

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD ON 18 FEBRUARY 2021 FROM 6.30 PM TO 7.15 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 Burgess
Gary Cowan

83. APOLOGIES

An apology for absence was submitted from Councillor Stuart Munro.

84. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Executive held on 28 January 2021 were confirmed as a correct record and would be signed by the Leader of Council at a later date.

85. DECLARATION OF INTEREST

Councillor John Halsall declared a personal interest in Agenda Items 83, 84, 85 and 86 by virtue of the fact that he was an unpaid Non-Executive Director of Optalis Holdings Ltd.

Councillor UllaKarin Clark declared a personal interest in Agenda Items 83, 84, 85 and 86 by virtue of the fact that she was an unpaid Non-Executive Director of Loddon Homes Ltd.

Councillor John Kaiser declared a personal interest in Agenda Items 83, 84, 85 and 86 by virtue of the fact that he was a Non-Executive Director of Wokingham Housing Ltd and Optalis Holdings Ltd.

Councillor Wayne Smith declared a personal interest in Agenda Items 83, 84, 85 and 86 by virtue of the fact that he was a Non-Executive Director of WBC Holdings Ltd.

Councillors Clark, Halsall, Kaiser and Smith took part in all discussions and voted on all the items.

86. STATEMENT BY THE LEADER

The budget meetings of the Council are where the administration sets out the future. However, we must acknowledge a year which has been extraordinary.

Deaths within the UK for those who have been diagnosed with Covid within 28 days have risen to close to 120,000; a huge rise since we last met.

Please join me in a moment's silence for those who have died during this dreadful pandemic in Wokingham, the UK, and around the world, and those who have suffered not just the effect of the virus itself, but the problems which have accompanied it.

Our lives have changed, unrecognisably for some, and many lives have been so sadly lost. I can only reinforce my condolences for those that have suffered so much.

The weekly rate to 13th February is 76.6 today, which is well below the peak of 606 on the 4th January, but still compares very badly to the below five in August. Sadly, deaths and hospitalisations will continue high for some time but seem to have stopped rising.

Our GPs have been magnificent and have now vaccinated the over 70s (including me), residents in care homes for older adults and their carers, frontline health, social care workers and clinically vulnerable individuals. The next cohort is now being vaccinated. So light is genuinely at the end of the tunnel.

I would like a big thank again to all the carers, doctors, health staff, social care staff, health, police, fire, rescue, ambulance, teachers, school staff, charities, volunteers and our staff. In short everybody who has stepped up to the plate and made it possible for life to continue during these appalling times. It has never been more vital that we play our role.

Many of our critical proactive measures 'going over and above' would not have been possible if we did not have a stable and strong financial foundation on which to fund our numerous measures intended to assist our community.

Covid has had a profound impact on the Council's budgets. We had new responsibilities that needed funding, we lost vital income sources such as car parking and leisure, and we had to put on hold cost reduction programmes in order that our staff focus on the important job in hand, responding to the pandemic. Despite all of this we had the financial resources to go well above the bare minimum and provide so much more for our community, examples of which I have previously conveyed. It is this that illustrates the true strength of our financial management, as recognised by numerous external assessments, and not the misleading and irresponsible claims you hear.

Our response in many ways has been astonishing. We have:

- Utilised the Council's existing emergency planning processes to enact a coordinated, managed, and timely response to the crisis;
- Sought to protect residents in care homes by taking action locally;
- Supported care homes by supplying PPP, critical advice, staff resources where needed;
- Resisted national policy to discharge from hospital to care homes unless testing and controls were in place and I expected to find myself in the jug but I wasn't;
- Reduced homelessness to a single rough sleeper;
- Introduced lateral flow testing, initiated to enable our residents to meet their loved ones in care homes which we had to abort during lockdown;
- Set up a Community Hub with voluntary sector partners to protect and ensure the vulnerable could receive the support they needed;
- Created the concept of the one-front door (in the CAB) to service all our residents, either by the Council or the voluntary sector
- Provided extended care support for vulnerable children recognising that usual family support arrangement was not possible during lockdown;
- Worked closely with GPs and the health sector to enable vaccinations to be rolled out as speedily as possible;
- Maintained critical services for the most vulnerable residents, including children, young people and the wider community;
- Maintained universal services such as waste, recycling, and highways;

- Provided financial support to local businesses and the economy;
- Redeployed staff to those services and activities of greatest need. In the first lockdown we had 107 staff redeployed;
- Maintained local democracy through “virtual” council meetings, accessible by the public;
- Communicated regularly and clearly with residents, businesses, partners, elected Members and staff;
- Considered the impacts on particular parts of the community e.g. ethnic minority groups, vulnerable residents and young people;
- Identified opportunities to positively impact the Council’s Climate Emergency Plan;
- Identified and monitored the financial impacts of Covid;
- Used the risk-based approach to decision-making;
- Planned ahead for the “Restart” and “Recovery” phases of the emergency. It has never been of such profound importance that local government plays its role for the local community;
- Took every opportunity to advance the highways programme.

These are some of the essential measures employed during the pandemic; they have touched every resident and enterprise.

With a steady hand, we are navigating through the emergency to recovery, changing the way we work, supporting all our residents, and ensuring that services run as normally as possible.

This Council will not be found wanting to support residents be it child hunger, poverty, or homelessness. We recognise that many of our critical proactive measures 'going over and above' would not have been possible if we had not had a stable and strong financial foundation on which to fund our numerous measures.

The budget proposals before you tonight are therefore set in this context, one of continual uncertainty and challenge, but one that sets out our stall for a strong recovery.

87. PUBLIC QUESTION TIME

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

87.1 Philip Meadowcroft had asked the Leader of the Council the following question which was answered by the Executive Member for Finance and Housing:

Question

At the last Executive meeting on January 28, you claimed it was an honest mistake that the composition of the Standards Committee was not compliant with the WBC Constitution. As Leader of the Council, you took responsibility since the buck stopped with you on this matter. But, you did not accept when I put it to you that it was symptomatic of a wider disregard of Constitutional rules.

I watched the Audit Committee on February 1, during which Members realised that the Constitution had been flouted because the numbers in the Treasury Management Report, which the Audit Committee had agreed in November 2020, and then forwarded to the

Executive were replaced by new and materially different numbers whilst the approved November numbers were relegated to an appendix.

Were the changes which amended the Audit Committee's approved, as received, Treasury Management Report caused either by another honest mistake (as you admitted regarding the Standards Committee issue) or is this further evidence which suggests that compliance with the Constitution takes second place to the political convenience of the ruling group?

Answer

Councillor Halsall has already explained to you that there was no Constitutional breach with regards to the composition of the Standards Committee and why this was so.

The other part of your question, this is why the reason I am answering it is because I also attended the meeting and it is same posed by the two Liberal Democrat members at the meeting, and as you watched the meeting you would have heard the Officers reply to those allegations.

You have, like the Liberal Democrats at that meeting, suggested that the report considered by the Audit Committee, at the meeting of 23rd November was changed before being presented to the Executive on 28th January. I can categorically confirm this was not the case.

The report reviewed by the Audit Committee was presented to the Executive fully and unabridged as required in the Constitution. Audit Committee is required to review progress against Treasury Management indicators (which they did on this case) and note further information in the report.

At the Executive on 28th January it was asked (and did):

*"note Appendix A, which was **the Treasury Management Mid-Year report** which was agreed at the Audit Committee on 23rd November 2020".*

This stated quite clearly in the covering report recommendations, and furthermore is covered in more detail at the second paragraph of the executive summary to the Executive report.

Therefore, the report the Audit Committee debated and agreed democratically is the one being presented to the Council and does not need to be presented back to the Audit Committee.

However, in passing the report. noted by the Audit Committee to the Executive, our statutory Chief Financial Officer thought it would be helpful for the Executive and the public to be aware of the broader impact of the treasury management activities by including the income generated by our commercial activities funded by the borrowing. This information was conveyed by way of a covering report and I would consider it to be extremely helpful, particularly given the recent media debate around the cost of the Council 's debt to the local taxpayer. So, the Treasury Mid-Term report presented at the Audit Committee was not changed, the Audit Committee discharged their responsibility under the Constitution and the Chief Financial Officer, who is required to provide a covering report in the passing of the Mid-Year report on to the Executive. So there is no Constitutional breach here whatsoever.

What I do find alarming however is there is a real issue here, it is not the alleged breach in the Constitution but the fact that our finances, our borrowings, and our financial returns from our borrowings are in an incredibly healthy state, and that is despite the impact of Covid-19. There are those making alarmist claims that our borrowing is reckless, even to the extent of costing households £10,000. This is of course absolute nonsense and merely irresponsible politics. You can see clearly from the public report produced by our statutory Chief Financial Officer the impact of all our borrowing activities for schools, roads, care homes, housing and everything else comes at a credit to each household at each year. Let me say again, we get our roads, schools and other essential assets for our community at no cost to the Council Taxpayer, in fact they receive a credit. This is achieved because the income from our commercial and investment activities not only funds but exceeds all of the Council's borrowing costs.

This is a remarkable achievement and should be applauded. We should both be assured and delighted about yet another indicator of the strong financial management, which is vital to us being able to meet the needs of our community, particularly during Covid-19. But incredulously this isn't the issue being talked about and this isn't what questions are being asked about, I wonder why? Do you think that it is our Opposition finds it galling that we are holding up so well during this pandemic and we aren't plummeting into any form of financial crisis? This is so wrong and makes no sense to me, petty politics to detract from the fundamental issues. We are strong, ready and capable of being able to continue to step up and meet the needs of our community in delivering the services at the high level that we do.

Supplementary Question

Thank you, Councillor Kaiser for answering my question. My supplementary is directed to you, Councillor Halsall. The criticisms voiced by the Audit Committee I think result from the continuing determination of the ruling group to bulldoze through their needs irrespective of the Constitution. Firstly, it was the Standards Committee and now it is the Audit Committee. Both issues show for me that you have not stuck to the rules like you instruct residents to do so on those Covid signs on lampposts through the Borough. You have undermined the respect, Councillor Halsall, and authority required of your leadership and the compelling need for the affairs of this Council to be seen and conducted in a transparent and lawful manner. The only way forward, Councillor Halsall, since you fulsomely assured at the last Council meeting that you are democrat and that the buck stops with you is for you to stand down. It would be the first step in putting things right. Will you please do that?

Supplementary Answer from Councillor Halsall

Thank you Philip, your opinion.

87.2 Ian Shenton asked the Executive Member for Environment and Leisure the following question:

Question

I am very pleased to see that trees have gained a line in the budget, with Tree Inspections being allocated £80,000 for each of the next three years. Trees perform an enormously valuable service by sequestering carbon, filtering particulate matter, stabilising ground water levels to alleviate flood risk, and fostering biodiversity whether alive or dead. Indeed, there have been several attempts to place a monetary value on their service, and while it depends on variables such as maturity and location, a tree's value ranges from a few hundred to several thousand pounds in cost avoidance. As you estimate that the Council is

responsible for around 100,000 trees, would you not agree that, given the value of their service, 80p per tree is hopelessly inadequate?

Answer

Thank you for your very good question and I could not agree with you more for your very valid comments about the very important role that trees perform in protecting our environment.

The budget to support trees in the Borough is not limited to the item proposed through the Medium Term Financial Plan over the next three years that you referred to. Incidentally, this allocation of £80,000 is to fund a further two members of staff to enable the Council to fulfil its duty to inspect all of the trees on its own land in the interests of public safety; and as you can well imagine to protect the public we must do that. This is in line with an updated Tree Inspection Policy which will be considered under the Executive Member Decision, that is myself, on 31st March 2021. Works to trees identified through this inspection regime are undertaken and covered by other budgets.

Trees are an important focus of the Council's Climate Emergency Action Plan. In addition to the Tree Inspection Team, the Council employs a number of specialist Tree and Landscape Officers to ensure that important and healthy trees are protected from development. In line with the Council's Climate Emergency Action Plan, the Council is preparing a Tree Strategy and a plan to deliver a further 250,000 trees in the Borough. Mr Shenton, I am sure you will very, very, readily agree with that fantastic initiative to satisfy the carbon neutral initiative that we wish to obtain by 2030.

Supplementary Question

I remain slightly concerned that the area is being under resourced because our native deciduous hardwoods are now facing serious threats from an increasing range of pests and diseases. For example, given that ash dieback is likely to disseminate our ash tree population what percentage of the Council's tree cover is under threat and where is the budget to replace those soon to be lost trees?

Supplementary Answer

Like I said we pay due attention to all the trees within the Borough whether they are owned by Wokingham Borough Council or whether they are privately owned as well. We do all our best to protect those trees from any pesticides or any other insects or whatever that might attack them and we work with the Wokingham District Veteran Tree Association which is a very active organisation and we work with that organisation to protect our trees.

88. MEMBER QUESTION TIME

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

88.1 Gary Cowan had asked the Leader of the Council the following question but as he was not in the meeting when the question was asked the following written response was provided:

Question

If as the letter from the Council to all Members indicates that Council can make changes the restriction on Executive membership and the Leader on the Standards Committee is not a legal requirement but is a local choice adopted by full Council. The letter continued to add that the decision to appoint the Subcommittee in that form and with that

membership was decided by a simple majority of the members present and voting (as required by section 39 of Schedule 12). Any decisions the Committee made subsequently are made with the Council's authority, are lawful and are binding.

My question is why bother to have a Constitution when if it's the law the Council must abide by it but if it's not Council can just change it as recent events has shown?

Answer

I too have many questions on how Local Government works, but sadly it is not a matter for here, it is a matter for Westminster.

You have been a Councillor for a lot longer than I and are aware that modifications are made to the Constitution on a continuous basis by full Council; so, the question is a little disingenuous.

The modifications are required by statute, or by a request of Councillors or Officers through the Constitution Review Working Group.

Any change is always in the full light of a full Council meeting and can be contested publicly by any Member.

The case to which you are referring would not have occurred if any Member had queried the appointments, but for twenty-one months it was unchallenged. Once challenged, I acted immediately to ensure that the Constitution was not anomalous, even though the advice was that it was not strictly necessary.

As you are aware, it was an honest mistake for which I have already apologised to Council.

88.2 Rachel Burgess asked the Executive Member for Highways and Transport the following question:

Question

There have been numerous resident concerns raised regarding London Road in Wokingham since the new cycle lanes have been introduced. These have included the safety of the new cycle lanes, the safety of, and lack of compliance with, the 'no right turn' at Whitlock Avenue, concerns about three other junctions on this road (William Heelas Way, Froghall Lane and Priest Avenue) and the lack of pedestrian crossing along a long stretch of London Road where numerous families need to cross on the school run.

Residents have raised these issues out of a sense of community safety as well as the desire to support walking and cycling, and they are right to expect the Council to address their concerns. However they have not received a satisfactory answer for months and feel ignored. What is being done to address these concerns?

Answer

The London Road Cycleway scheme, which I think is actually a very nice new cycleway and uses recycled kerbs amongst other things. Like all highway projects it goes through a rigorous process of Road Safety Audits (RSA) at various stages in its design and construction. A stage 1 Road Safety Audit was carried out at feasibility, a stage 2 Road Safety Audit was carried out at the detailed design stage and more recently a stage 3 Road Safety Audit was carried out now that the scheme is operational. The scheme we

have delivered has been in line with all of the recommendations of the stage 1 and stage 2 RSA and the project designers are currently considering the relatively minor recommendations from the stage 3 RSA which we will implement.

It is because of the rigorous safety audit process which is carried out by independent qualified road safety experts that the Council is able to reassure residents that there are no immediate safety concerns with regard to the junctions of William Heelas Way, Whitlock Avenue, Froghall Lane, Priest Avenue and London Road. Whilst this has already been communicated to some residents, the Council remains willing to engage with anybody in the local community who has any lingering doubts, and I would be happy to answer any further questions.

With regard to the specific issue of non-compliance with the no right turn restrictions joining London Road from Whitlock Avenue Officers have met with representatives of the local community on site to discuss what additional measures might be possible to improve compliance. Unfortunately, when people drive dangerously it is quite difficult to do something about that sometimes, apart from putting a policeman there. The meeting concluded that it was not possible to have any additional physical barriers to a right turn without causing significant problems to people turning right into Whitlock Avenue. If you put a barrier across to stop a right turn you also then would not be able to turn into there and if you put some restriction in the middle of the road to stop people bearing right at the end it would mean that cyclists and pedestrians would not be able to cross safely, so we have got a bit of a problem there. We are considering whether additional signage would be appropriate to help drivers to recognise there is no right turn restriction and to obey the Highway Code. That is the fundamental thing people are driving dangerously and really they should be obeying the Highway Code and not doing that.

On the issue of sufficient pedestrian crossing facilities on London Road, it is worth noting that this project has only resulted in the removal of one pedestrian island. There are formal crossing facilities at regular intervals which serve the vast majority of families wishing to cross London Road. In fact I looked at it just before the meeting and on 1.5 miles of road there are actually five pedestrian crossings, which is probably an unusually high number. There are, however, a handful of properties that now have a longer walk to a crossing compared to the previous layout, and I do recognise that.

You may be aware that there is new cycle design guidance from the DfT in Local Transport Note, LTN 1/20. The new guidance was too late for us to incorporate in the design of this project and the Council will be making use of the guidance for new projects and we are looking forward to adopting it shortly.

Supplementary Question

With respect to the Safety Audits you are right that residents do know that they have been carried out but they do not feel that that is addressing their specific concerns. You know they are aware that has been done and the sort of process that has been followed but it is not addressing some of their specific concerns. I think we are all being encouraged to walk and cycle, quite rightly, but we should expect safe and convenient routes to do that. As you know this is a busy 'A' road and lots of people will be trying to cross it and I think if the residents are actually concluding that it is safer for them to drive rather than walk to school then something as gone wrong there.

I appreciate your answer and thank you for that and of what has been looked at. Would you agree to visit the site with me and to meet residents just to explain what has been looked at and sort of understand their concerns directly?

Supplementary Answer

Yes, that is exactly what I was about to suggest. Maybe between us we can help explain things to them a bit more clearly and help them understand what the facilities are, what we are planning, and what the audits have done. So yes I would be happy to meet.

89. HOUSING REVENUE ACCOUNT BUDGET 2021/22

The Executive considered a report setting out a proposed Housing Revenue Account Budget for 2021/22.

During his introduction the Executive Member for Finance and Housing explained that the Housing Revenue Account was a ringed fenced fund and reminded the meeting that previously the Council had decided, because it was felt that the Council was better placed to administer and maintain these properties, that it would retain its social housing rather than pass them over to a registered provider.

Councillor Kaiser also reported that during the last year, whilst in the middle of the Covid pandemic, the Council had managed to carry out all major repairs that were required to these properties and the vast majority of the repairs that had been scheduled for the year.

RESOLVED that Council be recommended to approve:

- 1) the Housing Revenue Account budget for 2021/22 (Appendix A);
- 2) that Council house dwelling rents be increased by up to 1.50% effective from April 2021 in line with the Welfare Reform and Work Act 2015;
- 3) Garage rents to be increased by 1.16% effective from April 2021 in line with Council's general fees and charges;
- 4) Shared Equity Rents to be increased by 1.13% based on September RPI, effective from April 2021;
- 5) Tenant Service Charges to be set based on cost recovery;
- 6) the Housing Major Repairs (capital) programme for 2021/22 as set out in Appendix B;
- 7) Sheltered room guest charges for 2021/22 remain unchanged at £9.50 per night per room.

90. CAPITAL PROGRAMME AND STRATEGY 2021-2024

The Executive considered a report setting out the proposed Capital Programme and Strategy for 2021-2024 which included the capital investment that would be made during this period and how this would be funded.

Members noted the scale of the Capital programme for 2021-2024, which amounted to £445.5m, and how this was due to be funded, which included approx. £11m from Council resources.

Councillor Jorgensen stated that she was very excited to see the investment in roads and transport, particularly sustainable transport, all of which she felt would help residents.

Councillor Murray was also pleased with the amount of money that was being set aside for climate emergency projects in the budget and the impact that could have on the Council's carbon footprint across the Borough. He was particularly pleased that the Council was managing to fund all of the projects set out in the Capital Programme at what was such a difficult time.

RESOLVED that Council be recommended to agree the following:

- 1) the Capital Strategy for 2021 - 2024 - Appendix A;
- 2) the three-year Capital Programme for 2021 - 2024 – Appendix B;
- 3) the draft vision for capital investment over the next five years - Appendix C;
- 4) the use of developer contribution funding (s106 and CIL) for capital projects as set out in Appendix D. Approval is sought up to the project budget.

91. TREASURY MANAGEMENT STRATEGY 2021-2024

The Executive considered a report setting out the proposed Treasury Management Strategy for 2021-2024.

RESOLVED that Council be recommended to:

- 1) approve the Treasury Management Strategy as set out in Appendix A, including the following additional appendices;
 - Prudential Indicators (Appendix B)
 - Annual Investment Strategy 2021/22 (Appendix C)
 - Minimum Revenue Provision (MRP) policy (Appendix D)
- 2) note that Audit Committee agreed the Treasury Management Strategy on 3 February 2021;
- 3) note the cumulative financial impact on the Council of its borrowing activities equates to a net credit to the general fund for the taxpayer of £13.64 per band D equivalent at end of 2021/22 and noting this credit increases to £62.86 at the end of 2023/24.

92. MEDIUM TERM FINANCIAL PLAN 2021-2024 - REVENUE BUDGET SUBMISSION 2021/22

The Executive considered a report setting out a proposed Medium Term Financial Plan for 2021-2024, including the proposed revenue budget submission for 2021/22.

During his introduction the Executive Member for Finance and Housing advised that the Medium Term Financial Plan set out the Council's revenue budget submission for 2021-22 and highlighted that the budget would pay for all the services and all the costs that the Council expected to incur over the next 12 months.

RESOLVED that:

- 1) Council be recommended to approve the Summary of Budget Movements (SOBM) (as set out in Appendix A to the report);
- 2) the report of the Community and Corporate Overview and Scrutiny Committee, relating to Scrutiny of the Budget Setting Process 2021-22 and the Medium Term Financial Plan 2021-2024 (as set out in Appendix B to the report), be noted.

93. BUILDING CONTROL CHARGES

The Executive considered a report setting out proposed charges for the Building Control Shared Service, between Wokingham, the Royal Borough of Windsor and Maidenhead and West Berkshire Councils, to take effect on 1 April 2021.

The Executive Member for Environment and Leisure advised that the current schedule of charges had been agreed in May 2020. There was a need to ensure that the service was offered to all local authorities on a true cost recovery basis. It was therefore essential that the service kept charges as low as possible to remain competitive, but at the same time ensuring that sufficient income was generated. This was particularly important so that sufficiently competitive salaries could be offered to recruit and retain staff to provide the high-quality service that residents deserved.

Councillor Batth highlighted Appendix A, which showed the comparison between existing charges and the respective proposed charges which were being increased by 1.6% in line with the CPI index.

RESOLVED: That the setting of the Building Control Charges from 1 April 2021, as set out in Appendix A to the report, be agreed.