeted issues rather than a full draft plan. It sets out the options considered for defining an 'Area of Search' for sand and gravel provision as well as identifying two new sites which are being considered for allocation in the Plan:
- 1) Land west of Basingstoke Road, Spencers Wood is located within the Borough of Wokingham and has the potential to provide sand and gravel⁴.
 - 2) Area between Horton Brook and Poyle Quarry is located within the Royal Borough of Windsor & Maidenhead and has the potential to provide 250,000 tonnes of sand and gravel.
- 2.9 In addition, following the responses received in relation to the 'Draft Plan' and the concerns raised by local residents, a new Policy has been drafted which seeks to ensure that the past performance of minerals and waste operators forms part of the material considerations taken into account in decision-making.
- 2.10 The Central & Eastern Berkshire Authorities are required to undertake the same level of consultation on the new sites and policy as the rest of the Plan and background evidence base which will inform the Proposed Submission Plan (Regulation 19) which is the version of the plan that is intended to be submitted to the Secretary of State for independent examination.
- 2.11 The proposed sites have been assessed by Hampshire Services technical specialists (Ecological; Transport; Landscape and Historic Environment) and subject to a full assessment as part of an updated Sustainability Appraisal (incorporating Strategic Environmental Assessment) and are considered potentially suitable to be reasonable options for inclusion in the Minerals and Waste Plan.

⁴ The quantity of resource is yet to be determined. This information is expected to be received shortly and this Consultation Document will be updated accordingly.

2.12 The Central & Eastern Berkshire Authorities are therefore inviting feedback from statutory consultees, stakeholders, communities, local organisations and businesses on the proposed Area of Search, the potential new sites (Land west of Basingstoke Road, Spencers Wood and Area between Horton Brook and Poyle Quarry) and Policy DM15 (Past Operator Performance).

How you can get involved

2.13 We would like to hear from you in respect of your views on the 'soundness' (see below) of the 'Areas of Search' approach, the two additional proposed sites and associated assessments (see Section 3) as well as the new Operator Past Performance Policy.

2.14 Please note that we are only seeking comments at this stage on the Area of Search approach, the new sites (Land west of Basingstoke Road, Spencers Wood and Area between Horton Brook and Poyle Quarry) and Policy DM15. Previous comments will be considered in drawing up the Proposed Submission Plan and do not need to be repeated.

2.15 Consultation commences on Monday 10th February 2020 and runs for six weeks until 5.00pm Friday 20th March 2020.

2.16 This document, along with the consultation response form and survey questionnaire, are all available to view and download from the Joint Minerals & Waste Plan consultation website: www.hants.gov.uk/berksconsult.

Soundness

2.17 The National Planning Policy Framework (NPPF) contains a series of tests, against which local plans are examined to assess whether the plan has been produced in the right way and provides an effective planning framework for the area it covers. These 'tests of soundness' are set out as follows in the NPPF⁵:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

⁵ National Planning Policy Framework (Para. 35) - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779764/NPPF_Feb_2019_web.pdf

- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework.

2.18 The Plan will be examined against these tests of soundness and stakeholders will be asked to comment on whether the plan meets the test or needs to be changed in some way to meet them.

The stages to come

2.19 The responses received from this Sand & Gravel Provision and Operator Performance Regulation 18 consultation will inform the Proposed Submission Plan (Regulation 19) which will be prepared by Hampshire Services on behalf of Central & Eastern Berkshire Authorities.

2.20 Representations made in response to the Proposed Submission Plan consultation document, SA/SEA report and other relevant documentation will be compiled and submitted with the Secretary of State for independent examination.

3. Sand and Gravel - Area of Search

Provision

3.1 The provision of mineral supply is set out in National Policy¹. This is supported by Planning Practice Guidance (PPG)⁶ which states that:

'Mineral planning authorities should plan for the steady and adequate supply of minerals in one or more of the following ways (in order of priority):

- 1. Designating Specific Sites – where viable resources are known to exist, landowners are supportive of minerals development and the proposal is likely to be acceptable in planning terms. Such sites may also include essential operations associated with mineral extraction;*
- 2. Designating Preferred Areas, which are areas of known resources where planning permission might reasonably be anticipated. Such areas may also include essential operations associated with mineral extraction; and/or*
- 3. Designating Areas of Search – areas where knowledge of mineral resources may be less certain but within which planning permission may be granted, particularly if there is a potential shortfall in supply.'*

3.2 In preparing the Joint Minerals and Waste Plan, the intended approach is to designate specific sites for minerals development. Where there was a recognised shortfall in provision of sites, a criteria-based approach is to be applied to provide a steer in decision-making on where sites were expected to come forward.

3.3 This approach is recognised as providing the most certainty to developers and local residents, as set out in the PPG⁷:

'Designating Specific Sites in minerals plans provides the necessary certainty on when and where development may take place. The better the quality of data available to mineral planning authorities, the better the prospect of a site being designated as a Specific Site.'

3.4 Despite four 'call for sites', sufficient minerals sites to meet needs have not been identified.

⁶ Paragraph: 008 Reference ID: 27-008-20140306 - <https://www.gov.uk/guidance/minerals#planning-for-minerals-extraction>

⁷ Paragraph: 009 Reference ID: 27-009-20140306

- 3.5 A recent planning decision by Wokingham Borough Council regarding a planning application at Bridge Farm, Arborfield has meant that the ability to support the site as an allocation in the plan is untenable and the landowner has ‘shelved’ any plans for extraction⁸. This has reduced the provision of sharp sand and gravel in the emerging Joint Plan so that it may not be possible for the Plan to demonstrate it can maintain a steady and adequate supply, as required by the National Planning Policy Framework⁹.
- 3.6 A further ‘call for sites’ was recently held during October/November 2019. This resulted in two new proposals for sand and gravel extraction. Land west of Basingstoke Road is considered in more detail in Section 4. Area between Horton Brook and Poyle Quarry is considered in more detail in Section 5. As the sites potentially yield 250,000+ tonnes of sand and gravel, the ability of the Plan to provide certainty over a steady and adequate supply is still challenging.
- 3.7 A lack of provision in the Joint Plan may result in demand for sand and gravel being met from elsewhere, possibly from neighbouring mineral planning areas which have sand and gravel resources. In order to demonstrate security of supply, ‘Duty to Cooperate’ discussions will need to be held with neighbouring authorities.
- 3.8 As Central and Eastern Berkshire contains sharp sand and gravel resources, it is not unexpected that there is a reluctance by neighbouring authorities that the burden of supply will be placed other mineral planning authorities rather than within the Plan area.
- 3.9 Therefore, the Central & Eastern Berkshire Authorities are seeking to demonstrate the potential for provision within the Plan area by outlining a sand and gravel ‘Area of Search’.
- 3.10 It is proposed that the Area of Search will be supported by a sub-regional sharp sand and gravel Statement of Common Ground involving neighbouring authorities with suitable resources. This will demonstrate that a burden of supply is not being placed on any single neighbouring mineral planning area.
- 3.11 Currently, the only data source for movements of sand and gravel is the national Aggregate Monitoring survey carried out on behalf of the Ministry for Housing, Communities and Local Government. The survey was last carried out in 2014 and referenced only ‘Berkshire’ not

⁸ Planning Application Number 170433

⁹ National Planning Policy Framework (Para. 2017) -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/810197/NPPF_Feb_2019_revised.pdf

the Unitary Authority areas. However, the Ministry for Housing, Communities and Local Government intend to run the survey again in 2020. The survey would cover the period 2015 to 2019 and it is hoped that the data will be to Unitary level. It is unknown at this time, when the data will be available to the relevant planning authorities.

- 3.12 The 2014 survey suggests that Hampshire, Wiltshire and Oxfordshire were the main sources of sand and gravel used in Berkshire. The Statement would be updated as and when the data was made available to reflect the sources of supply to the Plan area.
- 3.13 It is important to note that a proposal identified within an Area of Search is not guaranteed planning permission. A planning application will still be required, and development will only be permitted if it is in accordance with all relevant policies within the Plan.

Defining an Area of Search

- 3.14 There is no formal guidance on defining areas of search and therefore, examples of current practice have been reviewed. Consideration has also been given to current adopted policy in the Minerals Local Plan⁴ and national policy.
- 3.15 The presence of mineral is the basis for defining any area but the inclusion of other criteria to be applied can vary. The greater the number of criteria applied, the more precisely the area is defined as areas of land are excluded.
- 3.16 The National Planning Policy Framework (NPPF) sets out a clear policy approach on where development should be avoided in order for it to be sustainable. These criteria include the following designations:
- Special Protection Areas, Special Areas of Conservation and Ramsar sites;
 - Sites of Special Scientific Interest;
 - Ancient Woodland;
 - Listed Buildings and Conservation Areas;
 - Scheduled Monuments;
 - Historic Registered Parks and Gardens; and
 - Registered Battlefields.
- 3.17 Development should also avoid Areas of Outstanding Natural Beauty, National Parks and the Broads, but these designations do not exist within the Plan area.

- 3.18 In some cases, the setting of a designation, such as a Listed building, should be avoided. However, it is considered that as these are not clearly defined and invariably subjective, it is not suitable to include 'settings' within an Area of Search. This issue would be addressed through application of the development management policies.
- 3.19 Consideration of cumulative impacts is also important, but this is difficult to determine within an Area of Search as there is no certainty on the location or timing of proposals. Therefore, cumulative impacts would need to be considered at the point an application was submitted.
- 3.20 In addition to designations, built up areas have been excluded from the Area of Search as the resource as generally been sterilised, and a cross-check has been made against the Environment Agency's historic landfill data. Proposed future development areas have not been excluded, as there may be opportunities for prior extraction of sand and gravel, in line with other policies in the plan.
- 3.21 Lastly, to encourage viable proposals, a threshold of 3ha has been included in the Area of Search. Land less than 3ha was considered unviable for extraction as a standalone site in a supporting Study¹⁰. The resulting 'NPPF compliant' Area of Search is outlined in Figure 1.
- 3.22 Options for Areas of Search have been assessed as part of the Sustainability Appraisal (incorporating Strategic Environmental Assessment) and Habitats Regulation Assessment. The outcomes of these assessments are set out in Appendix B and G of this consultation document.

Policy Revision

- 3.23 The provision of sand and gravel was outlined in Policy M4 (Locations for sand and gravel extraction) in the Draft Plan which was subject to consultation during the Summer/Autumn 2018. The Policy will be amended (see proposed Policy M4 wording below) to include the Area of Search shown in Figure 1¹¹.

¹⁰ Minerals and Waste Safeguarding Study (June 2018) – www.hants.gov.uk/berksconsult

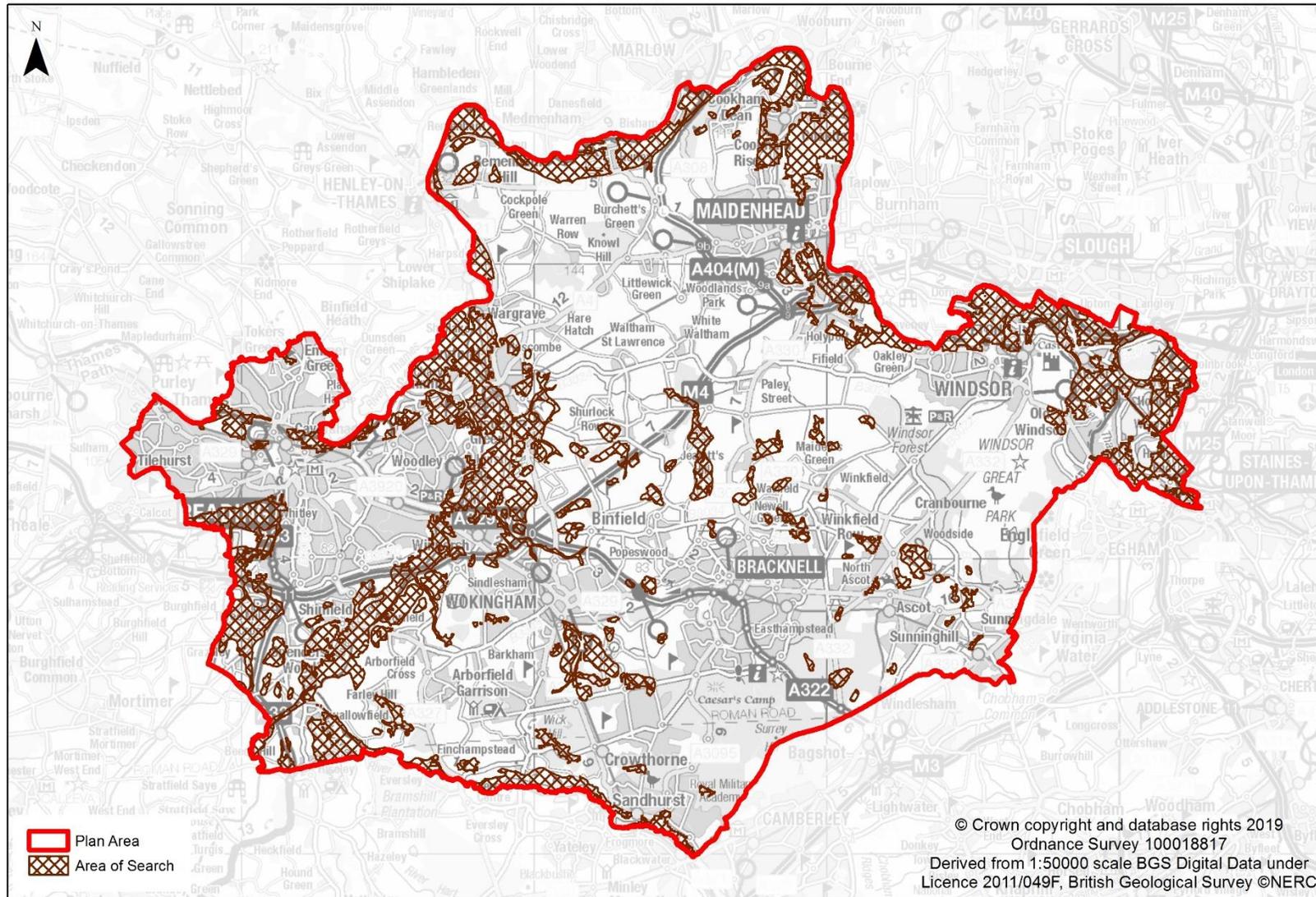
¹¹ Please note that the names of sites have been excluded as the consultation considers the Area of Search approach rather than the locations for sand and gravel extraction.

Policy M4**Locations for sand and gravel extraction**

A steady and adequate supply of locally extracted sand and gravel will be provided by:

1. The extraction of remaining reserves at the following permitted sites:
 - a. XXXX [tbc]
2. Extensions to the following existing sites:
 - a. XXXX [tbc]
3. The following new sand and gravel Preferred Sites:
 - a. XXXX [tbc]
4. Proposals for new sites not outlined in Policy M4 (1, 2 and 3) will be supported, in appropriate locations, where:
 - a. They are situated within the Area of Search (as shown on the Policies Map); and
 - b. They are needed to maintain the landbank; and/or
 - c. Maximise opportunities of existing infrastructure and available mineral resources; or
 - d. At least one of the following:
 - i. The site contains soft sand;
 - ii. The resources would otherwise be sterilised; or
 - iii. The proposal is for a specific local requirement.

Figure 1: NPPF Compliant Area of Search for inclusion within Policy M4

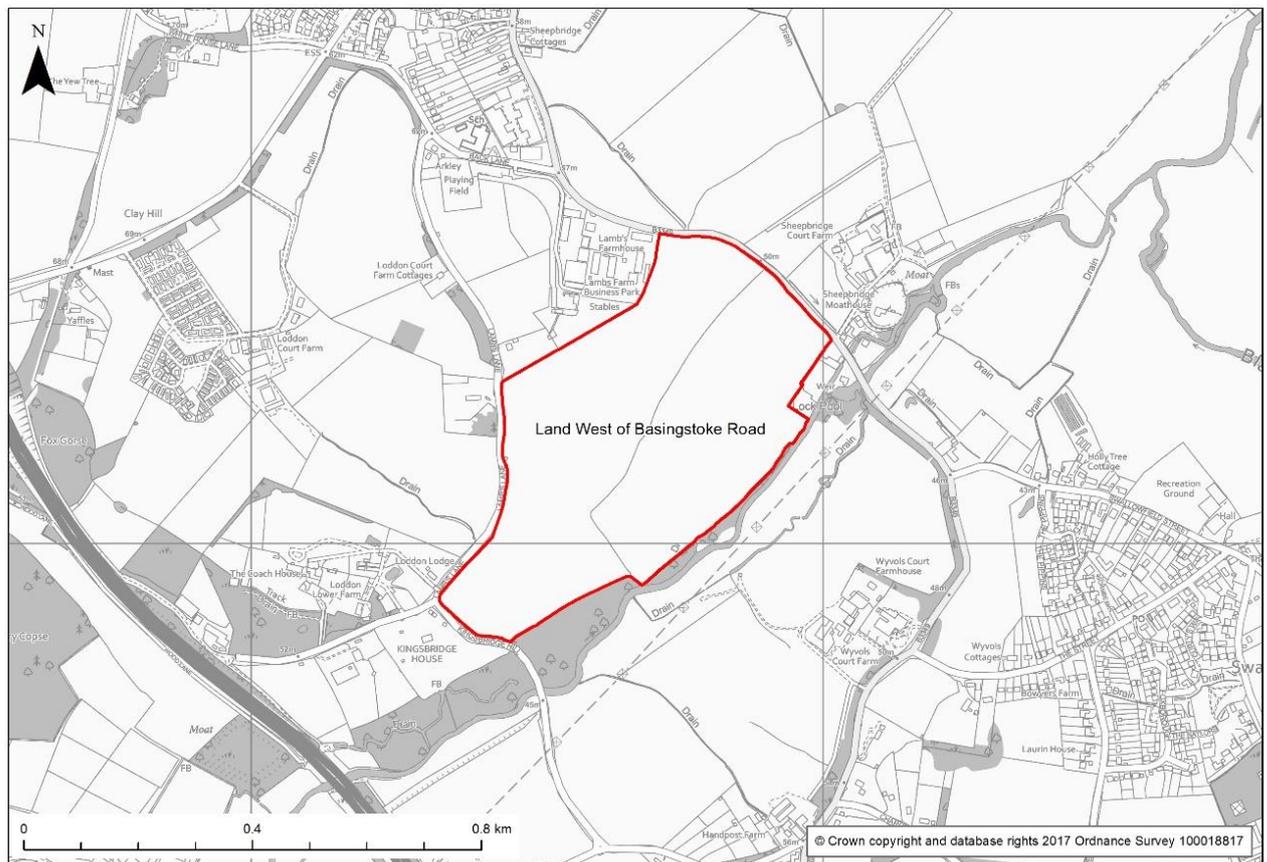


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4. Proposed Land west of Basingstoke Rd

- 4.1 Land west of Basingstoke Road, Spencers Wood is a new site that has been proposed for the extraction of sand and gravel in Wokingham Borough by a land agent in response to the 'Call for Sites' during October/November 2019.
- 4.2 Extracts regarding the site from the Sustainability Appraisal (incorporating Strategic Environmental Assessment), Habitats Regulation Assessment and Strategic Flood Risk Assessment are set out in Appendices **A, B and C**.
- 4.3 Maps showing the designations relevant to the site are shown in Appendix **D, E** and F.
- 4.4 A summary of the Land west Basingstoke Road is set out below:

Figure 2: Proposed site boundary for Land west of Basingstoke Road



Site Code: CEB29

Site Name: Land west of Basingstoke Road, Spencers Wood

Borough: Wokingham

Grid References: 471680 165203

Current use: Existing agricultural fields

Proposal: Extraction of sand and gravel from the site.

Restoration: Restoration will comprise a backfill of the site with inert waste material to reinstate the agricultural fields and/or wetland habitat to enhance the ecology of the local area and the adjacent SSSI

Approximate size of site: 25 ha

Proposal nominated by: Land Agent (City & Country)

Additional Information: Ground investigations are currently being undertaken by the site promoter to determine the quantity of resource.

Previous consideration within the plan making process: This site is a new proposal for sand and gravel extraction. The site has previously been proposed for inclusion in the Wokingham Borough Council Local Plan for light industrial uses and a vineyard.

| Site Description Criteria | Site Considerations |
|--|--|
| Nature Conservation, Geodiversity & Biodiversity | <p>European designations: No European designations are within 2km of the site.</p> <p>National Designations: The site is located outside of the 400m zone of the Thames Basin Heaths Special Protection Area (SPA).</p> <p>Stanford End Mill and River Loddon Site of Special Scientific Interest (SSSI) is located adjacent to the southern boundary of the site.</p> <p>Local designations (SINC and LNR): Swallowfield Meadow LNR is 830m south east</p> |
| Landscape & Townscape / Visual Impacts | <p>Landscape Character Area of existing site: The site is located within the Spencers Wood Settled and Farmed Clay Character Area</p> <p>The site is located between the settlements of Spencers Wood to the north and Swallowfield to the south.</p> |

| | |
|---|---|
| | <p>Potential impact of development on the landscape: The site slopes gently towards the River Loddon which runs along its southern boundary. There are views from the footpath and the roadside.</p> <p>Opportunities for enhancement: Extraction should be phased with advanced planted. Hedgerows and tree lines should be restored and enhanced.</p> |
| Water resources & Flooding | <p>Proximity to a Source Protection Zone or Groundwater Vulnerability Zone: The site is not located within a Source Protection Zone.</p> <p>Flood Zones: The southern edge of the site alongside the river Loddon is identified as being within Flood Zones 2 and 3a, with the remainder of the site identified as being within Flood Zone 1.</p> |
| Air Quality | The site is not located within an Air Quality Management Area (AQMA) |
| Sensitive land and Soil Quality | <p>Current use of the site: Existing Arable field</p> <p>Potential impact on best and most versatile (BMV) agricultural land: The site is Grade 3 agricultural land.</p> |
| Transport (including access) | Potential access into the site: Access to the site would potentially be from the B3349 (Basingstoke Road) with a site entrance likely located at the south east corner of the site. |
| Historic environment and built heritage | <p>Archaeological potential: The site is located on the northern flank of the river Loddon and is situated within an Area of High Archaeological Potential.</p> <p>Historic Parkland / Gardens:</p> |

| | |
|---|---|
| | <p>Swallowfield Park is located further east of the site.</p> <p>Listed buildings: Three listed buildings are located opposite the site to the east, as well as a Scheduled Monument (Sheepbridge Court Farm)</p> <p>Conservation Areas: The site is not located within a conservation area. The nearest conservation area is located approximately 700m to the south east of the site.</p> |
| Communities, Amenity and Health | <p>The site lies within the Farnborough Airport Aerodrome Safeguarding Area.</p> <p>Lambs Lane Primary School is located to the north of the site with the Lambs Farm Business Park in between the site and the school.</p> |
| Access to countryside and open space / Public Rights of Way | A public right of way (Footpath 19) runs along the southern boundary of the site between Kingsbridge Hill and Basingstoke Road. |
| Green Belt | The site is not located within the Green Belt. |
| <p>Outcome: To be taken forward to Sustainability Appraisal stage for full assessment.</p> | |

Ecological Assessment Summary

Designations

The site lies within the River Loddon Valley. The nearest European designated site lies 3.23m to the south east (Thames Basin Heaths). The Stanford End Mill and River Loddon SSSI runs adjacent to the site (running north east to south west). The site is designated for the interest arising from the very slow flow of high-water quality. The site is notable for the presence of Loddon Pondweed, several records of which lie in very close proximity to the site. The plant species is very sensitive to inputs of ammonium nitrogen. The surrounding ditches and drains in the wider landscape, though not within the designation, are likely to provide a supporting role in the provision of habitat suitable for supporting populations of these habitats. Of the 4km stretch of river designated as SSSI, 1km lies very close, if not directly adjacent to the site.

Habitats

The site is predominately arable farmland, and the greatest habitats interest lies within the tree line that splits the site roughly north/south and its proximity to the River Loddon that lie directly to the east of the site. Mature tree lines bound much of the site, especially to the east and south west. Ancient woodland habitat lies 0.7km to the west (this will be very sensitive to air quality impacts). It is difficult to determine the impact the proposal will have.

Protected and notable species

There is a diverse array of protected species that have been recorded within 1km of the site. They are typical of the landscapes presented:

- Open farmland fields within and surrounding the site provide habitat for farmland birds species such as linnet, skylark, redwing, barn owl and red kite.
- Drains and ponds provide suitable habitat for common amphibians, and there are several records, scattered to the south west and north east of the site of Great Crested Newt. The nearest record lies within 9km of the boundary. It is likely that the site itself provides both breeding and terrestrial habitat for Great Crested Newt, and the loss of this habitat and impacts to individuals are likely to require extensive mitigation and licensing.
- Hedgerows, gardens and rough grassland support common species of reptiles, and suitable habitat for invertebrate species such as white admiral, small heath and stag beetles.
- There is a large amount of badger activity recorded, particularly to the south and east of the site. It is likely that clans will extend into the site, particularly for foraging and setts may be present.
- Records of bat roosts surround the site, and the farmland and woodland are likely to provide a significant resource for foraging bats. The arable field and tree lines within the site may be important.
- Water voles have been recoded within the drains very close to the site. If similar drains are found within the site, it is likely that they are being utilized by this species.

Likely surveys/ studies required

- Run off/water quality assessment to the SSSI
- Air quality assessment to the SSSI and Ancient Woodland.
- Monthly bat activity (transect and paired static)
- Roost assessment of all trees likely to be impacted by the proposal
- Reptile, Badger, Breeding bird, Water vole (if drains within the site) and Botanical (of drains within the site) surveys required.

Likely mitigation

Significant buffer of south eastern boundary (SSSI).

Transport Assessment Summary¹²

| | |
|--|--|
| Change in traffic volumes | The change in HGV traffic on the SRN would be less than 1%. The magnitude of change from the existing conditions would be negligible and therefore the significance of impact of the new proposals would be neutral. |
| Maximum distance to SRN | Between 1.4 to 1.9m with negligible level of sensitive receptors |
| Requirement for mitigation | Possible need to relocate site access across site frontage but no off-site improvements required |
| Opportunities for sustainable modes of transport | Possible use of the River Loddon but unlikely to be a suitable and viable alternative to road travel |
| Overall assessment | |

Landscape Assessment Summary

The site is located within the shallow river valley between the settlements of Spencers Wood and Swallowfield, sloping gently towards the River Loddon which runs along its southern boundary. It is currently agricultural land in arable use. A footpath runs through the site, parallel to the river. There are also views into it through gaps in the roadside hedgerows along Basingstoke Road, Kingsbridge Hill and Lamb's Lane which follow its east and west boundaries. Longer range views are broken up by tree belts and hedges.

The condition of this landscape is good, with a strong distinctive character which has good hedgerows, woodland and riverside trees; with the River adding to the diversity. This landscape is therefore sensitive to change, particularly the tranquility of the riverside course and woodland.

The sensitivity of the landscape is considered to be High.

Historic Environment Assessment Summary

The site sits within the upper reaches of the Loddon Valley, the flanks of which are associated with a wide range of archaeological sites. Field walking (The Loddon Valley Survey), which involves the collection of artefacts from the surface of a ploughed field, has found prehistoric worked flint within the site, although nothing currently suggestive of a substantive site. However, within the wider landscape around the site an Iron Age settlement has been encountered, a Bronze Age ring ditch (the site of a ploughed down burial mound) and undated enclosures suggestive of Roman or prehistoric settlement. The site has a high archaeological potential, that is the potential to include archaeological sites which are as yet unrecorded. However, such sites are likely to be discrete and of regional importance and as such unlikely to constrain the allocation. Preliminary archaeological survey prior to the determination of any future planning application is recommended.

¹² Please note that the Transport Assessment will be updated once the tonnage and likely vehicle movements associated with the site will be.

The WW2 pillbox recorded on the west edge should be retained and not needlessly or thoughtlessly removed, as it sits within a wider pattern of pillboxes in the landscape describing the GHQ defence line. The anti-tank ditch that stretches between the Loddon river and the Foudry Brook sits in front of this pillbox and coming south it crosses the allocation site. Whilst not a constraint it is an archaeological consideration, and restoration post extraction might also offer some positive opportunity to present this lost landscape feature in some fashion.

To the north east, beyond the B3349, is a Scheduled Monument, a medieval moat, at Sheepbridge Court Farm (12020). This is a nationally important archaeological site. The impact of future extraction on the setting of the moat is limited by the strong hedgerow and the existing buildings between the moat and the allocation site. Any post extraction restoration plan should include both strengthening of the screening between the extraction site and the monument, and consideration of the degree to which the restoration might seek to strengthen the setting of the monument by reference to a landscape setting appropriate to the immediate context of a medieval moat. However, the moat is reported to be seasonally waterfilled meaning that it may have the potential for conditions where organic material might survive in an archaeological context within the moat. Dewatering effects from extraction close by might have an indirect impact on the archaeological significance of this monument. This is an important consideration which might constrain the implementation of the proposal to some degree. This is unlikely to be to a great degree and might have most impact closest to the moat site and lowest in the valley. That the location might be constrained to some degree by de watering effects should be noted and the impact of dewatering on the adjacent scheduled moat must be a material consideration within any future planning application, which should be supported by a suitable hydrological report.

Development Considerations:

Ecology

- Protection and significant buffer of the Standford End Mill and River Loddon SSSI with provision of significant buffer.
- Protection of nearby Ancient Woodland.
- Landscape-scale impacts on species such as bats, reptiles and badgers.
- Consideration of pollution impacts to riverine habitats.

Landscape & Townscape

- Phased extraction and restoration may limit the overall impact of mineral extraction on the character of the landscape.
- Visual effects should be reduced by advance planting along the roads and footpaths.
- Following extraction, restore low lying areas to wetland pasture rather than ponds and lakes.
- Keep a minimum 20m width buffer zones around the sensitive vegetation adjacent to the River Loddon.
- Restore / replant hedgerows removed to restore the original field pattern.
- Do not locate high temporary mounds close to footpaths, hemming them into narrow corridors. Vary the width and height of these mounds to retain a sense of openness

Transport

- A Transport Assessment or Statement will be required.
- An HGV Routeing Agreement will be required.

Historic Environment

- A Preliminary archaeological survey is required as part of any planning application.
- The WW2 pillbox should be retained.
- The setting of the Sheepbridge Court Farm Scheduled Monument should be protected and enhanced as part of the restoration.
- Restoration should also seek to enhance the anti-tank ditch.
- Consideration should be given to the potential de-watering of the Scheduled Monument.

Flood Risk

- A Flood Risk Assessment is required.

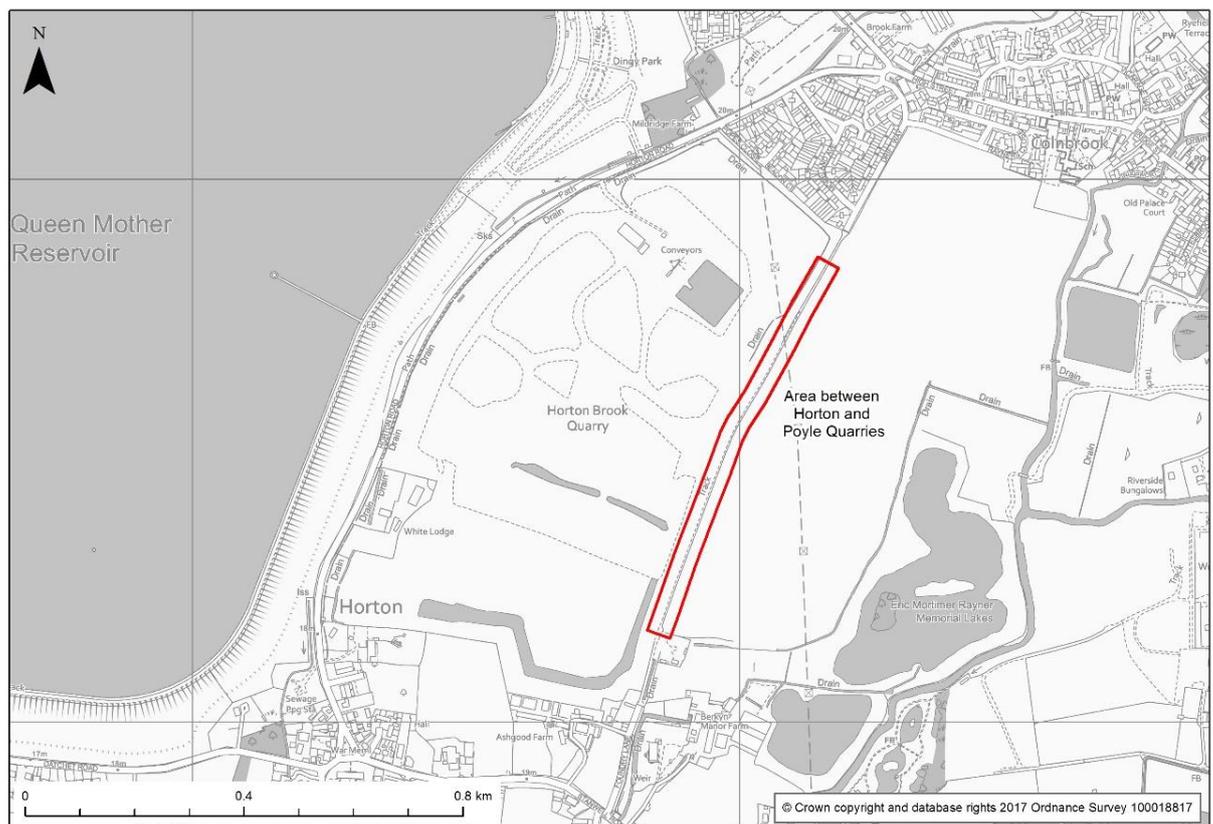
Water Resources

- Consideration of the River Loddon and its river corridor.
- A Hydrological/Hydrogeological Assessment is required.

5. Proposed Area between Horton Brook and Poyle Quarry

- 5.1 The Area between Horton Brook and Poyle Quarry is a new site that has been proposed by a land agent in response to the 'Call for Sites' during October/November 2019.
- 5.2 Extracts regarding the site from the Sustainability Appraisal (incorporating Strategic Environmental Assessment), Habitats Regulation Assessment and Strategic Flood Risk Assessment are set out in Appendices **A, B and C**.
- 5.3 Maps showing the designations relevant to the site are shown in Appendix D, E and F.
- 5.4 A summary of the Area between Horton Brook and Poyle Quarry is set out below:

Figure 3: Proposed site boundary for Area between Horton Brook and Poyle Quarry



Site Code: CEB30

Site Name: Area between Horton Brook and Poyle Quarry, Horton

Borough: Royal Borough of Windsor and Maidenhead

Grid References: 501980 176535

Current use: Existing bridle way (Colne Valley Way)

Proposal: Extraction of 250,000 tonnes of sand and gravel from the site. Processing will take place at existing plants at either Horton Brook Quarry to the west or Poyle Quarry to the east.

Restoration: The site will be restored using backfill of inert waste material and the bridleway (Colne Valley Way) will be reinstated.

Approximate size of site: 3.75 ha

Proposal nominated by: Quarry Plan (on behalf of Summerleaze and Jayflex)

Additional Information: The proposed site is a strip of land that lies between the permitted Horton Brook Quarry (planning reference T0355/A/08/2065394) operated by Jayflex Aggregates Limited and the permitted Poyle Quarry (planning reference 17/03426) which is yet to commence operating. It is anticipated that extraction of this site would be relatively straightforward and would commence from the eastern side.

Previous consideration within the plan making process: This site is a new proposal but forms part of Preferred Area 12 (North of Horton) in the adopted Minerals Local Plan.

| Site Description Criteria | Site Considerations |
|--|--|
| Nature Conservation, Geodiversity & Biodiversity | <p>European designations: The site lies 750m South East of the London Waterbodies RAMSAR and SPA.</p> <p>National Designations: (Overlaying the SPA & RAMSAR) Wraysbury Reservoir SSSI is 750m south east of the site. Staines Moor is 1.6km south east located under 2 km to the south of the site. Wraysbury No1 Gravel Pit SSSI is 1.7km south west. Wraysbury & Hythe End Gravel Pits SSSI is located 2km to the south of the site.</p> <p>Local designations (LWS and LNR): The Local Nature Reserve (Arthur Jacob LNR) is located 400m to the south east of the site. Colne Brook LWS 600m east Horton and Kingsmead Lakes LWS 650m south Queen Mother Reservoir LWS 700m west. Wraysbury 1 Gravel Pit LWS 1.7km south east</p> |

| | |
|--|--|
| Landscape & Townscape / Visual Impacts | <p>Landscape Character Area of existing site: Thames Valley</p> <p>Potential impact of development on the landscape: The public footpath would be temporarily diverted to one side of the extraction area and reinstated along the original route following restoration.</p> <p>Opportunities for enhancement: It will be essential that adequate space for strong new landscape structure is included in any restoration proposal.</p> |
| Water resources & Flooding | <p>The site is adjacent to the Colne Brook river corridor.</p> <p>Proximity to a Source Protection Zone or Groundwater Vulnerability Zone: The site is not located within a Source Protection Zone (SPZ). The closest SPZ is located less than 1km away to the west of the site.</p> <p>The site lies in a Major Aquifer Intermediate Vulnerability Zone.</p> <p>There are no vulnerable water bodies within or adjacent to the site.</p> <p>Flood Zones: The site lies within Flood Zone 1.</p> |
| Air Quality | <p>The site is not located within an Air Quality Management Area (AQMA). The nearest AQMA's lie 500m away at Wraysbury and 1.5km away along the M25 motorway.</p> |
| Sensitive land and Soil Quality | <p>Current use of the site: The site consists of the margins of each of the already permitted sites (Horton Brook Quarry to the west and Poyle Quarry to the east) and the route of a public Bridleway (Colne Valley Way).</p> |

| | |
|---|---|
| | <p>Potential impact on best and most versatile (BMV) agricultural land: Adjacent sites contain Agricultural Land Classification grade 3b, 3a, and 2.</p> |
| Transport (including access) | <p>Potential access into the site: All sand and gravel would either be transported by dump truck to the existing Poyle Quarry processing plant some 600m to the east along a private access road or would be processed through the existing Horton Brook Quarry processing plant to the west.</p> <p>Both processing plants have suitable access onto the public highway network.</p> |
| Historic environment and built heritage | <p>Archaeological potential:</p> <p>Historic Parkland / Gardens: The closest park (Ditton Park) is located to the north west of the site approximately over 2km away. There are a number of listed buildings within 500m of the site boundary.</p> <p>Listed buildings: The closest Grade II listed building is the Dairy Building at the adjacent Berkyn Manor Farm located to the south east of the site. Ashgood Farmhouse is located to the south west of the site.</p> <p>Conservation Areas: Colnbrook village conservation area is located to the north of the site.</p> |
| Communities, Amenity and Health | <p>The site lies within the London Heathrow Aerodrome Safeguarding Area.</p> |
| Access to countryside and open space / Public Rights of Way | <p>A bridleway (Colne Valley Way) forms part of this site. The bridleway would be temporarily diverted to one side of the extraction area and reinstated along the original route following restoration of the site. This may opportunities for improved access and align with the objectives of the Colne Valley Regional Park.</p> |

| | |
|---|--|
| Green Belt | Site is located within the Green Belt. |
| Outcome: To be taken forward to Sustainability Appraisal stage for full assessment | |

Ecological Assessment Summary

Designations

The site lies in an area of reservoirs and gravel pits. Those to the south are mainly designated as Site of Special Scientific Interest (SSSI) or Special Protection Area (SPA). Wraysbury Reservoir, which also forms part of the South Western London Waterbodies lies 0.74km to the south east. This is designated for its population of overwintering cormorants, great crested grebe and shoveler. Other waterbodies to the south of the site, Wraysbury and Hythe End Gravel Pits and Wraysbury Reservoir no. 1 (1.65km to south west) are designated as SSSI for overwintering bird populations, including gadwall, tufted duck, goosander and also breeding bird populations such as gadwall. These birds are less likely than other bird species to be using the surrounding fields for grazing, but general 'bird assemblage' catch all from the SSSI designations may capture some birds that will exhibit this behavior. They will all be sensitive to disturbance factors such as noise and vibration.

Arthur Jacob Reservoir Local Nature Reserve lies 0.45km to the east. It is designated as a restored sludge lagoon site which includes maturing planted woodland and wet woodland.

Habitats

The site consists of a track running north/south with arable fields to the east and Horton Brook Quarry to the west. The trees, scrub habitats and hedgerows lining the footpath are mature, and provide good connectivity from the north to the designated waterbodies to the south. The loss of the footpath is likely to give rise to recreational impacts to the European site unless the alternative path is designed to ensure that footfall is not increased or moved to a more sensitive, or less desensitized area of the SPA.

Protected and notable species

The habitats on site are likely to support common and widespread species. However, the role the habitats play in the wider landscape is likely to make it more important for protected species than its constituent parts. It provides a refuge habitat between the quarry habitats and the arable fields, and an important north/south habitat for more mobile species.

No protected species records are held for this area, though this is likely to be a result of the data gathered by the local authority rather than a lack of animals in the landscape. The line of scrub/trees/hedgerow is likely to be important for bats roosting in the residential areas of Colnbrook as a foraging and commuting route to the SSSI/SPA waterbodies. Similarly reptiles and badger populations are likely to be using this site as an important resource.

Likely surveys/studies required

- Run off/water quality to SSSI and SPA

- Air Quality assessment to SSSI and SPA
- Monthly bat activity (transect and paired static)
- Roost assessment of all trees likely to be impacted by the proposal.
- Reptile, badger and breeding bird survey.
- Hedgerow assessment

Likely mitigation

Significant buffer boundary to maintain habitats suitable for protected species and north/south connectivity.

Additional land required to offset loss, to ensure minimum no net loss, if not gain of biodiversity.

Transport Assessment Summary

| | |
|--|--|
| Change in traffic volumes | The change in HGV traffic on the SRN will be less than 1%. This excludes any existing traffic from the site as no information is available. The magnitude of change from the existing conditions would be negligible and therefore the significance of impact of the new proposals would be neutral. |
| Maximum distance to SRN | 1.4 miles to M4, J.5, majority with medium level of sensitive receptors. |
| Requirement for mitigation? | No requirement. |
| Opportunities for sustainable modes of transport | None, as in current situation |
| Overall assessment | |

Landscape Assessment Summary

This is a low lying open flat landscape between Colnbrook village to the north and Horton village to the south. The site is a footpath that currently follows a route between Horton Brook Quarry and recently permitted, but not yet operational, Poyle Quarry. There is an active recycling facility at the southern end of the proposed site.

The site is currently part of the Colne Valley Way public right of way. This section of the path is a long stretch sandwiched between an active and recently permitted mineral sites. The path is not particularly attractive whilst passing along this stretch as it is hemmed in by scruffy screen mounds on one side and a flat open landscape on the other. The overall condition is moderate/poor.

The path does not have any particularly redeeming landscape characteristics, there is little vegetation other than self-sown scrub on the soil bunds around Horton Brook Quarry. The site has low sensitivity.

This site is part of the long-distance footpath route known as the Colne Valley Way, a 14 mile path from Rickmansworth in the north to Colnebrook village in the south. This section of path is not particularly attractive, and the user is hemmed in between two fences with an active gravel pit to the west and a recently permitted gravel pit to the east. Its status as a

public right of way should make the site visually Highly sensitive, however, for the reasons set out above it is medium to low. The footpath will need to be diverted and the diversion route needs to be carefully routed to a more attractive alignment.

Historic Environment Assessment Summary

CEB 30 lies between the Horton and Poyle Quarries which have been subject to extensive archaeological survey, as well as archaeological excavation ahead of extraction and this gives us a sound insight into the archaeology of the landscape. This indicates that the landscape has a high archaeological potential, that is the potential to encountered as yet unrecorded archaeological remains. Archaeological evidence immediately adjacent to the bridleway includes evidence of Roman and prehistoric occupation sites which might reasonably be anticipated to run under the bridleway. In addition, the wider investigated landscape includes archaeological evidence of utilisation of this landscape in all periods, including early prehistoric camps, a Neolithic site, Bronze Age burials, field systems and settlement, Iron Age settlement and a Roman and medieval landscape. There is nothing currently to suggest an overriding archaeological constraint to allocation, however provisions will most certainly need to be made within any future planning application for archaeological survey and excavation ahead of development.

Development Considerations:

Ecology

- Protection of South West London Waterbodies Special Protection Areas (SPA) and Ramsar*.
- Impacts on all roosting and foraging areas used by qualifying bird species of South West London Waterbodies SPA and Ramsar, in particular open grasslands adjacent to the site*.
- Impacts on Arthur Jacob Nature Reserve Local Wildlife Sites (LWS), Queen Mother Reservoir LWS, Colne Brook LWS and Horton and Kingsmead Lakes LWS.
- Consideration of indirect impacts such as air and noise pollution.
- Restoration proposals should have reference to the Colne Valley Gravel Pits and Reservoirs Biodiversity Opportunity Area.

Landscape & Townscape

- The Colne valley way trail will need to be diverted. This could be an improvement to the existing footpath through this area if the route is carefully selected and taken via the Eric Mortimer memorial lakes to the east of the site.
- Restoration proposals should have reference to the Colne and Crane Valleys Green Infrastructure Strategy 2019.

Transport

- A Transport Assessment or Statement is required
- An HGV Routeing Agreement will be required

Historic Environment

- The archaeological potential is high but can be addressed during the determination of the planning application.

Flood Risk & Water Resources

- A Flood Risk Assessment and Hydrological/Hydrogeological Assessment is required.
- * *denotes that development cannot be permitted if it may negatively affect the integrity of European protected sites and the development requirements for maintaining this integrity must be addressed.*

6. Operator Performance Policy

- 6.1 Following the 'Draft Plan' consultation, a number of responses from local residents raised concerns regarding the operation of existing sites¹³. A variety of operational, environmental and amenity issues were raised and the suitability of safeguarding or allocating sites with ongoing or extensive historic issues was questioned.
- 6.2 Monitoring of sites and taking appropriate enforcement action are part of the planning system. This means that sites will be monitored and enforced, where necessary in an effective way, ensuring that developments are not only determined based on national and local planning policy, but that they are also implemented in accordance with these policies and any obligations placed on the development through legal agreements or planning conditions.
- 6.3 Similarly, there is an expectation that any matters covered by other agencies and regimes, such as environmental permitting issued by the Environment Agency or statutory nuisance issues dealt with by Environmental Health Officers, will be managed appropriately.
- 6.4 However, there is a gap in decision making when it comes to assessing the suitability of a development, if past operator performance is not taken into account.
- 6.5 Much of a planning application describes what will happen in the future and represents commitments that the planning authority expects the operator will fulfil. While planning conditions and obligations cover some of the requirements the planning authority wishes to impose on the development, they will not list every detail that is contained in the development proposal. Without consideration of the past performance of operators, it may be more difficult to determine which issues may be of particular concern and should be explored in greater detail and which planning conditions are most relevant.
- 6.6 Additionally, monitoring and enforcement action are time and resource intensive activities that can be costly for both the planning authority and the operator, while exposing communities and the environment to unwanted and potentially unacceptable impacts in the meantime. Every effort should be made to avoid monitoring issues arising in the first place. Without consideration of the past performance of operators, the likelihood of future issues may be increased.
- 6.7 Therefore, the question raised in the 'Draft Plan' consultation as to whether the planning authorities should accept commitments set out in development proposals will be adhered to, where there is a history of issues, is a valid one and one that is not currently addressed through national policy. There have been some recent national policy developments in this area. In 2015 it was established that an intentional

¹³ JCEB Draft Plan Consultation Summary Report -

<http://documents.hants.gov.uk/environment/JCEBDraftPlanConsultationSummaryReport.pdf>

unauthorised development is a particular material consideration¹⁴ in a planning decision, as it could potentially have a variety of significant adverse effects, being much less likely to have implemented avoidance or mitigation measures. In 2019, Planning Practice Guidance¹⁵ was amended to state that the planning history of a site may be a relevant consideration in the determination of an application.

- 6.8 Additionally, the Hampshire Minerals and Waste Plan (2013)¹⁶ contains a policy provision that “Proposals to extend existing sites will only be supported where past performance of the existing operations has been adequately demonstrated.” This plan was compliant with the NPPF at the time and found sound by a planning inspector.
- 6.9 Building on recent guidance and to address the issues raised, a new development management policy is proposed allowing the planning authority to take past operator performance into account as part of determining an application.
- 6.10 The policy was subject to a legal assessment, sustainability appraisal and an informal engagement in the summer of 2019 with minerals and waste planning authorities and operators.
- 6.11 The policy was also shaped from discussions with minerals and waste development management and monitoring officers. Their experience was that there are considerable differences in how operators approach issues that are raised on site, with some being significantly more effective than others, with this approach often replicated across other sites that an operator dealt with. Liaison panels were cited as a particularly effective way of working through issues, particularly those that affect the amenity of nearby communities.
- 6.12 Table 1 summarises the key issues raised and how the amended policy addresses them.

Table 1: Issues raised to the operator past performance policy and policy response

| Issues raised | Policy response |
|--|--|
| The policy needs to be justified. | The discussion in this document sets out the reasons for including the policy and how various issues have been addressed. |
| What alternatives to the policy have been considered | Not having a policy is an option and the other policies in the Plan should afford the necessary protection from unacceptable negative impacts from the proposed development in most cases. However, an opportunity would be missed to reduce the likelihood of future issues and to help inform planning conditions that could help control those issues more effectively. |

¹⁴ As per the 31 August 2015 letter to Chief Planning Officers by the Department of Communities and Local Government Chief Planner

¹⁵ Planning Practice Guidance (Paragraph: 010 Reference ID: 21b-010-20190315, 15/03/2019 revision) - <https://www.gov.uk/guidance/determining-a-planning-application#how-decisions-on-applications>

¹⁶ <http://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

| | |
|--|---|
| | <p>A less detailed policy could have been included, but that would have failed to respond to the variety of issues raised from the informal engagement.</p> <p>A more detailed specification of the information required could have been provided, however the great variability of individual developments and the issues that may arise are considered to be better handled by a more flexible policy that allows both the operator and the planning authorities a wider choice of how issues should be resolved.</p> |
| All sites may experience unexpected problems, there may be genuine mistakes and there may be unjustified complaints | The policy focuses not only on issues, but very much on how issues have been addressed. This should distinguish between a good performance operator that deals with any unexpected issues and a poor performance operator that fails to address issues that have arisen and may reasonably be expected to continue that pattern of behaviour. |
| Changed operators should not be penalised for a site's previous record | The policy focuses on the operator or applicant, as it is applied at the decision-making stage, and not just on the site. |
| New operators should not be penalised for a lack of track record | No presumption of poor operator performance is made unless this can be evidenced, hence the requirement for an assessment and the text "where there is sufficient evidence". |
| Granting permissions to operators who have been found guilty of extremely serious offences may undermine decisions to give weight to the policy when considering developers with lesser number of cautions/convictions | The purpose of the policy is not to prevent development, but to enable development to happen in a way that avoids any unacceptable impacts. The policy should assist in cases of previous serious offences by highlighting them, looking at how they arose and were dealt with, requiring further information at the planning application stage to help fully consider these issues and assisting in justifying planning conditions that should help manage such issues in the future. |
| You may wish to specify what additional measures you may impose in any planning permission or legal agreement if there's a history of poor performance, such as financial bonds or restoration guarantees | The policy is considered flexible enough to include such outcomes, without being overly prescriptive. |
| Collecting the necessary information may be onerous for the local authority | Robust monitoring processes are required in order to make the policy effective. |
| Collecting the necessary information may be onerous for the applicant | The policy encourages operators and applicants to prevent issues from occurring, and address issues quickly and efficiently when they do occur. Collecting relevant information is likely to be necessary as part of the effective management of potential negative impacts of operations. |

Operator past performance – proposed policy text

- 6.13 The planning regime has, as a principle, the expectation that effective planning authority monitoring, and enforcement will take place and that other regulatory regimes will function to help control the potential negative impacts of development. Each planning application is considered on its own merits, within the overall strategic direction of relevant plans. At the same time, when making planning decisions it is necessary to take all relevant information into account and Planning Practice Guidance¹⁷ states that the planning history of a site may be a relevant consideration in the determination of an application.
- 6.14 An operator’s record of running established minerals or waste sites within their control can provide information on how appropriately the impacts of development have been managed by that operator. In some circumstances, where there is sufficient evidence, this information can be a useful indicator of how proposed future minerals or waste sites might be managed by that operator.
- 6.15 This Plan seeks to protect communities near minerals and waste development from any significant adverse effects.

Policy DM15

Past operator performance

1. Where an applicant or operator has been responsible for an existing or previous minerals or waste development site, an assessment of their operational performance at that existing or previous site will be made.
2. Where issues have been raised about the operation of an existing or previous development site, how the operator or applicant has responded, particularly where there is evidence of any significant adverse effects, will be taken into consideration in decision-making on minerals or waste applications submitted by the same applicant or operator.

Implementation

- 6.16 Any site can experience issues, and these will vary in complexity. It is important that operators listen to the concerns of the monitoring officers or the community and take active steps to rectify issues, especially substantiated complaints and breaches, quickly, effectively and proportionately.
- 6.17 Liaison panels can be an effective way of bringing together various interested parties, keeping relevant stakeholder informed, opening communication channels and

¹⁷ Planning Practice Guidance (Paragraph: 010 Reference ID: 21b-010-20190315, 15/03/2019 revision) - <https://www.gov.uk/guidance/determining-a-planning-application#how-decisions-on-applications>

resolving issues. Liaison panels, where appropriate, should be established and managed by the relevant operator of the site.

- 6.18 A minerals or waste development may be authorised or unauthorised. An intentional unauthorised development can be a material consideration¹⁸, as it could potentially have a variety of significant adverse effects, being much less likely to have implemented avoidance or mitigation measures.
- 6.19 The (re)occurrence of any significant adverse effects and how they have been addressed will be an indicator of whether an operator or applicant can deliver future development effectively. The applicant will need to provide information and relevant records on existing development site performance as part of the planning application, as well as submitting information on how any previous performance issues will be avoided and/or addressed in the future for the proposed development.
- 6.20 A Monitoring Assessment will be required, particularly where developments have a long or complex history of issues. Where there is no history of an operator within the Plan areas, it may be possible to obtain the relevant information through liaison with monitoring officers in locations where they have previously had active sites. It would be expected that the planning authority prepares the Monitoring Assessment with relevant input (e.g. monitoring officer, environmental health officer or Environment Agency).
- 6.21 The record of performance of an operator or applicant, as assessed, will form a material consideration in the decision-making and may be used:
- As a basis to request additional information to support an application in relation to any issues raised through the Assessment and how these may be mitigated as part of the proposal;
 - To apply an appropriate condition to a permission to address an issue which has been raised through the Assessment where this has not been rectified by the applicant to an acceptable level; or
 - To tip the balance in determining an application where all matters are equal in relation to impacts.

¹⁸ As per the 31 August 2015 letter to Chief Planning Officers by the Department of Communities and Local Government Chief Planner

Monitoring

6.22 Proposed Monitoring Indicators:

| Monitoring Issue | Monitoring Indicator | (Threshold) for Policy Review |
|--------------------------------------|--|--|
| Taking past performance into account | Permissions for proposals by existing operators accompanied by Monitoring Assessments. | Number of permissions where issues outlined in Monitoring Assessments are not addressed through additional information requests and/or conditions > 0. |

6.23 The relevant extracts from the Habitats Regulation Assessment and Sustainability Appraisal (incorporating Strategic Environmental Assessment) are set out in Appendix B and G of this Consultation Document.

7. Next Steps

- 7.1 Hampshire Services on behalf of the Central & Eastern Berkshire Authorities will carefully consider all of the comments received. These comments will inform a summary report on the issues raised, which will be available on the website as soon as possible once the consultation has closed and the responses have been processed.

How will my comments be used?

- 7.2 The responses received from this consultation will inform the Proposed Submission Plan (Regulation 19) which is being prepared by Hampshire Services on behalf of Central & Eastern Berkshire Authorities.
- 7.3 The Proposed Submission Plan (Regulation 19) is the version of the plan that is intended to be submitted to the Secretary of State for independent examination.

Appendix A: Sustainability Appraisal Extract (Sites)

The following SA/SEA information refers to Land west of Basingstoke Road (CEB29) and Area between Horton Brook and Poyle Quarry (CEB30). The information should be read in conjunction with the SA/SEA Interim Report¹⁹ (June 2018).

Table 3.7 Summary of Site Appraisal

| Site | Mineral/Waste | Constraints | Considerations |
|--|--------------------------------------|--|---|
| CEB29 Land west of Basingstoke Road (Wokingham) | Minerals: sand and gravel extraction | <ul style="list-style-type: none"> • Adjacent to SSSI and Ancient Woodland • Located in drinking water safeguard zone. • 60m from a Scheduled Monument. • Listed buildings adjacent and within 300m. • Footpath onsite. • Adjacent residential properties. • 3.2 km to M4 junction. • Within FRZ 2 and 3a. | <ul style="list-style-type: none"> • The River Loddon (designated SSSI) directly adjacent and within the site will require consideration. The river will be extremely sensitive to hydrological changes, and pollution directly from siltation, or indirectly through airborne pollutants. • Consultations with Natural England will be required as the site is within a SSSI Impact Zone. • The proximity to ancient woodland will require a significant level of assessment and avoidance/buffering of habitat would be required. • Consideration will need to be given to protection of water quality and supply. • Works would need to consider the visual impacts on the Scheduled Monument, listed buildings and PROW. • There are residential properties adjacent. Consideration will need to be given to impact of development on factors such as noise, dust, and air quality. • The site is at risk of fluvial flooding from the River Loddon and as such parts of the site fall in Flood Zones 2 and 3a. Mineral deposits have to be worked where they are (and sand and gravel extraction is defined as 'water-compatible development'), however, mineral working should not increase flood risk elsewhere and need to be designed, worked and restored accordingly, sequential working and restoration can be designed to reduce flood risk by providing flood storage and attenuation. |

¹⁹ SA/SEA Interim Report (June 2018): www.hants.gov.uk/berksconult

| Site | Mineral/Waste | Constraints | Considerations |
|--|--------------------------------------|---|--|
| | | | <ul style="list-style-type: none"> The site is 3.2km from a significant junction meaning vehicle routing and frequency would need to be addressed. |
| CEB30 Area between Horton Brook and Poyle Quarry, Horton | Minerals: sand and gravel extraction | <ul style="list-style-type: none"> Within 1km of SPA/Ramsar and SSSI. 0.40km from nearest LNR. 0.90km from SPZ 3 and within drinking water zone. Area of high archaeological potential. 0.20km of List buildings and Registered Parks and Gardens. Grade 2 and 3 BMV land. Adjacent residential. | <ul style="list-style-type: none"> Close to international designated site and a LNR. Mineral/waste land-use within this area could have potentially significant. A Phase 1 habitat survey is recommended. SPZ 3 is nearby and confirmation is required as to whether the proposal will impact public water supply. Archaeological deposit modelling recommended. Works would need to consider the visual impacts on the listed buildings, registered park and gardens and Bridleway. The land is grade 2 & 3 soils and therefore an assessment of impacts would be required at application to ensure soil quality is protected. There are residential properties adjacent. Consideration will need to be given to impact of development on factors such as noise, dust, and air quality. |

Table 3.8: At a glance total effects of sites (without mitigation)

| Sites | SA/SEA Objectives | | | | | | | | | | |
|--|-------------------|-----------------|--------------------------|---------------------|-------------------|---------------|------------------------------|-------------------------|-------------------|-----------------------------------|---------------|
| | 1 Biodiversity | 2 Water quality | 3 Landscape and heritage | 4 Ground conditions | 5 Quality of life | 6 Air quality | 7 Emissions / climate change | 8 Sustainable materials | 9 Economic Growth | 10 Sustainable waste and minerals | 11 Flood risk |
| CEB29 West of Basingstoke Road, Spencer Wood (Wokingham) | - | 0 | 0 | 0 | 0 | - | 0 | + | 0 | + | - |
| CEB30 Area between Horton Brook and Poyle Quarry, Horton | 0 | 0 | 0 | 0 | 0 | 0 | 0 | + | 0 | + | 0 |

1.1 Table 3.8 shows the total combined synergistic effects of site CEB29 and CEB30 on the SA/SEA Objectives (without mitigation).

1.2 Site CEB29 scored negatively for SA/SEA Objective 1 (biodiversity), Objective 6 (air quality) and Objective 11 (flood risk). However, Policies DM3 (Habitats and species), DM9 (Public Health, Safety and Amenity) and DM10 (Water Environment and Flood Risk) would minimise flood risk.

1.3 The sites scored ‘amber’ for most of the SA/SEA Objectives including:

- SA/SEA Objective 1 which reflects the proximity of European, National and Local designations to the sites. Potential impacts can be mitigated through the correct application of DM 3 (Protection of Habitats and Species).
- SA/SEA Objective 2 (water quality) which reflects the proximity of the sites to rivers and source protection zones.
- SA/SEA Objective 3 (landscape) which reflects the fact the site is within the Green Belt. Policy DM6 (Green Belt) seek to ensure that impacts on the openness are mitigation. It is also noted that minerals development is not considered ‘inappropriate’ in the Green Belt due to its temporary nature.
- SA/SEA Objective 4 (ground conditions) are the sites are Grade 3 (and in part Grade 2) Best and Most Versatile agricultural land.
- SA/SEA Objective 5 (Quality of Life) given their proximity to residential dwellings. Policies DM1 (Sustainable Development and DM9 (Public Health, Safety and Amenity) would consider the impacts to human health from factors such as noise, dust, traffic.
- SA/SEA Objective 7 (Emissions / climate change) which reflects available information at this stage.

- SA/SEA Objective 9 (Economic growth). Whilst it is unknown currently to what level the job creation would be, it is recognised that they would all provide for some form of employment (permanent or temporary) during their construction and or operation.

1.4 The sites score positively for SA/SEA Objective 8 and 10 as the site proposals would contribute towards the provision of minerals.

Intra Plan Effects (synergistic)

1.5 With respect to the cumulative effect of the site with the others proposed. There is the potential for a cumulative impact with CEB30 and the proposals at Horton Brook (CEB19) and Poyle Quarry Extensions (CEB18 a and b). However, it is proposed that CEB30 would be worked as part of the current Poyle Quarry permission. It is expected that the extension sites would then be worked following completion of the Poyle Quarry site and as such, there would not be an accumulation of impacts in the area. This would also result in a continuation of impacts associated with processing at the Poyle processing plant including vehicle movements. There is potential for cumulative impacts with the Horton Brook operations, but this will be depending on the timing of commencement of the extraction and the stage of restoration at Poyle Quarry (and Horton Brook Quarry).

Inter Plan Effects (additive and synergistic)

1.6 Based on the spatial and temporal criteria (5km radius and operational in 2020), CEB29 was not found to have any other potentially operational (minerals or waste site) which could give rise to cumulative effects. However, it is noted that should any of the existing mineral sites extend their permissions the cumulative impacts would need to be reassessed. As noted, CEB30 may risk cumulative impacts with operations at Horton Brook and the remaining areas of Poyle Quarry to be worked. The extent of this impact will be dependent on when operations are permitted and the phasing of work at Poyle.

1.7 With respect to other types of development which may give rise to cumulative effects (i.e. housing, retail, commercial etc.), the high-level review of development proposals within 5km of CEB29 captured 7 proposals all within the Shinfield area and identified through the emerging Wokingham Borough Local Plan process. The main development area which could give rise to cumulative effects is within the Shinfield area. Site references 5SH029/40/41/47/48 land at Grazeley covering a large area of mixed use to the west of the A33

Table 4.1: Summary Cumulative Impact Assessment of Development Plans short List

| Sites | Within 1 Km | | Within 2 Km | | Within 3 Km | | Within 4 Km | | Within 5 Km | | Total |
|-------|-------------|-------|-------------|-------|-------------|-------|-------------|-------|-------------|-------|-------|
| | Housing | Other | |
| CEB29 | 0 | 0 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 7* |

*The table includes the list of proposed allocations as provided by Wokingham Borough Council.

1.8 The cumulative assessment could only be undertaken based on available information which was limited to key considerations for each site as outlined in the emerging Royal

Borough of Windsor and Maidenheads Local Plan. Refer to Table 4.2 for high level cumulative assessment.

Table 4.2: High Level Cumulative Effects Assessment of Allocated Sites

| Site ID | Short list of Sites with potential for cumulative effect* | Potential cumulative effect |
|---------|--|--|
| CEB30 | <p>HA44 Land east of Queen Mother Reservoir</p> <p>HA42 Land at Slough Road and Riding Court Road Datchet</p> <p>(refer Figure 4.2, Appendix L).</p> | <p>There is a potential site located in the immediate vicinity of CEB30 (HA44). Although the magnitude of development is not considered significant, given its proximity there is the potential for additive cumulative effects particular with respect to noise and air quality and traffic congestion on the minor roads.</p> <p>A further site (HA42) has been identified along the strategic road network which if there was temporal overlap may give rise to additive traffic and congestion on the network.</p> <p>Given the magnitude of the developments it is considered unlikely that there would be any significant cumulative effects associated with the operational phases.</p> |

*Site ID as presented in Windsor and Maidenhead Local Plan 2013-2033 (emerging).

Site Specific Assessment CEB29 Land west of Basingstoke Road

| | | |
|---|------------------|-------------------------|
| Land west of Basingstoke Road | Site ID: CEB 29 | |
| Grid Reference: 471680 165203 | | |
| Borough: Wokingham | Area (Ha): 25 Ha | |
| Objective 1: Conserve & enhance biodiversity | Distance | SA/SEA Judgement |
| SPA/SAC/Ramsar: None within 2km | N/A | |
| SSSI: The River Loddon (and Stanford End Mill) is a SSSI which runs to the immediate south of the site. | Adjacent | |
| **SSSI Impact Zones Issues: Includes planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/extraction. | | |
| LWR & LNR: None | N/A | |
| Ancient & Semi Natural Woodland: Adjacent to the north. | Adjacent | |
| Objective 1 justification | | |
| The site is considered to be located in a sensitive area owing to its proximity to the SSSI (River Loddon). The SSSI would be sensitive to changes in the environment in the immediate vicinity including increased run off and changes to water quality. Natural England assent would be required. | | |
| Objective 2: Maintain and Improve ground and surface water quality | Distance | SA/SEA Judgement |
| Source Protection Zone (SPZ): Zone 3 | 2 km | |
| Drinking Water Protected Area (Surface Water): It is in a drinking water safeguard zone (surface water) | Within | |
| Objective 2 justification | | |
| The site is located adjacent to the River Loddon and within a drinking water safeguard zone. Careful consideration should be given to development and potential pollution to surface waters. | | |
| Objective 3: Protect and enhance landscape & historic environment | Distance | SA/SEA Judgement |
| Topography: Largely flat agricultural fields. | | |
| Landscape Character Area: Spencers Wood Settled and Farmed Clay Character Area | | |

| | | |
|--|--|-------------------------|
| TPO: There are no TPOs within the site. The nearest is on Lambs Lane adjacent to the site. | Adjacent. | |
| Green Belt | N/A | |
| <u>Heritage Assets:</u> Scheduled Monument: Moated site at Sheepbridge Court Moated manorial site at Beaumys Castle Grade I Listed Building: None Grade II Listed Assets: Milestone North North west of Sheepbridge Girders Wyvols Court Grade II* Listed Assets: Sheepbridge Court Barn 80 north of Sheepbridge Court Registered Parks and Garden / Historic Parkland & Gardens: Swallowfield Park Conservation Area: Swallowfield Conservation Area | 60m 400m Adjacent 275m 300m 100m 180m 400m <1 km | |
| Access to countryside and open space / Public Rights of Way: PROW footpath SWAFFP 19I PROW bridleway SWALBR36III | On site. 300m | |
| Objective 3 justification | | |
| There are Scheduled Monuments and Grade II and Grade II* Listed buildings in the immediate vicinity of the site. Changes to the site have the potential to alter the setting of these assets. The site is located on the northern flank of the River Loddon and is situated within an Area of High Potential. Therefore, advice and the opinion of Historic England should be sought. There is also a PROW which will require consideration. | | |
| Objective 4: Maintain & protect soil quality | Distance | SA/SEA Judgement |
| Agricultural: Grade 3 (a or b unknown) | | |
| Contaminated Land: Greenfield | | |

| | | |
|---|-----------------|-------------------------|
| Geological Important Areas: | N/A | |
| Objective 4 justification | | |
| The site is greenfield and Grade 3 agricultural land. It is not clear whether it is grade 3a or 3b. | | |
| Objective 5: Improve quality of life of population | Distance | SA/SEA Judgement |
| Residential Dwellings: | | |
| The Mill House | Adjacent | |
| Lambs Lane | Adjacent | |
| Properties in Swallowfield | Approx. 400m | |
| Properties in Lambs Lane | Approx. 400m | |
| Schools: | | |
| Meadow view day nursery | 550m | |
| Lambs Lane Primary | 370m | |
| Amenities: | | |
| Warrens croft play area | 600m | |
| Objective 5 justification | | |
| The Mill Hotel is located adjacent to the site and there are small residential areas at Swallowfield and Lambs lane including a school. Therefore, there is the potential for conflict with respect to the potential development. However, it is worth noting that the number of residential properties in the immediate vicinity is low. | | |
| Objective 6: Maintain and Protect Air Quality | Distance | SA/SEA Judgement |
| Air Quality Management Area: Nearest M4 (Junction 11) | 3.2 km | |
| *Proximity to major roads: M4 Junction 11 | 3.2 km | |
| *Proximity to SRN: M4 | 350m | |
| Method of Transportation: Road | | |
| *Links to Rail network | 4 km | |
| Objective 6 justification | | |
| The site is some distance from an AQMA. However, the most significant junction is almost 3.2km which is within the AQMA. The development would mean increased vehicle movements on the SRN including the B3349. | | |
| Objective 7: reduce emissions of greenhouse gases | | SA/SEA Judgement |

| | | |
|--|-----------------------------------|-------------------------|
| Generates Energy/Heat Production | N/A | |
| Supports renewables | N/A | |
| Objective 7 justification | | |
| Not Applicable | | |
| Objective 8: Support sustainable extraction, reuse and recycling of mineral & aggregate resources | | SA/SEA Judgement |
| Recycled | N/A | |
| Composted | N/A | |
| Recovered | Partial | |
| Landfilled | N/A | |
| Objective 8 justification (Minerals) | | |
| Some infill of inert material proposed as part of restoration. | | |
| Objective 9: Economic Growth | | SA/SEA Judgement |
| Job creation (per Ha) | Unknown | |
| Type of job (Permanent/Temporary) | Temporary | |
| Support economic growth | Y | |
| Deprivation index in locality | N/A | |
| Objective 9 justification | | |
| The mineral site is likely to create temporary employment. However, the site would contribute to economic growth through the supply of sands and gravels, supporting local and regional development. The level of job creation is unknown at this stage. | | |
| Objective 10: Create and sustain high levels of access to waste & mineral services | Distance | SA/SEA Judgement |
| Waste facility | N/A | |
| Mineral facility | Onsite | |
| Objective 10 justification | | |
| Site creates a new mineral facility. | | |
| Objective 11: Alleviate Flood Risk and flood impacts | Distance | SA/SEA Judgement |
| Flood Zones: FRZ 2 and 3. | FRZ 2 on site and FRZ 3 adjacent. | |
| Areas susceptible to surface water flooding. | River Loddon | |

Objective 11 justification

Site within Flood Risk Zones 2 and 3, likely flooding issues in the southern portion of the site.

*Distance have been measured following the shortest route

All other distances are measured as the crow flies

**SSSI Impact Zone – if development type of descriptions in the SSSI IZs at a chosen location match the nature and scale of a proposed development, this indicates the potential for impact and means that more detailed consideration is required. In this case, Natural England should be consulted for advice on any potential impacts on SSSIs and how these might be avoided or mitigated.

| Sites | Examples of mitigation measures |
|---|--|
| CEB29 West of Basingstoke Road (Minerals) | <ul style="list-style-type: none">• <i>Biodiversity</i>: Management schemes – Restoration and aftercare scheme• <i>Landscape and Heritage</i>: Screening / buffer, Landscape Schemes, onsite landscaping, phasing of development. Restoration and aftercare scheme, contaminated land assessment• <i>Water and Flooding</i>: Water and flood management schemes– could include long term management through S106 as appropriate• <i>Traffic</i>: HGV routing agreements and restrictions• <i>Design</i>: Specifications and siting of the facilities |

Site Specific Assessment CEB30 Area between Horton Brook and Poyle Quarry

| | | | |
|--|--|-------------------------|--|
| Area between Horton Brook and Poyle Quarry Grid Reference: 501980 176535 | Site ID: CEB 30 | | |
| Borough: Royal Borough of Windsor & Maidenhead | Area (Ha): 3.75 | | |
| Objective 1: Conserve & enhance biodiversity | Distance | SA/SEA Judgement | |
| SPA/Ramsar: South West London Wetlands | 0.75km | | |
| SSSI: (overlying SPA & Ramsar) Wraysbury Reservoir SSSI Staines Moor SSSI Wraysbury No.1 Gravel Pit SSSI Wraysbury & Hythe End Gravel Pits SSSI | 0.75km 1.60km 1.70km 2.0km | | |
| **SSSI Impact Zones Issues: Includes planning applications for quarries, including: new proposals, Review of Minerals Permissions (ROMP), extensions, variations to conditions etc. Oil & gas exploration/extraction. | | | |
| LWR & LNR: Arthur Jacob Local Nature Reserve | 0.40km | | |
| LWR & LNR: Colne Brook Local Wildlife Site Horton and Kingsmead lakes Local Wildlife Site Queen Mother Reservoir Wraysbury 1 Gravel Pit | 0.60km 0.65km 0.70km 1.70km | | |
| Ancient Woodland: Old Windsor Wood | 1.67km | | |
| Objective 1 justification | | | |
| The site is within 0.4km of a local wildlife reserve and further advise should be sought. | | | |
| Objective 2: Maintain and Improve ground and surface water quality | Distance | SA/SEA Judgement | |
| Source Protection Zone (SPZ): 3 | 0.90km | | |
| Drinking Water Protected Area (Surface Water) | Within drinking water safeguard zone | | |

| Objective 2 justification | | |
|---|----------------------------|-------------------------|
| The site is within 0.9km of an SPZ. The site is also within a drinking water safeguard zone and careful consideration should be given to development and the potential for pollution to surface water. | | |
| Objective 3: Protect and enhance landscape & historic environment | Distance | SA/SEA Judgement |
| Landscape character area: Thames Valley | | |
| Topography: Agricultural fields/bridleway | | |
| TPO: | Unknown. | |
| Green Belt | On site. | |
| <u>Heritage Assets:</u> Grade II Listed Building: Dairy at Berkyn Manor Ashgood Farmhouse The Five Bells Public House | 0.20km 0.25km 0.35km | |
| <u>Registered Parks and Gardens:</u> Ditton Park The Royal Estate, Windsor: Windsor Castle and Home Park | 2.0km 3.5km | |
| <u>Archaeological Potential: High</u> | On site | |
| Access to countryside and open space / Public Rights of Way: Site is a PROW – Colne Valley Way | On site | |
| Objective 3 justification | | |
| The site is within Green Belt, but mineral extraction is not considered inappropriate development. There are Listed buildings and Registered Parks and Gardens within 0.2km. The Archaeological potential is high, but this is not an overriding factor. The impact on the bridleway will be significant but could offer opportunity for improvement. | | |
| Objective 4: Maintain & protect soil quality | Distance | SA/SEA Judgement |
| Agricultural: Grade 2 and 3b in north, 60% Grade 3a | | |
| Contaminated Land: Greenfield | | |
| Geological Important Areas: | N/A | |
| Objective 4 justification | | |
| Greenfield site with majority as Grade 3a and therefore, there is potential for damage to soil quality during development. | | |

| Objective 5: Improve quality of life of population | Distance | SA/SEA Judgement |
|--|-----------------|-------------------------|
| Residential Dwellings: | Adjacent. | |
| Schools: | 0.44km | |
| Hospitals: | 6.25km | |
| Amenities: | | |
| Recreation club | 0.50km | |
| Sailing club | 0.90km | |
| Objective 5 justification | | |
| There are a number of residential properties which are adjacent to the site and therefore, there is potential for conflict unless mitigation measures are applied. | | |
| Objective 6: Maintain and Protect Air Quality | Distance | SA/SEA Judgement |
| Air Quality Management Area: Slough AQMA No 2 | 0.80km | |
| *Location to significant junctions: M4 J5 | 1.50km | |
| *Proximity to SRN: M4 J5 | 1.50km | |
| Method of Transportation: Road | | |
| *Links to Rail network: Wraysbury | 0.50km | |
| Objective 6 justification | | |
| The site is less than 1km from the nearest AQMA, but 1.5km from the nearest SRN. However, consideration should be given to the potential for increased vehicle movement within the AQMA. | | |
| Objective 7: reduce emissions of greenhouse gases | | SA/SEA Judgement |
| Generates Energy/Heat Production | N/A | |
| Supports renewables | N/A | |
| Objective 7 justification | | |
| Not Applicable | | |
| Objective 8: Support sustainable extraction, reuse and recycling of mineral & aggregate resources | | SA/SEA Judgement |
| Recycled | N/A | |
| Composted | N/A | |

| | | |
|--|-----------------|-------------------------|
| Recovered | On site | |
| Landfilled | N/A | |
| Objective 8 justification (Minerals) | | |
| The restoration scheme includes infill of inert materials (recovery). | | |
| Objective 9: Economic Growth | | SA/SEA Judgement |
| Job creation (per Ha) | Unknown | |
| Type of job (Permanent/Temporary) | Temporary | |
| Support economic growth | Y | |
| Deprivation index in locality | N/A | |
| Objective 9 justification | | |
| The mineral site is likely to create temporary employment. However, the site would contribute to economic growth through the supply of sands and gravels, supporting local and regional development. The level of job creation is unknown at this stage. | | |
| Objective 10: Create and sustain high levels of access to waste & mineral services | Distance | SA/SEA Judgement |
| Waste facility | N/A | |
| Mineral facility | Onsite | |
| Objective 10 justification | | |
| Site creates a new mineral facility | | |
| Objective 11: Alleviate Flood Risk and flood impacts | Distance | SA/SEA Judgement |
| Flood Zones: 1 | On site. | |
| Areas susceptible to surface water flooding. | Unknown. | |
| Incidences of flood warnings. | Unknown. | |
| Objective 11 justification | | |
| Site within Flood Zone 1 with Zones 2 and 3 within close proximity. | | |

*Distance have been measured following the shortest route

All other distances are measured as the crow flies

**SSSI Impact Zone – if development type of descriptions in the SSSI IZs at a chosen location match the nature and scale of a proposed development, this indicates the potential for impact and means that more detailed consideration is required. In this case, Natural England should be consulted for advice on any potential impacts on SSSIs and how these might be avoided or mitigated.

| Sites | Examples of mitigation measures |
|---|--|
| CEB30 Area between Horton Brook and Poyle Quarry (Minerals) | <ul style="list-style-type: none"> • <i>Biodiversity</i>: Management schemes – Restoration and aftercare scheme • <i>Landscape and Heritage</i>: Screening / buffer, Landscape Schemes, onsite landscaping, phasing of development. Restoration and aftercare scheme, contaminated land assessment • <i>Water and Flooding</i>: Water and flood management schemes– could include long term management through S106 as appropriate • <i>Traffic</i>: HGV routing agreements and restrictions |

Appendix B: Habitats Regulations Assessment Extract (Sites, Policy DM15 & Area of Search)

The following extracts should be read in conjunction with the Habitats Regulation Assessment – Screening Report (June 2018)²⁰.

Sites

| | |
|---|---|
| Site name and reference | Land west of Basingstoke Road (CEB29) |
| Location of Site | Wokingham – SU71686519 |
| Brief description of Site | <p>Current use: Existing agricultural fields</p> <p>Proposal: Extraction of sand and gravel from the site. The site boundary covers an area of approximately 25 ha. Ground investigations are being undertaken by the site promoter to determine the quantity of the resource.</p> <p>Restoration: Restoration will comprise backfill of the site with inert waste material to reinstate the agricultural fields and/or wetland habitat to enhance the ecology of the local area and the adjacent SSSI</p> <p>Previous consideration within the plan making process: This site is a new proposal to the Joint Plan.</p> |
| European sites (including Ramsar) potentially affected | Thames Basin Heaths |
| Site designation status | SPA |
| Location of European site | Bracknell forest, SU878566 |
| Distance from European site | 3.23 km |
| Brief description of European site | The Thames Basin Heaths form part of a complex of heathlands in southern England that support important breeding bird populations. Scattered trees and scrub are used for roosting. The open heathland habitats overlie sand and gravel sediments, give rise to sandy or peaty acidic soils, supporting dry heath vegetation, wet heath and bogs. The site consists of tracts of heathland, scrub and woodland, once almost continuous, but now fragmented into separate blocks by roads, urban development and farmland. Less open habitats of scrub, acidic woodland and conifer plantations dominate, within which are scattered areas of open heath and mire. |

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²⁰ Central and Eastern Berkshire – Habitats Regulation Assessment: Screening Report (June 2018) – www.hants.gov.uk/berksconsult.

| | | |
|---|---|---|
| | | Species: The site supports important breeding populations of a number of birds of lowland heathland. Most notably Nightjar <i>Caprimulgus europaeus</i> (7.8% of UK population) and Woodlark <i>Lullula arborea</i> (9.9% of UK population), both of which nest on the ground, often at the woodland/heathland edge, and Dartford warbler <i>Sylvia undata</i> (27.8% of UK population), which often nests in gorse <i>Ulex</i> sp. |
| Conservation Objectives of the European site | | Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring: <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features; • The structure and function of the habitats of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features; and • The distribution of the qualifying features within the site. |
| Qualifying Features of the European site | | <ul style="list-style-type: none"> • A224 <i>Caprimulgus europaeus</i>; European nightjar (Breeding) • A246 <i>Lullula arborea</i>; Woodlark (Breeding) • A302 <i>Sylvia undata</i>; Dartford warbler (Breeding) |
| Potential causes of significant effect | Cited interest features likely to be sensitive to the hazard (Y/N) | Details |
| Land take | N | The site is located 3.23 km south east of the SPA / Ramsar. The European site will not therefore be impacted by direct land take. |
| Removal of supporting habitat | N | Although the site is within the range of nightjar foraging from the SPA, it provides unsuitable habitat with significant areas of optimal and sub-optimal habitat located within closer proximity of the SPA. As such the hazard is considered to have negligible potential to cause a likely significant effect. |
| Noise | N | As the site is located 3.23 km from the European site, the hazard is considered to have negligible potential to cause a likely significant effect. |
| Vibration | N | As the site is located 3.23 km from the European site, the hazard is considered to have negligible potential to cause a likely significant effect. |
| Lighting | N | As the site is located 3.23 km from the European site, the hazard is considered to have negligible potential to cause a likely significant effect. |
| Dust | N | As the site is located 3.23 km from the European site, the hazard is considered to have negligible potential to cause a likely significant effect. |
| Water pollution | Y | Due to the proximity of the European site, interest features are considered vulnerable to this hazard. |

| | | |
|--|-----------------|---|
| Changes in surface / groundwater hydrology | Y | Due to the proximity of the European site, interest features are considered vulnerable to this hazard. |
| Air quality / Traffic | N | As the site is located 3.23 km from the European site and as the <i>de-minimis</i> predicted increase in HGV traffic on the SRN would be less than 1%, the hazard is considered to have negligible potential to cause a likely significant effect. |
| Recreation related impacts | N | Footpath (SWAL FP 19), which crosses the site, may be affected by the proposal. However, as the site is located 3.23 km from the European site and there are numerous ways of bypassing the footpath locally, the hazard is considered to have negligible potential to cause a likely significant effect. |
| Details of other plans and projects which may affect the European site in-combination | | |
| <p>Wokingham Borough Council Promoted Sites List (last updated 23/10/2019) Ref: 5SW004 Land off Basingstoke Road, Swallowfield 28.1 Ha – land use proposed by the promoter (not stated)</p> <p>Wokingham Borough Local Development Framework Core Strategy DPD 2010 Wokingham Borough Development Plan Adopted Managing Development Delivery Local Plan 2014 Runnymede 2030 Draft Local Plan Consultation Bracknell Forest Site Allocations Local Plan 2013 Rushmoor Local Plan 2019 Hart Local Plan Strategy and Sites 2016-2032 Submission Version Bracknell Forest Council Site Allocations Local Plan 2013 Guildford Borough Local Plan: strategy and site (2015-2034)</p> | | |
| Could the potential impacts of the development of the proposed site have a likely significant effect? | | |
| Alone? | Yes (C2) | |
| In-combination with other plans/projects | Yes | |

| | |
|----------------------------------|--|
| Site name and reference | Area between Horton Brook and Poyle Quarries (CEB30) |
| Location of Site | Royal Borough of Windsor and Maidenhead (grid reference: 501980 176535) |
| Brief description of Site | <p>Current use: Existing bridleway (Colne Valley Way)</p> <p>Proposal: Extraction of 250,000 tonnes of sand and gravel from the site. Processing will take place at existing plants at either Horton Brook Quarry to the west or Poyle Quarry to the east. The site boundary covers an area of approximately 3.75 ha and lies between the permitted Horton Brook Quarry and permitted Poyle Quarry which is yet to</p> |

| | |
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| | <p>commence operation. It is anticipated that extraction of this site would be relatively straightforward and would commence from the eastern side.</p> <p>Restoration: The site will be restored using backfill of inert waste material and the bridleway (Colne Valley Way) will be reinstated.</p> <p>Previous consideration within the plan making process: This site is a new proposal but forms part of Preferred Area 12 (North of Horton) in the adopted Minerals Local Plan.</p> |
| European sites (including Ramsar) potentially affected | South West London Waterbodies |
| Site designation status | SPA / Ramsar |
| Location of European site | Windsor and Maidenhead, TQ023746 |
| Distance from European site | 0.75 km |
| Brief description of European site | <p>The South-West London Water Bodies comprises a series of embanked water supply reservoirs and former gravel pits that support a range of man-made and semi-natural open water habitats. The predominant habitat (70%) is made up of inland water bodies. There are also areas of improved grassland, humid and mesophile grassland and broad-leaved deciduous woodland. The soil and geology are a mix of alluvium, clay, and mud, neutral and sand.</p> <p>The reservoirs and gravel pits function as important feeding and roosting sites for wintering wildfowl, in particular gadwall <i>Anas strepera</i> and shoveler <i>Anas clypeata</i>, both of which occur in numbers of European importance.</p> |
| Conservation Objectives of the European site | <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring:</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features; • The structure and function of the habitats of the qualifying features; • The supporting processes on which the habitats of the qualifying features rely; • The population of each of the qualifying features; and • The distribution of the qualifying features within the site. |

| Qualifying Features of the European site | | <ul style="list-style-type: none"> • A051 <i>Anas strepera</i>; gadwall (Non-breeding) • A056 <i>Anas clypeata</i>; northern shoveler (Non-breeding) |
|--|--|--|
| Potential causes of significant effect | Cited interest features likely to be sensitive to the hazard (Y/N) | Details |
| Land take | N | The site is located 0.75 km south east of the SPA / Ramsar. The European site will not therefore be impacted by direct land take. |
| Removal of supporting habitat | Y | The main issue relates to the proximity of the site to the SPA. The field along the eastern boundary of the site, though presenting little intrinsic biodiversity interest, provides moderate suitability (large, open and arable) for foraging over-wintering birds such as waders, brent geese and ducks, and could potentially be considered supporting SPA habitat. It is unclear at this stage whether the timing of permitted extraction works at Poyle Quarry (on the adjacent field) would render the field unsuitable as SPA habitat. |
| Noise | Y | Proximity could lead to indirect impacts such as noise pollution, and behavioural change of bird species. |
| Vibration | N | As the site is 0.75 km from the European site, the hazard is considered to have negligible potential to cause a likely significant effect. |
| Lighting | Y | As the site is 0.75 km from the European site, the hazard is considered to have the potential to cause a likely significant effect on bird species behaviour. |
| Dust | Y | As the site is 0.75 km from the European site, the hazard is considered to have the potential to cause a likely significant effect. |
| Water pollution | Y | Due to the proximity of the European site, interest features are considered vulnerable to this hazard. |
| Changes in surface / groundwater hydrology | Y | Dewatering is a key process in the extraction of sand and gravel. This can have impacts on groundwater flow some distance from the extraction site. Due to the proximity of the European site, interest features are considered vulnerable to this hazard. |

| | | |
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| Air quality / Traffic | N | Based on the distance of the site from the SPA/Ramsar, the nature of the proposed operations on the site, the low sensitivity of the SPA/Ramsar to airborne pollutants and the de-minimis potential change in HGV traffic on the SRN (less than 1% increase), it is considered unlikely that the interest features are vulnerable to this hazard. |
| Recreation related impacts | Y | The proposed operations would necessitate the removal of a track providing public access. This has the potential to cause a likely significant effect through recreational displacement. |
| Details of other plans and projects which may affect the European site in-combination | | |
| Sites CEB16, 18a, 18b, 19, 21, 25, 27. RBWM Local Plan Submission Version (2017) | | |
| Could the potential impacts of the development of the proposed site have a likely significant effect? | | |
| Alone? | Yes (C2) | |
| In-combination with other plans/projects | Yes | |

Policy DM15: Past Operator Performance

| Development Management Policy | HRA Screening Outcome (green = screened out. Amber = screened in for appropriate assessment) | |
|--|--|--|
| | Category | Rationale |
| <p>Policy DM15 Past operator performance</p> <ol style="list-style-type: none"> Where an applicant or operator has been responsible for an existing or previous minerals or waste development site, an assessment of their operational performance at that existing or previous site will be made. Where issues have been raised about the operation of an existing or previous development site, how the operator or applicant has responded, particularly where there is evidence of any significant adverse effects, will be taken into consideration in decision-making on minerals or waste applications submitted by the same applicant or operator. | A1 | <p>This policy 'would have no negative effect on a European site at all' as it focuses on past operator performance in relation to any negative environmental impacts in existing or previous minerals or waste development.</p> <p>This policy is screened out.</p> |

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Area of Search

| Area of Search options | HRA Screening Outcome (green = screened out. Amber = screened in for appropriate assessment) | |
|-------------------------------------|--|-----------------------------------|
| | Category | Rationale |
| Option 1: No Area of Search applied | N/A | No change that requires screening |

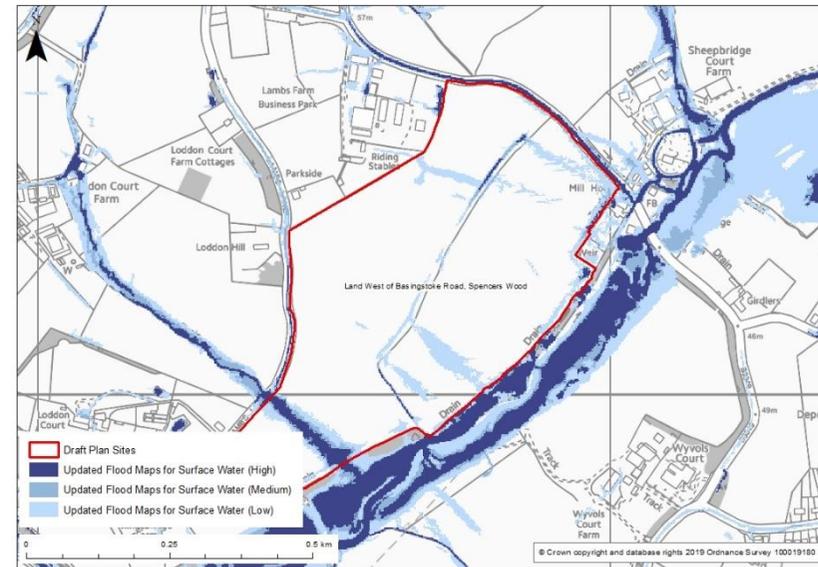
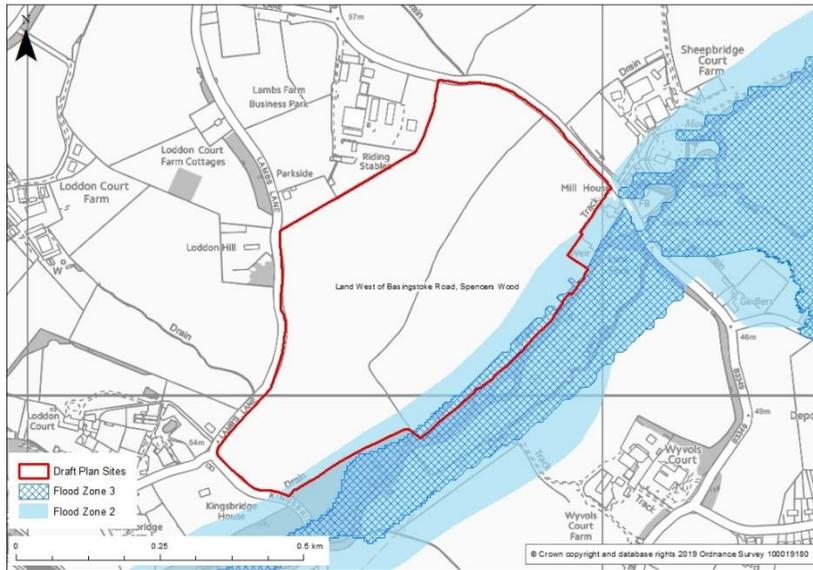
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| Option 2: 'NPPF Compliant' Area of Search | A4 | <p>An 'NPPF Compliant' Area of Search has been included in this consultation document. The resultant Area of Search boundary, provided in Figure 1, includes minerals resource but avoids Special Protection Areas (SPA), Special Areas of Conservation (SAC), Ramsar sites and Sites of Special Scientific Interest (SSSI). Area of Search text will be included in an amended 'Policy M4: Locations for sand and gravel extraction'.</p> <p>Although no buffer has been applied around European sites (including Ramsar sites), the Area of Search does not specifically identify any sites and any future sites proposed within this search area will be subject to detailed HRA screening through the normal development management process. In addition, the Area of Search as a whole is supported by Policy DM3 – Protection of Habitats and Species. The Area of Search is therefore screened out as not likely to have a significant effect on a European site.</p> <p>The addition of the Area of Search to Policy M4 is considered not to change the outcome of the HRA screening of Policy M4 in the HRA Screening Report (June 2018)²¹.</p> |
| Option 3: 'NPPF Compliant plus Local designations' Area of Search | A4 | This alternative Area of Search option (not included in this consultation document) is also screened out. See rationale for NPPF Compliant Area of Search option, above. |

²¹ Central and Eastern Berkshire – Habitats Regulation Assessment: Screening Report (June 2018) – www.hants.gov.uk/berksconsult.

Appendix C: Strategic Flood Risk Assessment Extract

The following extracts should be read in conjunction with the Strategic Flood Risk Assessment Statement (June 2018)²².

Land west of Basingstoke Road, Spencers Wood (CEB29)



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| | | Rating |
|------------------------------|---|--------|
| Flood history | Records of river breaching in 1990 and 1991 at border of site to a depth of roughly half a metre. No flood events in last 20 years | |
| Fluvial flooding risk | Southern edge of the site is within Flood Zone 3, bordering a Main River. Flood Zone 2 surrounds Flood Zone 3 | |
| Surface water risk | Large majority no surface water flood risk, but a strip of high surface water flood risk running north-west to south-east across Lambs Lane to the Main River | |

²² Central and Eastern Berkshire – Strategic Flood Risk Assessment (June 2018) – www.hants.gov.uk/berksconsult.

| | | |
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| Groundwater risk | The site is not within a Source Protection Zone. Low risk from groundwater flooding | |
| Reservoir flooding risk | No risk from reservoir flooding | |

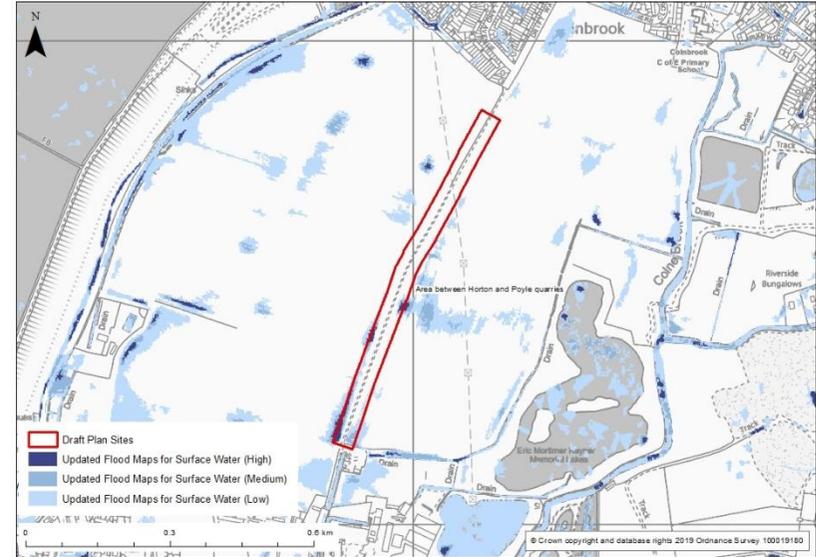
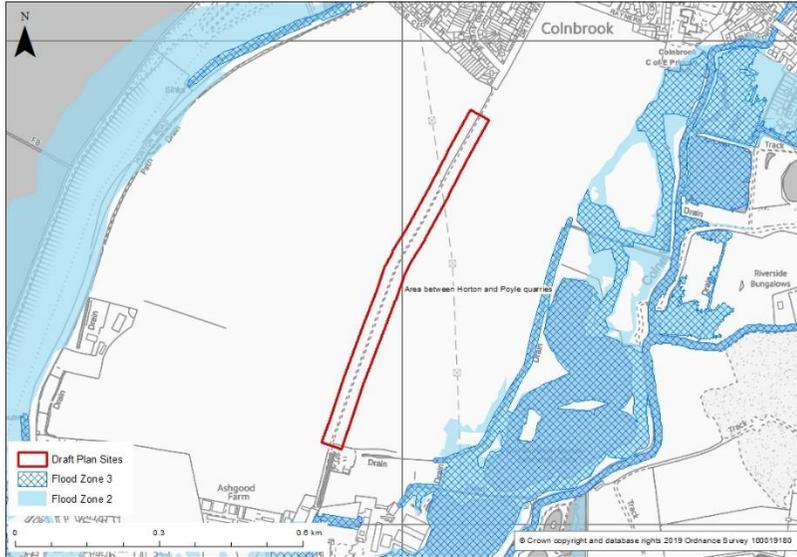
Strategic Flood Risk Summary –

The greatest risk is fluvial flooding, with the lower border of the site adjacent to a Main River. Overall it has **low** flood risk which given the type of development (sand and gravel extraction) is anticipated would not pose any significant issues.

From a flood risk perspective, this site is **considered suitable** for development.

Area between Horton and Poyle Quarries (CEB30)

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| | | Rating |
|--------------------------------|---|--------|
| Flood history | No recorded flood history | Green |
| Fluvial flooding risk | Entire site in flood zone 1 | Green |
| Surface water risk | None | Green |
| Groundwater risk | Medium groundwater vulnerability. No Source Protection Zones across the site | Yellow |
| Reservoir flooding risk | In reservoir flooding zone. Majority of site at risk of 2 metres or more flooding, with speeds of between 0.5 and 2 metres/second | Red |

Strategic Flood Risk Summary –

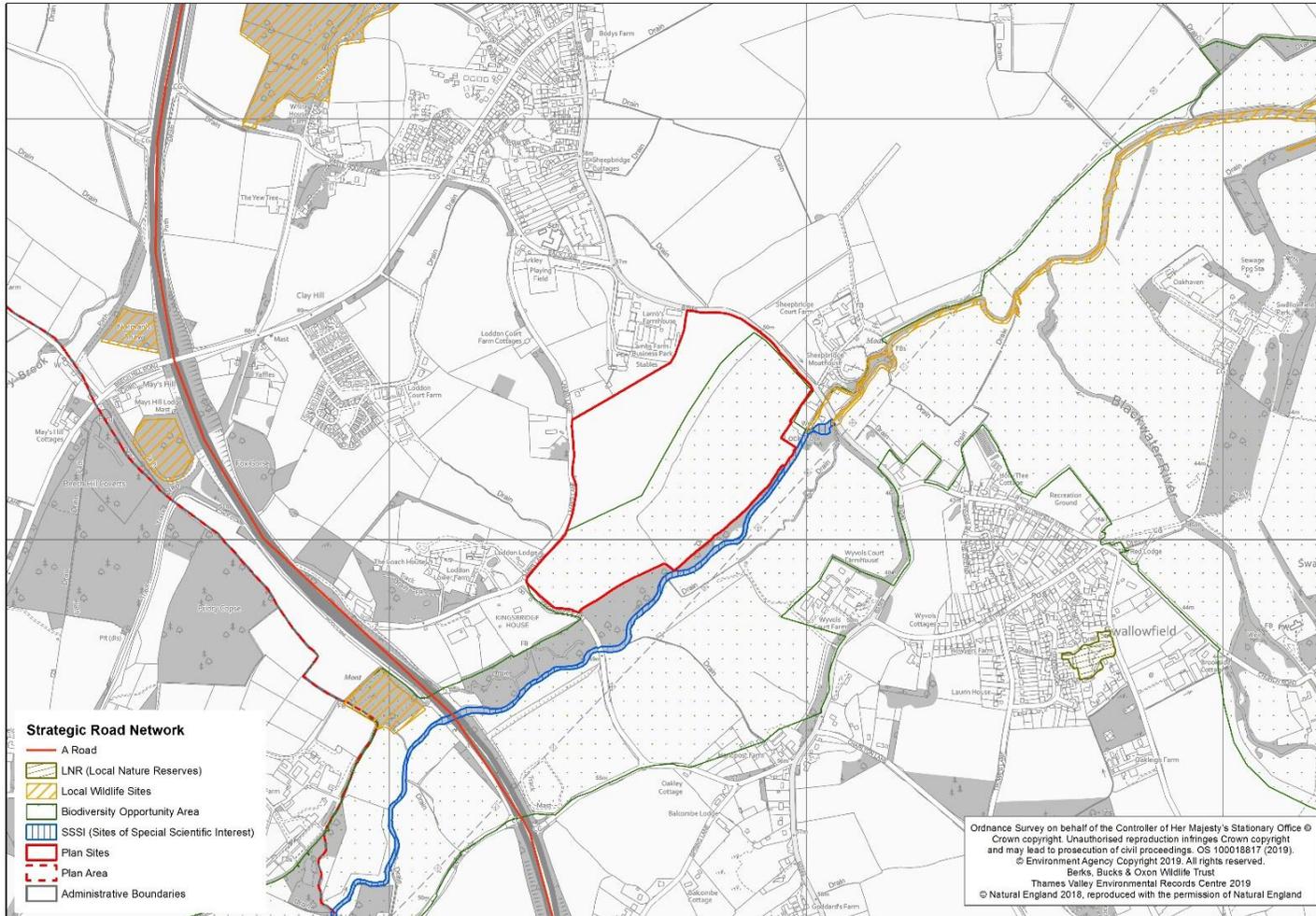
The greatest flood risk to Area between Horton and Poyle Quarries is reservoir flooding, which is highly unlikely. Overall it has **low** flood risk which given the type of development (sand and gravel extraction) is anticipated this would not pose any significant issues.

From a flood risk perspective, this site is **considered suitable** for development.

Appendix D: Landscape and Environmental Designations Map

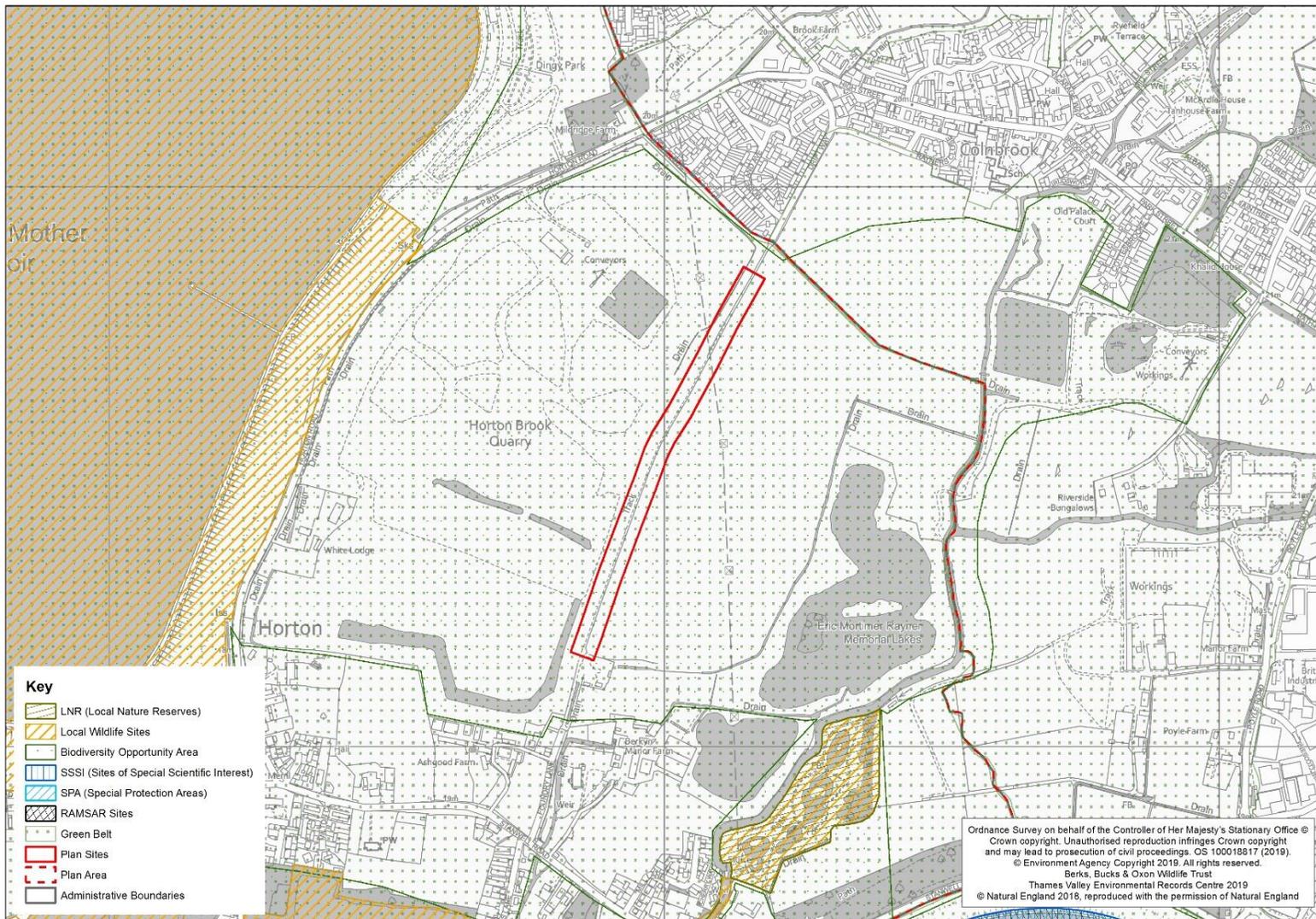
Land west of Basingstoke Road (CEB29)

186



Area between Horton Brook and Poyle Quarry (CEB30)

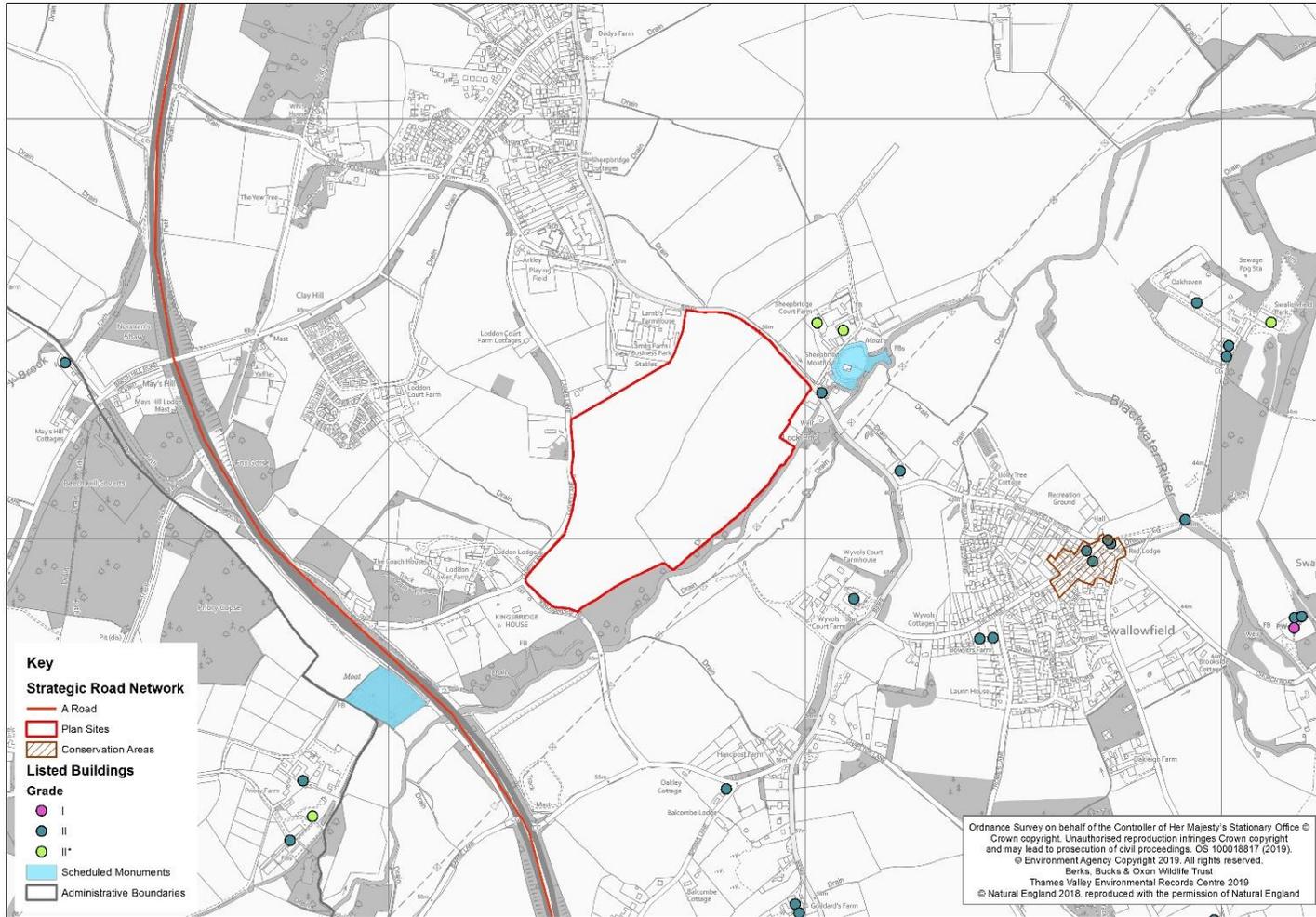
187



Appendix E: Historic Environment Map

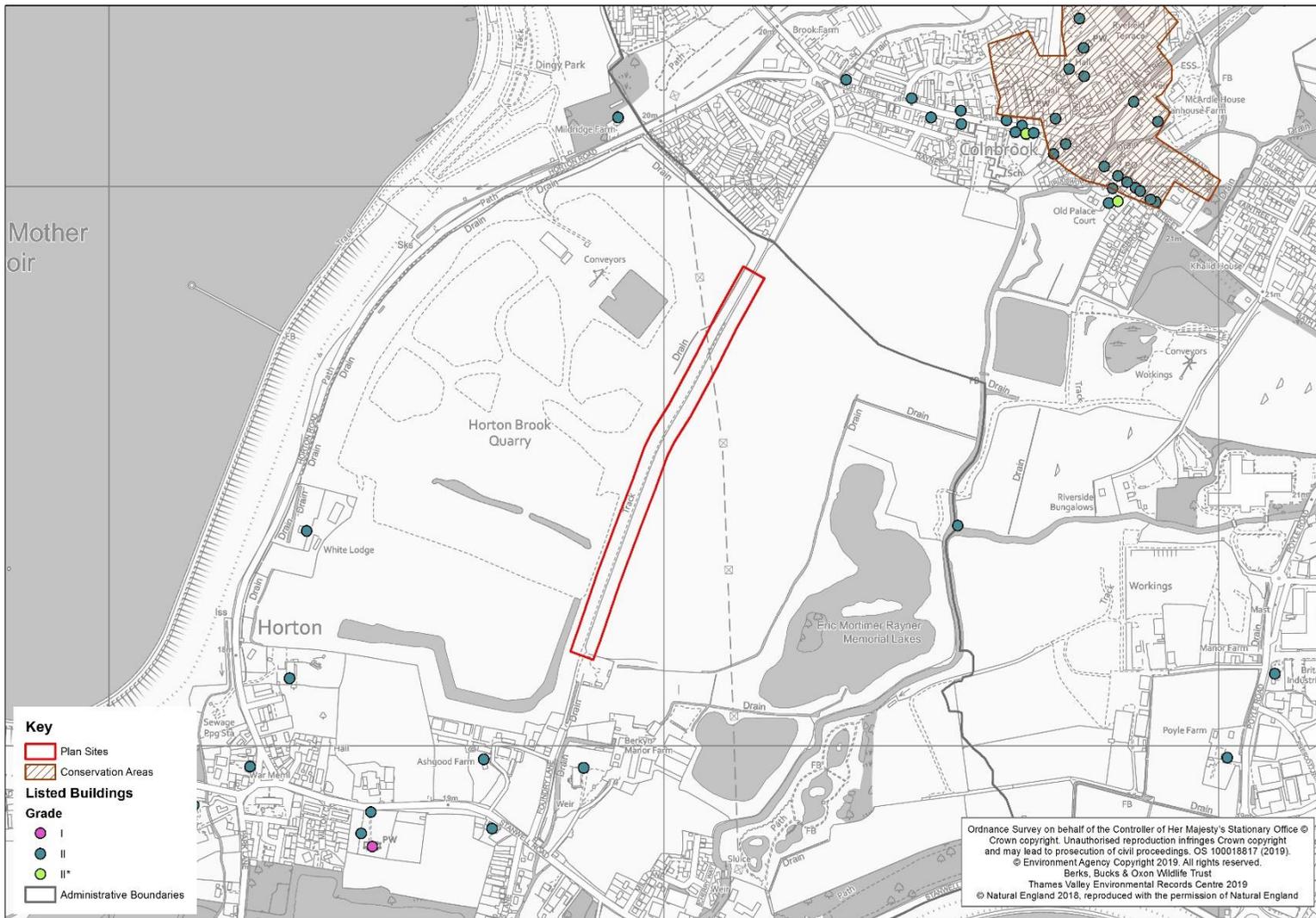
Land west of Basingstoke Road (CEB29)

188



Area between Horton Brook and Poyle Quarry (CEB30)

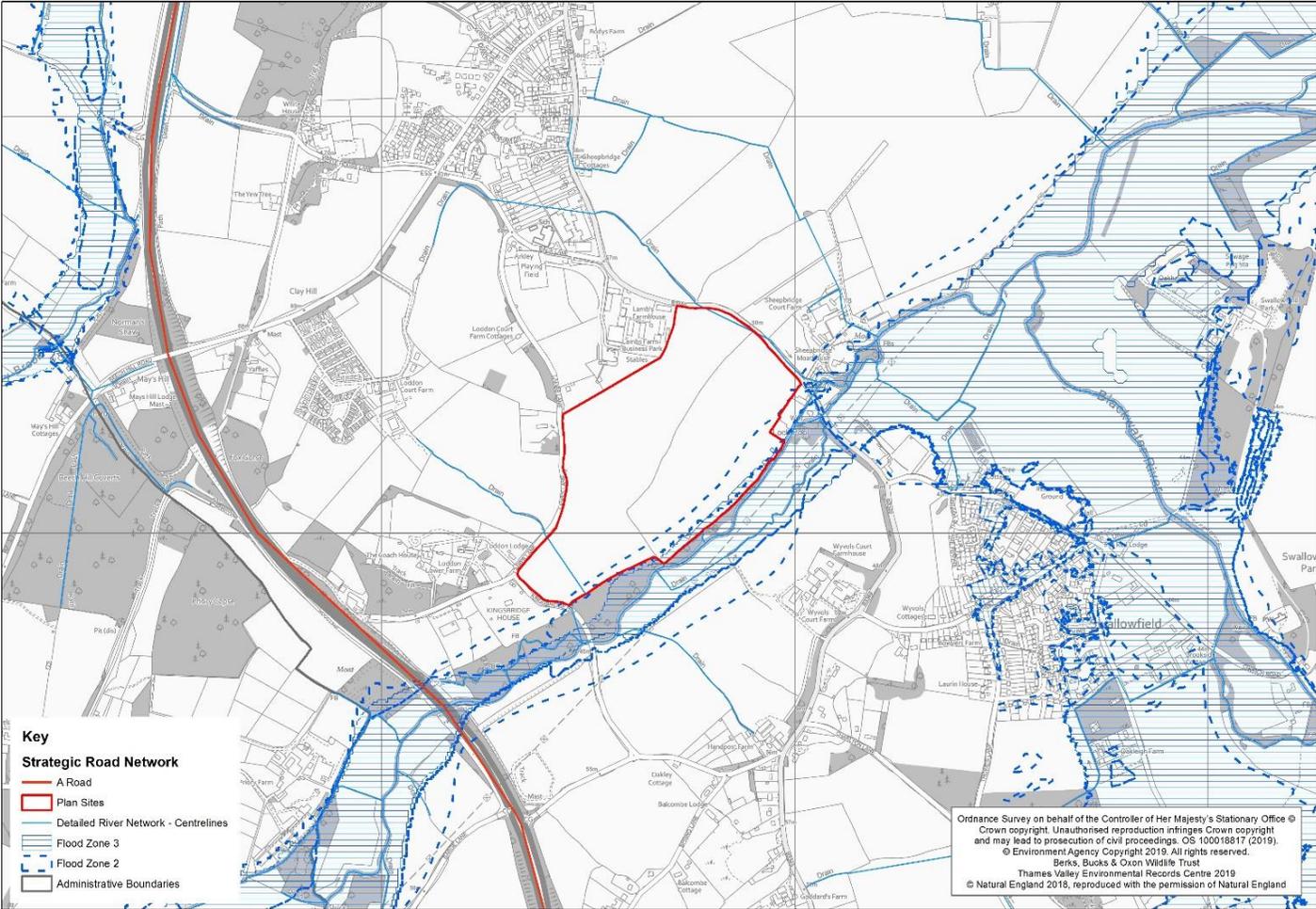
189



Appendix F: Water Environment Map

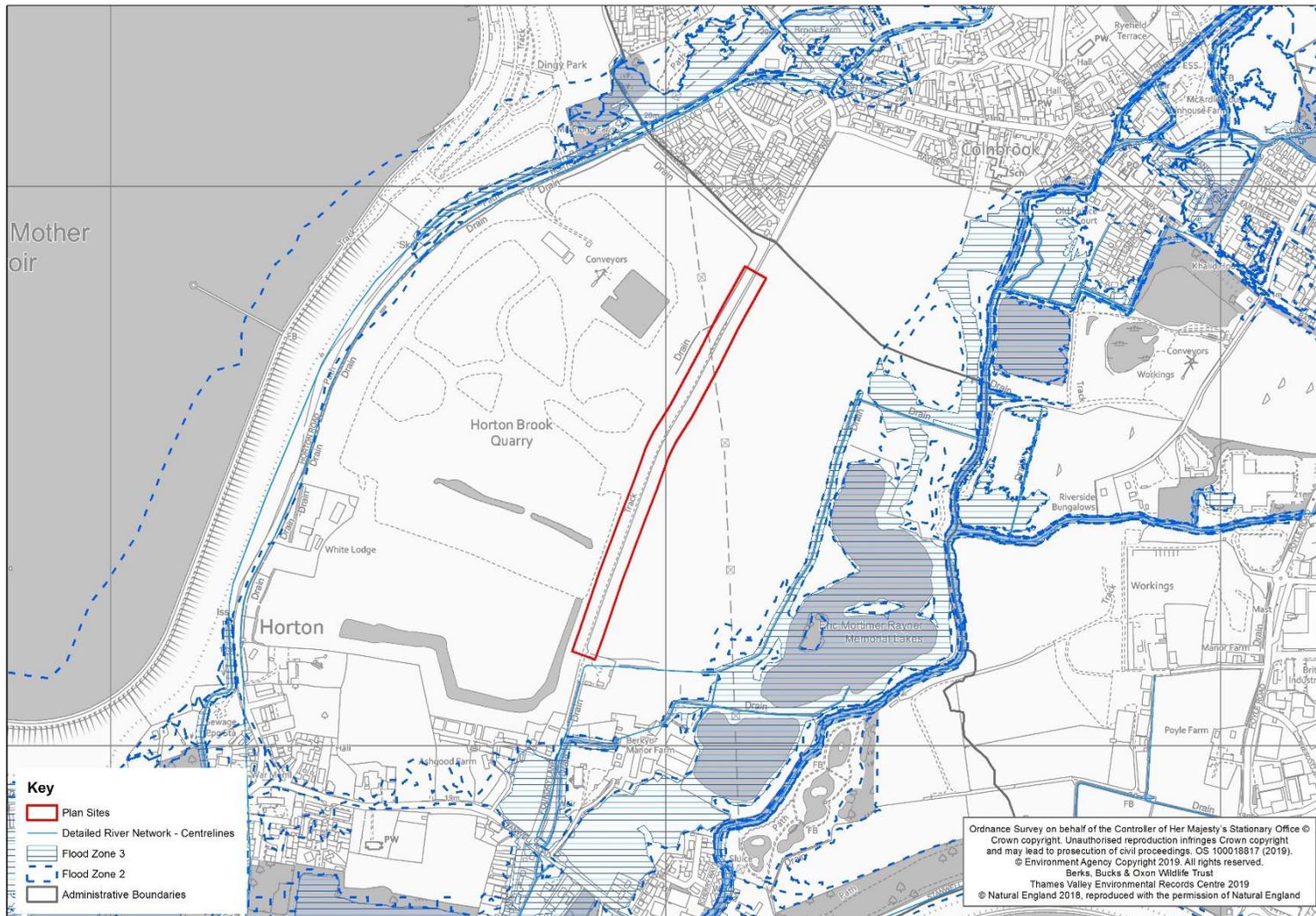
Land west of Basingstoke Road (CEB29)

190



Area between Horton Brook and Poyle Quarry (CEB30)

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Appendix G: Sustainability Appraisal Extract (Policy)

The following SA/SEA information refers to Revised Policy M4 (Locations for sand and gravel) and New Policy DM15 (Past Operator Performance).

3.12 Specific strengths of the draft DM15 policy (see Table G1) includes:

- The DM policies have been drafted in a format that includes criteria which are explicit in describing when waste and minerals development will and will not be supported. In addition, they provide a level of flexibility which allows for exceptions in the interest of the public or where the benefits out way the adverse effects.
- The policy has the potential to encourage existing operators to 'do the right thing' which has resulted in a positive score for the SEA objective 5 as it seeks to ensure sites do not negatively impact the community.

3.13 Potential areas of improvement of the draft DM15 include:

- The policy could be strengthened by explicitly requiring that the applicant provides arbitrary information ensuring a consistent approach; and
- Stating under what basis applicants will be assessed and ultimately refused/ conditions applied based on poor performance.
- In order for policy DM15 to achieve its objective the basis on which assessment and decisions are made must be defensible (consistent and robust). Decisions must be enforceable for example: via the use of planning conditions, and / or bonds

3.14 Specific strengths of the updated M4 (see Table G2) include:

- M4 encourages a steady supply of minerals and works towards mineral self-sufficiency. The policy acknowledges that to allow for a steady supply provision needs to include specific sites and a spatial strategy (via an Area search) which is considered to have a positive effect on SEA objectives 8, 9 and 10.

3.15 Potential areas of improvement include:

- Policy M4 would benefit from the inclusion of determining criteria (noise, dust, designated site, heritage etc.), providing a clear framework to be fully considered as part of any planning application and reaffirming the DM polices.
- M4 would benefit from specific inclusion of a requirement for restoration and aftercare.
- Although inferred via the use of an Area search the policy (stating proposals would be supported) the policy could be strengthened by explicitly stating where mineral extraction would not be supported as this would provide protection to sensitive areas.

| Table G1: Detailed Assessment of Policy DM15 | SA/SEA Objectives* | | | | | | | | | | | Comments/ Effect and Potential Improvements | How the SEA has been considered in the Plan |
|---|--------------------|-----------------|--------------------------|---------------------|-------------------|---------------|------------------------------|-------------------------|-------------------|-----------------------------------|---------------|---|---|
| Development Management Policies DM 15 (Past Operator Performance) | 1 Biodiversity | 2 Water quality | 3 Landscape and heritage | 4 Ground conditions | 5 Quality of life | 6 Air Quality | 7 Emissions / Climate change | 8 Sustainable Materials | 9 Economic Growth | 10 Sustainable waste and minerals | 11 Flood risk | | |
| <p>DM15 Past operator performance</p> <ol style="list-style-type: none"> Where an applicant or operator has been responsible for an existing or previous minerals or waste development site, an assessment of their operational performance at that existing or previous site will be made. Where issues have been raised about the operation of an existing or previous development site, how the operator or applicant has responded, particularly where there is evidence of any significant adverse effects, will be taken into consideration in decision-making on minerals or waste applications submitted by the same applicant or operator. | 0 | 0 | 0 | 0 | + | 0 | 0 | 0 | 0 | 0 | 0 | <p>The new policy seeks to provide a material consideration that can be used where the determining factors on a proposal are balanced.</p> <p>This approach has not been included previously in the Local Plans and as such, no other options are available.</p> <p>This policy seeks to ensure that past performance is considered in the planning process.</p> <p>The policy has the potential to encourage existing operators to 'do the right thing' which has resulted in a positive score for the SEA objective 5 as it seeks to ensure sites do not negatively impact the community.</p> <p>The policy could be strengthened by explicitly requiring that the applicant provides arbitrary information ensuring a consistent approach. It would also be necessary for the applicant to be offered the opportunity to explain poor performance and offer evidence of continuous improvement and remedial mitigation that would be applied to the new application.</p> <p>A recommendation would be to create a standard form which would be compulsory for all applications that explicitly requires this information be provided in a standardised format.</p> <p>The policy lacks specific information regarding how the information provided will be assessed and on what basis an operator would be considered to have demonstrated poor performance / not provided sufficient remedial mitigation and therefore is refused.</p> <p>It is recommended that the policy should also include an additional point which states under what basis applicants may and will be refused/</p> | No amendments proposed. |

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conditions applied on the basis of poor performance.

In the absence of these changes to the policy it will be very difficult to refuse any application in a defensible manner on the basis of past poor performance and the policy could fall short of achieving its goal.

***Preferred Policy Approach* The approach seeks to balance the need for minerals and the protection of the community.**

| Table G2: Detailed Assessment of Policy M4 | SA/SEA Objectives* | | | | | | | | | | | Comments/ Effect and Potential Improvements | How the SEA has been considered in the Plan |
|--|--------------------|-----------------|--------------------------|---------------------|-------------------|---------------|------------------------------|-------------------------|-------------------|-----------------------------------|---------------|--|---|
| Minerals Policy M4 (Location for sand and gravel extraction) Area of Search Options | 1 Biodiversity | 2 Water quality | 3 Landscape and heritage | 4 Ground conditions | 5 Quality of life | 6 Air Quality | 7 Emissions / Climate change | 8 Sustainable Materials | 9 Economic Growth | 10 Sustainable waste and minerals | 11 Flood risk | | |
| <p>Option 1 – No Area of Search</p> <p>A steady and adequate supply of locally extracted sand and gravel will be provided by:</p> <ol style="list-style-type: none"> 1. The extraction of remaining reserves at the following permitted sites: <ol style="list-style-type: none"> a. XXXX [tbc] 2. Extensions to the following existing sites: <ol style="list-style-type: none"> a. XXXX [tbc] 3. The following new sand and gravel Preferred Sites: <ol style="list-style-type: none"> a. XXXX [tbc] 4. Proposals for new sites not outlined in Policy M4 (1, 2 and 3) will be supported, in appropriate locations. Where: <ol style="list-style-type: none"> a. They are needed to maintain the landbank; and/or b. Maximise opportunities of existing infrastructure and available minerals resources; or at least one of the following: <ol style="list-style-type: none"> i. The site contains soft sand; ii. The resources would otherwise be sterilised; or iii. The proposal is for a specific local requirement. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | + | + | 0 | 0 | <p>The policy scored positively with respect to objective 8 and 9 as it encourages a steady supply of minerals but not necessarily through self-sufficiency. The policy acknowledges that to allow for a steady supply provision needs to include specific sites and preferred areas. The policy provides details of specific sites. These have not been considered herein but have been assessed separately. The policy does not include determining criteria which would mitigate impacts on the natural and historic environment and amenity. Inclusion of such criteria would be very beneficial.</p> <p>Due to a lack of options for sand and gravel extraction within the Plan, a sustainable supply of minerals (Objective 10) is difficult to demonstrate.</p> | <p>Mitigation of impacts on the natural and historic environment and amenity are addressed by the Development Management policies (for example, DM3 Habitats and Species) and therefore, should not be duplicated as the Plan is considered as a whole.</p> |

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| <p>Option 2 – With ‘NPPF Compliant’ Area of Search</p> <p>A steady and adequate supply of locally extracted sand and gravel will be provided by:</p> <ol style="list-style-type: none"> 1. The extraction of remaining reserves at the following permitted sites: <ol style="list-style-type: none"> a. XXXX [tbc] 2. Extensions to the following existing sites: <ol style="list-style-type: none"> a. XXXX [tbc] 3. The following new sand and gravel Preferred Sites: <ol style="list-style-type: none"> a. XXXX [tbc] 4. Proposals for new sites not outlined in Policy M4 (1, 2 and 3) will be supported, in appropriate locations. Where: <ol style="list-style-type: none"> a. They are situated within the Area of Search (as shown on the Policies Map); and b. They are needed to maintain the landbank; and/or c. Maximise opportunities of existing infrastructure and available mineral resources; or d. At least one of the following: <ol style="list-style-type: none"> i. The site contains soft sand; ii. The resources would otherwise be sterilised; or iii. The proposal is for a specific local requirement. | + | 0 | + | 0 | 0 | 0 | 0 | + | + | + | 0 | <p>The policy scored positively with respect to objective 8 and 9 as it encourages a steady supply of minerals and works towards mineral self-sufficiency. The policy acknowledges that to allow for a steady supply provision needs to include specific sites and preferred areas. The policy provides details of specific sites. These have not been considered herein but have been assessed separately.</p> <p>The use of an Area of Search seeks to demonstrate the potential for provision within the Plan area (self-sufficiency) which results in a positive score for SEA objective.</p> <p>An ‘NPPF Compliant’ Area of Search means that nationally important designations have been excluded from the Area in which proposals are expected to come forwards. As such, this option scores positively for Objective 1 and 3. Whilst landscape designations would also have been excluded such as AONB, Objective 2 could have scored positively but there are no national landscape designations.</p> <p>The policy does not include determining criteria which would mitigate impacts on the natural and historic environment and amenity. Inclusion of such criteria would be very beneficial, but it is recognised that these are addressed within the other policies within the Plan which would also need to be taken into account.</p> <p>Further it does not consider that restoration of sites may potentially give rise to a positive impact on a number of the other SEA objectives, but again this is addressed elsewhere in the policies.</p> <p>*Preferred Approach* The approach appropriately balances the need to protect nationally important designations whilst seeking to provide a local and steady supply of minerals.</p> | <p>Mitigation of impacts on the natural and historic environment and amenity are addressed by the Development Management policies (for example, DM3 Habitats and Species) and therefore, should not be duplicated as the Plan is considered as a whole.</p> |
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| <p>Option 3 – With ‘NPPF Compliant plus Local designations’ Area of Search</p> <p>A steady and adequate supply of locally extracted sand and gravel will be provided by:</p> <ol style="list-style-type: none"> 1. The extraction of remaining reserves at the following permitted sites: <ol style="list-style-type: none"> a. XXXX [tbc] 2. Extensions to the following existing sites: <ol style="list-style-type: none"> a. XXXX [tbc] 3. The following new sand and gravel Preferred Sites: <ol style="list-style-type: none"> a. XXXX [tbc] 4. Proposals for new sites not outlined in Policy M4 (1, 2 and 3) will be supported, in appropriate locations. Where: <ol style="list-style-type: none"> a. They are situated within the Area of Search (as shown on the Policies Map); and b. They are needed to maintain the landbank; and/or c. Maximise opportunities of existing infrastructure and available mineral resources; or d. At least one of the following: <ol style="list-style-type: none"> i. The site contains soft sand; ii. The resources would otherwise be sterilised; or iii. The proposal is for a specific local requirement. | + | + | + | 0 | 0 | 0 | 0 | + | 0 | 0 | 0 | <p>The use of an Area of Search seeks to demonstrate the potential for provision within the Plan area (self-sufficiency). However, by restricting the Area of Search beyond the requirements of the NPPF means that the Area is being limited unnecessarily. Some 'local' designations can be sufficiently mitigated and/or the need for the mineral can outweigh the potential impact. This should be decided on a case-by-case basis. The potential limiting of proposals has resulted in a neutral impact on a steady and adequate provision within the Plan area (Objectives 9 and 10).</p> | <p>Mitigation of impacts on the natural and historic environment and amenity are addressed by the Development Management policies (for example, DM3 Habitats and Species) and therefore, should not be duplicated as the Plan is considered as a whole.</p> |
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Glossary & Acronyms

Amenity: Something considered necessary to live comfortably.

Ancient Woodland: A statutory designation for woodland that is believed to have existed from at least medieval times.

Appraisal: An assessment of a proposal for the purposes of determining its value, viability and deliverability taking into account the positive and negative impacts the development would have.

Appropriate location: A location which meets the criteria set out in Policy W4, M4 and/or M7 and complies with all other policies within the JMWP.

Area of Outstanding Natural Beauty (AONB): Areas of countryside considered to have significant landscape value and protected to preserve that value. Originally identified and designated by the Countryside Commission under Sections 87 and 88 of the National Parks and Access to the Countryside Act 1949. Natural England is now responsible for designating AONBs and advising Government and other organisations on their management and upkeep.

Biodiversity Opportunity Area (BOA): Specific geographical areas with the best opportunity to restore and create habitats of regional importance. They are defined entirely on the basis of identifying those areas where conservation action is likely to have the most benefit for biodiversity interest and opportunities for enhancement. The purpose of BOAs is to guide support for land management as they represent those areas where assistance for land management and habitat restoration would have particular benefit.

British Geological Survey (BGS): The BGS is part of the Natural Environment Research Council (NERC) and is a supplier of capability in geoscience through survey, monitoring and research.

Cumulative impact: Impacts that accumulate over time, from one or more sources.

Development considerations: These are identified in Appendix A (Allocated Sites) of the Plan and are identified for each of the site allocations in the Plan. Development considerations are issues which need to be met /addressed alongside the other policies in the Plan in the event that a planning application is submitted for development.

Environment Agency (EA): A public organisation with the responsibility for protecting and improving the environment in England. Its functions include the regulation of industrial processes, the maintenance of flood defences and water resources, water quality and the improvement of wildlife habitats.

Environmental Permit: Anyone who proposes to deposit, recover or dispose of waste is required to have a permit. The permitting system is administered by the Environment Agency and is separate from, but complementary to, the land-use planning system. The purpose of a permit and the conditions attached to it are to ensure that the waste operation which it authorises is carried out in a way that protects the environment and human health.

Flood risk: Areas which have a flood risk have the potential to flood under certain weather conditions. Flood risk zones are determined by the Environment Agency. Areas at risk of flooding are categorised as follows:

- Flood Risk Zone 1: Low Probability;
- Flood Risk Zone 2: Medium Probability;
- Flood Risk Zone 3a: High Probability; and
- Flood Risk Zone 3b: Functional Floodplain.

Flood Risk Assessment (FRA): An assessment of the risk of flooding from all flooding mechanisms, the identification of flood mitigation measures and should provide advice on actions to be taken before and during a flood. The FRA should also demonstrate that the development will be safe for its lifetime and will not increase flood risk elsewhere.

Flood Risk Zones (FRZ): Defined geographical areas with different levels of flood risk. Flood risk zones are defined by the Environment Agency.

Green Belt: An area designated in planning documents, providing an area of permanent separation between urban areas. The main aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important quality of Green Belts is their openness.

Groundwater Source Protection Zones (GPZ): Geographical areas, defined by the Environment Agency, used to protect sources of groundwater abstraction.

Habitats Regulation Assessment (HRA): Statutory requirement for Planning Authorities to assess the potential effects of land-use plans on designated European Sites in Great Britain. The Habitats Regulations Assessment is intended to assess the potential effects of a development plan on one or more European Sites (collectively termed 'Natura 2000' sites). The Natura 2000 sites comprise Special Protection Areas (SPAs) and Special Areas of Conservation (SACs). SPAs are classified under the European Council Directive on the conservation of wild birds (79/409/EEC; Birds Directive) for the protection of wild birds and their habitats (including particularly rare and vulnerable species listed in Annex 1 of the Birds Directive, and migratory species).

Hectare (Ha): Acronym.

Landbank: A measure of the stock of planning permissions in an area, showing the amount of un-exploited mineral, with planning permissions, and how long those supplies will last at the locally apportioned rate of supply.

Landscape character: A combination of factors such as topography, vegetation pattern, land use and cultural associations that combine to create a distinct, recognisable character.

Land-won aggregates / minerals: Mineral/aggregate excavated from the land.

Listed Buildings and Sites: Buildings and sites protected under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Local Aggregate Assessment (LAA): The National Planning Policy Framework requires all Mineral Planning Authorities to prepare an annual LAA. LAAs are to be based on a rolling

average of 10 years sales data and other relevant **local** information, and an **assessment** of all supply options. The LAA establishes the provision to be made for aggregate supply in Mineral Local Plans.

Local Wildlife Site (LWS): LWSs are wildlife-rich sites selected for their local nature conservation value. They vary in shape and size and can contain important, distinctive and threatened habitats and species.

Material considerations: A matter that should be taken into account in deciding a planning application or on an appeal against a planning decision. Material considerations can include (but are not limited to); overlooking/loss of privacy, loss of light or overshadowing, parking, highway safety, etc. Issues such as loss of view, or negative effect on the value of properties are not material considerations.

Million tonnes (mt): Acronym.

Million tonnes per annum (mtpa): Acronym.

Mineral: Limited and finite natural resources which can only be extracted where they are found geologically.

Mineral resources: Mineral aggregates and hydrocarbons, which naturally occur in geological deposits in the earth.

Mineral Planning Authority: The local planning authorities responsible for minerals planning. In the Plan area, The Royal Borough of Windsor and Maidenhead, Bracknell Forest Council, Reading Borough Council, and Wokingham Borough Council are minerals planning authorities.

Mitigation measures: Measures that reduce or minimise impacts.

Monitoring: Minerals and waste developments are monitored to ensure that they comply with the policies of the Plan and planning conditions attached to their permissions. The Plan will also be subject to monitoring.

Monitoring Indicator: This is the aspect of the development that will be monitored in order to detect any deviation from what is either expected of the development or acceptable.

Monitoring Trigger: The threshold that, once passed, signifies there is an issue with the relevant policy in its current form and may require review.

National Planning Policy Framework (NPPF): Published in March 2012 and subsequently updated in 2018 and 2019, the NPPF sets out the Government's planning policies for England and how these are expected to be applied.

Planning application: Operators proposing a new minerals or waste development need to apply for permission from the relevant planning authority in order to be allowed carry out their operations.

Planning permission: Once planning applications have been reviewed by the relevant planning authority, permission may be granted (i.e. consent for the proposed development is given). Permissions may have certain conditions or legal agreements attached which allow development as long as the operator adheres to these.

Policies Map: A map on an Ordnance Survey base showing spatial application of appropriate policies from the Development Plan.

Quarry: These are open voids in the ground from which minerals resources are extracted.

Ramsar Sites (Wetlands of International Importance): Sites of international importance for waterfowl protected under the Ramsar Convention of the Conservation of Wetlands of International Importance, ratified by the UK Government in 1976.

Restoration: The process of returning a site to its former use or restoring it to a condition that will support an agreed after-use, such as agriculture or forestry.

Rights of Way (RoW): Paths which the public have a legally protected right to use.

Routeing agreement: An agreement to require that vehicles be routed so as to avoid certain roads, possibly at all times or possibly at certain times of day e.g. to avoid conflict with peak hour traffic and/or arrivals and departures at school opening and closing times.

Safeguarding: The method of protecting needed facilities or mineral resources and of preventing inappropriate development from affecting it. Usually, where sites are threatened, the course of action would be to object to the proposal or negotiate an acceptable resolution.

Sand and gravel sales: Sales of sand and gravel from sites (for the purposes of monitoring these are sales from sites within the Plan area).

Scheduled Ancient Monument: Nationally important archaeological sites included in the Schedule of Ancient Monuments maintained by the Secretary of State under the Ancient Monuments and Archaeological Areas Act 1979.

Sensitive Human Receptors: Locations where people live, sleep, work or visit that may be sensitive to the impact of minerals and waste activity on health, well-being and quality of life. Examples include houses, hospitals and schools.

Sharp sand and gravel: A coarse sand and gravel suitable for use in making concrete.

Site allocations: Specific sites identified for minerals and waste activities in the Plan where there are viable opportunities, have the support of landowners and are likely to be acceptable in planning terms.

Site of Special Scientific Interest (SSSI): A national designation for an area of special interest because of its flora, fauna, or geological or physiographical features, selected by Natural England and notified under Section 28 of the Wildlife and Countryside Act 1981.

Soft sand: Fine sand suitable for use in such products as mortar, asphalt and plaster.

Source Protection Zone (SPZ): Geographical areas defined by the Environment Agency and used to protect sources of groundwater abstraction.

Special Area of Conservation (SAC): Areas which have been given special protection under the European Union's Habitats Directive. They provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.

Special Protection Area (SPA): An area of importance for the habitats of certain rare or vulnerable categories of birds or for regularly occurring migratory bird species, required to be designated for protection by member states under the European Community Directive on the Conservation of Wild Birds.

Statutory consultee: These are organisations and public bodies who are required to be consulted concerning specific issues relating to planning applications and help inform any decision made by the planning authority.

Sterilisation: When a change of use, or the development, of land prevents possible mineral exploitation in the foreseeable future.

Strategic Environmental Assessment (SEA): A system of incorporating environmental considerations into policies, plans, programmes and part of European Union Policy. It is intended to highlight environmental issues during decision-making about strategic documents such as plans, programmes and strategies. The SEA identifies the significant environmental effects that are likely to result from implementing the plan or alternative approaches to the plan.

Strategic Flood Risk Assessment (SFRA): An assessment of the potential flood risk such as from groundwater and fluvial floods.

Strategic Road Network: The SRN is made up of motorways and trunk roads, the most significant 'A' roads. The SRN is managed by Highways England. All other roads in England are managed by local and regional authorities.

Sustainability Appraisal (SA): In United Kingdom planning law, an appraisal of the economic, environmental, and social effects of a plan from the outset of the preparation process, to allow decisions that are compatible with sustainable development.

Tonnes per annum (tpa): Acronym.

Townscape: The appearance of a town or city; an urban scene.

Urban areas: An area characterised by higher population density and vast human features in comparison to areas surrounding it. Urban areas may be cities, towns or conurbations.

Visual impact: The perceived negative effect that the appearance of minerals and waste developments can have on nearby communities.

A summary of this document can be made available in large print, in Braille or audio cassette. Copies in other languages may also be obtained. Please contact Hampshire Services by email berks.consult@hants.gov.uk or by calling 01962 846732.

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Equality Impact Assessment (EqIA) form: Initial impact assessment

If an officer is undertaking a project, policy change or service change, then an initial impact assessment must be completed and attached alongside the Project initiation document.

EqIA Titular information:

| | |
|---|--|
| Date: | 13 January 2020 |
| Service: | Strategy and Commissioning (Place) |
| Project, policy or service EQIA relates to: | Central and Eastern Berkshire Joint Minerals and Waste Plan: Sand and Gravel Provision and Operator Performance Regulation 18 Consultation |
| Completed by: | Ian Church – Senior Specialist (Growth and Delivery) |
| Has the EQIA been discussed at services team meeting: | Yes |
| Signed off by: | Nigel Bailey |
| Sign off date: | 20 January 2020 |

1. Policy, Project or service information:

This section should be used to identify the main purpose of the project, policy or service change, the method of delivery, including who key stakeholders are, main beneficiaries and any associated aims.

What is the purpose of the project, policy change or service change , its expected outcomes and how does it relate to your services corporate plan:

The purpose of the consultation is to seek views on the specific sites and policy approaches relating to the Central and Eastern Berkshire Joint Minerals and Waste Plan. The Joint Plan is being prepared in partnership between Bracknell Forest Council, Reading Borough Council, the Royal Borough of Windsor and Maidenhead and Wokingham Borough Council.

The Joint Plan will become part of the development plan which guides how planning applications for minerals and waste related development will be assessed across the councils. Once adopted the Joint Plan will replace the existing planning policies contained in the Replacement Minerals Local Plan for Berkshire (adopted in 1995 but subject to Alterations in 1997 and 2001) and the Waste Local Plan for Berkshire (1998).

The consultation document comprises three main aspects:

- Two new sites promoted as part of a 'call for sites' exercise:
 1. Land west of Basingstoke Road, Spencers Wood is located within the Wokingham Borough and has the potential to provide sand and gravel.
 2. Area between Horton Brook and Poyle Quarry is located within the Royal Borough of Windsor & Maidenhead and has the potential to provide 250,000 tonnes of sand and gravel.
- The proposed criteria for defining an 'Area of Search' that uses geological data to identify areas where sand and gravel deposits may be present. This seeks to demonstrate the potential for further provision within the Joint Plan area.
- A proposed policy which seeks to ensure the past performance of minerals and waste operators forms part of the material considerations taken into account in decision making.

Public consultation on the above issues is anticipated to commence on Monday 10th February, and end on Friday 20th March 2020. The report to Executive seeks the agreement of this focused consultation, agreement to the consultation framework, and agreement to delegate minor changes to the consultation document.

Public consultation is a legal requirement under Regulation 18 of the Town and Country (Local Planning) (England) Regulations 2012. The consultation will be undertaken in line with the principles set out in the council's Statement of Community Involvement (SCI) and all relevant legislation and regulations governing that process.

Public consultation will include engagement with stakeholders, local communities, town and parish councils. This will include a social media campaign, press and news releases and website updates. A public drop in event is also being planned to allow interested parties to learn more about the consultation.

Outline how you are delivering your project, policy change or service change. What governance arrangements are in place, which internal stakeholders (Service managers, Assistant Directors, Members ect) have/will be consulted and informed about the project or changes:

The consultation will be undertaken in accordance with the council's adopted Statement of Community Involvement for planning policy consultations. The consultation will involve seeking feedback from a range of interested organisations and other parties (including general and specific consultation bodies specified in the Regulations) as well as councillors and officers.

Members (including the Leader of the Council, Executive Member for Planning and Enforcement, and Executive Member for Environment and Leisure) have been engaged during the preparation of the draft plan through briefing sessions, and attendance at the Joint Sounding Board, constituting Members and officers from each of the central and eastern Berkshire authorities. Other internal stakeholders have been engaged on a general or specific basis throughout the preparation of this consultation including Corporate Leadership Team and lead specialists from across the Council.

Outline who are the main beneficiaries of the Project, policy change or service change?

This consultation documentation has been produced by Hampshire County Council and the central and eastern Berkshire authorities, with the input of internal officers, communities and stakeholders through previous stages of consultation (Issues and Options, Draft Plan). In the longer term and once adopted, all residents of the borough (and central and eastern Berkshire) will benefit from having a new Minerals and Waste Plan, ensuring that planning policy remains effective in managing decisions by the council. This provides greater certainty on the future delivery of minerals and waste development across the borough.

Outline any associated aims attached to the project, policy change or service change:

Public consultation will generate comments from individuals and organisations (including statutory bodies). These will be used to confirm, refine or amend the proposed approach. Following the consultation, a report will be prepared that sets out the consultation responses.

This consultation will inform the next stage of the plan making process, which will be published and subject to consultation - the pre-submission plan (Regulation 19). This version will then be submitted to government for independent examination.

2. Protected characteristics:

There are 9 protected characteristics as defined by the legislation:

- Race
- Gender
- Disability
- Gender re-assignment
- Age
- Religious belief
- Sexual orientation
- Pregnancy/Maternity
- Marriage and civil partnership:

To find out more about the protected groups, please consult the EQIA guidance.

3. Initial Impact review:

In the table below, please indicate whether your project, Policy change or service change will have a positive or negative impact on one of the protected characteristics. To assess the level of impact, please assign each group a Positive, No, Low or High impact score:

For information on how to define No, low or high impact, please consult the EQIA guidance document.

If your project is to have a positive impact on one of the protected groups, please outline this in the table below.

For details on what constitutes a positive impact, please consult the EQIA guidance.

| Protected characteristics | Impact score | Please detail what impact will be felt by the protected group: |
|----------------------------------|---------------------|---|
| Race: | No | Neutral impact – it is not envisaged that this focussed consultation will have any impact on this group at this point in time. The group would not be prohibited from reviewing and commenting on the consultation documentation. |
| Gender: | No | Neutral impact – it is not envisaged that this focussed consultation will have any impact on this group at this point in time. The group would not be prohibited from reviewing and commenting on the consultation documentation. |
| Disabilities: | No | Neutral impact – it is not envisaged that this focussed consultation will have any impact on this group at this point in time. The group would not be prohibited from reviewing and commenting on the consultation documentation. |

| Protected characteristics | Impact score | Please detail what impact will be felt by the protected group: |
|---------------------------------|--------------|--|
| Age: | No | Neutral impact – it is not envisaged that this focussed consultation will have any impact on this group at this point in time. The group would not be prohibited from reviewing and commenting on the consultation documentation |
| Sexual orientation: | None | Neutral impact – it is not envisaged that the Draft Plan would have any impact upon this group at this point in time. The group would not be prohibited from reviewing and commenting on the Draft Plan. |
| Religion/belief: | No | Neutral impact – it is not envisaged that this focussed consultation will have any impact on this group at this point in time. The group would not be prohibited from reviewing and commenting on the consultation documentation |
| Gender re-assignment: | No | Neutral impact – it is not envisaged that this focussed consultation will have any impact on this group at this point in time. The group would not be prohibited from reviewing and commenting on the consultation documentation |
| Pregnancy and Maternity: | No | Neutral impact – it is not envisaged that this focussed consultation will have any impact on this group at this point in time. The group would not be prohibited from reviewing and commenting on the consultation documentation |
| Marriage and civil partnership: | No | Neutral impact – it is not envisaged that the draft LPU would have any impact upon this group at this point in time. The group would not be prohibited from reviewing and commenting on the Draft Plan. |

Based on your findings from your initial impact assessment, you must complete a full impact assessment for any groups you have identified as having a low or high negative impact. If No impact, or a positive impact has been identified, you do not need to complete a full assessment. However, you must report on this initial assessment and it must receive formal approval from the Assistant Director responsible for the project, policy or service change.

Initial impact assessment approved by



Nigel Bailey: Interim Assistant Director Housing & Place Commissioning

Date: 20 January 2020

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| | |
|-----------------------------|--|
| TITLE | Options for the Management of the New Arborfield Primary School Provision |
| FOR CONSIDERATION BY | The Executive on Thursday, 30 January 2020 |
| WARD | Arborfield; Barkham; Finchampstead South; Swallowfield; |
| LEAD OFFICER | Director of Children's Services - Carol Cammiss |
| LEAD MEMBER | Executive Member for Children's Services - UllaKarin Clark |

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

The new primary school premises under construction in the Arborfield Garrison area will be ready for occupation in September 2021. The purpose of this report is to enable the council's Executive to determine the next steps towards determining how the school will be managed.

This is a Key Decision because of the importance of this decision for the education of children in and around the Arborfield Garrison area.

RECOMMENDATION

That the Executive:

- 1) endorses the preferred approach of relocating and expanding Farley Hill Primary School to a potential capacity of 630 places from September 2021 by taking on the management of the new Arborfield Primary School premises;
- 2) agrees to undertake formal consultation on the preferred approach; and
- 3) delegate the authority to make a final decision to the Director of Children's Services, in consultation with the lead member for Children's Services.

EXECUTIVE SUMMARY

Background: The adopted master plan for the Arborfield Garrison Strategic Development Location (SDL) includes two new primary schools. These schools are an essential part of the infrastructure, ensuring key local facilities are provided in a timely manner, to minimise reliance on services in other areas. Local provision of schools promotes health through walking to school, minimises traffic congestion and helps reduce the Borough's carbon footprint. This report concerns the school that will be built on a site within the northern part of the SDL and will be ready for occupation in 2021. The premises will have capacity for 420 pupils (plus a nursery), with planning permission to enable growth to 630 places.

Proposal: The council has two options for the future management of the site. Firstly, if it determines that a new school is required, this must be through the "Free School Presumption" process, which will lead to the opening of a new Free School.

Secondly, the council could agree to the expansion of an existing school into the new premises. A statutory consultation is required where a maintained school is proposed to expand significantly, or to close a site, or move more than 2 miles. Statutory guidance covers expansion onto second sites, to ensure these are not second schools in all but name. The Coombes CoE Primary Academy and Farley Hill Primary School are local schools that could take on the site. Only Farley Hill Primary School fits the Council's and the DfE's requirements, as it is a small, local school (210 places) that already serves the Arborfield Garrison area. This proposal deals with small classrooms in old buildings at Farley Hill School, reduces traffic congestion in Farley Hill Village and enables local capacity to grow flexibly, in step with the development of the new Arborfield Garrison SDL community.

While initially the school would retain (but not use) the current site, the school would in effect move to the new Arborfield school. The original site would be retained (at least initially) while demand for school places grows in the Arborfield area, as the SDL is built out, or alternatively a new wing would be built to ensure that 630 places would be available.

Why the matter is being considered: this decision significantly affects the primary school education of children across the Arborfield SDL area and in the rural south west (Swallowfield and Arborfield).

Key issues (financial and risks): the decision is cost neutral for the General Fund (but the recommended option has the potential to reduce spend from the Dedicated Schools Budget by up to £300,000 over six years, compared to the alternative option of opening a new Free School).

The key risks are that key local stakeholders and the DfE may object to the proposal.

Timescales: the formal consultation would take one month (all or largely in February 2020) and the decision would follow in March 2020.

BACKGROUND

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

To ensure our planned major developments are sustainable communities, each are master planned with new school provision. This ensures that the local community can walk to school, reducing potential car journeys and impacts on climate change, and allow people to lead healthier lifestyles.

A new school is currently being constructed in the Arborfield Garrison Strategic Development Location (SDL). Currently the area is served by two schools: Farley Hill Primary School in Farley Hill, and Coombes CoE Primary Academy at Arborfield Cross.

Farley Hill Primary School is oversubscribed, whilst Coombes CoE Primary Academy is under subscribed. Farley Hill is close to the garrison, but can only be reached by car. While there are safe walking routes to the Coombes, the distance and the nature of the route leads many families to drive. Opening a school on the Arborfield Garrison SDL will undoubtedly be popular with local families and minimise traffic congestion and carbon impacts of residents driving their children.

Construction has started on the new school, with a view to the school building being available to open in 2021.

Options considered

The council has the option of seeking a new academy to run the school, or to expand an existing maintained school onto the site.

Where a new academy is sought to run a school, the council must invite applications from interested parties. Although the council can make a recommendation on its preferred academy, the final decision lies with the Regional Schools Commissioner. The school's trust will then hold a lease for the site from the council, but operate the school under the terms of a funding agreement between the trust and the DfE.

Alternatively, the council can adopt the option of expanding an existing maintained school onto a new site. This is effectively, expanding Farley Hill or the Coombes. There are a number of specific statutory requirements that must be fulfilled, before this option can be adopted.

Statutory requirements

The School Organisation Regulations 2013 and related statutory guidance set out a formal consultation process that must be followed when one or more of the following changes are proposed:

- Expansion by more than 30 places and the lesser of 25% or 200 pupils.
- Relocation to a site more than two miles away main entrance to main entrance).
- The discontinuance of use of a site, if the sites are more than one mile apart.

The one month formal consultation (one month), requires a notice in a prescribed form in a local newspaper, a detailed on-line publication and notification letters to a variety of local stakeholders.

Second site (annexe) guidance

The statutory guidance establishes that where a proposal results in the use of a second site (as an annexe) a number of tests must be satisfied to ensure this is a genuine expansion and not the creation of a new school in all but name. These relate to the rationale, the school's admissions arrangements and curriculum, governance and management and the physical characteristics of the two sites.

Farley Hill Primary School and the statutory requirements.

The proposal is that the Farley Hill Primary School relocates to the new Arborfield premises, and increases the number of places offered in stages from 210 places to a maximum of 630 places, with a nursery. The full capacity will be provided either by expansion on the new Arborfield site, or by re-opening the current Farley Hill Village site.

In this case the school would grow by over 200 pupils, the sites would be less than two miles by straight line distance apart (but two miles by the shortest road route), and although the current site would (initially, at least) be retained for future use by the school, use would be discontinued at the point of transfer. By whatever measure (straight line or road distance) the two sites are more than one mile apart.

The current Farley Hill proposal is understood to be compliant with the "second site" tests (albeit the use of two sites is a future possibility, and only as one of two options). Farley Hill already serves the Arborfield community, and the new site is within the school's designated area. The school would have one head teacher, one governing body, one staff body and one set of admissions arrangements. Although, children could not walk between both sites, the new school offers facilities (such as the new all-weather pitch) that would lead to current-site children using the new facilities when appropriate.

While some of these changes are may not formally require a statutory notice (how the distance between two sites is measured is unspecified in both the regulations and the guidance, for example) the expansion of the school clearly is a prescribed alteration and so the formal consultation requirements are triggered.

Outcomes

The expected outcomes are:

- That sufficient primary school places are available to meet current and future needs.
- That local schools are protected against a surplus of local places.
- That the council's S106 resources are protected.
- That Arborfield Garrison SDL residents benefit from primary phase education within walking distance of their homes.
- That the use of a trusted local partner results in a strong school, with a record of good or outstanding education.
- That Farley Hill Primary School can take advantage of 21st century standard school premises to raise standards further and promote greater inclusivity.

Option evaluation

Engagement with key stakeholders on options to manage the new Arborfield Primary School was undertaken between 16th December 2019 and 15th January 2020. Analysis of the responses are provided in Enclosure A of this report. The responses received have assisted in refining the evaluation.

| | |
|--|--|
| Option: New Free School | |
| <p>Benefits:</p> <p>Could bring in a new to the borough (or existing) high standards Trust to run the school.</p> <p>All additional places would be available to meet needs generated by the new community.</p> <p>Would be compliant with education law and DfE expectations</p> | <p>Disbenefits:</p> <p>Could bring in a Trust that chooses to work against the interests of education across the wider area.</p> <p>Could lead to an oversupply of places (which would be detrimental to other local schools).</p> <p>There is no guarantee that there will be a number of high quality proposals for the council to evaluate.</p> <p>An unknown future opening date might not be attractive to all Trusts.</p> <p>Having a new building on site would inevitably generate a pressure to open it, even if the numbers of children requiring a local school places does not justify it, possibly to the detriment of education across the area.</p> <p>Does not offer an opportunity to address issues related to the current schools.</p> |
| Option evaluation | |
| <p>This would create a risk of an oversupply of places, which in turn could be to the detriment of education provision locally.</p> <p>It would though be compliant with law and national policy.</p> | |
| Option: Farley Hill Relocation | |
| <p>Benefits:</p> <p>A known, popular, Ofsted Good school. Confidence that a high quality provider would run the school.</p> <p>Flexibility concerning the timing of the additional places (the number of offered places would depend on the level of demand locally – so the school would only open a second form of entry if this would not lead to unsupportable levels of</p> | <p>Disbenefits:</p> <p>This proposal could not be agreed if Farley Hill had a poor Ofsted inspection result in future.</p> <p>Re-opening the Farley Hill site at a later date would be unpopular with parents.</p> <p>Only one additional form of entry (30 places per year) would be available at short notice. Further expansion could be</p> |

| | |
|--|--|
| <p>over supply of places at the Coombes school).</p> <p>Addresses known problems with the current Farley Hill Primary School premises (undersized classrooms).</p> <p>Addresses home to school traffic congestion issues in Farley Hill.</p> <p>Increases the number of children who could walk to school compared to the existing situation.</p> <p>Gives most current Farley Hill Primary families the option of attending a school within walking distance of home.</p> | <p>achieved by the reopening of the current Farley Hill site (which might not be popular, but could be done at short notice) or building a new third form of entry extension to the new Arborfield premises.</p> |
| <p>Option evaluation</p> <p>This proposal has a number of significant advantages over an entirely new school: It solves the problem associated with early provision of new capacity. It solves the problem of poor accommodation at Farley Hill Primary School. It solves school run traffic congestion in Farley Hill. It is compliant with school organisation law.</p> | |
| <p>Option: Coombes School Expansion</p> | |
| <p>Benefits:</p> <p>Would increase the number of schools that could be considered to run the new site.</p> <p>Has the potential to improve the range and quality of facilities available to another school (the Coombes).</p> | <p>Disbenefits:</p> <p>Relocation is only practical if the school in question already serves the same community, and would be small enough to fit into the buildings, leaving places available for growth. The Coombes, the other local primary school, has equivalent local links to Farley Hill Primary School. However, that school has too many children on roll to relocate to the site, but has too few Reception Year children to occupy two sites. This would therefore carry the risk that the new building would be ready for use in 2021, but could not open due to insufficient demand.</p> <p>The Coombes would need to use its existing buildings (which were remodelled and expanded in the last decade), so this would not lead to a significant improvement in the accommodation of that school.</p> <p>This option carries no obvious “green” dividend or reduction in traffic congestion</p> |

| | |
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| | <p>because it does not potentially reduce the number of car trips, particularly to Farley Hill Village.</p> <p>There are no obvious benefits compared to the option of establishing a new Free School.</p> |
| <p>Option evaluation</p> <p>Only the Coombes has sufficient local connection for this option to be valid.</p> <p>Compared to the Farley Hill Primary School option, this option offers no advantages to other schools or communities.</p> <p>This is not a viable option, taking account of local preferences, and the Coombes roll number and current capacity</p> | |

Of these three options, the expansion of Farley Hill Primary School is recommended for adoption, because it:

- Ensures that the new premises are in use from 2021, supporting the new Arborfield community.
- Ensures the two additional forms of entry are available to meet the needs of the Arborfield community as it grows.
- Ensures the number of additional places can be adjusted to match the needs of the growing community.
- Ensures that a popular, Ofsted “Good” school can expand in line with parental preferences.
- Addresses deficiencies with the current school accommodation.
- Eliminates a cause of traffic congestion in the nearby village of Farley Hill.

Risks

There are a number of identified risks associated with the preferred option, including:

- The DfE could challenge the proposal, because it does not lead to the opening of a new school.
- Local stakeholders could challenge the proposals, because they are concerned that it does not provide the best long-term outcome (for example, by becoming part of a local Academy Trust).
- Parents may object to Farley Hill Primary School moving or expanding, because it would fundamentally change the character of the school.
- Developers could challenge the use of S106 monies, because they are being used to benefit an existing school, not open a new school,

While these risks are not negligible, they are low, the facts that:

- there are many examples of new schools built as annexes,
- there are strong local connections between the new and existing school sites,
- Farley Hill Primary School is a popular school,
- that all current families need to drive to get their children to school, and
- the fact that in time the full 420 additional places will be available to serve the new community,

all point to the council being able to successfully counter challenges that arise.

Next steps

The statutory consultation requires the council to:

- Publish full proposals (with a statement, setting out the need for the proposal, the effect on other local schools, how the proposal would increase educational standards and parental choice, costs, the implementation plan, and how responses should be made) on the Council's website.
- Publish a brief notice in a local newspaper.
- Send the proposal to the School's Governing Body, local Diocesan authorities, other individuals who might have an interest (such as parents – notified through the school, other schools, neighbouring local authorities).

The representation period is four weeks.

Timescale

- Publication of proposals: February 2020
- Responses required by: March 2020
- Formal decision: March 2020
- School takes possession of the site: Summer 2021.
- School term starts in new premises: September 2021.

Appendices

Appendix A: Engagement responses

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 / 2019/20) | Nil (Revenue) | Yes | Revenue |
| | £3.3M | Yes | Capital |
| Next Financial Year (Year 2 / 2020/21) | Up to £30K (for direct school costs) | Yes (subject to Schools Forum agreement to Growth Fund budget 2020/21) | Revenue (Dedicated Schools Grant) |
| | £4.9M | Yes | Capital |
| Following Financial Year (Year 3 / 2021/22) | Up to £90K (for direct school costs) | Yes (subject to Schools Forum agreement to Growth Fund budget 2021/22) | Revenue (Dedicated Schools Grant) |

| | | | |
|--|-----------------------------------|---------|--|
| | £75K mothballing / security costs | No £75K | Revenue (but see note below) |
| | £75K move costs | No £75K | Revenue (capital, if permitted) (but see note below) |

Other Financial Information

School funding will be from the Dedicated Schools Grant (DSG), not the General Fund. Some initial set up support may be required. However, because this would involve an established school, which would not require diseconomy funding, the potential saving to the DSG, over a six year period, is £300,000.

The capital project (building the new school) is a current Wokingham commitment. This information is provided for information only, as this report is solely concerned with the management arrangements for an agreed scheme.

The current spend profile for the project (reflecting the new works programme, following on from the original contractor entering administration in 2019) is:

Works

2019/20 £3.3 M

2020/21 £4.9 M

Total £8.2 M

FF&E

All years £475K

Note that both figures reflect the current expectations from a project in active development. FF&E spend will be reduced by use of current school furniture, where this is serviceable.

Two additional costs may be incurred:

Relocation costs (packing, moving and unpacking existing school furniture and equipment). **£75K**

Security and mothballing costs for the current Farley Hill School **£75K**

Note mothballing and security costs will be eliminated if a temporary use for the premises is agreed before vacation of the site.

These are both initial budget estimates and will be subject to further adjustment. It may be permissible to charge the relocation costs to the £475K FF&E budget, as they are ancillary to the delivery of a capital project.

Stakeholder Considerations and Consultation

Engagement with key stakeholders was undertaken on possible options for managing the new Arborfield Primary School. The results of this engagement is are set out in the main report.

The proposed consultation on the preferred option will facilitate further engagement, with comments received helping to confirm or amend the subsequent decision.

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| Public Sector Equality Duty |
| .An equalities assessment has been completed. |

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| List of Background Papers |
| None |

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| Contact Piers Brunning | Service Learning Achievement and Partnerships |
| Telephone Tel: 0118 974 6084 | Email piers.brunning@wokingham.gov.uk |

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|-----------------------------|---|
| TITLE | South Wokingham Community Facility Operator |
| FOR CONSIDERATION BY | The Executive on Thursday, 30 January 2020 |
| WARD | Wokingham Without; |
| LEAD OFFICER | Director of Locality and Customer Services - Sarah Hollamby |
| LEAD MEMBER | Executive Member for Planning and Enforcement - Wayne Smith |

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

To confirm Wokingham Without Parish Council as the preferred operator for the new community facility being provided as part of the necessary infrastructure for the South Wokingham Strategic Development Location. Confirmation at this stage enables the Parish Council to play an integral role in the design and delivery of the new community facility.

RECOMMENDATION

That the Executive:

- 1) approves Wokingham Without Parish Council as the preferred operator for the new community facility within the South Wokingham Strategic Development Location, subject to agreement of the terms of lease;
- 2) receives a report at a later date recommending the specific terms of formal agreement with Wokingham Without Parish Council to operate the community facility within the South Wokingham Strategic Development Location.

EXECUTIVE SUMMARY

As part of the necessary infrastructure for the South Wokingham Strategic Development Location a new community facility of approximately 700sqm is required.

The Shaping Our New Communities (SONC) document was agreed by the Council in 2015 and sets out the Council's approach to the delivery of new community facilities in the borough. This established a preference for new community facilities being operated by local community organisations. This approach has been publicised widely to the town and parish councils, the voluntary sector and local faith organisations.

In July 2019, Wokingham Without Parish Council (WWPC) contacted the Council for formally express their wish to be considered as the preferred partner to design and manage the new community building. Since this time there have been discussions with WWPC on the process for delivering the new community facility and how it would be expected to operate once it is completed.

WWPC has a strong track record of successfully operating local facilities through their management of the Pinewood Centre and the St Sebastian's Memorial Hall.

BACKGROUND

Infrastructure Requirement for Community Facilities

The Council's Shaping Our New Communities (SONC) strategy established a standard of 0.117m²/capita (excluding library space) for the provision of community facilities as part of the necessary infrastructure requirement for new developments within the borough. For the South Wokingham SDL this means the provision of a facility with an overall size of 702m² based on the assumption of a total of 2500 dwellings and an average of 2.4 people per dwelling.

The SONC also outlines how these facilities need to be flexible in terms of the activities available within them so that they are able to adapt over time to meet the needs of the local community.

Selecting an Operator for a New Community Facility

The Council established its preferred option of community facilities within new developments being operated by local community organisations within the SONC strategy.

For the South Wokingham SDL, this preferred approach has been actively promoted to local town and parish councils, voluntary organisations and faith groups, as well as being publicised through the South Wokingham Forum and in local media.

The SONC also includes objectives of delivering capacity building work with local community organisations to increase their confidence and abilities in operating community facilities.

The Executive is responsible for agreeing an operator for new community facilities within the SDL's. It is expected that in making this decision the Executive would be informed of benefits of choosing one organisation over another, alongside sufficient assurances about the sustainability of the recommended operator.

The following are the information and assurances the Council would consider before taking a decision on a preferred operator for a new community facility:

- A clear overarching aim for the new centre
- An understanding of how this centre will meet the needs of the new community
- Evidence of engagement with local residents and other stakeholders
- A sound business plan and operating model
- Agreement with the Council's lease requirements

These requirements have formed the backbone of the discussions with Wokingham Without Parish Council in determining their suitability as an operator for the new community facility in South Wokingham.

BUSINESS CASE

Wokingham Without Parish Council exists to serve the community of Wokingham Without which has approximately 3,000 households. Wokingham Without is situated between the towns of Wokingham, Crowthorne and Finchampstead.

For a number of years the Parish Council has been responsible for the successful management the Pinewood Centre, situated along Old Wokingham Road. It is home to a variety of Clubs & Societies and also boasts a large adventure playground, pond, woodland walks and fitness trail.

The Pinewood Centre is owned by Wokingham Borough Council and let to Wokingham Without Parish Council. The parish council in turn sub-lets the buildings and areas of land to a wide range of community clubs and societies.

The Parish Council receives no financial support from the Borough Council (other than in the form of a low rent) and is fully responsible for maintaining and administering the site. The site is funded by the leasehold rental income and service charges generated by the sub leases, hourly rental fees from Pinewood Hall. The public elements of the site are supported by the parish precept.

Specific Elements for Clarification

When contacting the Council to express their interest in being considered as the operator for the South Wokingham Community Facility, WWPC identified a number of specific issues that they would like to explore and gain clarification on before any formal lease arrangements were confirmed. These points are summarised below:

The Community Building:

- Confirmation of the building size and footprint
- That the council would wish to ensure that the building has design merit
- That sufficient consideration is given to the parking requirement generated by the hub and other neighbouring facilities such as the school and retail units
- That further information is provided about what services the building needs to accommodate (e.g. for a Children's Centre facility)
- The proposed proximity of the community building to the green space, the school and retail units
- Further details of plans for the development of the sports hub at Grays Farm, to ensure that the two facilities complement each other.
- Options for a phased build and/or future expansion

Financial Information:

- The CIL funds available from WBC for construction and fit out of the facility
- A forecast of the future CIL funding that the parish council can expect to receive from the delivery of the SW SDL homes
- The rates payable on the building
- Any rental payable on the building to Wokingham Borough Council
- How the initial running costs might be met (particularly if delivery of the building comes early in the overall development timescale)
- Options for a principal tenant that could help support a significant proportion of the building running costs

Other Information:

- The intended timescale for completion and opening of the building and where this sits in the proposed residential occupation timescale
- What other facilities are being delivered across the site that the parish council would wish to see as part and parcel of the parishes area of responsibility on behalf of the community and which council may wish to consider co-funding.

- WWPC would seek to work with Wokingham Town Council to ensure compatibility with their facilities and needs.

These points of discussion are a positive demonstration of both the experience of WWPC in operating community facilities and their ambition to provide high quality facilities for local residents.

Potential Lease Terms

The expectation of WWPC is that any lease term would have to be looked at in light of the plans for the operation of the facilities and long term business plan. WWPC sees this as a long-term project.

WWPC may be interested in exploring opportunities for providing their own additional investment into the community facility based on the CIL income it receives.

Suitability of WWPC as an Operator for the South Wokingham Community Facility

It is clear that WWPC meets the assurances that the Council would require at this stage in the delivery of the new community facility in South Wokingham.

WWPC is a financially stable organisation that has a track record of successfully delivering and operating a large community facility.

Appointing a preferred operator at this stage enables them to be involved in the design process for the new community facility and its associated operating model.

The specific lease arrangements and other formal agreements with WWPC for the new community centre will be brought to the Executive at a later date for approval.

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 | Capital |
| Next Financial Year (Year 2) | £0 | Yes | Capital |
| Following Financial Year (Year 3) | £0 | Yes | Capital |

Other Financial Information

The delivery of the new community facility in South Wokingham is an infrastructure requirement for the development. The community facility has the potential to be used to support other Council service delivery priorities if necessary. The specific lease arrangements and other formal agreements with WWPC for the new community centre will be brought to the Executive at a later date for approval.

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| Stakeholder Considerations and Consultation |
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| WWPC will conduct ongoing engagement activities with the local community and the Council will continue to engage with the local community through the established SDL Forums and associated communications. |
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| Public Sector Equality Duty |
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| An equality impact assessment will be completed on the specific proposal for the new community facility once it is developed. |
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| List of Background Papers |
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| Shaping Our New Communities Document (2015) |
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| Contact Mark Redfearn | Service Customer and Localities |
| Telephone Tel: 0118 974 6012 | Email mark.redfearn@wokingham.gov.uk |

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|-----------------------------|---|
| TITLE | Acquisition of a Property within the Borough |
| FOR CONSIDERATION BY | The Executive on Thursday, 30 January 2020 |
| WARD | None specific |
| LEAD OFFICER | Deputy Chief Executive - Graham Ebers |
| LEAD MEMBER | Deputy Leader of the Council - John Kaiser |

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

Through the Investment Strategy process, this property has been identified though terms do not align with the strict criteria for Investments. As this is a key property holding, it is proposed to 'top-up' the acquisition budget from outside of the Investment Strategy budget

RECOMMENDATION

That the Executive:

- 1) agree to acquire the target property in line with the details contained within part 2 of the report;
- 2) agree to fund the additional costs, as detailed in part 2, from other sources and not from the Investment Portfolio;
- 3) confirm that all income from this property is reported through the Investment Portfolio.

EXECUTIVE SUMMARY

The target property has been identified through the Investment Strategy process, by way of key contacts who are aware of WBC's ambitions.

Following discussion with the seller's advisers, it is clear that we will be unable to acquire at a cost that aligns with the strict criteria for Investment acquisitions. However, it is deemed that the location and size of the property potentially holds wider benefits to WBC than pure investment purposes.

It is therefore proposed that the additional cost to acquire this property is funded from other sources

Because this will be a negotiated commercial transaction ahead of the property coming to market, the details are included within the part 2 section of this report

BACKGROUND

The target property has been identified through the Investment Strategy process, by way of key contacts who are aware of WBC's ambitions. As such, this property is not yet being marketed for sale which reinforces the need to maintain confidentiality.

Following discussion with the seller's advisers, it is clear that we will be unable to acquire at a cost that aligns with the strict criteria within the Investment Strategy. However, it is deemed that the location and size of the property potentially holds wider benefits to WBC than pure investment purposes.

It is therefore proposed that the additional cost to acquire this property is funded from other sources in order to achieve the wider benefits.

The element of cost attributed to the Investment Portfolio together with all of the income from the property will be accounted for within the Investment Portfolio process

Because this will be a negotiated commercial transaction ahead of the property coming to market, the details are included within the part 2 section of this report

BUSINESS CASE

See Part 2 Report

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) | See part 2 | No | Capital |
| Next Financial Year (Year 2) | Nil | Yes | |
| Following Financial Year (Year 3) | Nil | Yes | |

Other Financial Information

State clearly and concisely any other financial implications which are not included in the table above eg the impact on budgets if the decision is not approved. If no implications state 'none'

See part 2 report

Stakeholder Considerations and Consultation

Include information relating to any consultation that is due to be carried out including date and how the consultation will be carried out

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| Public Sector Equality Duty |
| This is an acquisition of an existing, trading property. An Initial Equality Impact Assessment has been completed |

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| Reasons for considering the report in Part 2 |
| This is a commercial, negotiated transaction on a property that has not yet come to market. Any knowledge of this potential transaction in the market could impact adversely our ability to acquire. |

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| List of Background Papers |
| None |

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| Contact Bernie Pich | Service Commercial Property |
| Telephone Tel: 0118 974 6700 | Email bernie.pich@wokingham.gov.uk |

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