



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **COUNCIL** will be held in the Council Chamber - Civic Offices, Shute End, Wokingham RG40 1BN on **THURSDAY 18 NOVEMBER 2021 AT 7.30 PM**

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

Susan Parsonage
Chief Executive
Published on 10 November 2021

Note: Although members of the public are entitled to attend the meeting in person, space is very limited due to the ongoing Coronavirus pandemic. You can however participate in this meeting virtually, in line with the Council's Constitution. If you wish to participate either in person or virtually via Microsoft Teams please contact Democratic Services. The meeting can also be watched live using the following link: <https://youtu.be/ngKsUwbDvB8>

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

Please note that other people may film, record, tweet or blog from this meeting. The use of these images or recordings is not under the Council's control.



WOKINGHAM BOROUGH COUNCIL

Our Vision

A great place to live, learn, work and grow and a great place to do business

Enriching Lives

- Champion outstanding education and enable our children and young people to achieve their full potential, regardless of their background.
- Support our residents to lead happy, healthy lives and provide access to good leisure facilities to complement an active lifestyle.
- Engage and involve our communities through arts and culture and create a sense of identity which people feel part of.
- Support growth in our local economy and help to build business.

Safe, Strong, Communities

- Protect and safeguard our children, young and vulnerable people.
- Offer quality care and support, at the right time, to prevent the need for long term care.
- Nurture communities and help them to thrive.
- Ensure our borough and communities remain safe for all.

A Clean and Green Borough

- Do all we can to become carbon neutral and sustainable for the future.
- Protect our borough, keep it clean and enhance our green areas.
- Reduce our waste, improve biodiversity and increase recycling.
- Connect our parks and open spaces with green cycleways.

Right Homes, Right Places

- Offer quality, affordable, sustainable homes fit for the future.
- Build our fair share of housing with the right infrastructure to support and enable our borough to grow.
- Protect our unique places and preserve our natural environment.
- Help with your housing needs and support people to live independently in their own homes.

Keeping the Borough Moving

- Maintain and improve our roads, footpaths and cycleways.
- Tackle traffic congestion, minimise delays and disruptions.
- Enable safe and sustainable travel around the borough with good transport infrastructure.
- Promote healthy alternative travel options and support our partners to offer affordable, accessible public transport with good network links.

Changing the Way We Work for You

- Be relentlessly customer focussed.
- Work with our partners to provide efficient, effective, joined up services which are focussed around you.
- Communicate better with you, owning issues, updating on progress and responding appropriately as well as promoting what is happening in our Borough.
- Drive innovative digital ways of working that will connect our communities, businesses and customers to our services in a way that suits their needs.

To: The Members of Wokingham Borough Council

ITEM NO.	WARD	SUBJECT	PAGE NO.
49.		APOLOGIES To receive any apologies for absence	
50.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Council Meeting held on 23 September 2021.	17 - 52
51.		DECLARATIONS OF INTEREST To receive any declarations of interest	
52.		MAYOR'S ANNOUNCEMENTS To receive any announcements by the Mayor	
53.		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 Council Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Council or an item which is on the Agenda for this meeting. For full details of the procedure for submitting questions please contact the Democratic Services Section on the numbers given below or go to www.wokingham.gov.uk/publicquestions	
53.1	None Specific	Nicholas Marshall has asked the Executive Member for Highways and Transport the following question: Question As a cyclist I am acutely aware of the parlous state of our roads, constantly obliged to stare at the road ahead - scanning for cracks and holes in order to avoid injury to myself and damage to my wheels. Anyone observing a garden can see the effects of excessive dry spells, leading to shrinkage of the ground, whilst periods of saturating rainfall causes swelling and warping. Applied to the highway, it's clear that the increasing intensity of climactic conditions is putting stress on the road layer. Variations in the water table cause heave and	

shrinkage. Water ingress and freezing obviously compound the problem. It's becoming increasingly clear that climate change is a factor because even recently constructed pathways and cycle tracks are degrading rapidly, which cannot be ascribed to the burden of heavy traffic.

My question is what policies has the Council formulated to relieve stress on the existing highways, to ensure new construction meets climate change proofed standards and for seeking alternatives to an over reliance on road-based distribution?

53.2 None Specific

Andy Croy has asked the Leader of the Council the following question:

Question

In December 2019, before the pandemic, 2,641 households in Wokingham Borough were in receipt of Universal Credit.

The latest provisional figures, for May 2021, show 6,547 households in receipt of Universal Credit. It should be remembered that prior to the pandemic, over 40% of households in receipt of Universal Credit contained one or more people in work.

Since May, the opening up of the economy will have reduced the number of households receiving Universal Credit. Assuming 5,000 of the Borough's least well-off households are still in receipt of Universal Credit, the recent £20 a week cut to Universal Credit will have taken £100,000 per week out of the budgets of our poorest families - at a single stroke increasing the levels of poverty experienced by thousands and thousands of families in our Borough.

What formal representations has Wokingham Borough Council made to the Borough's four Members of Parliament to stress the need to maintain or restore the £20 a week Universal Credit uplift?

54.

PETITIONS

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

55. None Specific

ADOPTION OF THE STATEMENT OF GAMBLING PRINCIPLES

To consider an updated Statement of Gambling Principles as agreed by the Licensing and Appeals Committee at its meeting held on 20 October 2021.

53 - 100

RECOMMENDATION That Council:

- 1) considers the Statement of Gambling Principles and the consultation responses received.
- 2) approves the Statement of Gambling Principles for adoption and publication by the 31st January 2022.

56.

MEMBER QUESTION TIME

To answer any member questions

A period of 30 minutes will be allowed for Members to ask questions submitted under Notice

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

56.1 None Specific

Rachel Bishop-Firth has asked the Executive Member for Environment and Leisure the following question:

Question

I have a question about our garden waste disposal.

We have an increasing number of homes being built with small gardens but have just one standard garden bin size which is 240 litres. For those with small gardens this is difficult to store and would take a long time to fill, which is why in some other Council areas, this is the largest garden bin size available.

We also have the brown bags for garden waste, but for those with the smallest gardens these disintegrate before they are full. I have had a resident raise with me that those with arthritis find these bags very hard to use.

Other Councils have services which better suit residents with small gardens. For example, Braintree District Council issues bins in 140 litre and 180 litre sizes as well as a 240 litre garden bin for those with the largest gardens.

What steps has Wokingham Borough Council taken to look at how we can best handle garden waste disposal for residents who have smaller gardens?

56.2 None Specific

Sarah Kerr has asked the Executive Member for Resident Services, Communications and Emissions the following question:

Question

Decentralising renewable energy generation is key to us decarbonising energy in order to reduce demand on the grid. We're pleased that this Council has agreed with the Lib Dems and enacted the requests made in the Lib Dem motion supporting the Local Electricity Bill, which is a start.

More needs to be done, and we need to help residents install solar PV on their own properties. Many households don't have large amounts of disposable income and it's quite daunting with many cowboy installers out there.

Local authorities up and down the country have been working with an organisation called Solar Together. Solar Together is a group-buying scheme for solar PV and battery storage. It helps make this technology more accessible and more affordable. Local authorities work with Solar Together to promote the scheme in the area. Homeowners register their interest; the company organises a reverse auction and installers are pre-vetted. Residents then get their personal recommendation and are asked if they wish to accept the recommendation or not.

This is a simple thing to do to enable more of our residents to generate their own renewable energy. Will this Council commit to enabling a scheme like this for our residents?

56.3 Twyford

Stephen Conway has asked the Executive Member for Finance and Housing the following question:

Question

Will the Executive Member for Finance provide the Council with details of the current shortfall in funding for Twyford's new library? At the Executive meeting on 30 September, the item relating to the lease for the new library was pulled at the last minute on the grounds that rising costs necessitated a 'pause' to review the budget. I would like to know how much the project costs are likely to exceed the already-agreed budget so I can better understand what needs to be done to address the problem.

56.4 None Specific

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

Question

I wish to acknowledge the professionalism of our Borough's Civil Parking Enforcement team. They are a key part in the strategy to help manage parking and crucially, in many locations, such as outside schools, to help make our streets safer. Some initiatives have helped to address parking related safety issues. But all around the Borough serious problems continue. Regrettably, the often-heard phrase 'an accident waiting to happen' remains all too true in many locations. Could the Executive Member for Highways please outline the Borough's strategies and tactics for tackling this issue – including timings for actions?

56.5 Shinfield North;
Shinfield South

Jim Frewin has asked the Executive Member for Highways and Transport the following question:

Question

As Members are aware in the past few years Shinfield has been subjected to significant development on what was a semi-rural community. Some of the key routes are still on semi-rural roads and others widely recognised as needing uplift due to significant safety concerns arising from the increased traffic levels.

As one example, in 2008 it was recognised that the junction between Church Lane and Basingstoke Road required 'uplift'. This was approved some 6 years later in 2014, as part of various local area development conditions. We are still waiting, nearly 14 years. In my short time as a Councillor, residents, and Councillors have been promised at least four dates for work to commence, others tell me it is many more than this.

All have been missed, the latest being Summer 2021. We are now being led to believe early 2022 but understandably we have little trust in this. There are multiple other areas of highway safety concern, especially in the areas adjacent to our schools. Hyde End Lane being one prime example.

My question is when will this Council give priority to the safety of Shinfield school children and other Shinfield residents by actually delivering what they promise, when they promise?

56.6 Winnersh

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

Question

Why were 60 houses in Woodward Close not included in the traffic modelling for the Winnersh relief road when it was done for the SEND school and the 83 homes proposed by the Council behind the school?

56.7 Sonning

Michael Firmager has asked the Executive Member for Highways and Transport the following question:

Question

At the junction of Sonning Lane and the A4 there have recently been a couple of accidents. Thankfully there have been no fatalities. This is a particularly dangerous road.

Please can you advise the number of accidents there since the year 2000 and what safety measures can be taken?

56.8 None Specific

Sam Akhtar has asked the Executive Member for Neighbourhoods and Communities the following question:

Question

Residents in my ward have complained of fireworks being let off at unsociable hours last week. Myself and a number of residents were woken up on a weekday at 3am by the loud bangs from these fireworks. What is the local authority doing to clamp down on this sort of behaviour?

57.

MINUTES OF COMMITTEE MEETINGS AND WARD MATTERS

A period of 20 minutes will be allowed for Members to ask questions in relation to the latest circulated volume of Minutes of Meetings and Ward Matters

58.

STATEMENT FROM THE CHAIRMAN OF THE CONSTITUTION REVIEW WORKING GROUP

To receive an update from the Chairman of the Constitution Review Working Group on the item considered at their recent meeting.

59.

STATEMENTS BY THE LEADER OF THE COUNCIL, EXECUTIVE MEMBERS AND DEPUTY EXECUTIVE MEMBERS

To receive any statements by the Leader of the Council, Executive Members, and Deputy Executive Members.

In accordance with Procedure Rule 4.2.23 the total time allocated to this item shall not exceed 20 minutes, and no Member shall speak for more than 5 minutes

60.

STATEMENT FROM COUNCIL OWNED COMPANIES

To receive any statements from Directors of Council Owned Companies.

In accordance with Procedure Rule 4.2.24 the total time allocated to this item shall not exceed 10 minutes, and no Director, except with the consent of Council, shall speak for more than 3 minutes.

61.

MOTIONS

To consider any motions

In accordance with Procedure Rule 4.2.11.2 a maximum period of 30 minutes will be allowed for each Motion to be moved, seconded and debated, including dealing with any amendments. At the expiry of the 30-minute period debate will cease immediately, the mover of the Motion or amendment will have the right of reply before the Motion or amendment is put to the vote

61.1 None Specific

Motion 467 submitted by Ian Shenton

This Council formally declares an ecological emergency and will:

1. Address ecological issues alongside climate emergency actions and ensure that opportunities to gain co-benefits from addressing both the climate and ecological emergencies are maximised.
2. Add ecological implications alongside those for climate in committee and Council reports.
3. Ensure the delivery of biodiversity and environmental enhancements through our planning policy and development control functions by providing guidance through a biodiversity supplementary planning document.
4. Strive to enable the development of a 20% mandatory biodiversity net gain policy for Wokingham through the new local plan.
5. Create a Developing Nature Toolkit and direct

developers to use the toolkit to assist them in demonstrating a net gain in biodiversity, to be used from the very outset of planning new developments, and ideally at the time of selecting sites to acquire for development.

6. Re-establish the Wokingham Biodiversity Forum to allow the Council to collaborate effectively with partners and the wider community.
7. Where possible, embed ecological initiatives within all Council work areas, including Covid-19 recovery projects and programmes.
8. Promote woodland planting and rewilding in the right places and with the right species, peatland restoration, natural flood management, wild flower meadows, and habitat creation and restoration.
9. Work with local, county, regional and national partners to increase wildlife habitats, green infrastructure and natural capital in Wokingham Borough ensuring robust connectivity between them.
10. Manage Council services, buildings and land in a biodiversity-friendly manner, including by reviewing the use of harmful chemicals, such as pesticides and taking opportunities to create new wildlife habitats and corridors.
11. Provide advice for local communities and businesses on how to incorporate biodiversity, green infrastructure and natural capital into Neighbourhood Plans and other initiatives.
12. Encourage residents to take biodiversity measures in their own homes by, for example, wildlife gardening and home composting.
13. Working collaboratively with the Berkshire Local Nature Partnership, Wokingham Biodiversity Forum, a cross party working group and other stakeholders, produce a local nature recovery strategy and associated action plan with an annual progress report to full Council.

61.2 None Specific

Motion 468 submitted by Gregor Murray

Building on our commitment to planting 250,000 new trees, this Council commits to achieving 'Tree Cities of the World' status for our Borough as part of the creation of a Borough wide Tree Strategy.

This will be done by:

1. Maintaining clear responsibility within the Council for the care of trees across our Borough.
2. Agreeing a policy for the care and management of our forests and trees across the Borough. This must include standards for tree care, where and when they apply and penalties for non-compliance.
3. Working with external partners to create and maintain an inventory of the local tree resource so that effective long-term planning for planting, care and removal can be established.
4. Setting aside an annual budget for the implementation of the tree management strategy and management plan.
5. Holding an annual celebration of our Borough's trees and acknowledge the residents schools, charities and Council staff that contribute to our city tree programme.
6. Creating a 'Garden Forest' program to allow residents the opportunity to plant some of our 250,000 new tree commitment in their own gardens.
7. Developing a continuous education process aimed at informing residents of the importance of trees, tree planting and tree protection and how best to care for the trees in their own gardens and communities.
8. Committing to planting a Covid-19 memorial wood within the Borough, of native trees, as a long-lasting memorial to those who have lost their lives during the 2020-21 Pandemic.

Once the above conditions are met an application for Tree Cities of the World status should be made as soon as possible.

Further information on the Tree Cities of the World status and benefits can be found at www.treecitiesoftheworld.org

Motion 469 submitted by David Hare

White Ribbon UK is a leading charity engaging with men and boys to end violence against women and girls. Their mission is for all men to fulfil the White Ribbon Promise to never commit, excuse or remain silent about male violence against women and girls.

It is not enough for men to not be violent towards women and girls. Men need to take responsibility for helping to make change happen. All men can help prevent physical, mental or emotional violence against women and girls by speaking out whenever they encounter such behaviour. If men do not act to correct this, women and girls will continue not feeling safe to do many of the things men do without thinking, making us a morally corrupt and emotional poor society, as we trivialise the sickness that is any type of violence against women and girls.

Wokingham Borough Council resolves to:

- Seek White Ribbon Accreditation for the Organisation within the next 6 months and encourage all male councillors to take the White Ribbon pledge, never to take part in, condone or stay silent about violence against women. As part of this Wokingham Borough Council will appoint a male Councillor as an Ambassador for White Ribbon.
- Promote the Our Streets Now campaign to make street harassment of women a crime; ask the Chief Executive to write to the Home Secretary to ask them to make street harassment a specific crime; ask the Chief Executive to write to the four MPs who cover the Borough, as well as the Police and Crime Commissioner, to ask them to show their support for this campaign by signing the petition and by lobbying ministers to make street harassment a specific crime and encourage elected members and residents to sign the petition.
- Ask schools, academies and colleges in the Borough to each develop a clear policy on tackling physical, mental, emotional or spiritual harassment of female pupils or staff, separate to their bullying policy and ask them to include education to prevent public sexual harassment, as part of their PSHE education.

61.4 None Specific

Motion 470 submitted by Clive Jones

There needs to be a fundamental change in how we generate and consume energy in all aspects of our lives. Both electricity generation and distribution are undergoing rapid evolution, in both shape and scale. The distribution grid must now cope with power flows in both directions. In scale, electrification of heat and transport will require a quadrupling of electricity capacity. Local, community-based energy schemes can make a significant contribution to addressing both issues and encourage a sense of local empowerment to tackle climate change.

Community schemes encourage local generation and storage to match local demand thus relieving pressure on the grid. Local schemes would be given new impetus and be able to contribute more renewable energy if local people could buy their electricity directly from local suppliers. But the disproportionate cost of meeting regulatory approvals makes it impossible to be a local energy supplier at a local scale and so, under the current system, this local energy gets sold back to the central grid.

The Local Electricity Bill is a private members' bill with cross-party support that was introduced unopposed in June 2020. If this Bill was passed in Parliament, it would give the energy regulator, OFGEM, a duty to create a Right to Local Supply. This would enable local community energy groups to achieve their vision of supplying generated energy back to the local area, help us as a Council to meet our carbon reduction aspirations for the Borough, and bring multiple benefits to the local community. It is supported by many stakeholders, local authorities, and Town Councils and currently has the backing of 208 MPs.

It's good that the Executive Member for Resident Services, Communications and Emissions has agreed with what the Liberal Democrats have been trying to do for the last year. We are pleased that at last he has written to the Borough's local MPs seeking their support and the former Minister of State responsible for the Bill.

However, there is still more to be done. This Council therefore agrees to:

- Resolve to support the Bill

- Authorise the Chief Executive to write to the new Minister of State for Energy and Climate Change, supporting the aims of the Bill and asking for these aims to be taken into account in the forthcoming Energy White Paper.

61.5 None Specific

Motion 471 submitted by Rachel Burgess

Wokingham Borough Council must continually review the support offered to families facing financial crisis to ensure a robust safety net is in place for those in need.

Prior to the Covid-19 pandemic there were already too many families in Wokingham struggling to make ends meet, and now many more families have been thrown into crisis, without the ability to pay their rent, heat their homes or feed their children.

The Local Welfare Provision Scheme exists to provide immediate financial support to households facing an emergency situation. However the number of people helped by this scheme in Wokingham borough has fallen by 76% since 2016-17, with just 21 people helped in 2020-21. In 2019-20 just £3,000 was spent providing support through this scheme. Over the last three years only 23% of the allocated budget was actually spent, on average.

Now more than ever, with the Covid-19 pandemic causing an unprecedented downturn in incomes, Wokingham Borough Council must continually review the support offered to families in crisis. Wokingham Borough Council will:

- Review the effectiveness of Wokingham's Local Welfare Provision Scheme
- Consult with residents and the voluntary sector to ascertain how those who need crisis assistance can be better supported
- Ensure residents in need of support can easily access the scheme and work to remove barriers to application
- Ensure effective signposting of the scheme in conjunction with the voluntary sector
- Ensure frontline staff are trained so that they are fully aware of the scheme and are able to advise residents on how to apply
- Prioritise the delivery of cash-first support, which is more empowering and respectful to those on lower incomes
- Ensure cash can be provided within 24-48

- hours of a successful application
- Consider relaxing the qualifying criteria and disclosure requirements for the scheme, ensuring that residents' dignity is respected throughout.

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**MINUTES OF A MEETING OF
THE COUNCIL
HELD ON 23 SEPTEMBER 2021 FROM 7.30 PM TO 10.33 PM**

Members Present

Councillors: Keith Baker (Mayor), Abdul Loyes (Deputy Mayor), Sam Akhtar, Parry Batth, Rachel Bishop-Firth, Laura Blumenthal, Chris Bowring, Shirley Boyt, Prue Bray, Jenny Cheng, Rachel Burgess, Stephen Conway, Phil Cunningham, Peter Dennis, Carl Doran, Lindsay Ferris, Michael Firmager, Paul Fishwick, John Halsall, Maria Gee, Guy Grandison, David Hare, Pauline Helliard-Symons, Graham Howe, Clive Jones, Norman Jorgensen, Pauline Jorgensen, John Kaiser, Sarah Kerr, Morag Malvern, Charles Margetts, Rebecca Margetts, Adrian Mather, Andrew Mickleburgh, Stuart Munro, Gregor Murray, Barrie Patman, Jackie Rance, Angus Ross, Daniel Sargeant, Ian Shenton, Imogen Shepherd-DuBey, Rachelle Shepherd-DuBey, Caroline Smith, Chris Smith, Wayne Smith, Alison Swaddle and Shahid Younis

In attendance: Anne Chadwick, Gary Cowan, Jim Frewin and Simon Weeks

38. PROCEDURE FOR COUNCIL MEETING

The Mayor explained the procedure for the Council meeting. In order to keep Members and Officers safe there were limited numbers seated in the Council Chamber. Additional Members were seated in a second meeting room. Those Members were visible on screen and could hear and take part in the discussion in the Council Chamber. When votes were taken, those Members came into the Council Chamber one at a time and stated how they wished to vote on a particular item. Members not attending in person had been invited to join the meeting on Microsoft Teams. These Members could take part in discussions but were not able to propose, second or vote on any items.

39. APOLOGIES

Apologies for absence were submitted from Tahir Maher and Bill Soane.

40. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Council held on 22 July 2021 were confirmed as a correct record and signed by the Mayor, subject to the final sentence of Minute 29 (Climate Emergency Action Plan Second Annual Report) being amended to read:

“Paul Fishwick stated that he felt that the Action Plan continued to encourage more car use and instead it needed to include more improvements for walking and cycling”.

41. DECLARATIONS OF INTEREST

The following Members declared a general personal interest relating to items on the Agenda:

Councillor John Halsall declared a personal interest on the grounds that he was a Non-Executive Director of Optalis.

Councillor John Kaiser declared a personal interest on the grounds that he was a Non-Executive Director of Optalis and WBC Holdings Ltd.

Councillor Stuart Munro declared a personal interest on the grounds that he was a Non-Executive Director of WBC Holdings Ltd.

Councillor Shahid Younis declared a personal interest on the grounds that he was a Non-Executive Director of Loddon Homes.

Councillor Wayne Smith declared a personal interest on the grounds that he was a Non-Executive Director of WBC Holdings Ltd.

Councillor Norman Jorgensen declared a personal interest on the grounds that he was a Non-Executive Director of Loddon Homes.

42. MAYOR'S ANNOUNCEMENTS

The Mayor informed Members that he and the Deputy Mayor had attended 30 events so far in the Municipal Year, an indication that community events were picking up post pandemic. He had also met with the four Group Leaders to discuss the operation of Council meetings. The Mayor's suggestions for improvement would be submitted to the Constitution Review Working Group in due course.

The Mayor also reminded Members of the upcoming Mayor's Ball to be held at Sindlesham Court on Saturday, 19 March 2022. Members were encouraged to attend the event and to consider providing raffle prizes.

43. PUBLIC QUESTION TIME

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

43.1 Helen Palmer asked the Executive Member for Resident Services, Communications and Emissions the following question:

Please will Wokingham Council declare its support for the Climate and Ecological Emergency Bill.

Drafted by scientists, legal experts, ecological economists and environmentalists, the CEE Bill is designed specifically to reverse the climate and ecological breakdown we are facing. The Bill requires the UK to take responsibility for its fair share of greenhouse gas emissions, to actively restore biodiverse habitats, and to stop damaging our natural world through the production, transportation and disposal of the goods we consume. In this bill, the nature emergency is tackled shoulder to shoulder with the climate crisis via an urgent, joined up, whole of government approach.

Due for its second reading next month, the Bill now has support of 115 MPs across 8 political parties and 103 Councils. Will Wokingham Borough become the 104th Council to support the CEE Bill?

Answer

The Council recognises that there is an intrinsic link between climate change and ecology and through its Climate Emergency Action Plan, the Council has already set up targets that will help to protect and support biodiversity in our Borough.

The Council has already established a strong track record for delivery on actions to address climate change, and is currently strengthening the existing strategies, policies and actions plans to deal with the effects of climate change.

The Biodiversity Action Plan (BAP) for Wokingham introduces natural climate solutions to combat land degradation and actions for improving the environmental quality, attractiveness and recreational potential of public spaces, rivers and waterways. Additionally, the CEAP establishes actions to improve grassland management, encourage wildflowers, hedge planting zones and the commitment for a major tree-planting exercise.

It is important to highlight that there are two pieces of legislation that will support addressing the climate crisis. The Agriculture Act 2020 provides range of powers to implement new approaches to farm payments and land management. In England, farmers will be paid to produce 'public goods' such as environmental or animal welfare improvements.

The Environment Bill, which is currently at the 3rd reading stages on the House of Lords, brings about urgent and meaningful action to combat the environmental and climate crises we are facing and acts as a key vehicle for delivering the bold vision set out in the 25 Year Environment Plan. It will support the country's desire to build back better after Covid-19 with measures that support both economic growth and the Government's manifesto.

To support the Council efforts to address climate change and its effects, more support and guidance is needed from Central Government, as the Council's own statutory powers and responsibilities are limited in terms of what we are able to do in achieving net zero carbon. For this reason, we will await the vote on the Climate and Ecological Emergency Bill with interest and review the potential implications on the function of local government, our residents and our resources.

Supplementary Question

Do you accept that Wokingham is part of the bigger picture and that the collapse of the ecosystem, which is imminent, will affect the whole world. I accept that you are doing local things and that is great, but I don't think that what the Government is doing is anywhere near strong enough. I see no harm in supporting this much stronger Bill. Do you agree?

Supplementary Answer

I am not in a position to comment on Government policy. All I can do is talk about what we are doing here in Wokingham, where I have already laid out that we are taking action to improve biodiversity, reduce our carbon footprint and address climate change within our Borough. We will focus on biodiversity. We will improve biodiversity net gain across our Borough. We will do it using the mechanisms available to us.

43.2 Philip Meadowcroft asked the Leader of the Council the following question:

Will the Leader of the Council please describe in precise detail the Council's declared policy, and how it duly guides its Members, on the use of private emails (rather than their official wokingham.gov.uk email addresses) when communicating to any individual, group, or media on matters connected with the Member's status as elected Councillors?

Answer

The Information Security and Acceptable Use of ICT Policy (which is an internal Council policy for employees not for Members) sets out the standards expected regarding the use of ICT which includes email use.

An extract from the Policy states:

“Emails sent when conducting Council business become part of the Council’s corporate record, even if sent from private business or personal email accounts. Council email accounts must not be used to conduct personal business or to run a private business.”

All new staff (and existing staff at least every 2 years) are required to sign the Acceptable Use Policy.

Councillors may use private or other email addresses when conducting Council business. For example, Councillors are contacted by residents at non-Wokingham.gov.uk addresses, and, for example particularly, where Councillors are also Town or Parish Councillors.

However, as stated earlier, such correspondence, if it pertains to the Borough Council, forms part of the Council’s corporate record.

Your question also gives me the opportunity to apologise for the arrangements tonight, to you and all our Members and residents. The Opposition insisted that everyone from their Group who wishes to vote can vote and our Public Health advice insists that we cannot have more in the Chamber than we have.

I believe that votes from a politically balanced Chamber was more appropriate and worked well last month. It is regrettable that every vote will be a named vote, as the Mayor has stated. Consequently, it is unlikely that we will progress with much of the Agenda. That is a shame.

Supplementary Question

When a Member is elected, they are given a Wokingham.gov.uk email address. To my simple mind, that is all a Member needs to communicate on any matter in which the Council is involved. But it appears that the Constitution does not provide a policy framework to guide Members’ use of their private email address when communicating as Members.

My enquiries indicate that there is some sort of convention that private email addresses are used during election periods instead of official Council email addresses. It strikes me that it would be helpful to all Members that the Constitution should prescribe clear rules on the use of private emails by Members. Two examples of the current confusion are illustrated by the fact that you and Councillor Howe and his predecessor, Councillor Pitts, have always signed off your District Councillors column in the Wargrave News with your private email addresses but, since last December, you have used your official Wokingham.gov.uk addresses. A second example is the use by some Members of the word Councillor in their private email addresses.

I understand that Whitehall guidance says that Ministers should use Whitehall email addresses and, if they do not, should ensure that they copy private emails and other communications concerning official business to their department’s computers, so that a full record is preserved.

Would this Westminster guidance on private email use be a good starting position for WBC to create a suitable set of rules and will you, Councillor Halsall, give it your enthusiastic backing?

Supplementary Answer

The answer is no. It is not a policy that can be addressed on the hoof like this. It is

something that we will have to reply to in a written answer.

43.3 Daniela Esposito asked the Executive Member for Resident Services, Communications and Emissions the following question:

Wokingham BC declared a Climate Emergency in 2019. Please could the Council confirm that this declaration applied to both Wokingham Borough and to the Council itself?

Answer

The short answer is yes. The Climate Emergency declaration applies to both Wokingham Borough Council and to the Borough. The Climate Emergency Action Plan (CEAP) sets targets to decarbonise the Council's operations as well as to support our residents, businesses and other stakeholders to transition to a low carbon economy within our scope of influence.

Over the last year, the Council has progressed in significant areas to deliver carbon reductions across the Borough. For example, the Dinton Activity Centre has been redesigned with eco-friendly features that make the building net zero carbon. The Council is working with the schools to improve the energy performance of their buildings through a retrofitting program and to identify opportunities to introduce renewable energy generation schemes.

The planning application for a new solar farm in Barkham has now been approved. The scheme is expected to generate enough energy to power over 7,000 homes. The Local Plan is currently being updated and includes policies that will help make new buildings across the Borough more sustainable.

Within the Council, we are working on reducing our carbon footprint by improving the energy performance of buildings, installing electric vehicle charging points, promoting home working, reviewing our policies, promoting changes in behaviour and finding innovative ways to support our community.

Supplementary Question

Would you consider the declaration as two declarations for clarity and monitoring of progress on each – the Council and the Borough more widely?

Supplementary Answer

Being completely honest with you, it is not something that I have ever considered. We have always wrapped the two things together – the Climate Emergency Action Plan is for Wokingham Borough Council, the Borough and its residents. I can see no reason why we would split it out and no reason why we wouldn't split it out. For reporting purposes going forwards, I will consult with the officers and see if it is possible.

43.4 Andy Croy asked the Executive Members for Resident Services, Communications and Emissions the following question:

My question is about the changes in numbers relating to the Barkham and other solar farms.

The Climate Emergency Action Plan of July 2020 included four proposed solar farms, at an estimated combined cost of £18 million. It showed estimated carbon savings by the four farms as 5,112t of carbon each but with a total of 25,560t carbon saved.

The Climate Emergency Action Plan of July 2021 still included four solar farms but the Barkham Farm by itself was now shown as costing £21 million. The cost of the remaining three farms was shown as to be confirmed. The Plan showed 7,970k carbon saved by Barkham and in addition showed the 3 un-costed farms still saving 5,112t carbon each. In effect, the Plan showed over 15,000t carbon saved but for no cost.

To summarise, the cost of the Barkham solar farm is more than four times the original estimate while the current Climate Emergency Action Plan includes carbon savings estimates for 3 farms for which there are no costs attached.

The Climate Emergency Action Plan is a living document. Given the extraordinarily inaccurate estimates as to costs of solar farms and totally misleading accounting for carbon savings, how can residents trust the plan?

Answer

The Council's declaration of a climate emergency and the associated Action Plan established a series of commitments to play as full a role as possible in achieving a carbon-neutral Wokingham Borough by 2030.

As it is clearly stated in the 2020 report "*The action plan is a predictive tool that allows us to understand generally, where we are heading and to implement new actions accordingly. Without this tool, we would not have a clear path on what the scale of the approach should be*". The broad targets set within the Climate Emergency Action Plan allow us to understand the level of commitment that is required. However, as was made clear in the plan, these targets and financial implications are best estimates based on the information we had at the time.

The £18m recorded in the report published in July 2020 is the committed funding to initiate these projects, which as we already mentioned, will be informed as we progress with the delivery of each project. Solar farms, as any other infrastructure project, are subject to location, site specific and capacity requirements. All these factors will affect the cost of the project and are only known until proper feasibility assessments are completed. Therefore, the real cost and carbon savings for each solar farm can only be confirmed once the necessary studies are finished.

The solar farm at Barkham will be funded through prudential borrowing. As the detail of the Barkham project has evolved, the financial appraisal has been developed using expert advice on costs and performance. Importantly, after taking into account the delivery, running and capital financing costs of the project, the appraisal is still forecasting a healthy return to the Council over the lifetime of the installation.

It is envisaged that the other solar farms will be delivered on a similar basis and there is no evidence at this time to suggest that they will not demonstrate a similar return on investment to the Council when they are brought forward. The access to funding for these other solar farms therefore is not considered to be a barrier to delivery and residents may therefore be assured that the delivery of the solar farms remains a significant commitment by the Council as part of the Climate Emergency Action Plan.

Supplementary Question

I appreciate that there is a lot of detail in the plan to keep track of and it is difficult to keep your eye on all the parts. But this is at least an £8m gap which, to my knowledge, has not

been publicly discussed to date.

I am sure that you and every Councillor will be dismayed at the magnitude of this problem. I do not know if this is a transparency issue, a lack of attention to details or what it is. In the light of this issue, do you think that you have the commitment to transparency, attention to detail or the competence to properly discharge the delegated authority requested for you in relation to the Barkham Farm project?

Supplementary Answer

I think that the solar farm in Barkham stands up as an economic investment. With the fuel prices as they are at the moment, we have put in conservative estimates which show that, even after paying down the loan and the interest on the loan, building the solar farm will generate approximately £400k per annum of profit for the Council that we can invest in other Climate Emergency initiatives and other initiatives that our residents want.

With the energy prices the way they are at the moment, the conservative estimate is only going upwards. So, we will be making an even greater return on that investment. I was told yesterday that the equipment cost factored into the budget for this project still holds true. So we will be providing it at the same cost and making more back as a result. I think that it is a great investment and, if it was my money, I would still do it.

44. PETITIONS

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

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

John Halsall	John Halsall presented a petition on behalf of residents of Wargrave asking for consideration to be given to the potential merger of Robert Piggott Infant and Junior schools on one site in Wargrave. To be forwarded to the Executive Member for Children's Services.
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45. TENANTS' CHARTER - MODERNISING THE CUSTOMER EXPERIENCE IN WOKINGHAM BOROUGH COUNCIL - 2 YEAR ON UPDATE

The Council considered a report, set out at Agenda pages 43 to 90, which provided an update on progress during the year on the aspirations in the Tenants' Charter. The report was developed by the Involved Tenants and had been approved by the Tenant and Landlord Improvement Panel.

The report stated that the WBC Council Tenants Charter included ten key priorities. The report outlined achievements against each priority and set out the future aspirations of the Involved Tenants.

Members welcomed the report and highlighted the positive working relationship between the Council and the Involved Tenants Partnership.

Steve Bowers, Chairman of the Tenant Landlord Improvement Panel, welcomed the positive working relationship between the Council and the tenant groups and noted the progress made over the past year despite the challenges created by the Covid-19 pandemic.

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

RESOLVED That the Council:

- 1) endorses the aspirations outlined in the Tenants' Charter and commits to continue to work in partnership to achieve these;
- 2) supports the Involved Tenants as they begin to look at updating the full Tenants Charter to better suit current projects, aims and aspirations of the partnership. (The Involved Tenants are requesting this as so much has changed in the past year due to the pandemic and they would like to reflect this in areas that are overachieving and those that require further support).

46. PROPOSED SOLAR FARM - BARKHAM

The Council considered a report, set out at Agenda pages 91 to 102, which sought approval for the development of a solar farm on Council-owned land at Barkham.

The report stated that the proposed solar farm would produce enough energy to offset the Council's total carbon emissions. It would also generate a return on investment in excess of 5% which would provide funds for investment in other priorities in the Council's Climate Emergency Action Plan.

The decision was referred to full Council due to the value of the investment required. It was felt that the development of the solar farm would be a significant statement of intent in the Council's move towards "net zero".

It was proposed by Gregor Murray and seconded by Laura Blumenthal that the recommendations in the report be approved.

It was moved by Sarah Kerr and seconded by Imogen Shepherd-Dubey that Recommendation 4 in the report be amended as follows:

"4) approve commencement of the Solar farm at Barkham subject to the full business case, and Recommendations 1, 2 and 3 being recommended for approval by the Community and Corporate Overview and Scrutiny Committee first."

Sarah Kerr stated that the principle of generating renewable energy was accepted. However, the proposals in the report were not supported by a robust business case with transparent financial information.

Gregor Murray stated that the proposed amendment was not acceptable.

Upon being put to the vote, the amendment was lost. The voting was as follows:

For	Against	Abstain
Rachel Bishop-Firth	Sam Akhtar	Keith Baker

Shirley Boyt	Parry Batth	
Prue Bray	Laura Blumenthal	
Rachel Burgess	Chris Bowring	
Stephen Conway	Phil Cunnington	
Peter Dennis	Michael Firmager	
Carl Doran	John Halsall	
Lindsay Ferris	Pauline Helliar-Symons	
Paul Fishwick	Graham Howe	
Maria Gee	Pauline Jorgensen	
David Hare	Norman Jorgensen	
Clive Jones	John Kaiser	
Sarah Kerr	Abdul Loyes	
Morag Malvern	Charles Margetts	
Adrian Mather	Rebecca Margetts	
Andrew Mickleburgh	Stuart Munro	
Ian Shenton	Gregor Murray	
Imogen Shepherd-Dubey	Barrie Patman	
Rachelle Shepherd-Dubey	Jackie Rance	
Caroline Smith	Angus Ross	
	Daniel Sargeant	
	Chris Smith	
	Wayne Smith	
	Alison Swaddle	
	Shahid Younis	

Upon being put to the vote, the recommendations in the report were approved. The voting was as follows:

For	Against	Abstain
Sam Akhtar	Shirley Boyt	Keith Baker
Parry Batth	Rachel Burgess	Rachel Bishop-Firth
Laura Blumenthal	Carl Doran	Prue Bray
Chris Bowring		Stephen Conway
Phil Cunnington		Peter Dennis
Michael Firmager		Lindsay Ferris
John Halsall		Paul Fishwick
Pauline Helliar-Symons		Maria Gee
Graham Howe		David Hare
Pauline Jorgensen		Clive Jones
Norman Jorgensen		Sarah Kerr
John Kaiser		Morag Malvern
Abdul Loyes		Adrian Mather
Charles Margetts		Andrew Mickleburgh
Rebecca Margetts		Ian Shenton
Stuart Munro		Imogen Shepherd-Dubey
Gregor Murray		Rachelle Shepherd-Dubey
Barrie Patman		Caroline Smith
Jackie Rance		
Angus Ross		
Daniel Sargeant		
Chris Smith		

Wayne Smith		
Alison Swaddle		
Shahid Younis		

RESOLVED That, subject to securing the necessary planning consents, Council:

- 1) approve the Capital expenditure of £20,283,000 funded from borrowing, as previously set out in the Medium Term Financial Plan;
- 2) approve delegation of decisions around the final extent and configuration of the Solar farm to the Deputy Chief Executive (S151 Finance Officer) in conjunction with the Lead Member for Resident Services, Communications and Emissions where scheme amendments will not result in the average annual net income after capital financing costs falling below £200k;
- 3) note the estimated net income (after running costs and Capital financing costs) of £12m over 25 years (equal to £480k per year on average) will be introduced into the Council's annual Budget using an equalisation reserve;
- 4) approve commencement of the Solar Farm at Barkham.

47. TREASURY MANAGEMENT OUTTURN 2020-21

The Council considered a report, set out at Agenda pages 103 to 111, which provided a summary of the Treasury Management operations during the 2020/21 financial year. The report was presented for monitoring and review in accordance with the Council's Treasury Management practices.

Maria Gee stated that the report contained information which should not have been included and did not contain information presented in last year's report (Appendices A and B). Consequently, Councillor Gee felt that the report should not be supported.

Rachel Burgess expressed concern that the net cost of borrowing in the outturn reports kept changing. It was felt that the figures reported to Members should be consistent over time to allow accurate comparison.

It was moved by John Kaiser and seconded by Daniel Sargeant that the recommendations in the report be approved.

The voting was as follows:

For	Against	Abstain
Sam Akhtar	Rachel Bishop-Firth	Keith Baker
Parry Bath	Prue Bray	Shirley Boyt
Laura Blumenthal	Stephen Conway	Rachel Burgess
Chris Bowring	Peter Dennis	
Phil Cunnington	Carl Doran	
Michael Firmager	Lindsay Ferris	
Guy Grandison	Paul Fishwick	
John Halsall	Maria Gee	
Pauline Helliard-Symons	David Hare	
Graham Howe	Clive Jones	
Pauline Jorgensen	Sarah Kerr	

Norman Jorgensen	Morag Malvern	
John Kaiser	Adrian Mather	
Abdul Loyes	Andrew Mickleburgh	
Charles Margetts	Ian Shenton	
Rebecca Margetts	Imogen Shepherd-Dubey	
Stuart Munro	Rachelle Shepherd-Dubey	
Gregor Murray	Caroline Smith	
Barrie Patman		
Jackie Rance		
Angus Ross		
Daniel Sargeant		
Chris Smith		
Wayne Smith		
Alison Swaddle		
Shahid Younis		

RESOLVED That the Council note:

- 1) the Treasury Management Outturn report 2020/21, which was agreed at the Audit Committee on 15 September 2021;
- 2) that all approved indicators set out in the Treasury Management Strategy have been adhered to;
- 3) the contents of "Table A", as set out in the report, which shows the net benefit per Council Tax Band D equivalent from the income generated less the financing costs on all borrowing to date equates to £10.22 per Band D for 2020/21. This credit provides income to the Council to invest in its priority services. This net benefit has increased from the £7.20 benefit estimated in the Treasury Mid-Year Report;
- 4) that the total external General Fund debt is £458m, which reduces to £121m after taking into account cash balances (net indebtedness);
- 5) that, although the Council is taking the opportunity of new borrowing at low interest rates in 2020/21, external debt is expected to reduce to c£350m by March 2022 as a result of repayment of legacy debt on maturity;
- 6) the Council's realisable asset value of approximately £400m, of which its commercial assets are estimated at approximately £240m.

48. MEMBER QUESTION TIME

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

48.1 Rachel Bishop-Firth asked the Executive Member for Children's Services the following question:

Parents of school aged children were pleased to see the law change on school uniform in April when the Education (Guidance about Costs of School Uniforms) Act passed. The new law recognises that leaving school uniform decisions solely to governing bodies did not always work in the best interests of less well-off families, who were often left struggling to pay for school uniforms and basic equipment.

We know that this is a real problem for lower income families in Wokingham. Councillors are hearing about some very high basic uniform costs, and in addition to these, schools have IT requirements. State schools can require children to have, for example, an iPad brand tablet and this is happening in Wokingham.

The Department for Education will now be publishing guidance about the costs aspects of school uniform policies. Will the Council commit to taking the proactive stance that other Councils have done to support all state schools in the Borough in adopting policies which mean that uniform and other education costs are kept truly affordable for all families?

Answer

The last academic year has been incredibly challenging for children, parents, guardians and schools, including their staff. Wokingham has had some of the best performance in respect of maintaining school opening and attendance from March 2020 when schools were asked to close to most students.

We have continued to work with schools and academies throughout the pandemic on all aspects of DfE policy, providing advice, guidance and support. This has included daily communication to all school senior leaders and key stakeholders, and bespoke responses where there have been issues or concerns related to outbreaks and all problems for children.

We have worked closely with the Department for Education to inform and fully understand national policy. Yes, the Council will take a proactive stance in adopting policies and support for children in need.

Supplementary Question

I am really glad that you have made that commitment to support families in need throughout the Borough. Can you commit to providing resources and giving Councillors and parents opportunities to input into the discussion about how we can keep the school uniform costs truly affordable?

Supplementary Answer

There are various forums in which input can be made. I would like to point out that where we are joined at the hip with our schools is in SEND and admissions. Nine out of ten of our senior schools are academies and they determine their own rules. Over half of our 54 primary schools are academies and the same applies. So we only have direct control, as such, over the maintained schools. We will do all we can through the Schools Forum and other channels.

48.2 Norman Jorgensen asked the Executive Member for Resident Services, Communications and Emissions the following question:

Could you provide an update on plans to put in place local deliberative processes that will bring our residents into the conversation on how we tackle climate change?

Answer

The Climate Emergency Community Deliberative Processes report was approved by Executive on 29th July 2021. The report provides an analysis of fifteen diverse and wide-ranging community deliberative processes, information from industry experts and benchmarking against several other local authority experiences. This analysis aims to inform the deliberative process that will be undertaken to engage the community with our

Climate Emergency agenda.

Within this report, the Council made the commitment to develop a proposal for delivering these processes and to report back to the Executive in October 2021. This proposal will establish the financial implications, timelines and expected outcomes from the delivery of the process.

Once budget is approved by the Executive, our aim is to start running these processes via an independent facilitation partner in early 2022. We hope that the ideas, suggestions and recommendations generated by the participants in these processes will help to improve our Climate Emergency Action Plan, close the gap to Net Zero and endorse the work already undertaken.

The Climate Emergency is an urgent problem that needs to be tackled in a time sensitive manner. Engaging and empowering residents and stakeholders to be part of the solution is a key stage of the way forward. Engagement with residents and stakeholders will continue to be an ongoing process and priority in the climate emergency agenda as set out in the action plan which is a living document and constantly evolving.

Supplementary Question

What process will be used to agree the actions and recommendations arising from these local deliberative processes and how will they be included in the Council's Action Plan going forwards?

Supplementary Answer

The process that we have been discussing is that the results and recommendations from each of the local deliberative processes will be brought to Council. All Members will vote on whether or not Officers should move to budget them and carbon budget them, i.e. to go away and do the analysis, understand what the impact is likely to be on our carbon footprint and what the impact is likely to be on our finances. At this point recommendations will come back to Council to be approved by a vote of all Members as to whether those actions should be adopted and included in the Climate Emergency Action Plan, whether they should be delayed for a later date or whether they should be rejected based on the recommendations of the officers.

I want to be completely clear here. I want to make sure that all the recommendations are put into the public domain to be openly discussed. I want us to be able to agree going forwards which actions we are going to take and include in the best interests of our community and which ones we will be passing on and why.

48.3 Jackie Rance asked the Executive Member for Business and Economic Development the following question:

I was really pleased that the Planning Committee passed the application for Shinfield Studios in July. Could you tell me what conversations the Council is having with the Studios to ensure that there are local employment and skills development opportunities?

Answer

I agree that the planning permission granted for the studios in July is an exciting step in establishing Wokingham Borough as a prime location for the dynamic and growing film and television sector with the prospect of significant further investment to come. As I'm sure you are aware given your question, what is particularly exciting about the sector is the

huge range of potential professions and trades that feature in the supply chain that offers significant scope to connect residents to employment and skills development opportunities. It is also anticipated that this will be a long-term feature of the local economy and a major stimulus of economic growth so that the creation of opportunities for local people could be sustained for many years.

In this context the Council is in current discussions with the Studios, the University and Resource Productions to develop a model for maximising access to employment and skills opportunities for local people. Work has started on the concept of developing a 'Cine-Link' hub to facilitate productive relationships between Cine Valley companies, the University, the Council and a variety of stakeholders in the local community. The Cine-Link hub would aim to remove barriers to entry to film and television industry jobs, diversify the workforce and respond to the demand for talent which, I have heard, could be in the 1,000s, will enable the development of a unique talent pipeline that can respond quickly to the incoming production companies utilising the studio space – noting that there isn't a single end user but a number of production companies who will book chunks of studio time according to their needs.

This proposal is for a pilot partnership project led by Resource Productions, in conjunction with the University of Reading and Wokingham Borough Council. The project aims to trial approaches for raising career aspirations, delivering skills and training opportunities for Wokingham Borough residents, and assisting participants to get a foot on the ladder of film and television careers. The pilot will run from October this year to June 2022 with the aim of equipping residents with knowledge, skills and contacts to access work in film and television.

48.4 Sam Akhtar asked the Executive Member for Business and Economic Development the following question:

The pandemic has hit hard for many people, not least in the area of jobs. Can you tell me what plans the Council has to support those who are out of work and to bring new jobs into Wokingham Borough?

Answer

As you rightly point out the pandemic has created multiple challenges including for businesses, the wider economy and employment. The Council has already tried to mitigate this impact where possible through providing business rates relief and grants to enable businesses to survive and in the process protect the jobs of their employees. I am particularly pleased that this Council, unlike some, has managed to disburse all the available grant funding directly to businesses, especially those hit hardest by the pandemic and associated lockdowns.

Nevertheless, we know that the claimant count in the Borough has increased significantly, albeit from very low numbers prior to the pandemic, and the Executive has approved in principle the need to provide additional employment and skills support. In planning how to best deliver this we have been seeking to better understand local need in a national context where employment impacts are not as severe as some initial forecasts suggested and where there is increasing evidence of labour shortages in a number of sectors, as we have seen in the news recently, that are providing additional job opportunities and mitigating against sustained high levels of unemployment.

When we break down levels of unemployment by ward it is clear that it is widespread

across the Borough. Of course there are differences, with some localities having higher levels than others but there is no one 'hotspot' or concentration but rather a dispersed pattern of need. Our plans are, therefore, to maximise accessibility to additional support through developing an outreach model that can deliver out in our communities utilising community or public venues to provide high quality advice and guidance. This will involve a number of Council services working together as well as with partner agencies and organisations such as Optalis, CAB and Wokingham Job Support Club. We will also invest in additional capacity to employ a qualified careers advisor/job coach to ensure a high quality service that can meet additional demand.

With regard to new jobs, it is worth noting that the Borough has a strong economic base that has made it one of the most resilient in the country. The underlying attractiveness of the Borough in terms of location, quality of life and a highly skilled workforce remain powerful drivers for future investment and job creation.

48.5 Anne Chadwick asked the Executive Member for Resident Services, Communications and Emissions the following question:

What is the Council doing to close the gap in the Climate Emergency Action Plan?

Answer

As you know, Wokingham Borough Council made a commitment to play as full a role as possible in achieving a carbon-neutral Wokingham Borough by 2030. The Council has demonstrated this commitment through developing a clear and ambitious Climate Emergency Action Plan.

In that action plan we set out a number of major commitments such as the construction of solar farms, planting 250,000 trees, developing a net-zero local plan and becoming a net zero carbon organisation. These will significantly reduce the Borough's carbon emissions, but we accept that currently there is a gap in our plan to achieving our ambition.

The Council's powers to reduce carbon emissions are limited; we cannot force anyone to do anything. As a result, we need to look at the wider picture and to our role as a community leader and influencer, which will be equally, if not more, critical. To reach net-zero across the suite of sectors and activities that we cannot directly control will require partnerships and collaboration as vital ingredients for success.

More than half of the emissions cuts needed will rely on people and businesses taking up low-carbon solutions - decisions that are made at a local and individual level. While we can provide the supporting infrastructure, we also require businesses, individuals and other organisations to choose to take action.

With this in mind, we are proposing an extensive and ongoing dialogue with residents, with businesses and with fellow Councillors. We have already started this process, by introducing the ongoing series of 'Climate Conversations' with our business community and via the newly established Youth Council focused on the climate emergency as the key topic for its first meeting and as an ongoing area of focus. I spoke with this group on Monday afternoon and have already received a number of great ideas from them.

We have also committed to an extensive deliberative engagement process with a wide range of stakeholder groups and workshops that will be independently facilitated to develop ideas and proposals for further action that address the climate emergency. This

process will not only generate a series of community led propositions; it will also act as a 'call for action', galvanising active participation and positive behaviour change.

Supplementary Question

You mentioned an ongoing dialogue with fellow Councillors. Can you tell me how you think that will work?

Supplementary Answer

I know that a lot of the Councillors in the Chamber and elsewhere have a lot of ideas. I have repeatedly asked for those ideas to be forthcoming. When we first declared a Climate Emergency a lot of those ideas were put forward. But, recently, there has been a shift from ideas to political posturing. This has been played out in public and, frankly, we need to end that. Our residents deserve better. The Task and Finish Group facilitated and run excellently by Councillor Swaddle have shown that when we do get together, cross party, some great recommendations come out that can be added to the Climate Emergency Action Plan and benefit everybody.

So, what I am proposing is a series of independently facilitated workshops, similar to the local deliberative processes, to be held for Councillors. They will be focussed on specific topics where ideas can be worked through with the officers and approved in Council, in the same way as recommendations from the local deliberative processes.

I believe that all parties have a duty to their residents to come forward with suggestions and to share their ideas, not just their criticisms.

48.6 Michael Firmager asked the Executive Member for Resident Services, Communications and Emissions the following question:

A solar farm might be grabbing the headlines, but the Council has numerous other assets at its disposal to install energy generating measures on, car parks, schools, offices, social housing, leisure centres. What has been done to utilise these assets in tackling climate change?

Answer

The Climate Emergency is one of the biggest issues facing us globally and it's important that we all do our bit. As a Council, we want to take an active role in tackling our properties and carbon footprint. That's why we are continuing to look at ways to improve our own properties and make them more energy efficient.

Part of this work has included undertaking extensive energy performance assessments on all of the Council's operational properties. By understanding how individual buildings are performing we can target a range of improvements including low energy LED lighting and high levels of insulation.

The Council is working towards introducing more smaller sustainable energy schemes, such as installing solar panels on a range of its properties including schools, offices, and community sites to help generate sustainable renewable energy and renewables on our own sites. To date, the Council has installed solar arrays on multiple properties, including three quarters of all their schools and half of the corporate outreach buildings which include libraries, youth and community centres and offices.

Making new buildings as energy efficient as possible is also a priority. The new Dinton

Pastures Activity Centre is the Council's first net carbon zero building and joins a range of fantastic green initiatives across the Dinton site such as the solar powered water aerator in the fishing lake which was installed in 2019.

To obtain a greater impact on reducing carbon emissions, the Council is continually working to align and implement different initiatives such as introducing new EV charging points, supporting our green spaces, and engaging the community with this agenda.

Nevertheless, we cannot hope to reach carbon neutral within ten years without implementing some significant actions. Our plan to build solar farms across the Borough will help us to generate more renewable energy while reducing carbon emissions in the Borough.

Supplementary Question

Everyone would agree that this is a major issue. If there are community buildings or assets in, say, my ward, Council-owned or not, what would be the best way to ensure that they are considered as part of these Climate retrofit plans?

Supplementary Answer

If it is a Council-owned asset, then an energy assessment should have already been done and there should be plans in place to make the energy efficiency upgrades that are possible at the site. If it is not a Council-owned asset then we can still conduct the energy efficiency surveys. If you can let me know the sites, I can try to make sure that they happen.

For community sites we have launched the Local Community Energy Fund. It hasn't done its first fundraising yet. It is planned for later in the year. For community buildings that aren't Council assets, that is a fantastic way to get things like solar initiatives or air source heat pumps and other environmental initiatives added to the building at next to no charge to the property owners or the organisation or clubs that are running it.

48.7 Imogen Shepherd-DuBey asked the Executive Member for Environment and Leisure the following question:

I understand that Wokingham Borough Council organises 'Public Funerals', but I am unclear on exactly what that means. Please can you explain to me what the process or what happens to someone's remains when someone dies without any family members to organise a funeral for them?

Answer

The Council has a duty under section 46 of the Public Health (Control of Diseases) Act 1984 to 'cause to be buried or cremate the body of any person who has died or found to be dead' within the Borough. This excludes deaths in settings such as hospitals. This is often referred to by many as 'Public Funerals, Assisted Funerals or Paupers Funerals'.

In carrying out this duty, the Council ensures it does so respectfully and works with the funeral director and other relevant partners to assist in the process of burial or cremations. Normally, the service would attempt to locate any next of kin. Where there are none to be found, the service would default to a cremation in the absence of any other instruction.

Ashes are scattered in the local crematorium garden of remembrance in the absence of any other wishes the service is made aware of. If a will exists that specifies a wish for a

burial, or other means of disposal, then the authority would do what it can to honour those wishes.

Supplementary Question

The reason why I have asked this question is quite simple. During lockdown, my brother allowed a homeless friend to sleep on his sofa. His friend had just sold his mother's house and had not had the chance to sort out where he was going to live. Unfortunately, after living with my brother for several months, he died whilst asleep on the sofa. The body was taken away and given a public funeral. Because he had no family to bury him, it was done by Wokingham Borough Council. My brother and his many friends were not invited to the funeral and were not told about what happened to him. This is despite the deceased living with my brother and having a substantial amount of money in his bank account. My brother was given no advice on how to handle the deceased's belongings and they were left in his home. I had to get permission from WBC to allow him to dispose of these. While no one expects a public funeral to be lavish, Government guidelines indicate that WBC is required to liaise with his family members, etc. through the public funeral. So, why has this not happened in this case?

Supplementary Answer

I am sorry to hear that. I don't know the full extent of the story, but I can find out and get back to you.

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

When will the examination in public occur for the Local Plan; if that is not yet available when will the Local Plan come to the Borough Council for approval?

Answer

The Local Development Scheme (LDS), available on our website, sets out the local plans that will be prepared and key milestones for their preparation.

The Central and East Berkshire Joint Minerals and Waste Local Plan, which has been prepared in partnership with Bracknell, Reading, the Royal Borough of Windsor and Maidenhead, is currently at examination, having been submitted to the Government in February 2021. The hearing sessions are being held in Maidenhead on 28-30 September 2021.

Consultation on a revised growth strategy for the Local Plan Update will take place this autumn. The subsequent programme set out in the LDS is that consultation on the pre-submission Local Plan Update will take place in the summer 2022 followed by submission to the Government during November-December 2022. The plan would be at examination from that point with the detailed timing being set by the Government appointed Planning Inspector. Adoption of the plan is anticipated by the end of 2023.

Supplementary Question

Since the Local Plan is out of date, according to some inspectors at this point, why were so many meetings cancelled – there were no meetings at all for the Local Plan Update Committee for six months. In the last six months we probably had a few, but not many. What is being done to make progress quicker, not taking our time so that developers can build wherever they want?

Supplementary Answer

As you know, as you have been at the meetings, which are cross-party, we have had meetings. There have been some meetings we haven't been able to hold because we didn't have the information. We have had to go back around the Borough looking at all these brownfield sites that people keep telling me about – but nobody comes up with any. Looking at alternative sites that we keep asking for, but nobody comes up with any. So it has taken time. That is why it has taken so long. To your point about developers building everywhere, can you point me to the last appeal that we lost?

48.9 Jim Frewin asked the Executive Member for Children's Services the following question:

As a parent I remember the stress of going back to school after summer holidays. I believe Covid will have increased this stress. For those who have children with special educational needs, the stress is even more significant given the planning and preparation required to ensure the children are emotionally prepared for the back to school. As a Council we gave some parents less than 48 hours' notice of the detail of their school transport changes. Some parents were having to chase the day before to get details.

A number of residents have raised their concerns and distress about these very late changes. I tried to contact the relevant Executive members and Senior Officers. I am still waiting for some to respond. I thank those who did.

I understand this process is split across Service areas and Executive Members. My question is what happened in this year's Special Education Needs school transport process to cause so much upset and distress to these children and their families?

Answer

WBC provides Home to School transport to approximately 320 SEND pupils as a statutory service. Ahead of the academic year 2021/22 the Council had to re-tender the contracts to provide this service to ensure it meets legal procurement and tender requirements. As part of the re-tendering, WBC has sought to optimise transport routes in order to reduce journey times and, improve the service for pupils and families.

Separate to this process, the Council has also undertaken a review of Home to School requirements for those eligible SEND pupils to make sure that what is being provided matches what is needed for all pupils. In future, such reviews will take place annually. That is something we have learned. The review was carried out with the active involvement of SEND Voices (the forum for parent carers of children and young people with SEND).

We do recognise the impact that this has had on families, and especially those with Special Educational Needs and Disabilities and apologise for any frustration that this has caused.

I was approached by a number of Councillors and a briefing was held on Friday 17 September (Councillor Frewin was present) and, if there are other Councillors who want the same thing (it is difficult to understand) I will happily put something on if you email me.

Supplementary Question

I understand that the issues this year are almost like a perfect storm. I would like to recognise the fact that the officers worked extremely hard to rectify the situation. The issue is that it should not have happened. I appreciate the briefing we had but would like to ask

the Executive Member whether he would be willing to come back and provide some details once we have had some time for things to settle down, with an action plan to ensure that this never happens again.

Supplementary Answer

In any situation where we have had this sort of thing, we need to learn the lessons and communicate them.

48.10 Carl Doran asked the Executive Member for Resident Services, Communications and Emissions the following question. Due to time constraints the following written answer was provided.

The Barkham Farms solar farm received planning permission earlier this month.

As a member of the Planning Committee, I spoke in favour of the application and was pleased to vote for it.

The Climate Emergency Action Plan, which he will know I have long derided as ineffective, inaccurate and unacceptable, states that target RE12.1 for this specific solar farm project is 7,900 tons of carbon saved per year. That's 197,500 tons of carbon over 25 years.

However, it was stated in the planning application that this solar farm would realise a carbon saving of 92,000 tons over 25 years. That's over 100,000 tons less than the planned target.

Why have you missed this target by more than half?

Answer

As you are aware, the Council's declaration of a climate emergency and the associated Action Plan established a series of commitments to play as full a role as possible in achieving a carbon-neutral Wokingham Borough by 2030 (accepting that the Council was only one of a wide range of stakeholders who would also need to take action). One of those significant commitments was to develop largescale solar PV farms throughout the Borough.

The broad targets set within the Climate Emergency Action Plan allow us to understand the level of commitment that is required by all sectors and partners and provides a clear path for the scale of the approach that is needed. However, as was made clear in the plan, these targets are best estimates based on the information we had at the time. The assumptions made with regard to carbon reductions achievable with solar farms were informed by Ofgem (Typical Domestic Consumption Values for gas and electricity, 2020) and the UK Government GHG Conversion Factors for Company Reporting (June 2020). The analysis of anticipated carbon reductions was therefore informed but indicative and was always expected to vary following detailed studies and feasibility assessments.

The initial plans for the solar farm in Barkham aimed to generate in-excess of 36 MWp of energy (CEAP second progress report July 2021), however, as the planning application progressed the size of the solar farm was reduced to address various issues raised. The planning application that went before planning committee on 8th September was for a 29.63 MWp facility that inevitably would deliver a lower carbon reduction.

Using the UK Government Green House Gas (GHG) Conversion Factors for electricity

generated, it is estimated that the energy generated by a 29.63 MWp solar farm would save some 7,573 tCO₂ in year one of operation when compared to using traditional fossil fuels. The estimated energy generation of the scheme therefore does fall short of the 7,970 tCO₂ set out in the CEAP. However, the adjustments to the scheme in response to the site-specific planning constraints were necessary to secure planning consent. The CEAP will be updated in the next reporting to reflect the change in the anticipated carbon reduction to be achieved. In addition, the Council will also look at the potential for additional capacity at the other solar farms as detailed plans are developed to maximise the overall contribution to carbon reduction that can be achieved.

The referenced figure in the planning committee report related to savings over a 25 year period. The figure takes into account both a reduction in energy generation as the equipment ages and that the level of carbon saving will reduce over time because the wider energy supply market will de-carbonise. The energy generation and carbon savings per year will not be fixed over the 25 year period as has been applied in the calculations used in your question. The 25-year figure in the planning report is not therefore directly comparable to the 7,970 tCO₂ target set out in the CEAP.

As the Council progresses the detailed development of the other solar farms, we will have better understanding of the potential carbon savings that can be achieved, however, this will depend on their feasibility, size, and other market variations.

Overall, the development of solar farms remains a major and very positive commitment by the Council. Not only will they increase the production of renewable energy but also have the potential to generate an income which will then be reinvested into delivering other carbon reduction projects.

48.11 Laura Blumenthal asked the Executive Member for Highways and Transport the following question. Due to time constraints the following written answer was provided.

Residents in my ward are concerned about speeding on Woodlands Avenue. The Council said it would look into installing a VAS sign. Please can you let me know how progress on this is going?

Answer

Officers have checked traffic speed data available for Woodlands Avenue and added the site to the programme of mobile VAS signs that we move from site to site across the Borough. The VAS programme is managed on an 'as requested' priority basis and subject to availability of equipment. The Council has a limited number of mobile, battery powered VAS signs for this type of use and there are a number of sites across the Borough where this has been requested. For clarity the traffic speed data for Woodlands Avenue does not indicate that there is a significant speeding issue with both average and 85th percentiles speeds below the police enforcement level across the day.

At this stage, officers are unable to provide a precise date, but it is estimated that a device would be likely to be available for installation in Woodlands Avenue in Q4 of the 2021/22 programme which is approximately 14th March 2022.

49. MINUTES OF COMMITTEE MEETINGS AND WARD MATTERS

49.1 Shirley Boyt asked the Executive Member for Highways and Transport the following question:

In Woodlands Avenue we have public laybys which are used extensively by people who park to take recreation on the Bulmershe field, walking their dogs and the like. Recently, we have had a spate of people parking there long-term – commercial vehicles, minibuses, a car transporter and even, on one occasion, a heavy goods vehicle. These vehicles park there for a long time, depriving residents of the opportunity to park there. Now, knowing how long it takes to get some sort of traffic regulation and timed parking set up, I was wondering if you could commit to helping me to fast-track something through with Traffic Management?

Answer

Yes. Any resident can request TROs on line through the Council website. But I will be very happy to work with you to help with that particular problem.

49.2 Stephen Conway asked the Leader of the Council the following question:

I wanted to thank the Leader of the Council for his comments in the press on the inappropriate behaviour of Councillors in other local authorities who have been lobbying to promote large-scale building in the Green Belt, near Twyford. Such large-scale development, should it take place, would have a profound impact for the people he and I represent. May I ask him, therefore, to confirm that the ruling Group on this Council will not be including Green Belt sites in Ruscombe in the new version of the Draft Local Plan?

Answer

I don't believe that I am capable of answering that because it would be predetermination, even if I knew it.

49.3 Michael Firmager asked the Executive Member for Highways and Transport the following question:

In the village of Sonning there are many instances of speeding, especially on Pound Lane, Charvil Lane, Pearson Road and Sonning Lane. I know that this happens elsewhere, but Sonning is an historic village with narrow roads. Sonning Parish Council and myself have been pressing for road calming measures and an upgraded crossing outside Sonning School, which is on Pound Lane. In fact, Sonning Parish Council have been doing this for a number of years. Sonning Parish Council has also sent speeding data to Wokingham Borough Council for some time and nothing has ever happened.

There is a strength of feeling in the village and the residents feel let down and forgotten. This was shown by a packed Sonning Parish Council meeting, which is absolutely odd to say the least, on Tuesday 14 September 2021. Is there anything you can suggest in order for me to do something about this?

Answer

The Borough Council has undertaken investigations into traffic speeds in Pound Lane, Charvil Lane, Pearson Road and Sonning Lane and is aware of the concerns raised by residents and the Parish Council. We are aware of some instances of excess speeds on these roads and have referred residents and the Parish Council to the police for enforcement, as we have no ability to enforce speed limits in this Council.

These roads, generally, have a good safety record, despite carrying frequent traffic. The Borough Council's engineers have been liaising with the Parish Council prior to and throughout the Covid pandemic and have undertaken studies to determine the need for a change of speed limits in all these roads. These investigations have shown that average vehicle speeds, upon which speed limits are required to be based, are all below existing speed limits and, therefore, there are no grounds for changing them. Despite this, the Council continues to explore the possibility of extending the existing 20mph limit in Pound Lane and has proposed measures to the Parish Council and received feedback. Further discussion about the proposals is being undertaken with Thames Valley Police as the enforcement authority as, generally, they have to agree with any speed limit changes.

The form and location of the existing raised Zebra crossing in Pound Lane is considered appropriate for the requirements of pedestrians using it, both for the school and access to the open space and bus stop. The measures proposed for Pound Lane include some changes to the existing crossing, but there are no grounds for changing the type of crossing. It is suggested that residents speak with the Parish Council and are aware of all the proposals being developed by the Borough Council.

I would be very happy to meet you to explain in more detail and also talk to you about what we may be able to do.

49.4 Andrew Mickleburgh asked the Executive Member for Environment and Leisure the following question:

I believe that the Council has CCTV equipment that can be deployed to fly tipping hotspots and have suggested to officers that it be used in a notorious fly tipping hotspot in my ward. I do not believe that this has happened yet. Would you be able to follow this up if I email you the details of the location?

Answer

As you know, there is a cross-party fly tipping working group. I think that the most appropriate channel would be via your reps on that working group, Paul Fishwick and Clive Jones. Certainly, that is what the cameras are there for and I will be happy to work with you through the working group in order to help.

49.5 Rebecca Margetts asked the Executive Member for Highways and Transport the following question:

Residents of Finchampstead have raised concerns about proposed parking charges at Avery Corner car park and California Crossroads. These car parks are currently free which is essential for local businesses and residents in Finchampstead who use local amenities. Please can you confirm that there are no plans to impose parking charges there?

Answer

The proposals you have seen were not intended to change car parking charges, except for 15 minutes free parking at Dinton Pastures and 30 minutes free parking in the visitors' bays at the Borough Council offices. The shops in the California Crossroads area had a new one hour maximum stay restriction. That will be introduced to ensure that spaces are used by local shoppers rather than long-stay visitors. That might be something we could use in response to Shirley's earlier question.

49.6 Rachel Bishop-Firth asked the Executive Member for Environment and

Leisure the following question:

Last year the Council, without consultation with residents, imposed restrictions and very high fees on fitness trainers using Borough parks. After a public outcry there was a U turn against fees of up to £1,500. A trainer wishing to use a Borough park now has to have public liability insurance of £10m, a DBS check and a personal training certificate. As a result, most fitness trainers have stopped using the Barkham Rec. It looks like they helped to keep troublemakers away because they have been replaced by drug dealers and vandals. There was a recent arson attack on the playground in broad daylight.

Will the Council look into the unintended consequences that the outdoor fitness trainer permits have had and give us a date for replacing the vandalised play equipment?

Answer

I will look into that and get back to you.

49.7 Lindsay Ferris asked the Leader of the Council the following question:

Residents in Twyford would like to know what the Council knows about any proposed Council changes within the authorities in Berkshire.

Answer

There are no changes proposed for the local authorities in Berkshire. The article in the press is extremely misleading. We became unitaries in 1997. Some people here would have been there at the time. At that time various legacy institutions continued and the LEP became a new institution serving the Berkshire authorities. With the devolution agenda the Government has indicated that it would like to do County deals. "County" is just a word. We don't need County deals. It could be "Ferris" deals or "Jones" deals with larger combinations of authorities.

The proposal is from the Berkshire Leaders (who meet every month, as do the Chief Executives and Finance officers) The proposal is that we look and explore with Government what benefit there is in going in a combination rather than just going as unitaries. The funding which the Government used to put through the LEP is intended to be paid directly to local authorities.

So, in answer to your question, there is no proposal for a combination of unitaries into a new Berkshire County Council. If you have seen my track record over the past three years, we have been walking away from joint arrangements as if they were going out of fashion. The last two are now in my sights. I wouldn't welcome it. Neither would the other authorities.

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

What will be done to make the Hatchwood Mill Country Park adoptable by Wokingham Borough Council, since there is no bond and planning enforcement is not very effective. The developers closed their local subsidiary, as they normally do, when they finished the estate. How can we be reassured that the park will be taken over, or is it going to be left to rot?

Answer

I will look into it tomorrow and get back to you.

49.9 Sarah Kerr asked the Executive Member for Highways and Transport the following question:

On Evendons Lane there is a 60mph section. In Spring 2019 I reported a safety defect affecting the road which was unsafe for cyclists. After six months of chasing Highways came back and said it wasn't a safety concern. Two weeks ago a very confident regular cyclist had a nasty accident in that exact spot. If another car had been coming in the opposite direction he would be dead now. Two broken bones, fractured hand, stitches in his arm, stitches in his leg. He is in a very bad way.

They are now saying that it is a safety defect. It has not deteriorated. It has not been picked up in any highway inspections. This is not the only case where we are having these safety defects reported in the Borough. The defects not being fixed and cyclists being hurt. When are we going to take cyclist safety seriously?

Answer

I can assure you that I do take cyclist safety seriously, especially as I came off my own bike yesterday. If you have any particular questions or you think that people are not taking safety seriously, please do get in touch with me urgently. I will be very happy to look into it.

49.10 Angus Ross asked the Executive Member for Highways and Transport the following question:

Recently, there has been an announcement that the Nine Mile Ride in Crowthorne (we used to call it Finchampstead – in fact it is in Wokingham Without) is going to be closed for a considerable period of time – likely to be for sewer connections. My questions are – one, it was not helpful that it didn't really explain what that meant in terms of road closures. Two, there is a rumour that, at the same time, Bracknell are closing Dukes Ride which would be the alternative route. Before this rumour gets stronger, I wonder if it could be investigated to make sure that Wokingham and Bracknell have got their eggs in the same basket.

Answer

Absolutely, definitely, in a few minutes.

49.11 Prue Bray asked the Executive Member for Highways and Transport the following question:

We have had an enormous number of overnight road closures in Winnersh. In some of them residents have not been allowed access to their properties. One lady had to wait 45 minutes and was late for work. Next week, we have road closures overnight in Robin Hood Lane and I believe there is still some overnight work on the Reading Road and now we have daytime closures on the Reading Road.

Can you look into the traffic management that accompanies these works and do something to ensure that traffic gets through as smoothly as possible, or that, when diversion routes are signposted, they are actually available and people don't go up to the diversion and be told by the workmen to go a particular way, go that way and find it doesn't work either.

Answer

Certainly Prue.

49.12 Paul Fishwick asked the Executive Member for Highways and Transport the following question:

The A329 Reading Road Winnersh Relief project has had a series of overnight closures up to the 4th of September. Recently one resident leaving for work at 3.30am was made to wait 45 minutes and was late for a shift. However, and without warning to residents and the local Borough ward Councillors, the road was closed again to complete unfinished planned works on the night of 6/7 September. Even an ambulance with blue lights was witnessed having to turn around due to the sudden closure. This caused significant frustration for the travelling public who were unable to gain access to Woodward Close. For example, in the Reading direction they were told by operatives on site to use the Winnersh Relief Road. On reaching the closure point they were told by operatives to use the diversion route through Wokingham, a five mile detour. Arriving at the closure point by Saddlers Lane they were told to follow the diversion route and approach from the Reading direction.

This is an unsatisfactory way to treat our residents and the travelling public, with frustration shown on social media, of which you are a member. With a further three nights of closures planned next week, will the Executive Member ensure that her department controls access for residents properly and local ward Members and residents are informed ahead of these types of works in future.

Answer

I would recommend to every resident that they keep an eye on a site called Roadworks.org which gives the absolute diversions and diversion routes and times for closures. Things do change. The closure on the Reading Road which was down to the connection of the new bypass was certainly delayed due to other engineering works and it is important that this data is out in real time rather than waiting for press releases and that sort of thing.

I will do my best to ensure that the signage is up to date. As you know, I have been very active on social media getting people the right answers. If you would like to tell me about issues email me, don't wait 20 days after the event. That would be helpful.

49.13 Chris Smith asked the Executive Member for Highways and Transport the following question:

Recently, during the resurfacing of the Wokingham Road, I witnessed a member of the public harassing the workmen and trying to force her way through the roadworks on a Sunday. Please can you pass on my thanks for the way they handled that member of the public and the threat to safety she posed?

Answer

Thank you. I certainly will.

50. STATEMENTS BY THE LEADER OF THE COUNCIL, EXECUTIVE MEMBERS, AND DEPUTY EXECUTIVE MEMBERS

Charles Margetts, Executive Member for Health and Social Care

I wanted to take this opportunity to update Members on the situation locally with primary care. Our GPs have experienced a 40% increase in demand over the past three to four months which has been very challenging. We believe that every resident who needs it should have a face-to-face appointment. However, it is perfectly possible to get what you need without a face-to-face meeting and we would encourage all residents to do this wherever possible, to get the quickest response and to enable our GPs to deal with this demand. To support our GPs and help our residents with correct advice we will be launching a PR campaign over the coming weeks to advise residents on the best way to access Primary Care health services and what can be achieved and there are many things without a face-to-face appointment with a GP.

As Members will know, GPs are commissioned and contracted to the Berkshire West CCG. WBC has no control over their performance. In the past few weeks the nationwide GP patient survey has been published which ranks GPs across the country based on several measures relating to the quality of service. Surveys are always a slightly blunt instrument to judge anything but there were some key trends that came out. We have some GPs in Wokingham who are doing a very good job despite this situation. The Finchampstead, Wargrave, Wilderness, Burma Hills and New Wokingham Road surgeries all scored in the top 10% in the UK. I wanted to thank them and commend them for this achievement. However, we also have four surgeries in the bottom 10% based on the survey. They are also GPs which residents and Members have raised concerns and questions with me in the past. These four are the Wokingham Medical Centre, Loddon Vale, Woosehill and Twyford. The Wokingham Medical Centre has been in the bottom 10%, according to the survey, since 2017.

As I mentioned earlier, GPs are commissioned by the CCG which is 100% responsible for their performance. However, it is the duty and responsibility of WBC to raise residents' concerns with the CCG when it is appropriate. I believe that our residents deserve better than this and last week I wrote to the Head of the ICS and the Commissioning Lead at the CCG raising this issue with them over these four surgeries, asking them to provide more active support to resolve the problems with them and to implement improvement plans and to report back to us without delay. I will be happy to keep Members informed of progress.

Parry Batth, Executive Member for Environment and Leisure

I will take a few minutes to update you all on a few salient features within my portfolio.

Waste collections have continued on a weekly basis despite the staff shortage challenges thrown at us by the Covid Pandemic. Whilst the neighbouring authorities have stopped collecting their garden waste, we have continued collecting everything. We are not out of the woods yet but we are doing all we can to provide a valuable weekly collection of waste. There are a lot of issues with drivers which are causing problems. I will keep Members updated if we have any problems but, so far, we are doing okay. I would, therefore, like to thank and congratulate our officers and contractors for delivering a valuable service to our residents during these difficult times.

Mr Mayor, thank you for joining me in opening the Dinton Activity Centre yesterday. The climbing wall you saw was hand painted and the murals carefully selected to reflect the flora and fauna at Dinton in both a woodland scene and a lake scene. Physical education, environmental education and fun all rolled into one! As you saw, wind catchers on the roof allow for natural ventilation. Air conditioning to assist active cooling where needed. The by-

product of the warm air is converted into energy to heat the water for our under floor heating in the hall. Solar panels and air source heat pumps are used to generate the rest of the electricity for heating and lighting. The Activity Centre will be the first carbon neutral facility that Wokingham Borough Council owns.

Mr Mayor, I have initiated a Waste Strategy that will comprise of short and longer term measures to help manage the Borough's waste. In the short term we will be encouraging the public to reduce waste and increase recycling to reduce costs and deliver savings for the Council. In the longer term we will be consulting the public on their views of how we should develop waste services in the light of the Climate Emergency. The development process has begun with involvement from the Overview and Scrutiny Panel who will oversee this project and it is expected a draft waste strategy will be formulated by late Spring next year.

Gregor Murray, Executive Member for Resident Services, Communications and Emissions

I would like to give a brief update to Council on three topics within my areas of responsibility.

The first is to say that there has been a Motion put forward to this Council for many months relating to the Local Electricity Bill. Having looked into this in some detail I have come to the conclusion that the passing of this bill could benefit our climate emergency and our efforts to both reduce our carbon footprint and to increase the financial viability of localised energy generation. With that in mind I have done as the Motion requires and written to each of the four MP's that represent residents in Wokingham, and also to the Minister of State for Energy, calling on all of them to put their support behind the bill and to work with others within their parties to ensure that this legislation passes and is enacted.

If you will indulge me, I would like to take a moment to read out part of the response I received from the Rt. Hon Theresa May. She said "Community energy is a key part of clean growth and can decarbonise energy in local areas while bringing other economic or social benefits." However, she added "there are other considerations which must be taken into account. For example, the Bill seeks to alter the licensing provisions. Ministers have expressed their concern that changing the licensing framework would create wider distortions elsewhere in the energy system. I understand that, instead, the Government is encouraging stakeholders to engage with the ongoing work that the Government is undertaking with Ofgem to support flexibility and innovation more generally. This can help identify how a local element can play a part in the solution."

Finally, her response also told me that "With increased electrification of heat and transport, I am encouraged that the Government and Ofgem continue to work to ensure that the systems and markets that will support this remain flexible, secure, competitive and that they meet the needs of consumers."

Mr Mayor, from this response I take it that, whether the Local Energy Bill passes or not, work is being done to achieve its fundamental intent and objectives, which, as I already said, could benefit our Climate Emergency and our efforts to reduce our carbon footprint.

Staying on an energy theme Mr Mayor, I would like to provide an update on two schemes that I launched at the tail end of last year, the EcoFlex Help to Heat scheme and the Green Homes Grants scheme. As with the scheme nationally, the Green Home Grants scheme,

known as L.A.D. 1A, which we entered into in partnership with Bracknell Forest Council has not been the success we had hoped. We ourselves found this scheme to be difficult to navigate and it was not clear what could and could not be included. Couple that to a national skills shortage meant that we were only able to help five household out of those who applied locally. All of us involved in this project are disappointed by this.

Conversely, the scheme that we created locally however, the Eco Flex Help to Heat scheme was substantially more successful for us, and significantly more successful than we had anticipated. You will remember Mr Mayor that, when I launched this scheme our intention was to retrofit approximately 400 homes across Wokingham Borough using this scheme. To date Mr Mayor I am delighted to inform council that 877 homes have been assessed and have benefitted from either cavity wall insulation, loft insulation or both installed, at little or no cost to the resident. In doing so, fuel bills have been reduced for some of the most at risk of fuel poverty households across our borough, a move which, considering the recent fluctuations in fuel prices, shows great foresight on behalf of us and Council officers and will benefit the families in these properties greatly.

The final matter I would like to discuss is Area DD. For the benefit of Councillors who are unaware of Area DD, this is a piece of land near Asda in Earley that is owned and maintained by Wokingham Borough Council. It is a mixture of woodland and scrubland and, with minimal routine management has been allowed to develop naturally, to support a variety of wildlife species and biodiversity.

In June, Councillor Pauline Jorgensen and I met with the Council's Ecology Officer at the request of representatives of the Earley Environmental Group to discuss options for protecting and preserving this area of wood and grass land now that it no longer considered a site for future residential or commercial property development. As a result of this meeting, we have agreed that a Climate Emergency-based management and maintenance strategy will be drafted and consulted upon. This strategy will then be used as a basis for increasing biodiversity, enhancing the woodland and scrubland space and for tidying up the remaining debris and dumped waste from the area. I will update Council on the relevant timings of this strategy and any related works in due course.

Pauline Jorgensen, Executive Member for Highways and Transport

Work continues on our congestion management programme, as part of this we have been successful in our bid for £250k of Government funding – this will enable us to improve traffic signals with queue detection and journey time calculation to smooth out traffic and reduce queues; upgrade equipment to low energy technology providing more reliability and reduced maintenance and energy costs and will also introduce new technology to improve pedestrian crossings.

We are installing car park management equipment in several of our car parks, the first set of detectors at Carnival and Denmark Street are up and running, these detectors will feed information on vacant spaces into user apps and also strategic VMS signs guiding people to car parks with spaces available.

I have just approved an amendment to our traffic regulation orders which takes steps to deal with dangerous parking identified by local residents by introducing new parking restrictions in some of our parking hotspots, for example around Loddon school. These restrictions will be implemented over the next few weeks.

We continue to work on our Bus Service Improvement Plan (BSIP). All Transport authorities are required to develop a plan in partnership with the transport providers in the area with the aim of improving joint working on bus service development. It is also required to enable us to qualify for 'bus recovery funding' on 1st September, the BSIP must be published by the 31st October, so it is quite urgent.

Having delivered cycleways and greenways along the new Winnersh relief road, California way, Observer way, Barkham Bridge, and London Road cycling and walking improvements in the Borough continue to gather momentum. The first stage of Public consultation on the local cycling and walking infrastructure plan has completed and we are talking to local bodies such as WATCH, Town and Parish Councils and Councillors to help prioritise the improvement work.

Future cycleroute schemes planned include a 19km route from North to South of the Borough between the Thames Path at Wargrave and the Blackwater Valley path at Swallowfield, cycleway links between Woodley and Winnersh Triangle, a cycle route between Woodley Town Centre and Palmer Park and finally a cycleway linking Winnersh and North Wokingham.

We have received a further £94k from the Government to progress our cycle infrastructure planning and to deliver training and promote active travel initiatives. The recent Beat the Street initiative award scheme, at which the Mayor gave the awards, shows how popular cycling and walking to school has become. More than 6,000 residents took part travelling an astonishing 151,000 miles during the game.

Finally, our road resurfacing programme is progressing with more than 50 roads being fully resurfaced, another 30 plus are being surface dressed or micro-asphalted this year as part of our maintenance programme. Over the summer, since June, 528 potholes were also repaired keeping our pledge to continue to improve the state of our roads.

John Halsall, Leader of the Council

I wanted to discuss three important matters: the Health and Social Care changes, the plight of Afghan families and some of the latest information about Covid.

The current rate of Covid cases within the Borough is 211 per 100,000. This has fallen back in line with the South East and England after a period of higher rates resulting from the increased (asymptomatic) testing amongst young people for attendance at the Reading Festival and return to school testing. Most of the cases within the Borough now fall within our school age population, in line with the rest of the country. Whilst the rate remains stable, it remains high. We must remain cautious and continue to work to reduce transmission of the virus within our Borough.

Following the announcement of the Government's Winter Plan, vaccination remains at the heart of our response to Covid. Wokingham is doing well with 86% of residents having received the first vaccine and 81% having received the second dose. There is, however, still work to be done. There are over 60,000 residents who are due their booster vaccines in the coming weeks and months. We are working closely with the CCG and primary care colleagues to support delivery of the booster programme. We continue to work to increase uptake, particularly of second vaccinations in those under the age of 40 and have launched a vaccine helpline to provide advice and information to residents. We are also working, through our Children's Services Taskforce, with all the schools within

Wokingham, both in their management of Covid and also providing support for the vaccine rollout within schools.

If I turn to the recent announcements on Health and Social Care changes. I am delighted that the Government is taking some action here. It has been 10 years since the Dilnot report. What is proposed doesn't solve all Adult Social Care (ASC) problems. Most of the money is going to the NHS with the risk that, rather than a fair proportion of this money going to Social Care, a further burden will fall on local taxpayers.

Regarding the funding, of the £12bn a year this will raise only £1.8bn is proposed to come to councils for Adult Social Care. £1.8bn will not solve the problems in adult social care. It has big risks for WBC, as we have a lot of private funders. Many people must pay for care. The worry here is that the £1.8bn will not cover this impact and the more burden will fall on Councils particularly like in Wokingham where we have a high proportion of private funders. I am lobbying the Government, using every channel that I have, to ensure that we do not end up with a burden that could be very substantial.

On the matter of Afghan refugees, officers from the Council have been in continuous liaison with MHCLG and the South East Strategic Partnership for Migration who are leading on the settlement programme. It is clear to say that this is a significant undertaking as some 15,000 refugees have recently arrived in the UK with 1,500 in the South East region. We are keen to ensure Wokingham Borough plays its part in assisting these families and through our conversations with MHCLG and partners we have agreed to take 3 families. Of course, it is not as simple as identifying and supplying housing requirements, but the overall support required to ensure the families can successfully relocate to the Borough and become a welcome part of our inclusive community.

As a first step, officers from our Housing Services team are busily looking to access suitable properties and then will liaise with the Strategic Partnership for Migration who will carry out a matching exercise to assess suitability. Once assessed, the process can commence for relocation ensuring we have the necessary support in place to meet the individual needs of the families.

51. EXTENSION OF THE MEETING

At 10.05pm it was moved by Adrian Mather and seconded by Stephen Conway that, in line with Rule 4.2.8, the meeting be extended by an extra 30 minutes, up to 11.00pm.

Upon being to the vote, the proposal was lost.

52. STATEMENTS FROM COUNCIL OWNED COMPANIES

Shahid Younis, Loddon Homes

I would like to make a statement as Chairman of Loddon Homes. In May, UllaKarin Clark stepped down as Chairman of Loddon Homes and Lindsay Ferris resigned his post as Non-Executive Director. Myself and Norman Jorgensen were nominated to the Board by WBC. I am pleased to say that I was elected as Chairman at a meeting earlier this week. I want to convey my thanks to UllaKarin and Councillor Ferris for their valuable time served. I look forward to working closely with the other Non-Executive Directors who will bring with them a wealth of knowledge and will collectively provide appropriate commercial challenge and operational scrutiny whilst ensuring that Loddon Homes maintains its independence as a registered provider.

For the benefit of our new Members, Loddon Homes is a “for profit” registered provider of social and affordable housing. We currently hold 112 properties in our portfolio with a further 40 under construction. This week the Loddon Homes Board signed off the end of year financial accounts for 2020/21 and recorded a small profit of £3k. Whilst the recorded profit may not appear to be significant, Loddon Homes continues to make a positive financial return to the Council through the strategic payment of interest charges associated with the development bill. This is in addition to the payment of services across the Council such as finance and legal support as well as well as the housing management function provided via tenant services.

Despite delays associated with Covid-19, Brexit and industry-wide construction material shortages, Arnott Avenue and the first phase of the Gorse Ride regeneration programme is progressing well. 26 properties have now been handed over and the quality of the finished homes is excellent. The residents are very happy with the new homes. The final 30 shared ownership properties at this site are due to be handed over in late October with 19 of the 20 flats already reserved.

Loddon Homes has taken its first steps into the S106 market and has been selected as a registered provider of choice by two developers. We are purchasing four houses from Hicks Development for shared ownership in Earley and Hurst. This market has remained robust despite Covid-19 and all the shared ownership properties are selling well. We are also purchasing 16 supported living properties within the Hatch Farm Dairies estate in Winnersh.

Loddon Homes has also received funding from the Ministry for Housing and Local Government to buy five one bedroom properties on the open market for rough sleepers in the Borough. Loddon Homes were able to secure four of the five properties and we are now beginning to offer those residents a new start in the Borough in safe and secure homes.

Stuart Munro, Wokingham Holdings Ltd

This is a good time to give this speech, straight after Councillor Younis. It gives me great pleasure to talk about the results of the Council companies, all the Housing companies. As Members may recall, this is to invest then get a return, like most businesses. I have the figures for 2018/19 and 2019/20. The presentation of 2020/21 will be finalised fairly soon. It is important to reiterate these numbers as they clearly show the progress made so far. So I will go through each one.

Wokingham Borough Holdings Ltd., the overall holding company which invests in the other companies has moved from 2018/19 at £212,000 investment to £62,000 investment, an improvement of £150,000.

Wokingham Housing Ltd. showed a profit in 2018/19 of £153,000. In 2019/20 that moved to £650,000, an improvement of £497,000.

Loddon Homes moved from a loss of £218,000 in 2018/19 to a profit of £54,000, an improvement of £164,000.

Berry Brook Homes moved from an investment of £231,000 to a profit of £15,000, an improvement of £256,000.

So, overall, an investment in the early years of £508,000 to a profit of £650,000. That is an improvement of £1.165m. This is turnaround of over £1m, as I have just said. I am also happy to say that, despite Covid-19 issues, we are on course to continue to deliver not only much needed affordable homes, as you heard from Councillor Younis, but also to deliver profits to be used for the Borough's residents. Operationally and financially all the company projects remain on course as originally planned.

Charles Margetts, Optalis

Optalis celebrates its 10th birthday this year. It is now more closely aligned and delivering more value to WBC than ever before. Recent years have seen a real focus on service improvements and also financial efficiency which has led to the following highlights.

The Supported Employment Service remains No 1 in the south east for the last two years and No 3 in the UK for learning disability employment outcomes. Optalis continues to redesign and improve key services, a recent example being the Community Lives Programme which is about day servicers, building on the best of what we currently offer and enabling customers to take a more active part in the community.

The Short Term Reablement Team has recently had a CQC inspection and was rated Good, which demonstrates the support people receive to enable them to reach their full potential of independence. Optalis staff have worked very hard through the pandemic to keep all of their customers safe. I would like to commend David Birch and his team, everyone who works there who have worked really well for our Care Homes Task Force.

Optalis is now completely aligned from a strategic perspective with WBC. WBC services within Optalis have been financially ring-fenced so there is no question of any cross-subsidy between WBC and RBWM. The Council now has complete visibility and input into everything the company does. Transparency has been key to building trust in what Optalis does for the Council and residents.

In terms of financial efficiencies these changes have led to a £1m one-off saving over the last two years. Optalis is on course to deliver a further £1.4m ongoing saving over the life of the MTFP.

Changes coming in the future including streamlining of governance and management which will, I think, give more control over what we are doing and where we are going and will see further improvements. I hope to say more about this in coming meetings.

Norman Jorgensen, Loddon Homes

I was pleased to join the Board of Loddon Homes recently, as Councillor Younis has stated. It is great to see the progress the companies have made over the past few years. I was last involved in the Holding Company about five years ago. A lot of really good schemes have gone through since then, which is great, including the first phase of the Gorse Ride scheme. So we are now getting quality homes built for our residents, affordable social housing and shared equity schemes.

So it is great to be able to help so many of our residents. The many projects being completed already and the many more in the pipeline, which is very encouraging. If we can do that and make a return to the Council, I commend the work that the company is doing.

53. MOTIONS

53.1 Motion 462 submitted by Shirley Boyt

The Council considered the following Notice of Motion submitted by Shirley Boyt and seconded by Rachel Burgess.

This Council aspires to a 70% recycling rate by 2030 and resolves to make it easier for every resident to recycle at every opportunity whether at home or in the move:

- 1) by replacing all litter bins in the Borough with dual litter and recycling bins commencing with those in local town centres, shopping parades and parks;
- 2) to provide dual litter and recycling bins on popular walking routes to schools in places not covered in 1) above.

Gregor Murray stated that he could not support the Motion as the proposals were not costed and did not provide an assessment of the amount of carbon to be saved. Councillor Murray felt that such proposals should be considered for inclusion in the Climate Emergency Action Plan based on a robust assessment of the costs and benefits.

Imogen Shepherd-Dubey, Stephen Conway and Lindsay Ferris stated that other Climate Emergency measures, such as the Barkham solar farm (considered earlier), had been approved without detailed business cases and risk assessments.

Upon being put to the vote, the Motion was lost. The voting was as follows:

For	Against	Abstain
Rachel Bishop-Firth	Sam Akhtar	Keith Baker
Shirley Boyt	Parry Batth	
Prue Bray	Laura Blumenthal	
Rachel Burgess	Chris Bowring	
Stephen Conway	Phil Cunnington	
Peter Dennis	Michael Firmager	
Carl Doran	Guy Grandison	
Lindsay Ferris	John Halsall	
Paul Fishwick	Pauline Helliard-Symons	
Maria Gee	Graham Howe	
David Hare	Pauline Jorgensen	
Clive Jones	Norman Jorgensen	
Sarah Kerr	John Kaiser	
Morag Malvern	Abdul Loyes	
Adrian Mather	Charles Margetts	
Andrew Mickleburgh	Rebecca Margetts	
Ian Shenton	Stuart Munro	
Imogen Shepherd-Dubey	Gregor Murray	
Rachelle Shepherd-Dubey	Barrie Patman	
Caroline Smith	Jackie Rance	
	Angus Ross	
	Daniel Sargeant	
	Chris Smith	
	Wayne Smith	
	Alison Swaddle	
	Shahid Younis	

53.2 Motion 463 Submitted by Gregor Murray

Due to time constraints, this Motion was not considered.

53.3 Motion 464 Submitted by Chris Bowring

Due to time constraints, this Motion was not considered.

53.4 Motion 465 Submitted by Ian Shenton

Due to time constraints, this Motion was not considered.

53.5 Motion 466 Submitted by Clive Jones

Due to time constraints, this Motion was not considered.

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TITLE	Adoption of the Statement of Gambling Principles
FOR CONSIDERATION BY	Council on 18 November 2021
WARD	None Specific
LEAD OFFICER	Sean Murphy (Public Protection Manager)

OUTCOME / BENEFITS TO THE COMMUNITY

To consider the responses received during the consultation period and adopt the amended Statement of Licensing Policy Principles under the Gambling Act 2005 (hereafter referred to as The Statement) as set out in Appendix 1.

RECOMMENDATION

That Council

- 1) Considers the Statement of Gambling Principles and the consultation responses received.
- 2) Approves the Statement of Gambling Principles for adoption and publication by the 31st January 2022.

SUMMARY OF REPORT

This Statement of Principles has to be published in accordance with s349 of Gambling Act 2005 and is required to set out the principles that the licensing authority proposes to apply when exercising its functions under the Act. The licensing authority must publish its Statement of Principles at least every three years. The current Statement is due to expire in January 2022.

The purpose of the Statement is to guide the administration of licensing under the Act and will assist in ensuring that an appropriate balance is drawn between the interests of those wishing to provide and take part in legal gambling, and those who might be affected by such activities. The Council continues to work with the Police, licence holders, responsible authorities and other agencies to achieve this objective.

Under the Act, the licensing authority is required to consult a number parties as a minimum before finalising its Statement. The consultation, which was undertaken between the 07 July 2021 and 29 September 2021, has now been concluded and the responses collated and the proposed amendments are set out in the report.

The outcome of the consultation was considered at the Licensing and Appeals Committee on the 20 October 2021 who, subject to the inclusion of amendments proposed at the meeting, recommended to Full Council that the revised Statement of Gambling Principles be adopted.

Background

- 1.1 The Gambling Act 2005 (hereafter referred to as the Act) removed from the Magistrates' Court all responsibility for granting gaming and betting permissions. It introduced the Gambling Commission, which, alongside licensing authorities, assumed a shared responsibility for all matters previously regulated by Magistrates.
- 1.2 Licensing Authorities have powers to licence gambling premises within their area, as well as undertaking functions in relation to lower stake gambling machines and clubs. The Act also provides for a system of Temporary Use Notices which authorise premises that are not licensed generally for gambling purposes to be used for certain types of gambling for strictly limited periods.
- 1.3 The Act requires the Council to prepare, adopt and publish a "Statement of Principles" setting out the Licensing Authority's approach to applications under the Act and the information it expects applicants to provide at least every three years.
- 1.4 The current Gambling Statement of Licensing Policy Principles was adopted at the Full Council meeting on 20 September 2018 and was published and came into effect 31 January 2019. The Statement must therefore be revised and republished by the 30 January 2022.
- 1.5 The purpose of the Statement is to guide the administration of licensing under the Act and will assist in ensuring that an appropriate balance is drawn between the interests of those wishing to provide and take part in legal gambling, and those who might be affected by such activities. The Council continues to work with the Police, licence holders, responsible authorities and other agencies to achieve this objective.
- 1.6 The Act contains three licensing objectives that underpin the functions that the Licensing Authorities perform and which are central to the regulatory regime. They are:
 - I. preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
 - II. ensuring that gambling is conducted in a fair and open way;
 - III. protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.7 By September 2021 Wokingham had issued one Club Gaming Permit, three Club Gaming Machine Permits, 84 Small Society Lottery Licences, thirteen Alcohol Licenced Premises Gaming Machine Permits, sixty five licences for fewer than two gaming machines and six Gambling Premises Licences. Over the past five years no objections had been received to these applications and no reviews of licences had been called for.

2. REVIEW OF STATEMENT OF PRINCIPLES

- 2.1 Specialist lawyers on behalf of the Public Protection Service reviewed the existing Statement. Minor changes were proposed when compared to the previous iteration of the report. A section on small society lotteries was added and the policy was amended to bring it in line with the current legislative framework as well as making it consistent with the very recent updates to the guidance to licensing authorities published by the Gambling Commission. Some additional information was included in order to assist anyone reading the policies to understand the various sections as the general aim of the review was to ensure that the policy was both up-to-date and informative.
- 2.2 The Draft Statement was presented to the Licensing and Appeals Committee at the 23 June 2021 meeting. A number of minor changes were requested at this meeting prior to it being issued for consultation. These changes included some changes to the layout of the Scheme of Delegation, a change to the wording on interested parties and clarification about the fact that contact details would be made public.
- 2.3 The Licensing and Appeals Committee agreed that the statutory consultation on the Draft Statement would last for 12 weeks between 07 July 2021 and 29 September 2021. A public notice was placed in the Wokingham Today newspaper on the 08 July 2021. Information was also placed on the Wokingham Borough and Public Protection Partnership website.
- 2.4 Letters or email were also sent to:
- Association of Licensed Multiple Retailers
 - Association of British Bookmakers
 - Bingo Association
 - Building Control
 - British Amusement Catering Trade Association
 - British Beer and Pub Association
 - British Institute of Inn Keeping
 - Environmental Health
 - Gambling Commission
 - Gamblers Anonymous
 - GAMCARE
 - Health and Safety Executive
 - Health and Wellbeing Board
 - HM Revenue and Customs Public Health
 - Holders of existing gambling licences / permits
 - National Association of Bookmakers
 - Parish and Town Councils
 - Royal Berkshire Fire and Rescue Service
 - Thames Valley Police
 - Wokingham Safeguarding Children Board
 - Wokingham Safeguarding Adults Board
 - Wokingham Borough Citizens Panel
 - Wokingham Borough Council Planning
 - Wokingham Borough Council Environmental Health
 - Wokingham Safeguarding Children Board
 - Elected Members

2,5 Responses to the consultation received are set out in Appendix 2 to the report . The number of responses was very low which could indicate that those consulted were in agreement with the content.

3. KEY CHANGES TO THE DRAFT STATEMENT FOLLOWING THE CONSULTATION

3.1 The Licensing and Appeals Committee, at their 20 October 2021 Committee meeting, considered the consultation responses. They recommended a number of additional amendments to the Statement and these are set out below

- The reference to the Mental Capacity Act 2005 has been set out in full.
- the changes suggested by the Head of Adult Safeguarding as part of the consultation were incorporated into the report . The amendment to the definition of "vulnerable persons" has been made by way of an addition to the Statement as the quotation could not be reworded.
- The expression "vulnerable persons" has been added to the glossary.

3.2 The Licensing and Appeals Committee recommended that, subject to the inclusion of the amendments requested at the meeting, Council adopt the Statement and that it be published by the end of January 2022.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.

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

Other financial information relevant to the Recommendation/Decision

All costs associated with the consultation were met from within the existing PPP budget

Public Sector Equality Duty

Due regard to the Public Sector Equality Duty has been taken

Appendices:

Appendix 1 – Draft Statement of Gambling Principles

Appendix 2 – Responses to the Consultation

Contact Sean Murphy 01635 519840	Public Protection Partnership Sean.Murphy@westberks.gov.uk
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**WOKINGHAM
BOROUGH COUNCIL**

Statement of Gambling Principles

January 2022 – January 2025

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Part A - General

1.1 Introduction

The Gambling Act 2005 (referred to in this document as ‘the Act’) requires the Council to prepare and publish a Statement of Gambling Principles (‘Statement’) that sets out the policies and principles that Wokingham Borough Council as Licensing Authority (‘the Licensing Authority’) will generally apply when discharging their responsibilities under the Act. It also gives details of our expectations of applicants and licence holders.

The purpose of this Statement is to provide guidance to committees and officers determining matters under delegated authority, and to provide consistency to decision-making. However, as each case will always be determined on its own merits, where the circumstances justify doing so, the Licensing Authority may depart from any provision of this Statement, or of the Guidance to Licensing Authorities issued by the Gambling Commission, to make an appropriate decision based upon the individual circumstances of a particular case. In any such case the Licensing Authority will give a clear explanation and reasons for its decision.

This Statement is not intended to override the right of any person to make an application under the Act, and to have that application considered on its merits. Equally, the Statement is not intended to undermine the right of any person to make representations about an application or to seek a review of a licence where provision has been made for them to do so.

This Statement has been prepared having regard to the licensing objectives of the Act, the Guidance to Licensing Authorities issued by the Gambling Commission, and any responses from those consulted during the preparation of the Statement. A list of those consulted can be found at Appendix A. The full list of comments made and the consideration by the Council of those comments is available on request. The agenda and minutes of the Council meetings where the Statement of Principles was considered can be viewed on the Council website at www.wokingham.gov.uk.

The Statement will come into effect on the 31 January 2022 and will be reviewed as necessary, and at least every 3 years from the date of adoption.

1.2 The Borough of Wokingham

Wokingham Borough is situated in the county of Berkshire, which contains 6 Unitary Councils in total. The area has a population of 167,979 (2018 Census). The borough covers 17,892 hectares of mixed rural and urban areas.

A map of the borough is attached at Appendix B.

1.3 The Licensing Objectives

In exercising functions under the Act, the Licensing Authority will have regard to the licensing objectives as set out in the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

The Licensing Authority is aware that, in accordance with section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives, and
- in accordance with the Licensing Authority's statement of principles.

1.4 Licensable Activities

'Gambling' is defined in the Act as either gaming, betting, or taking part in a lottery.

- Gaming means playing a game of chance for a prize
- Betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not
- A lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process or a series of processes which relies wholly on chance.

The Act provides for three categories of licence:

- Operating licences
- Personal licences
- Premises licences.

The Gambling Commission is responsible for remote (online) and non-remote (land-based) gambling, for which it issues operating licences and personal licences.

The Licensing Authority is responsible for issuing premises licences and provisional statements for the following types of premises:

- Casinos
- Bingo premises
- Betting premises and tracks
- Adult gaming centres
- Family entertainment centres.

Additional functions of the Licensing Authority are to:

- issue permits for gambling and gaming machines in clubs
- receive notifications from alcohol licensed premises of the use of up to 2 gaming machines and issue licensed premises gaming machine permits where there are more than 2 machines
- issue permits to family entertainment centres
- issue permits for prize gaming
- receive and endorse temporary use notices
- receive occasional use notices for betting at tracks
- register small society lotteries
- undertake compliance and enforcement responsibilities
- provide details of licences issued, to the Gambling Commission
- maintain registers of permits and licences that are issued under the Act.

1.5 Responsible Authorities

Responsible authorities must be notified of all premises licence applications and are entitled to make representations if they are relevant to the licensing objectives. Section 157 of the Act defines those authorities as:

- The Gambling Commission
- The chief officer of police or chief constable for the area in which the premises are wholly or partially situated
- The local fire authority
- The local planning authority
- The environmental health authority
- The child protection body designated by the Licensing Authority
- HM Revenue and Customs
- The Licensing Authority.

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- The need for the body to be responsible for an area covering the whole of the Licensing Authority's area, and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

The Licensing Authority designates the Wokingham Safeguarding Children Board for this purpose.

The contact details for all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: www.wokingham.gov.uk.

1.6 Interested Parties

Interested parties can make representations about premises licence applications or apply for a review of an existing licence. Interested parties will be required to relate their representation to one or more of the matters referred to in section 153 of the Act (see section 1.3 above).

An interested party is someone who:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities, or
- has business interests that might be affected by the authorised activities, or
- represents persons in either of the two groups above.

In determining whether someone lives sufficiently close to particular premises so as to be affected, the Licensing Authority may take into account, amongst other things:

- the size and nature of the premises
- the distance of the premises from the person making the representation
- the nature of the complaint
- the potential impact of the premises.

In determining whether a person has a business interest which could be affected, the Licensing Authority may consider, amongst other things:

- the size of the premises
- the catchment area of the premises, and
- whether the person making the representation has business interests in the catchment area that might be affected.

The Licensing Authority will interpret the phrase “business interest” widely and not merely confine the phrase to meaning those engaged in trade and commerce. It may therefore include charities, churches, medical practices, schools and other establishments and institutions.

Similarly, a wide interpretation will be given to those categories of persons and organisations that represent residents and businesses. These may include residents and tenants' associations, trade unions and other associations, as well as individuals whose role is to represent the interests of one or more residents or businesses such as a Councillor or Member of Parliament. No specific evidence of being asked to represent an interested person will be required provided that the Councillor or Member of Parliament represents the ward likely to be affected.

If an existing gambling business makes a representation that it is going to be affected by another gambling business starting up in the area, then without further relevant evidence supporting the representation, the Licensing Authority would not consider this to be a relevant representation because it relates to “demand” or competition.

It is for the Licensing Authority to determine on a case-by-case basis whether or not a person making a representation is an “interested party”. The Authority may ask for evidence to identify who is being represented and show that they have given consent for representations to be made on their behalf. In cases which are not clear-cut, the benefit of the doubt will usually be exercised in favour of the person making the representation.

If individuals wish to approach Councillors to ask them to represent their views, then care should be taken that the Councillors are not part of the Licensing Sub-Committee dealing with the licence application. If there are any doubts, please contact the licensing team by email to licensing@wokingham.gov.uk or telephone 01189 746359.

1.7 Information Exchange

This Licensing Authority will act in accordance with all the relevant legislation and guidance from the Gambling Commission with regard to data protection and the freedom of information. Additionally, this Licensing Authority has adopted and will apply the principles of better regulation as detailed in the Regulators’ Code.

Details of those persons making representations will be made available to applicants and, in the event of a hearing being held, will form part of a public document.

1.8 Enforcement

The Licensing Authority’s principles are that it will be guided by the Gambling Commission’s Guidance to Licensing Authorities and will endeavour to be:

- proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised,
- accountable: regulators must be able to justify decisions, and be subject to public scrutiny,
- consistent: rules and standards must be joined up and implemented fairly,
- transparent: regulators should be open, and keep regulations simple and user friendly, and
- targeted: regulation should be focused on the problem and minimise side effects.

The Licensing Authority has also adopted and implemented a risk-based inspection programme based on:

- the Licensing Objectives
- relevant Codes of Practice
- Guidance issued by the Gambling Commission
- the principles set out in this Statement of Licensing Policy
- location of the premises and their impact on the surrounding area,
- enforcement history of the premises,
- nature of the licensed or permitted operation,
- management record.

The main enforcement and compliance role for the Licensing Authority in terms of the Act is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences.

The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible. The Licensing Authority will establish a close working relationship with the Police, the Gambling Commission and, where appropriate, other responsible authorities.

The Licensing Authority will investigate complaints against licensed premises in relation to matters for which it has responsibility. In the first instance, complainants may be encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

Bearing in mind the principle of transparency, the Licensing Authority's enforcement policy will be available upon request to the licensing team by email to licensing@wokingham.gov.uk or telephone 01189 746359. The risk methodology is also available upon request.

A number of gambling operators have formed primary authority partnerships, under which they receive 'assured advice' from a single local authority in respect of one or more regulated aspects of their business – for example, preventing underage sales of age-restricted products or services. Where the Licensing Authority has concerns about a premises whose operator has formed a primary authority partnership relevant to the issue in question, it will consult with the primary authority prior to taking any formal action.

1.9 Local Risk Assessments

The Licence Conditions and Codes of Practice (the "LCCP") attached to operating licences issued by the Gambling Commission impose a need for operators to consider local risks.

The LCCP require licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account any relevant matters identified in this Statement.

Licencees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:

- when applying for a variation of a premises licence
- to take account of significant changes in local circumstances, including those identified in a licensing authority's policy statement
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

The LCCP also require licencees to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority.

Where concerns do exist, perhaps prompted by new or existing risks, a licensing authority might request that the licensee share a copy of its own risk assessment which will set out the measures the licensee has in place to address specific concerns. This practice should reduce the occasions on which a premises review and the imposition of licence conditions is required.

Risk assessments should be kept at the individual premises to which they relate. All staff should be fully aware of the risk assessment and where it is kept in order that they can work in accordance with any requirements, and it can easily be provided to the Licensing Authority should they request to see it at any reasonable time, including unannounced inspections and ad hoc visits.

The Licensing Authority does not intend to specify a format or mandatory content for these local risk assessments, as these will be decisions for the operator to take, and they will be dependent upon the location, size, and operational nature of the premises in question. However, it is expected that operators will have considered the individual circumstances of each of their premises when compiling the risk assessments.

A single generic risk assessment covering every premises in an operator's estate will not be considered by the Licensing Authority to be suitable or sufficient. It is also expected that operators will take full account of the local area when compiling their risk assessments, and to reflect this in the control measures which they will implement. For example, an area might be identified as high risk on the basis that it is located within close proximity to a youth centre, rehabilitation centre, or school.

Completion of a local area profile is not a requirement on licensing authorities. Any local area profile prepared by the Licensing Authority will be separate from this Statement, so that it can be reviewed and updated without the need for full consultation. Details of any local area profile will be available upon request to the licensing team by email to licensing@wokingham.gov.uk or telephone 01189 746359.

Part B - Premises Licences

2.1 General Principles

In exercising its functions under the Act, section 153 requires the Licensing Authority to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission,
- in accordance with any relevant guidance issued by the Gambling Commission,
- reasonably consistent with the licensing objectives (subject to the previous two points), and
- in accordance with the Licensing Authority's statement of licensing policy (subject the previous 3 points).

The Licensing Authority will not investigate the suitability of an applicant for a premises licence. The issue of suitability will already have been considered by the Gambling Commission because any applicant (except occupiers of tracks who do not propose to offer gambling themselves) must hold an operating licence from the Commission before the premises licence can be issued.

In the Act, "premises" is defined as including "any place". A single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as shopping malls to obtain separate premises licences, where appropriate safeguards are in place. The Licensing Authority will take account of the Gambling Commission's guidance in respect of this matter and the mandatory conditions relating to access between premises.

The Act requires applicants to submit plans of the premises with their application to ensure that the Licensing Authority has the necessary information to make an informed judgment about whether the premises are fit for gambling. As the plan forms part of the premises licence, it will also be used by the Licensing Authority in connection with premises inspection activity. The plans must comply with requirements contained in the regulations made under the Act.

When determining an application for a premises licence or review of a premises licence, regard will be had to the proximity of the premises to schools, buildings which house services for vulnerable adults or residential areas where there may be a high concentration of families with children. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits. Therefore, if an applicant can effectively demonstrate how they might overcome any concerns, this will be taken into account. This would be expected to be addressed as part of the local risk assessment required to be submitted with all new and variation premises licence applications.

In determining an application, the licensing authority cannot have regard to the expected demand for the facilities which it is proposed to provide, nor may it take account of any moral objections.

Premises licences are subject to the requirements set out in the Act and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. The mandatory and default conditions are often sufficient to ensure operation that is reasonably consistent with the licensing objectives. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be necessary and/or appropriate in the circumstances of a particular case. More detail on licence conditions can be found at section 2.5 of this Statement.

The Licensing Authority will not seek to use the Act to resolve matters more readily dealt with under other legislation and will seek to avoid any duplication with other regulatory systems where possible. For example, the Licensing Authority will not take into account whether premises have the appropriate planning or building consents, nor will it take into account fire or health and safety risks without justification in a particular case. It will, however, carefully consider any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

Where children and other vulnerable people are allowed access to premises where gambling takes place, the licensing authority may take such steps as are lawful and necessary to either limit access generally or introduce measures to prevent under-age gambling, or gambling by those people who lack mental capacity to make informed decisions in that respect. The Licensing Authority will not normally seek to limit the access of children to any premises unless it receives representations to that effect, or it believes it is right to do so for the prevention of their physical, moral or psychological harm. Applicants are encouraged to propose any prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.

The overriding principle is that each application and the circumstances prevailing at each premises will be considered on their own individual merits.

2.2 Preventing gambling from being a source of crime and disorder

The Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling premises from being a source of crime, for example the sale and distribution of controlled drugs, money laundering, prostitution, or unlawful gambling. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has high levels of organised crime, this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be necessary such as the provision of door supervisors. When making decisions in this regard, the Licensing Authority will

give due weight to any comments made by the Police and the evidence provided in support of them.

The Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. The Licensing Authority will seek the views of its legal advisers before determining what action to take in circumstances in which disorder may be a factor.

As far as disorder is concerned, there are already powers in existing anti-social behaviour and other legislation to deal with measures designed to prevent nuisance, whether it arises as a result of noise from a building or from general disturbance once people have left a building. The Licensing Authority will not use the Act to deal with general nuisance issues, such as parking problems, which can be dealt with using alternative powers.

2.3 Ensuring gambling is conducted in a fair and open way

The Licensing Authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

2.4 Protecting children and other vulnerable people from gambling

The Licensing Authority has noted that the Gambling Commission's Guidance for Local Authorities states that this objective means preventing children from taking part in gambling, as well as restriction of advertising so that gambling products are not aimed at, or are particularly attractive to, children. The Licensing Authority will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines or segregation of areas.

The use of CCTV (in accordance with data protection regulations and any relevant codes of practice) may be insufficient on its own as a measure to prevent access to gaming facilities by children or vulnerable persons (including those who have registered in a self-exclusion scheme).

At premises such as adult gaming centres, betting shops, bingo halls and family entertainment centres where category B or C gaming machines are operated, the Licensing Authority will expect that an appropriate number of staff will be present throughout opening hours to ensure that children are not permitted to enter the premises or use age-restricted gaming facilities, as the case may be, and that self-excluded persons are not permitted to gamble.

The Licensing Authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises such as pubs.

As regards the term “vulnerable persons”, it is noted that it is not defined in the Act and the Gambling Commission does not seek to offer a definition, but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs”. Including people who may in accordance with the Mental Capacity Act 2005, lack mental capacity to make informed decisions about gambling. The licensing authority will consider this licensing objective on a case by case basis.

The Licensing Authority will consider, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. Any such considerations will be balanced against the authority’s objective to aim to permit the use of premises for gambling.

Best practice is for staff working at licensed premises to undergo training on identifying and assisting vulnerable persons.

2.5 Licence Conditions

The Act provides that premises licences may be subject to conditions in a number of ways:

- they may attach automatically, having been set out in the Act
- they may attach through regulations made by the Secretary of State
- they may be attached to premises licences by licensing authorities.

Any conditions attached to premises licences by the Licensing Authority will be proportionate and will be:

- relevant to the aim to permit the use of the premises for gambling,
- necessary to promote the licensing objectives,
- directly related to the premises and the type of licence applied for,
- fairly and reasonably related to the scale and type of premises,
- within the control of the licensee, and
- reasonable in all other respects.

When considering any conditions to be attached to licences, the licensing authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the Licensing Authority will consider utilising should there be an evidence-based need, such as the use of supervisors, appropriate signage for adult only areas or CCTV. There are

specific comments made in this regard under some of the licence types below. The Licensing Authority will also expect the licence applicant to offer their own suggestions as to the way in which the licensing objectives can be met effectively.

The Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in gambling premises to which children are allowed, in order to pursue the licensing objectives.

It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition
- conditions relating to gaming machine categories, numbers, or method of operation
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated), and
- conditions in relation to stakes, fees, winning or prizes.

If the Licensing Authority is concerned that premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that entrance to the premises is controlled by a door supervisor and is entitled to impose a condition on the premises licence to this effect.

The Act provides that where a person employed as a door supervisor is required to hold a licence issued by the Security Industry Authority (SIA), that requirement will have force as though it were a condition on the premises licence.

The majority of persons employed to work as door supervisors at premises licensed for gambling will need to be licensed by the SIA. There are, however, exceptions to this requirement.

This requirement is relaxed when applied to door supervisors at casino and bingo premises. Where contract staff are employed as door supervisors at casino or bingo premises, such staff will need to be licensed by the SIA. However, in-house employees working as door supervisors at casino and bingo premises are exempt from this requirement.

2.6 Licensed Family Entertainment Centres

Persons operating a licensed Family Entertainment Centre (FEC) must hold a relevant operating licence issued by the Gambling Commission. They will be able to make category C and D gaming machines available.

Children and young persons are permitted to enter an FEC and may use category D machines. They are not permitted to use category C machines and it is a requirement that there must be clear segregation between the two types of machine, so that under-18s do not have access to them.

The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult-only gaming machine areas.

The Licensing Authority may consider measures to meet the licensing objectives such as:

- CCTV
- Proof of age schemes
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare
- Measures/training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.7 Casinos

There are currently no casinos operating within the Wokingham Borough Council area.

Casinos are only permitted in certain areas within Great Britain. New casinos under the Gambling Act 2005 are restricted to 16 specific local licensing authority areas. Wokingham is not one of those areas.

Casinos that operated under the Gaming Act 1968 should already have a premises licence from their local licensing authority. The regions in which those casinos operate are based on a historical division that was established under the previous licensing regime by the Gaming Board for Great Britain. Wokingham is not one of those regions.

2.8 Bingo Premises

Cash bingo is the main type of bingo played in commercial bingo premises. They can also offer prize bingo, largely as games played in the intervals between main stage games. Premises with a bingo premises licence will be able to offer bingo in all its forms.

The Licensing Authority will need to be satisfied that bingo can be played in any bingo premises for which a premises licence is sought.

The Act provides that the holder of a bingo premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Premises that were licensed before 13 July 2011 are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. There are no restrictions on the number of category C or D machines that can be made available.

An operator may allow children and young people into licensed bingo premises. However, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

The Licensing Authority will need to be satisfied that any premises licensed for bingo will operate in a manner which a customer would reasonably be expected to recognise as premises licensed for the purposes of providing facilities for bingo.

The Licensing Authority may consider measures to meet the licensing objectives such as:

- CCTV
- Proof of age schemes
- Supervision of entrances/machine areas
- Physical separation of areas (if not adult-only)
- Entry control system (if not adult-only)
- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare
- Measures/training for staff on how to deal with children on the premises (if not adult-only)

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.9 Betting Premises

Betting premises provide off-course betting which is betting that takes place other than at a track in what was previously known as a licensed betting office. Tracks are considered in section 2.11 below.

Children and young persons are not permitted to enter betting premises. The Licensing Authority will expect applicants and licence holders to take account of the structure and layout of their gambling premises in order to prevent underage gambling.

The holder of a betting premises licence may make available for use up to four gaming machines of category B, C or D.

Betting premises may make available machines that accept bets on live events, such as horse racing, as a substitute for placing a bet over the counter. These self-service betting terminals (“SSBTs”) are not going machines.

The Licensing Authority may restrict the number of SSBTs, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of SSBTs in particular premises, the Licensing Authority, amongst other things, will take into account the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/ machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/ helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.10 Adult Gaming Centres

Persons operating an adult gaming centre (AGC) are able to make category B, C and D gaming machines available. No-one under the age of 18 is permitted to enter an AGC.

The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and

will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

The Licensing Authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.11 Tracks

The Act defines a track as a horse racecourse, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place.

Examples of other tracks include (this is not an exhaustive list):

- a point-to-point horserace meeting
- football, cricket and rugby grounds
- an athletics stadium
- a golf course
- venues hosting darts, bowls, or snooker tournaments
- premises staging boxing matches
- a section of river hosting a fishing competition
- a motor racing event

There are differences between track premises licences and other premises licences. Tracks admit third-party operators to provide betting facilities, whereas other premises licence holders – for example, betting shops, bingo clubs and casinos – provide the gambling facilities themselves and are subject to the conditions of the operating licence as well as the premises licence.

Tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The Licensing Authority will especially consider the impact upon the licensing objective "protection of children and vulnerable persons from being harmed or exploited by gambling" and the need to ensure that entrances to each type of premises are distinct and

that children are excluded from gambling areas where they are not permitted to enter.

Persons under 18 years old are not permitted to enter premises when betting facilities are being provided, other than at tracks. This dispensation allows families to attend premises such as greyhound tracks or racecourses on event days, and children to be permitted into areas where betting facilities are provided, such as the 'betting ring', where betting takes place.

The exemption allowing children access to betting areas on tracks does not extend to areas within a track where category C or above machines are provided, or other premises to which under 18 year olds are specifically not permitted access. For example, where betting facilities are provided through a self-contained betting office on a track which has a separate betting premises licence, the betting operator of the self-contained premises is required to exclude under-18s from their premises.

The Act creates offences relating to gambling by children and young people and operating licence conditions require operators to have policies and procedures in place to prevent betting from persons who are under 18 years old. As under-18s are permitted to enter betting areas on tracks on event days, this needs to include policies and procedures to mitigate the likelihood of underage betting occurring. The track premises licence holder is also required to display a notice in a prominent place at every public entrance stating that no person under the age of 18 is permitted to bet on the premises.

The Act prohibits the employment of anyone under 18 years old on tracks.

The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives, however appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Entry control system
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures that may be taken.

The Licensing Authority will consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use

his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

Betting operators may make available machines that accept bets on live events, such as horseracing, as a substitute for placing a bet with a member of staff. These self-service betting terminals (“SSBTs”) are not gaming machines; they automate the process that can be conducted in person and therefore are not regulated as gaming machines. There is no restriction on the number of SSBTs that may be in use but operators must, by virtue of their operating licence conditions, supervise such terminals to prevent them being used by persons under 18 years of age.

Plans for tracks do not need to be in a particular scale but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.

In cases such as greyhound tracks, racecourses, football stadia and cricket grounds, defining the extent of boundaries may be assisted by reference to existing plans already submitted to obtain other permissions.

It is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans due to the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pin-pointing exact locations for some types of track. The Licensing Authority will need to be satisfied that the plan provides sufficient information to enable it to assess an application.

2.12 Travelling Fairs

The Act defines a “fair” as wholly or principally providing amusements on a site that has been used for a fair for no more than 27 days in a calendar year. In addition, the fair must be provided wholly or principally by persons who travel from place to place for the purpose of providing fairs.

Travelling fairs may provide an unlimited number of category D gaming machines provided that facilities for gambling amount to no more than an ancillary amusement at the fair. They do not require a permit to provide these gaming machines but must comply with legal requirements about how the machines operate.

Travelling fairs are also able to offer equal chance prize gaming without a permit, provided that, taken together, the facilities for gambling are an ancillary amusement at the fair.

The Licensing Authority will decide whether a travelling fair which offers category D machines and/or equal chance prize gaming without a permit meets the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair.

The Licensing Authority will also determine whether any specific fair falls within the statutory definition of a travelling fair.

The 27-day statutory maximum for the land being used as a fair is per calendar year, and it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority will work with its neighbouring authorities to ensure that land which crosses boundaries is monitored so that the statutory limits are not exceeded.

2.13 Provisional Statements

The Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that they:

- expect to be constructed
- expect to be altered, or
- expect to acquire a right to occupy.

Developers and others may wish to apply to the Licensing Authority for a provisional statement before entering into a contract to buy or lease property or land to determine whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application (except in the case of a track), the applicant does not need to hold or have applied for an operating licence from the Gambling Commission and they do not need to have a right to occupy the premises in respect of which their provisional statement application is made.

The holder of a provisional statement may then apply for a premises licence and the normal statutory process will apply subject to one exception. No representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

The Licensing Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage,
- which in the authority's opinion reflect a change in the operator's circumstances, or
- where the premises have not been constructed in accordance with the plan and information submitted with the application.

2.14 Licence Reviews

Requests for a review of a premises licence can be made by interested parties or responsible authorities at any time. It is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to one or more of the matters listed below:

- any relevant Code of Practice issued by the Gambling Commission,
- any relevant Guidance issued by the Gambling Commission,
- reasonable consistency with the licensing objectives, or
- in accordance with the Licensing Authority's statement of principles.

The request for the review may also be rejected if the Licensing Authority considers that the request is:

- frivolous,
- vexatious,
- certainly not going to cause the Licensing Authority to take any action allowed by the Act, or
- substantially the same as previous representations or requests for review.

The Licensing Authority can also initiate a review of a particular premises licence, or a particular class of premises licence in the following circumstances:

- in relation to particular premises, the Licensing Authority may review any matter connected with the use made of the premises if:
- it has reason to suspect that premises licence conditions are not being observed, or
- for any other reason which gives them cause to believe that a review may be appropriate, such as a complaint from a third party.
- in relation to a class of premises, the Licensing Authority may review the use made of premises and, in particular, the arrangements that premises licence holders have made to comply with licence conditions.

The purpose of a review will be to determine whether the Licensing Authority should take any action in relation to the licence. If any action is justified, the options open to the Licensing Authority are:

- add, remove or amend a licence condition imposed by the Licensing Authority,
- exclude a default condition imposed by the Secretary of State (i.e., opening hours) or remove or amend such an exclusion,

- suspend the premises licence for a period not exceeding three months, or
- revoke the premises licence.

In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

In particular, the Licensing Authority may take action on the grounds that a premises licence holder has not used the licence.

Part C - Permits, Temporary and Occasional Use Notices

3.1 Unlicensed Family Entertainment Centre Gaming Machine Permits

A proprietor of a family entertainment centre (FEC), who wishes to make only category D gaming machines available for use in those premises, can do so in reliance upon a family entertainment centre gaming machine permit.

This category of permit provides an alternative to the family entertainment centre premises licence available under the Act (which allows the operation of higher-value gaming machines (Category C) but is subject to more rigorous application procedures).

It should be noted that the premises must be wholly or mainly used for making gaming machines available for use, to be eligible for this type of permit.

Any application for a permit will be considered with regard to the licensing objectives and to any relevant guidance issued by the Commission. Particular weight will be given to child protection matters, including adequate levels of staff supervision.

The applicant will be expected to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include:

- appropriate measures / training for staff as regards suspected truant school children on the premises,
- measures / training covering how staff would deal with unsupervised very young children being on the premises,
- measures / training covering how staff would deal with children causing perceived problems on / around the premises.

The Licensing Authority will also expect applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs,

- that the applicant(s) or company directors (if the applicant is a limited company) has no relevant convictions (this will not be necessary if the applicant is licensed by the Gambling Commission), and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

Applicants will also be required to supply a plan of the internal layout of the family entertainment centre, drawn to an appropriate scale, that shows the location of the area(s) where category D gaming machines will be made available for use.

An application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed FEC, and the chief officer of police has been consulted on the application.

The Licensing Authority cannot attach conditions to this type of permit. There is no limit on the number of category D gaming machines that may be made available at the premises.

A permit will remain in force for 10 years. A renewal application must be made prior to the expiry date in accordance with the procedure contained in the Act.

3.2 Alcohol Licensed Premises Notifications and Gaming Machine Permits

There is provision in the Act for some premises licensed to sell alcohol for consumption on the premises to have an automatic entitlement to provide no more than two gaming machines, of categories C and/or D. The premises must satisfy the conditions contained in the Act, notify the Licensing Authority of their intention to make the gaming machines available for use and pay the fee. The conditions restrict the entitlement to premises:

- with an on-premises alcohol licence,
- that have a bar at which alcohol is served, and
- without a requirement that alcohol is only served with food.

The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives,
- gaming has taken place on the premises that breaches a condition of section 282 of the Act (i.e., that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with),
- the premises are mainly used for gaming, or
- an offence under the Act has been committed on the premises

If relevant alcohol licensed premises wish to provide more than two gaming machines, they must apply to the Licensing Authority for a “licensed premises gaming machine permit” for any number of category C and/or D machines. This would replace any automatic entitlement under the Act.

The Licensing Authority must consider a permit application on the basis of the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Act and such other matters as the authority considers relevant.

The Licensing Authority considers that “such other matters” will be decided on a case by case basis, but generally there will be regard to:

- the need to protect children and vulnerable persons from harm or being exploited by gambling, and
- measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

Measures which may satisfy the licensing authority that there will be no access may include:

- the adult machines being in sight of the bar, or in the sight of staff that will monitor that the machines are not being used by those under 18.
- notices and signage.

As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached. It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machines.

A permit may be varied or transferred. An annual fee is payable, but a permit does not require renewal. The permit will lapse if the alcohol premises licence ceases to have effect.

3.3 Prize Gaming Permits

Gaming is “prize gaming” if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes are determined by the operator before play commences.

Prize gaming may take place without a permit in various premises. These are casinos, bingo halls, adult gaming centres, licensed and unlicensed family entertainment centres and travelling fairs.

A prize gaming permit is a permit issued by the Licensing Authority to authorise the provision of facilities for prize gaming on specified premises.

In any application for a prize gaming permit the applicant should set out the types of gaming that they are intending to offer, and should also be able to demonstrate:

- they understand the limits to stakes and prizes that are set out in regulations,
- that the gaming offered is within the law, and
- that appropriate measures will be taken to ensure that children are protected from being harmed or exploited by gambling.

In making its decision on an application for this permit, the Licensing Authority does not need to (but may) have regard to the licensing objectives, but must have regard to any relevant Gambling Commission guidance.

The Licensing Authority will only grant a permit after consultation with the chief officer of police. This will enable the Licensing Authority to determine the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming, the suitability of the premises in relation to their location, and any issues about disorder.

It should be noted that there are conditions in the Act with which the permit holder must comply, but that the Licensing Authority cannot attach conditions. The conditions in the Act are:

- limits on participation fees, as set out in regulations, must be complied with,
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day, the game must be played and completed on the day the chances are allocated and the result of the game must be made public in the premises on the day that it is played,
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize), and
- participation in the gaming must not entitle the player to take part in any other gambling.

A permit will remain in force for 10 years. A renewal application must be made prior to the expiry date in accordance with the procedure contained in the Act.

3.4 Club Gaming and Club Machine Permits

The Act creates a separate regime for gaming in clubs from that in other relevant alcohol licensed premises. It defines three types of club for the purposes of gaming:

- members' clubs
- commercial clubs
- miners' welfare institutes

Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit. The club gaming permit will enable the premises to provide gaming machines (a maximum of three gaming machines of category B, C or D), equal chance gaming and games of chance as set out in the regulations.

Members clubs, miner's welfare institutes and commercial clubs may apply for a club machine permit. A club machine permit will enable the premises to provide gaming machines (a maximum of three gaming machines of category B, C or D).

A members' club is a club that is not established as a commercial enterprise and is conducted for the benefit of its members. The Act states that members' clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming unless the gaming is restricted to that of a prescribed kind (currently bridge or whist). Members' clubs must be permanent in nature but there is no need for a club to have an alcohol licence. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

A commercial club is a club established for commercial gain, whether or not they are actually making a commercial gain. Examples include commercial snooker clubs, clubs established as private companies and clubs established for personal profit.

Miners' welfare institutes are associations established for recreational or social purposes. They are managed by representatives of miners or use premises regulated by a charitable trust which has received funds from one of a number of mining organisations.

The Licensing Authority may only refuse an application for a permit on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
- the applicant's premises are used wholly or mainly by children and/or young persons
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
- a permit held by the applicant has been cancelled in the previous ten years, or
- an objection has been lodged by the Commission or the police.

If the Licensing Authority is satisfied that the first or second ground applies, it must refuse the application. In exercising its functions in relation to club permits the authority will have regard to any relevant guidance issued by the Commission and (subject to that guidance), the licensing objectives

There is also a ‘fast-track’ procedure available under the Act for premises which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced.

The grounds on which an application under the “fast track” process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12,
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming, or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of the code of practice issued by the Gambling Commission about the location and operation of gaming machines.

The Authority may grant or refuse a permit, but it may not attach conditions to a permit.

A permit will normally remain in force for 10 years. A renewal application must be made prior to the expiry date in accordance with the procedure contained in the Act. However, a permit granted under the “fast track” process does not require renewal, but it will lapse if the club premises certificate ceases to have effect.

3.5 Temporary Use Notices

Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice would include hotels, conference centres and sporting venues.

A temporary use notice can only be given by a person or company holding a relevant operating licence issued by the Gambling Commission (i.e., an operating licence that authorises the type of gambling to be offered)

The types of gambling activities that may be authorised by a temporary use notice are set out in regulations made under the Act. Currently, the only permitted activity is the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner. Possible examples of this could include gaming tournaments with such games as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.

Temporary use notices are subject to a statutory limit that a set of premises may be used for no more than 21 days in any 12 month period. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of "a set of premises", the Licensing Authority will look at, amongst other things, the ownership/occupation and control of the premises.

The holder of an operating licence must give notice to the Licensing Authority in whose area the premises are situated. A temporary event notice must be given to the Licensing Authority not less than three months and one day before the day on which the gambling event will begin.

The application must be copied to:

- the Gambling Commission,
- the chief officer of police for the area in which the premises are situated,
- HM Revenue and Customs, and
- if applicable, any other licensing authority in whose area the premises are also situated.

Gaming machines may not be made available under a temporary use notice.

The Licensing Authority will carry out its functions in relation to temporary use notices by applying the same principles as those applied in determining premises licence applications (see section 2.1 above).

3.6 Occasional Use Notices

Occasional use notices may be used to authorise infrequent betting at tracks (see section 2.11 for definition), on no more than 8 days in any calendar year. They cannot be used to authorise any other form of gambling activity (e.g., gaming machines). Providing that the 8-day limit is not breached, there is no provision for correctly-served notices to be refused by the Licensing Authority.

The definition of track premises is not restricted to permanent premises, but can include any premises or land on which a race or sporting event is to take place. Consideration will therefore be given to the nature of the premises specified in a notice, in addition to whether the person giving the notice is an occupier of the track, or is responsible for the administration of events at the track.

The notice must be given to the Licensing Authority and the chief officer of police, in writing, before the event starts. No fee is payable.

Occasional use notices allow the giver of the notice to invite operators who hold a General Betting Operating Licence to accept bets on the premises. Such persons must hold a relevant betting operating licence, and comply with the requirements of any conditions attached to that licence.

3.7 Small Society Lotteries

Small society lotteries are required to be registered with the local authority in the area where their principal office is located. The local authority is the licensing authority.

The Act defines a small society lottery by reference to two areas:

- society status - the society in question must be 'non-commercial'
- lottery size - the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they may need to be licensed with the Commission to operate large lotteries instead.

Small society lotteries are required to be registered with the local authority in the area where their principal office is located.

- The Licensing Authority must refuse an application for registration if, within the past five years, either of the following applies: an operating licence held by the applicant for registration has been revoked, or
- an application for an operating licence made by the applicant for registration has been refused

In addition, the Licensing Authority may refuse an application for registration if, within the past five years, either of the following applies:

- the applicant is not a non-commercial society,
- a person who is or may be connected with the promotion of the lottery has been convicted of a relevant offence (listed in Schedule 7 of the Act) or
- information provided in or with the application for registration is false or misleading.

The Licensing Authority may only refuse an application for registration after the society has had the opportunity to make representations. These can be taken at a formal hearing or via correspondence. The authority will inform the society of the reasons why it is minded to refuse registration and provide it with at least an outline of the evidence on which it has reached that preliminary conclusion prior to the opportunity to make representations.

Part D - Decision Making

4.1 Delegations and process

The Licensing Authority will carry out its responsibilities under the Gambling Act 2005 efficiently and cost-effectively. To do this, functions are delegated from the Licensing Committee to either Sub-Committees or officers as appropriate. The table shown at Appendix C sets out the agreed delegation of decisions and functions. This form of delegation is without prejudice to officers referring a

matter to a Sub-Committee or the full Committee if appropriate in the circumstances of any particular case.

Where there are no areas of contention, it is considered that many of the functions will be largely administrative. In the interests of efficiency and effectiveness these will, for the most part, be carried out by officers.

Where there are relevant representations in respect of an application the matter will be determined by a sub-committee, as will any application for the review of a licence.

Every determination of a licensing decision by a Sub-Committee shall be accompanied by clear, cogent reasons for the decision. The written notice of the decision and the reasons for that decision will be sent to the applicant and those who have made relevant representations as soon as practicable.

4.2 Appeals

Any appeal against a decision of the Licensing Authority must be made to the local Magistrates' Court within 21 days of receipt of the decision notice.

Part E - Further Information

5.1 Contact for Wokingham Licensing Team

Licensing Team
Wokingham Borough Council
PO Box 155
Shute End
Wokingham RG40
1BN

Tel: 01189 746359

Email: licensing@wokingham.gov.uk

Website: www.wokingham.gov.uk

5.2 Contact for Gambling Commission

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Tel: 0121 230 6666

Email: info@gamblingcommission.gov.uk

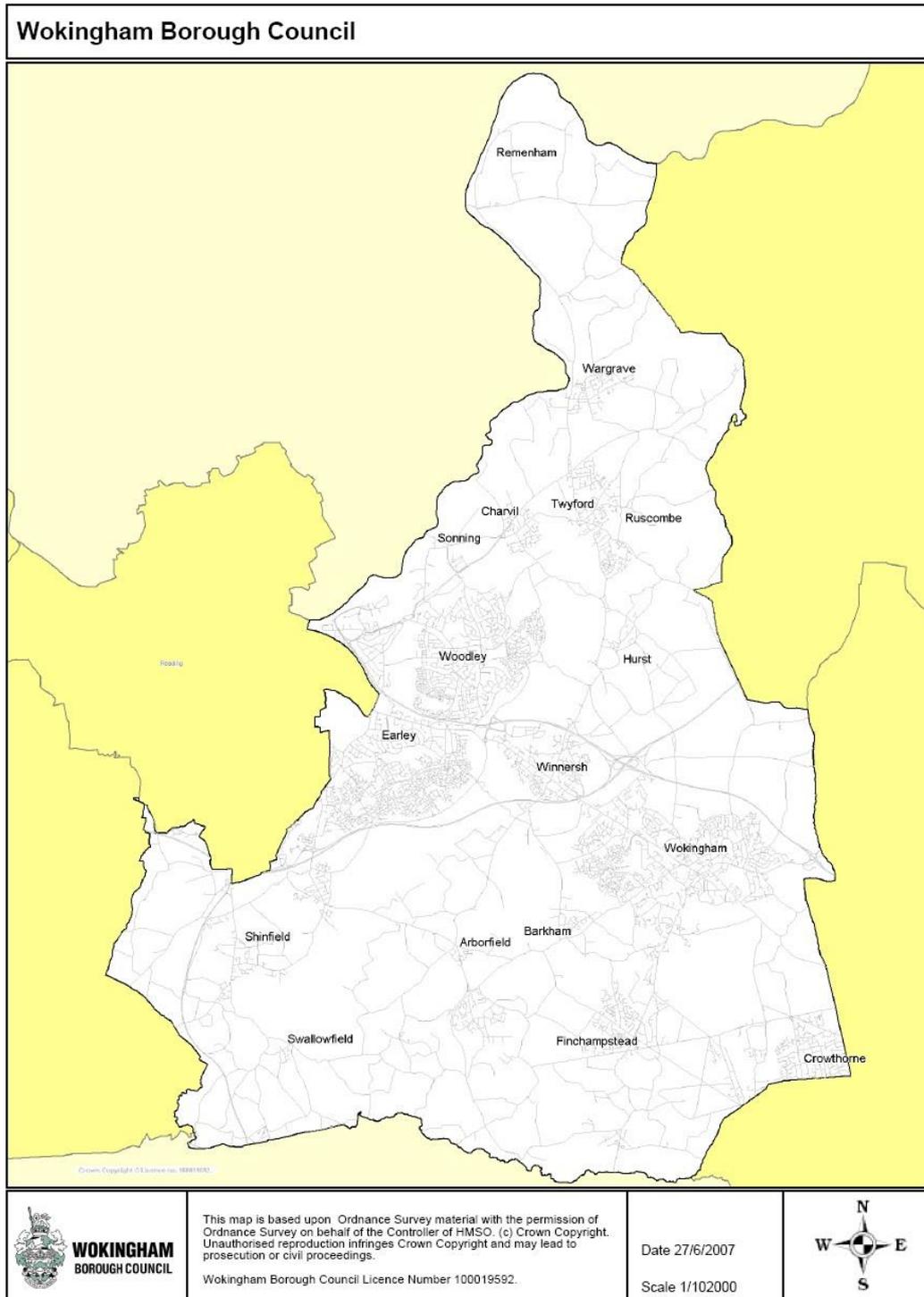
Website: www.gamblingcommission.gov.uk

Appendix A List of Consultees

- Association of British Bookmakers
- Association of Licensed Multiple Retailers
- Bingo Association
- British Amusement Catering Trade Association
- British Institute of Inn Keeping
- British Beer and Pub Association
- Committee of Registered Club Associations
- Gamblers Anonymous
- GAMCARE
- HM Revenue and Customs
- Holders of existing gambling licences / permits
- National Association of Bookmakers
- Parish and Town Councils
- Royal Berkshire Fire and Rescue
- Thames Valley Police / Community Safety Partnership
- Wokingham Borough Citizens Panel
- Wokingham Borough Council Planning
- Wokingham Borough Council Environmental Health
- Wokingham Safeguarding Children Board

Appendix B

Map of Wokingham Borough



Appendix C

Gambling Act 2005 – Scheme of Delegations

Gambling Act 2005	Functions	Delegation
Section 163	Determination of application for Premises Licence in respect of which representations have been made (and not withdrawn) Determination of application for Premises Licence where no relevant representations received	Licensing Sub-Committee Officers
Section 162	Attachment of condition to Premises Licence or exclusion of default condition	Licensing Sub-Committee
Section 162	Decision as to whether representation is vexatious, frivolous, or would certainly not influence the authority's determination of application	Officers in consultation with Chairman or Vice-Chairman at the Licensing Committee
Section 187	Determination of application to vary Premises Licence in respect of which representations have been made (and not withdrawn) Determination of application to vary Premises Licence in respect of which no representation received	Licensing Sub-Committee Officers
Section 188	Determination of application for transfer of Premises Licence in respect of which representations have been made (not withdrawn) Determination of application for transfer of Premises Licence where no representations received	Licensing Sub-Committee Officers
Section 193	Revocation of Premises Licence for failure to pay annual fee	Officers
Section 194	Determination that a Premises Licence has lapsed	Officers

Appendix C

Gambling Act 2005 – Scheme of Delegations

Gambling Act 2005	Functions	Delegation
Section 195	Reinstatement of lapsed Premises Licence in respect of which representations have been made (and not withdrawn) Reinstatement of lapsed Premises Licence where no representation is received	Licensing Sub-Committee Officers
Section 198	Rejection of application for review of Premises Licence on various grounds	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Section 200	Initiation of review of Premises Licence	Officers
Section 201	Determination that representation about review of Premises Licence is frivolous, vexatious or will certainly not influence a review of a Premises Licence	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Section 202	Determination of action following review of Premises Licence	Licensing Sub-Committee
Section 204	Determination of application for provisional statement in respect of Premises Licence where representations have been made (and not withdrawn) Determination of application for provisional statement in respect of which no representations received	Licensing Sub-Committee Officers
Section 205	Decision to disregard representations made in respect of application for a Premises Licence after issue of provisional statement	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Section 218	Issue of counter notice to Temporary Use Notice where number of permitted days are exceeded	Officers
Section 221	Objection to Temporary Use Notice	Officers
Section 222	Issue of counter notice in response to Temporary Use Notice	Licensing Sub-Committee

Appendix C

Gambling Act 2005 – Scheme of Delegations

Gambling Act 2005	Functions	Delegation
Section 284	Making of Order to remove exemptions from specified premises	Licensing Sub-Committee
Section 346	Institution of criminal proceedings in respect of an offence under the provisions of the Act	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Schedule 10 Paragraph 8	Determination of application for Family Entertainment Centre Gaming Machine Permit	Head of Administration (or in his absence the Central Services Manager) (Refusal to be exercised only in consultation with Chairman or Vice-Chairman of the Licensing Committee)
Paragraphs 14 and 15	Notification of lapse of Family Entertainment Centre Gaming Permit	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Schedule 11 Paragraph 44 Paragraph 48	Registration of society for small society lottery Refusal of application for registration of society for small society lottery	Officers Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Paragraph 50	Revocation of registration of society for small society lottery	Officers in consultation with the Chairman or Vice-Chairman of the Licensing Committee
Paragraph 54	Cancellation of registration of society for small society lottery for non-payment of annual fee	Officers

Appendix C

Gambling Act 2005 – Scheme of Delegations

Gambling Act 2005	Functions	Delegation
Schedule 12 Paragraphs 5 and 10 and 24	Determination of application for Club Gaming Permit and Club Registration Permit and for renewal of permit in respect of which representations have been made (and not withdrawn)	Licensing Committee Sub-
Paragraph 15	Determination of application for Club Gaming Permit and Club Registration Permit and for renewal of permit where no representations received	Officers
Paragraph 21	Determination of application for variation of Club Gaming Permit and in respect of which Club Registration Permit and cancellation of permit representations have been made (and not withdrawn)	Licensing Committee Sub-
Paragraph 22	Determination of application for variation of Club Gaming Permit and Club Registration Permit and cancellation of permit where no representations received	Officers
Paragraph 21	Cancellation of Club Gaming Permit and Club Registration Permit	Licensing Committee Sub-
Paragraph 22	Cancellation of Club Gaming Permit and Club Registration Permit for failure to pay annual fee	Officers
Schedule 13 Paragraphs 4, 15 and 19	Determination of application for grant, variation or transfer of Licensed Premises Gaming Machine Permit	Officers (Refusal and limitation on number of machines only in consultation with Chairman or Vice-Chairman of the Licensing Committee)
Paragraph 16	Cancellation of Licensed Premises Gaming Machine Permit or variation of number or category of machines in respect of which representations received (and not withdrawn)	Licensing Committee Sub-

Appendix C

Gambling Act 2005 – Scheme of Delegations

Gambling Act 2005	Functions	Delegation
Paragraph 17	Cancellation of Licensing Premises Gaming Machine Permit and variation of number or category of machine where no representations received Cancellation of Licensed Premises Gaming Machine Permit for failure to pay annual fee	Officers Officers
Schedule 14 Paragraphs 9 and 18	Determination of application for Prize Gaming Permit and application for renewal of Permit	Officers (Refusal only in consultation with Chairman or Vice-Chairman of Licensing Committee)
Paragraph 15	Determination that Prize Gaming Permit has lapsed	Officers

Appendix D Gambling Act Glossary

Adult Gaming Centres	Adult Gaming Centres must have a premises licence from the licensing authority to make category B, C and D gaming machines available to their customers.
Betting Premises	The Act contains a single class of licence for betting premises, which includes track and non-track.
Bingo	Two types of bingo can be offered: Cash bingo - where the stakes paid made up the cash prizes that are won; or Prize bingo - where various forms of prizes are won and are not directly related to the stakes paid.
Casinos	The Act defines casino games as games of chance which are not equal chance gaming.
Customer Lottery	A lottery run by occupiers of a business for the benefit of the customers who buy tickets sold on the premises (e.g. supermarket holding a hamper raffle).
Exempt Lottery	Incidental non-commercial lotteries Private lotteries Customer lotteries Small Society lotteries
Gambling Act 2005	The Act governs the provision of all gambling in Great Britain, other than the National Lottery and spread betting. It received royal assent on 7 April 2005.
Gambling Commission	The Gambling Commission licenses larger gambling operators and provides advice and guidance to operators, stakeholders and licensing authorities. They also have a role in enforcement and ensuring promotion of the licensing objectives.
Gaming Machines	Category of machine and where they can be situated are contained at the end of this glossary.
Incidental Non-Commercial Lottery	Lottery that is run as an additional amusement at non-commercial events with tickets sold only during the event, such as a raffle at a dance or church fair.
Licensed Family Entertainment Centres	The Act creates two classes of family entertainment centres (FEC). Licensed FECs provide category C and D machines and require a premises licence.

Lotteries	A lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.
Non-track betting	Betting that takes place other than at a racetrack.
Occasional Use Notices	Section 39 of the Act provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence.
Private Lottery	Lottery that requires membership of a society, place of work or single residential unit (e.g. raffle at a student hall of residence).
Small Society Lottery	Non-commercial societies if it is established and conducted for charitable purposes; for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or for any other non-commercial purpose other than private gain.
Temporary Use Notices	These allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises which might be suitable for temporary use notices would include hotels, conference centres and sporting venues.
Track betting	Tracks are sites (including horse racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks both in the form of pool betting (often known as the “totalisator” or “tote”) and also general betting, often known as “fixed-odds” betting.
Travelling Fairs	A travelling fair is one that “wholly or principally” provides amusements and they must be on a site that had been used for fairs for no more than 27 days per calendar year. No permit is required for gaming machines, but they must comply with age restrictions.
Unlicensed Family Entertainment Centres	Unlicensed FECs provide category D machines only and are regulated through FEC gaming machine permits.

Vulnerable Persons	People who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. Including people who may in accordance with the Mental Capacity Act 2005, lack mental capacity to make informed decisions about gambling.
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Wokingham Responses to the Statement of Gambling Principles – Appendix 2

Respondent	Comment	Response
<p>Head of Adult Safeguarding, Care Governance and ASC Covid-19 Taskforce Wokingham Borough Council</p>	<p>1. Page 11 – <i>“When determining an application for a premises licence or review of a premises licence, regard will be had to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families with children”</i>. I don’t think the phrase ‘vulnerable adult centres’ really means anything – may want to consider rewording along the lines of e.g., “buildings which house services for vulnerable adults”?</p> <p>2. Page 12 – <i>“Where children and other vulnerable people are allowed access to premises where gambling takes place, the licensing authority may take such steps as are lawful and necessary to either limit access generally or introduce measures to prevent under-age gambling”</i>. Would you wish to consider rewording to reflect; “to prevent under-age gambling, or gambling by those people who lack mental capacity to make informed decisions in that respect”?</p> <p>3. Page 13 – <i>“As regards the term “vulnerable persons”, it is noted that it is not defined in the Act and the Gambling Commission does not seek to offer a definition, but states that “it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able</i></p>	<p>It is obviously subjective. The phrase “vulnerable adult centres” is used by the Gambling Commission in the Guidance to Licensing Authorities. The SoGP is therefore consistent with the Guidance. Having said that, a different form of words can be used provided that the meaning is clear.</p> <p>If it is considered to be appropriate, in view of the reference at the outset to vulnerable people, I would not have any objection to rewording to say “to prevent under-age gambling, or gambling by vulnerable persons”.</p> <p>If it is considered to be appropriate, I would not have any objection to rewording to say “and people who may in accordance with the MCA 2005 (or any subsequent</p>

	<p>to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” The licensing authority will consider this licensing objective on a case by case basis”. Would it be preferable to re-word this to bring it in line with the Mental Capacity Act 2005, e.g., “and people who may in accordance with the MCA 2005, lack mental capacity to make informed decisions about gambling”.</p>	<p>legislation), lack mental capacity to make informed decisions about gambling (for example, due to a mental impairment, alcohol or drugs)”. </p>
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