

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD ON 20 FEBRUARY 2020 FROM 6.30 PM TO 7.05 PM**

Committee Members Present

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

Other Councillors Present

Rachel Bishop-Firth
Stephen Conway
Gary Cowan
Lindsay Ferris
Jim Frewin
Clive Jones
Adrian Mather
Malcolm Richards
Rachelle Shepherd-DuBey

88. APOLOGIES

An apology for absence was submitted from Councillor Charles Margetts.

89. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Executive held on 30 January 2020 were confirmed as a correct record and signed by the Leader of Council.

90. DECLARATION OF INTEREST

The following Members declared a general personal interest relating to the fact that they were all Non-Executive Directors of Council Owned Companies: Councillors UllaKarin Clark, John Halsall, John Kaiser, Stuart Munro and Wayne Smith. They took part in all discussions and voted on all the items.

91. PUBLIC QUESTION TIME

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

91.1 Simon Cooper asked the Leader of Council the following question:

Question

Three years ago a car crashed into my house, writing off my cars, causing serious damage to my property and killing a passenger in the vehicle. Thursday 30 January the same happened again, the difference this time, we'd sold our property and were due to move out at the end of February, our buyers, understandably pulled out.

Prior to both of these incidents I stood in this chamber on several occasions and asked the Councillors what they were doing about the speed issue in Grazeley, indeed, I asked the same question of the Chief Constable, Shinfield Parish Council, John Redwood and others including Charlotte Haitham Taylor. I also invested in a speed camera gun and provided the police with video evidence of, in particular, a Fiat 500 travelling at 91 MPH outside my property. I also petitioned the local village and provided this evidence to your Councillors.

I've now lost the sale of my property and both my wife and I are petrified the same might happen again. Two lives lost and six incidents in as many years outside my property. What are you going to do about this and in what timescale - a verbal 'we will look in to it' will not wash. My next stop is the press - I've nothing to lose now.

Answer

The Council and all the Members in this Chamber acknowledge the significant impact that this road traffic collision has had, both upon your household and local residents in Grazeley, as well as the families of the deceased and passenger injured and extends its sympathies to all those involved, particularly yourselves.

A Police investigation into the collision is currently being undertaken and the Council, as Highway Authority, is participating in all relevant aspects of that investigation in pursuance of its statutory duty under s39 of the Road Traffic Act 1988. The nature and focus of a fatal collision investigation vary from one case to another but, regardless of the circumstances, the overarching objective is to ensure the highest possible standard of investigation are pursued.

It is important to note that measures to deter high speeds are already in place in the village, notably the existing 40mph speed limit, part-time 20mph speed limit outside the primary school and a number of relevant traffic warnings. However, the Council is currently, in partnership with the police, collating relevant road traffic data, highway and safety information and supporting data to determine what further engineering interventions might be considered to prevent such a tragedy occurring again.

As you will appreciate, at this stage, much of the information required to inform this consideration is still being assembled and until the investigation is concluded and the outcome of any coroner's inquest is known, it is appropriate that there should be no statement from the Council about specific proposals.

A full and detailed response will be provided in due course.

Supplementary Question

I understand that the Council do not wish to comment on the current ongoing investigations following the 30th January accident. However following the fatal accident in January 2017 please could you advise what process was followed, what measures were put in place to avoid a recurrence, and what criteria were used to determine those measures?

What would it take for that apparent inaction to be changed? To be clear Wokingham Borough Council cannot now possibly justify doing nothing and risking yet another fatality or further injuries or indeed the bad press that this question will undoubtedly generate?

Supplementary Answer

While we have every sympathy for your situation I am afraid I am going to have to reply to that in writing.

91.2 Martin Doyle asked the Executive Member for Planning and Enforcement the following question:

Question

Are WBC Planning decisions fair and just or are they designed to avoid enforcement issues?

Approval of 193302 was made on the 30th January 2020 which followed an Enforcement Officer's visit on the 29th January 2020. Case in point: Application 182995 which was a retrospective application declined by WBC. Reason for dismissal: "Due to oppressive nature of building on 11 Drovers Way" Application 192408 an appeal to the above which was dismissed by the inspector and later withdrawn by the applicant. Reason for dismissal: "Due to oppressive nature of building on 11 Drovers Way" Application 193302 which was the same as 182995 and 192408 but with some flowers on the top. No change whatsoever to the oppressive nature of the building just with flowers on the top and approved by WBC Planning Committee the day following the Enforcement Officer's visit.

Answer

These applications relate to the outbuilding, as you said, in the rear of 37 Crockhamwell Road, Woodley. The building was originally erected without planning permission but following investigation from the Enforcement Team, the owner exercised his right to submit a planning application (reference no. 182995) which was refused and dismissed at appeal. However, when this was dismissed the Inspector commented that the outbuilding was not significantly different from that which could be erected under permitted development rights as you refer to (i.e. without planning permission from the Council) and stated that the scheme could be amended by additional screening and planting on the roof to soften the impact of the building on the neighbour. That report is available and everybody can read it and that was the Inspector's report. A further application (reference no. 192408) was with a hedge between the side elevation of the building and a boundary fence but this was not suggested by the Inspector as the gap was too narrow it was considered that planting would not survive so the application was withdrawn, as you refer to.

A subsequent application for the building was submitted (reference no. 193302) and included a planting box along the edge of the roof with trailing rosemary to mitigate the impact on the neighbour. The Enforcement Officer and the Planning Officer visited the neighbour's address in January 2020, so last month, to fully assess the impact on the neighbour and the application was subsequently approved as the proposal reflected what was suggested by the independent appeal Inspector. The Officer's report is also available on the web for everybody to read; our Officer's report. The objections and the Inspector's comments and all other material considerations were taken into account.

Supplementary Question

I find it hard to understand how putting some plants on top of what is already a towering eyesore for this woman improves the situation to the extent that it overrides the previous two dismissals by the Planning Committee.

In all honesty do you really think putting some flowers along the top of what is already a towering thing in front of this woman's house is going to improve it to the extent that you can now approve the planning?

This man's building is higher than permitted development permits and it depends where you measure it from. From the point of view of this lady at 11 Drovers Way it is far higher

than permitted development. He has built a warehouse at the bottom of her garden and you say that is fine.

Supplementary Answer

The point you made earlier about Officers I think we have got a great team of Officers but the bit we cannot control is the Inspector and the independent Inspectors have said that that scheme could have gone under permitted development with some softening and mitigation. Our team have assessed that and they have viewed it that way and approved it.

I will speak to the Enforcement Team. They did visit it was not just the Planning Officer. It was the Enforcement Team as well.

92. MEMBER QUESTION TIME

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

92.1 Gary Cowan asked the Executive Member for Environment and Leisure the following question:

Question

I recognise the pressure the Borough has been under as a result of the two recent storms Ciara and Dennis. The recent fourth localised incident of flooding in Arborfield at the junction of Greensward Lane with the Reading Road caused serious flooding which I am now pleased to say has abated. Can a plan be put in place ASAP to investigate the causes of this problem?

As an aside on behalf of the affected residents of Greensward Lane and the Reading Road I would like to thank the Council Leader for his visit to their houses last Sunday and his assurances that action was then underway to deal with that emergency.

Answer

The answer to your question is yes and I will just give you a bit of an explanation to that. The northern section of Greensward Lane, near to the junction with the A327, is shown on the Environment Agency Surface Water Flood Risk Map as being highly susceptible to surface water flooding, due to the surrounding topography. This means that during heavy rainfall, surface water runoff from surrounding areas runs off to this location and in previous years has caused flooding to the road. Over the most recent winter period, the Council is aware that the northern section of the road has flooded on four separate occasions following heavy rain. Each time the Council's contractors, VolkerHighways and Balfour Beatty, responded by closing the road, delivering sandbags, and pumping the water away. In addition, over the past month Balfour Beatty and VolkerHighways have carried out works to investigate the condition of the existing drainage system to ensure that the pipes were not blocked. The pipes were emptied of silt and a CCTV survey was conducted which has shown that the pipe system is in good condition. Furthermore, given how quickly the water levels last Sunday receded, this suggests that the system downstream is clear. In line with the Council's Section 19 Flood Investigation Policy, Officers will be instructing a consultant to carry out a Formal Section 19 Flood Investigation, which will involve an independent consultant carrying out an investigation into the causes of flooding and they will then make recommendations for reducing the risk of flooding in the future.

Supplementary Question

As a result of the pressure on the Council as a result of storms Clara and Dennis the emergency number unfortunately resulted in lengthy delays from the out of hours service. Can the Leader of the Council advise me as to what actions are planned to improve the emergency contact number especially out of hours?

Supplementary Answer provided by the Executive Member for Environment and Leisure

If you remember having seen your e-mail on Sunday morning I did respond and rang the emergency number and for me I got through fairly quickly. I note the delays that were incurred and an investigation has begun and Officers will report on the investigation and we will make sure that efficiencies are put in place to improve the communication.

93. HOUSING REVENUE ACCOUNT BUDGET 2020/21

The Executive considered a report setting out the proposed Housing Revenue Account budget for 2020/21.

The Executive Member for Finance and Housing introduced the report and highlighted the fact that the Housing Revenue Account was a ringfenced fund through which Council owned social housing was maintained. Councillor Kaiser reminded the meeting that the Council had bought these homes back from the Government some years ago because they were retaining 50% of the rents; which meant that the homes could not be maintained at a decent standard. The opportunity was therefore taken to buy the 2,400 homes at around £92m.

Councillor Kaiser explained that over the last four years Council house rents in the Borough had fallen by about 15%, which was as a result of the Government introducing a compulsory 1% reduction per annum for the last four years. Normally rents would have increased in line with CPI which would have meant that they would have gone up, depending on inflation, by around 2.7% per annum. This compulsory reduction no longer existed therefore it was proposed to increase rents by 2.7% from April 2020.

The reason for the proposed increase was to ensure that the Council had enough money to serve the debt for the purchase of the homes from the Government and keep them at a decent standard. The feasibility of raising more money to purchase more social homes was currently being considered.

It was noted that sheltered room guest charges would remain at £9.50 per room.

RESOLVED that Council be recommended to approve the following:

- 1) The Housing Revenue Account budget;
- 2) Council house dwelling rents be increased by 2.70% effective from April 2020 in line with the Welfare Reform and Work Act 2015;
- 3) Garage rents be increased by 2.38% effective from April 2020 in line with Council fees and charge;
- 4) Shared Equity Rents will be increased by 2.43% based on September RPI, effective from April 2020;

- 5) Tenant Service Charges are set in line with estimated costs;
- 6) The Housing Major Repairs (capital) programme for 2020/21 as set out in Appendix B;
- 7) Sheltered room guest charges for 2020/21 remain at £9.50 per night per room.

94. CAPITAL PROGRAMME AND STRATEGY 2020-2023

The Executive considered a report setting out a proposed Capital Programme and Strategy for 2020-2023.

The Executive Member for Finance and Housing drew the meeting's attention to the tabled sheets which contained information that was not available prior to the publication of the agenda. This information included the council tax precepts for Winnersh Parish and the Fire Authority. In addition elements of the capital funding in the Treasury Management Strategy and Medium Term Financial Plan had been corrected to reflect the latest figures. This included an increase in developer funding and use of a small amount of capital reserves which meant that borrowing was reduced by £8m over the programme. It was noted that there was no change to the total funding and no change to the planned Capital Programme which was still £517m over the next 3 years.

As a result of the changes advised by Councillor Kaiser all affected tables in the Treasury Management Strategy and Medium Term Financial Plan had been restated which also corrected two small casting anomalies. All updated figures and tables were included on the tabled sheets.

RESOLVED that Council be recommended to:

- 1) approve the capital strategy for 2020/23 - Appendix A,
- 2) approve the three year capital programme for 2020/23 – Appendix B;
- 2) note the draft vision for capital investment over the next ten years - Appendix C;
- 3) approve the developer contributions s106 and CIL as set out in Appendix D. The s106 and CIL values are estimated and approval is sought up to the scheme budget;
- 4) note the commercial activities of the Council.

95. TREASURY MANAGEMENT STRATEGY 2020/23

The Executive considered a report relating to the proposed Treasury Management Strategy for 2020/23.

The Executive Member for Finance and Housing provided a brief overview of the report and it was noted that the tabled amendments would be taken into account when approving the recommendations.

RESOLVED that Council be recommended to approve the following, as adjusted by the tabled amendments:

- 1) Capital Prudential indicators 2020/21 (*Appendix A (pages 4 and 5, table 1 and 2)*);

- 2) Borrowing strategy 2020/21 (*Appendix A (page 8)*);
- 3) Annual Investment Strategy 2020/21 (*Appendix D*);
- 4) MRP policy (*Appendix E*);
- 5) Treasury Indicators: limits to borrowing activity (*Appendix A (page 10 –table 5)*); and
- 6) note that the Audit Committee have agreed the Treasury Management Strategy on 5th February 2020.

96. MEDIUM TERM FINANCIAL PLAN 2020/23 REVENUE BUDGET SUBMISSION 2020/21

The Executive considered a report setting out the Medium Term Financial Plan for 2020/23 which included the proposed revenue budget submission for 2020/21.

During the meeting the Executive Member for Finance and Housing thanked all those Members on the Overview and Scrutiny Committee who had taken part in the review of the budget setting process and Medium Term Financial Plan. The process, whilst challenging, had been very enlightening and very worthwhile and Councillor Kaiser hoped that a similar process would take place next year as he thought it was extremely valuable.

The Executive was asked to resolve to agree the recommendations as adjusted by the tabled amendments.

RESOLVED that:

- 1) Council be recommended to approve the Summary of Budget Movements (SOBM) included in the Medium Term Financial Plan (MTFP) (*Appendix A*) as adjusted by the tabled amendments;
- 2) the report of the Community and Corporate Overview and Scrutiny Committee relating to Scrutiny of the Budget Setting Process 2020-21 and the Medium Term Financial Plan 2020-23 (as set out in *Appendix B* to the report) be noted.

97. COMMUNITY VISION AND CORPORATE DELIVERY PLAN

The Executive considered a report setting out the background to the development of the Wokingham Borough Council Plan, which comprised the Community Vision and Corporate Delivery Plan and covered the period 2020-2024.

Whilst introducing the report the Leader of Council advised that in conjunction with the 3-year financial strategy and the Capital Programme the Corporate Vision and Corporate Delivery Plan had been developed. These documents identified the strategic priorities and ambitions for the Borough and the Council for the coming four years.

RESOLVED: That Council be recommended to approve the Community Vision and Corporate Delivery Plan subject to amendments delegated to the Deputy Chief Executive in consultation with the Leader.

98. TREASURY MANAGEMENT -MID YEAR REPORT

The Executive considered a report setting out the mid-year position of the Treasury Management function.

During discussion of the report the Executive Member for Highways and Transport congratulated Councillor Kaiser and Officers for the good job they had done with the Council's investments, particularly exceeding some of the external markets in respect of returns. Councillor Kaiser responded that this was particularly pleasing given how cautious the Council was with its investments.

RESOLVED that:

- 1) the mid-year position on the treasury management portfolio be recommended to Council;
- 2) it be noted that the Council has worked within approved parameters;
- 3) the forecast outturn saving of £500k (an over achievement on investments £390k, and saving on debt charges of £110k) be noted.

99. SUPPLEMENTARY ESTIMATE FOR WORKS TO ADDRESS TRAFFIC CONGESTION

The Executive considered a report relating to a proposed supplementary estimate for essential preparatory works to address traffic congestion within the Borough.

The Executive Member for Highways and Transport advised that the supplementary estimate was required to undertake work that would feed into the major programme to reduce traffic congestion next year; as set out in the Council's Vision and the Capital Plan. In addition funding had been included in the Medium Term Financial Plan to improve technology around congestion. This included real time monitoring, improvement of traffic signs, reviewing traffic sensitive routes with a view to imposing more stringent requirements on any proposed streetworks applications, eg off peak only working, which should lead to less disruption. In addition more intelligent signage and traffic signals would be introduced which should lead to a reduction in traffic queues.

The Executive Member for Climate Emergency commented that as traffic congestion was seen to be one of the largest causes of carbon across our carbon footprint he wholeheartedly supported and endorsed the proposal. Given that a recent article had stated that 40% of CO₂ emissions were down to congestion, which was far more than moving people into alternative transport, Councillor Jorgensen believed that this was a major step towards carbon neutrality.

It was noted that Wokingham was a very high car owning area and the nature of the Borough made it difficult for people to use public transport. Councillor Jorgensen advised that it was hoped to introduce monitoring software shortly which would measure the relative performance of a particular road compared to normal performance. This would light up when something unusual was happening enabling the Traffic Management Team to react to traffic jams and actually start diverting people away from these areas.

In response to a query Councillor Jorgensen confirmed that the Council had little influence over roadworks undertaken by utility companies as, for example, if a gas main burst this had to be dealt with. There was also a requirement that the Council had to allow utility

companies to undertake such works. The key was to try and avoid people getting stuck in the queue whilst the roadworks were being carried out and try, wherever possible, to influence when the work was carried out, eg out of hours, in order to try and avoid disruption for commuters.

RESOLVED: That the supplementary estimate for additional revenue funding of £180,110 in 2019/20 in order to progress essential preparatory works in support of the Congestion Capital project be approved.

100. APPROPRIATION OF LAND TO FACILITATE THE WHEATSHEAF CLOSE SELF-BUILD PROJECT

The Executive considered a report setting out a proposal to appropriate land off Wheatsheaf Close, Sindlesham, in order to progress a community-led self-build scheme on that land.

The Executive Member for Finance and Housing reminded Members that as part of housing delivery the Council was required to deliver service plots for self-build. To this end in January 2019 the Executive had approved that land off Wheatsheaf Close should be developed to deliver around 21 plots; 13 for shared ownership and 8 as private plots. As the land off Wheatsheaf Close had on occasions been utilised for informal recreational use, it could be considered by some members of the public to be open space. To enable the proposed development and mitigate the risks of any challenges which would delay development and incur a high cost the Council had been advised to activate a formal appropriation process for this parcel of land.

RESOLVED: That the necessary steps be taken to appropriate the Council-owned land off Wheatsheaf Close (edged red on the plan attached as Appendix 1 to the report) for planning purposes under Section 122 of the Local Government Act 1972 and Section 232 of the Town and Country Planning Act 1990.

101. SCHOOL ADMISSION ARRANGEMENTS 2021/22

The Executive considered a report setting out the proposed School Admission Arrangements for the 2021/22 School Year.

During her introduction of the report the Executive Member for Children's Services advised that the Council had a statutory responsibility for admissions to mainstream publicly funded schools i.e. maintained schools, academies and free schools in the Wokingham Borough area. There was also a statutory requirement on the Council to agree the admission arrangements on an annual basis. It was noted that no changes were currently being put forward and therefore it was proposed that the arrangements for the 2021/22 school year should be unchanged from those in force for the 2020/21 school year.

RESOLVED: That the Wokingham Borough School Admissions arrangements for the 2021/22 School Year should be unchanged from those in force for the 2020/21 School Year.