



WOKINGHAM BOROUGH COUNCIL

A Meeting of the **OVERVIEW AND SCRUTINY
MANAGEMENT COMMITTEE** will be held in David Hicks 1
- Civic Offices, Shute End, Wokingham RG40 1BN on
MONDAY 11 SEPTEMBER 2023 AT 7.00 PM

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

Susan Parsonage
Chief Executive
Published on 1 September 2023

The role of Overview and Scrutiny is to provide independent “critical friend” challenge and to work with the Council’s Executive and other public service providers for the benefit of the public. The Committee considers submissions from a range of sources and reaches conclusions based on the weight of evidence – not on party political grounds.

Note: Non-Committee Members and members of the public are welcome to attend the meeting or participate in the 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 viewed live using the following link:

<https://youtube.com/live/CwptHqTakTM?feature=share>

This meeting may 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.

Our Vision
<i>A great place to live, learn, work and grow and a great place to do business</i>
Enriching Lives
<ul style="list-style-type: none"> • Champion excellent 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 enable healthy choices for everyone. • Engage and empower our communities through arts and culture and create a sense of identity for the Borough which people feel part of. • Support growth in our local economy and help to build business.
Providing Safe and Strong Communities
<ul style="list-style-type: none"> • Protect and safeguard our children, young and vulnerable people. • Offer quality care and support, at the right time, to reduce the need for long term care. • Nurture our communities: enabling them to thrive and families to flourish. • Ensure our Borough and communities remain safe for all.
Enjoying a Clean and Green Borough
<ul style="list-style-type: none"> • Play as full a role as possible to achieve a carbon neutral Borough, sustainable for the future. • Protect our Borough, keep it clean and enhance our green areas for people to enjoy. • Reduce our waste, promote re-use, increase recycling and improve biodiversity. • Connect our parks and open spaces with green cycleways.
Delivering the Right Homes in the Right Places
<ul style="list-style-type: none"> • Offer quality, affordable, sustainable homes fit for the future. • Ensure the right infrastructure is in place, early, 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, where it is needed most, to live independently in their own homes.
Keeping the Borough Moving
<ul style="list-style-type: none"> • Maintain and improve our roads, footpaths and cycleways. • Tackle traffic congestion and 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 in offering affordable, accessible public transport with good transport links.
Changing the Way We Work for You
<ul style="list-style-type: none"> • Be relentlessly customer focussed. • Work with our partners to provide efficient, effective, joined up services which are focussed around our customers. • Communicate better with customers, 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.
Be the Best We Can Be
<ul style="list-style-type: none"> • Be an organisation that values and invests in all our colleagues and is seen as an employer of choice. • Embed a culture that supports ambition, promotes empowerment and develops new ways of working. • Use our governance and scrutiny structures to support a learning and continuous improvement approach to the way we do business. • Be a commercial council that is innovative, whilst being inclusive, in its approach with a clear focus on being financially resilient. • Maximise opportunities to secure funding and investment for the Borough. • Establish a renewed vision for the Borough with clear aspirations.

MEMBERSHIP OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Councillors

Alistair Neal (Chair)	Andrew Mickleburgh (Vice-Chair)	Andy Croy
Norman Jorgensen	Pauline Jorgensen	Adrian Mather
Stuart Munro	Alison Swaddle	Chris Johnson
Catherine Glover	Caroline Smith	

Substitutes

Charles Margetts	Graham Howe	Peter Dennis
David Cornish	Morag Malvern	Rachelle Shepherd-DuBey
Bill Soane	Jane Ainslie	Ian Pittock
Phil Cunningham	Marie-Louise Weighill	

ITEM NO.	WARD	SUBJECT	PAGE NO.
24.		APOLOGIES To receive any apologies for absence.	
25.		MINUTES OF PREVIOUS MEETING To confirm the Minutes of the Meeting held on 18 July 2023.	5 - 12
26.		DECLARATION OF INTEREST To receive any declarations of interest.	
27.		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 this Committee. Subject to meeting certain timescales, questions can relate to general issues concerned with the work of the Committee 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	
28.		MEMBER QUESTION TIME To answer any Member questions.	
28.1		Councillor Gary Cowan asked the Chair the following question: As the Overview and Scrutiny Management Committee is responsible for co-ordinating the Council's	

arrangements for holding the Executive to account, which includes undertaking policy development and reviewing performance monitoring and external Scrutiny. Apparently the Council's accounts have not been signed off for two years

My question is: does the Overview and Scrutiny Management Committee consider that the Borough Council's Audit Committee is a good enough safeguard for the Borough Council's finances?

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|-----|---------------|---|-----------|
| 29. | None Specific | Q1 2023/24 PERFORMANCE MONITORING REPORT
To consider the Corporate Performance Monitoring Report for Q1 of 2023/24 – April to June 2023. | 13 - 64 |
| 30. | None Specific | ESTATE INFRASTRUCTURE TASK & FINISH GROUP
To consider an update on progress relating to the recommendations from the Estate Infrastructure Task and Finish Group, which reported in 2020. | 65 - 134 |
| 31. | None Specific | SCRUTINY IMPROVEMENT REVIEW ACTION PLAN
To consider the Action Plan developed following the Scrutiny Improvement Review carried out in 2022. | 135 - 140 |
| 32. | None Specific | CONSIDERATION OF THE CURRENT EXECUTIVE AND IEMD FORWARD PROGRAMMES
To consider the latest versions of the Executive and Individual Executive Member Decision Forward Programmes. | 141 - 152 |
| 33. | None Specific | O&S COMMITTEE WORK PROGRAMMES
To discuss and update the work programmes of the Overview and Scrutiny Management Committee and the Overview and Scrutiny Committees. | 153 - 172 |
| 34. | None Specific | ACTION TRACKER
To consider the regular Action Tracker report. | 173 - 174 |

Any other items which the Chairman decides are urgent

A Supplementary Agenda will be issued by the Chief Executive if there are any other items to consider under this heading.

CONTACT OFFICER

Neil Carr

Tel

Email

Postal Address

Democratic & Electoral Services Specialist

0118 237 9561

neil.carr@wokingham.gov.uk

Civic Offices, Shute End, Wokingham, RG40 1BN

MINUTES OF A MEETING OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE HELD ON 18 JULY 2023 FROM 7.00 PM TO 10.30 PM

Committee Members Present

Councillors: Alistair Neal (Chair), Andrew Mickleburgh (Vice-Chair), Andy Croy, Norman Jorgensen, Pauline Jorgensen, Alison Swaddle, Chris Johnson, Catherine Glover, Caroline Smith and Ian Pittock

Other Councillors Present

Councillors: Stephen Conway, Paul Fishwick and Ian Shenton

Officers Present

Michael Bateman, Complaints Officer - Children's Services
Rebecca Brooks, Senior Transport Planner
Neil Carr, Democratic and Electoral Services Specialist
Graham Ebers, Deputy Chief Executive and Director of Resources & Assets
Giorgio Framalocco, Director of Place & Growth
Rhian Hayes, Assistant Director, Economic Development & Growth
Daneet Penny, Customer Relations Officer
Sally Watkins, Chief Operating Officer
Jackie Whitney, Strategic Lead - Customer, Change, Digital & IT

13. APOLOGIES

Apologies for absence were submitted from Adrian Mather and Stuart Munro.

Ian Pittock attended the meeting as a substitute.

14. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 12 June 2023 were confirmed as a correct record and signed by the Chair.

15. DECLARATION OF INTEREST

There were no declarations of interest.

16. PUBLIC QUESTION TIME

There were no public questions.

17. MEMBER QUESTION TIME

There were no Member questions.

18. LEADER OF THE COUNCIL

Councillor Stephen Conway, Leader of the Council, attended the meeting to give a presentation (set out at Agenda pages 13 to 20) on the challenges and opportunities facing the Council over the next year. Graham Ebers, Deputy Chief Executive and Director of Resources and Assets, also attended the meeting to answer Member questions.

The presentation highlighted the following challenges facing the Council:

- an unprecedented financial position with spiralling inflation coupled with a Budget gap;

- the cost of living crisis, rising inflation and growing financial pressure on local communities;
- inconsistency in partnership relationships leading to missed opportunities for collaboration;
- an opportunity to improve governance, scrutiny (especially the “Overview” aspect of Overview and Scrutiny) and review.

Councillor Conway outlined the ongoing work to develop a new Community Vision for the Borough. This had involved a range of workshops with community representatives including Town and Parish Councils, the community and voluntary sector, NHS, Age UK, CLASP, Youth Council and Thames Valley Police. The workshops had developed themes relating to health and wellbeing, equality, inclusion and opportunity, environment and sustainability, community engagement, working with young people and the business community.

Some of the aims of the Community Vision were to empower residents, improve quality of life, reduce inequality, focus on outcomes and build deeper collaboration between partners across the Borough.

Councillor Conway concluded by highlighting the key next steps:

- continuing to provide a safe Budget position for WBC, now and in future years, whilst protecting the most vulnerable within the Borough;
- moving forwards with the Community Vision for the Borough, through co-production and community engagement;
- working in partnership with more organisations to drive better outcomes for the Borough.

In the ensuing discussion, Members raised the following points and questions:

How could the Overview and Scrutiny Committees support the development of policy? Councillor Conway commented that it would be useful if Scrutiny was more engaged in the early stages of policy development, providing “critical friend” challenge and support.

How was the impact of soaring inflation managed within contractual arrangements? Was the difference between projected and actual inflation levels an element in the Budget pressures facing the Council? Graham Ebers explained that there were different contractual arrangements depending on the type of contract. More traditional contracts, e.g. in Place and Growth would be linked to an index. There were also more variable contracts, e.g. in the care services where an understanding of the market was essential, i.e. ensuring that smaller providers were able to continue to operate. The impact of inflation over the past year had resulted in an £11m pressure in the Budget. This was much higher than in previous years.

The development of the proposed Community Vision could be considered as “pie in the sky” and an attempt to offload WBC responsibilities to partners. What tangible benefits would be delivered for residents of the Borough? Councillor Conway stated that the new approach was about working with partners rather than offloading onto partners. It was

about working collaboratively in order to deliver more with less resources. It was clear that the current financial challenges would continue into future years, so business as usual was not an option. The pooling and sharing of data could result in more targeted services and the leveraging in of additional resources and expertise.

What were the other impacts of soaring inflation, e.g. on the health and wellbeing of families and recruitment and retention challenges facing the Council and its suppliers/contractors? Councillor Conway noted the impact of the cost of living crisis on the demand for services. The £11m figure discussed earlier was much higher when the impact of additional service demands was factored in. As an example, WBC dealt with a higher proportion of SEND pupils than many councils. The location and capacity of schools in the Borough also created significant pressures on the Home to School Transport budget. Supplier failures in the construction and care sectors also impacted on the services provided by WBC.

Graham Ebers gave details of one of the complex financial issues facing the Council – the “Safety Valve” funding deal agreed between the Council and the Department for Education. Under the agreement, the Council agreed to reach a positive in-year balance on its Dedicated Schools Grant (DSG) account by 2028/29 and in each subsequent year. A number of local authorities were involved in the Safety Valve scheme. It was now a standing item on the Children’s Services Overview and Scrutiny Committee. Partnership working was ongoing with schools and other partners with the aim of bringing the DSG deficit under control.

When the 2023/24 Budget was set, in February 2023, what provision was included for inflation? It was confirmed that there was no single figure for inflation as the level differed in relation to different aspects of the Council’s operations, e.g. the annual pay award and different contractual uplifts. The net impact was estimated to be £11m.

What was the opportunity for improving Scrutiny “Overview”? Councillor Conway stated that there was an opportunity for more involvement of Scrutiny at the early stages of policy and service development. Constructive suggestions would be welcomed. The important role of Budget Scrutiny was also emphasised.

In relation to improved partnerships, was there a focus on improved working with Thames Valley Police? It was agreed that partnership working with the police could be improved and this would be an area for extra focus.

The presentation stated that the Council had received £3.1m to help purchase 17 new home for Ukrainian refugees. Was there a risk that the Government would seek to claw back some of this money? It was confirmed that the agreement with the Government stated that the £3.1m was allocated for the Council to use.

What was the budget for community engagement and partnership work and was there an expectation that this work would generate extra money for WBC? Councillor Conway stated that the budget for this work could be confirmed. In the meantime, the expectation was that enhanced partnerships would result in additional money through better targeting of existing resources and the generation of additional grants and extra sources of funding. Also, the sharing of data would lead to efficiencies and improved targeting. There were existing examples of effective partnerships, e.g. the Tenant and Landlord Improvement Panel (TLIP).

RESOLVED That:

- 1) Stephen Conway and Graham Ebers be thanked for attending the meeting to answer Member questions on the challenges facing the Council;
- 2) Councillor Conway's comments on the scope for improving the "Overview" function of Scrutiny be welcomed and be the subject of further discussions with the Chairs of the Overview and Scrutiny Committees;
- 3) work on the Children's Services "Safety Valve" agreement with the Department for Education be noted and be the subject of an all-Member briefing;
- 4) specific focus be given to improving partnership working with Thames Valley Police.

19. ANNUAL COMPLAINTS REPORT 2022/23

The Committee considered a report, set out at Agenda pages 21 to 34, which gave details of formal complaints received by the Council in 2022/23.

Jackie Whitney (Strategic Lead for Customer, Change, Digital & IT) and Daneet Penny (Corporate Complaints Officer) attended the meeting to introduce the report and answer Member questions. This was the first time that the complaints report had been submitted to the Committee. In previous years the report had been submitted to the Audit Committee.

The Council's formal complaints process contained three stages – stage 1 and stage 2 were internal investigations. Stage 3 was signposting to the relevant Ombudsman. The majority of complaints in 2022/23 were resolved early without recourse to the formal stage 1 process.

The report noted that, in May 2022, Housing Services began managing complaints in line with the Housing Ombudsman's new complaints handling code.

The report stated that 2022/23 saw a 28.2% increase in the number of formal complaints. This was linked to the introduction of the Housing Ombudsman's complaints handling code which removed the option of early resolution. Of the complaints received, 78% were resolved early without formal escalation to stage 1. Across all stages, 32.5% were upheld/partially upheld, 55% were not upheld and 12.5% were undetermined. The report included details of the number and type of complaints received in each of the Council's directorates

In the ensuing discussion, Members raised the following points and questions.

What constituted a complaint? It was explained that a service request, e.g. not cutting the grass, could become a service failure and a complaint if the service request was not responded to in a reasonable time.

Was there a time limit for each of the stages within the complaints process? It was confirmed that the aim was to achieve early resolution within five working days. For stage 1 the deadline for a response was 15 working days. For stage 2 the deadline was 20 working days. The majority of these deadlines were met. It was suggested that the next annual report include details of performance against the deadlines for each stage.

In relation to page 27 of the report – Customer Compliments – it was suggested that a balancing page of Customer Complaints be included in the next annual report.

Was there any benchmarking of the Council's performance in handling complaints? It was confirmed that benchmarking was carried out through looking at the Ombudsman annual reviews which compared different councils. It was noted that different councils used different stages in their procedures.

The report referred to staff training on the 3Cs – care, clarity and confidence. To date, 122 staff members had undertaken the training. The training had improved the quality of complaint responses, with fewer stage 2 escalations and higher customer satisfaction. Consideration was being given to introducing 3C principles into the corporate induction and annual staff appraisal processes. It was confirmed that a team of six quality assurance assessors was working across services to quality assess, advise on best practice and ensure that training was targeted in areas where pockets of dissatisfaction were identified.

The reports referred to “customers” rather than residents. What was the difference? It was confirmed that the term “customer” referred to the services provided and the way they were received. This issue had been discussed with focus groups as part of the development of the Customer Excellence Strategy – currently out to consultation.

With regard to the timeframe for each stage of the complaints process – was performance reviewed internally? It was confirmed that the corporate complaints team monitored performance against the deadlines and provided appropriate prompts and support to services.

What happened if customers did not escalate their complaint to the next stage? It was confirmed that if the customer did not escalate it was assumed that they were content. In these circumstances customers were sent a feedback survey to gauge satisfaction with the way the complaint was handled. Feedback from the satisfaction surveys was generally positive.

The report combined data for complaints received by email and post. Could this be split in future reports? It was confirmed that very few complaints were received by post. However, officers would look at splitting the data in future reports.

In relation to the charts on pages 24 and 25 of the report, this data would be more useful if presented as numbers rather than percentages, especially when looking at trends from year to year. Officers agreed to look at this when further reports were submitted to Members.

RESOLVED That:

- 1) Jackie Whitney and Daneet Penny be thanked for attending the meeting to present the complaints report and answer Member questions;
- 2) the Committee support the inclusion of data in future reports on response times for each of the complaint stages, with targets and actual performance;
- 3) the Committee support a further review of the term “customer” and possible alternatives, in the context of the emerging Customer Excellence Strategy;

- 4) the relevant Overview and Scrutiny Committees receive early sight of any updates to the WBC Complaints Policy;
- 5) future complaints reports include more detailed equality monitoring data.

20. BUS ENHANCED PARTNERSHIP AND SCHEME

The Committee considered a report, set out at Agenda pages 35 to 100, which gave details of the proposed Bus Enhanced Partnership and Scheme.

Paul Fishwick, Executive Member for Active Travel, Transport and Highways, attended the meeting to answer Member questions. Councillor Fishwick was supported by Giorgio Framallicco (Director of Place and Growth) and Rebecca Brooks (Community Transport Manager).

The report stated that the National Bus Strategy (2021) required all Local Transport Authorities to publish a Local Bus Service Improvement Plan (BSIP) and an agreed Enhanced Partnership (EP). An EP was a legal partnership agreement with bus operators agreed following the publication of the improvement plan.

The aim of the BSIP and the EP was to raise standards of local bus services and ensure that services met local needs. The Council had been unsuccessful in obtaining any BSIP grant funding, but had recently been awarded £400k for 2023/24. In order to receive the full BSIP funding the Council had to agree the Enhanced Partnership by the end of September 2023.

The EP had two components – the Enhanced Partnership Plan (EPP) and the Enhanced Partnership Scheme (EPS). The EPP sets out the Council's vision for local bus services with objectives for the improvement of local bus services. The EPS formed the basis for the Enhanced Partnership agreement and set out which party would deliver specific improvements by a target date.

The Committee was requested to review the Draft Enhanced Partnership Plan and Scheme. It was noted that any Member suggestions for enhanced services or facilities must be accompanied by a costed proposal.

In the ensuing discussion, Members raised the following points and questions.

It was confirmed that the Enhanced Partnership Forum included voting rights for the Council's Executive Member (Chair + 1 vote), WBC officers and bus operators within the scheme area.

If the Enhanced Partnership involved a legal agreement, was there an exit clause? It was confirmed that officers would review the supporting legislation to determine whether an exit clause could be included in the agreement. It was noted that any exit clause would have to be equal for both parties – WBC and the bus operators.

If a new bus operator started to run services in the area, would it be able to join the partnership? It was confirmed that if a new operator registered a route, they could become part of the partnership.

Para 1.4.5 of the report referred to the hospital shuttle Park and Ride bus which had the potential to be developed into a local bus service. How would this be communicated to

residents? It was confirmed that an update on this new service would be included in the Council's Travel and Traffic News.

In relation to the Broken Bow Park and Ride – will park and ride tickets be available? It was confirmed that tickets would be available for the journey to the hospital.

In relation to the proposed Bus Stop Audit – would this cover all bus stops or just the bus stops maintained by the Council? It was confirmed that the audit would cover all bus stops in the Borough, including those owned by Town and Parish Councils.

In relation to new technology, would it be possible to use technology to change priority for buses at roadworks? It was confirmed that it was not currently possible to change priorities at temporary traffic lights.

The report stated that the Council had committed funding to the plan up to 2026/27. What was the Council's commitment after that three year period? It was confirmed that the Council currently had no financial commitment after 2026/27. The legal agreement was enacted through the Enhanced Partnership Forum. Any actions and commitments after the initial three years would be the subject of discussion at the Forum. It was confirmed that all decisions made by the EP Forum were subject to any relevant approvals required by the Council's Constitution or any legislation, regulation or statutory guidance.

RESOLVED That:

- 1) Paul Fishwick, Giorgio Framalico and Rebecca Brooks be thanked for attending the meeting to present the report and answer Member questions;
- 2) progress on the delivery of the Bus Enhanced Partnership Plan and Scheme be the subject of an annual update to the appropriate Overview and Scrutiny Committee;
- 3) officers investigate the relevant legislation and consider the inclusion of an exit clause in the agreement as discussed by the Committee;
- 4) the report to the Executive, in September 2023, include clarification on the Council's control over any financial commitments made after the initial three year period set out in the Plan.

21. CONSIDERATION OF THE CURRENT EXECUTIVE AND IEMD FORWARD PROGRAMMES

The Committee considered a copy of the Executive and IEMD Forward Programmes, as set out on Agenda pages 101 to 114.

In the ensuing discussion, Members raised the following points.

- Proposals relating to changes to the litter bin emptying service would be submitted to the Executive after appropriate consultation;
- Officers to check if the Autism and Neurodiversity Strategy had been considered by the Health Overview and Scrutiny Committee – if not, the Strategy to be considered by HOSC;

- Provision of solar farms within the Climate Emergency Action Plan to be a standing item on the Climate Emergency Overview and Scrutiny Committee;
- Clarification be sought on the contents of the item relating to “Promotion of WBC Assets”;
- Clarification be sought that Members were receiving a regular copy of the Executive Forward Programme in line with the Council’s Constitution.

RESOLVED: That the Executive and IEMD Forward Programmes be noted, subject to the further clarification/information requested by Members.

22. O&S COMMITTEE WORK PROGRAMMES

The Committee considered its forward work programme and that of the Overview and Scrutiny Committees as set out on Agenda pages 115 to 140.

The report included details of the suggestions submitted by residents and Town and Parish Councils for inclusion in the Overview and Scrutiny Work Programmes.

In the ensuing discussion, Members made the following comments.

- 3G Facility at Laurel Park – this issue to be considered as part of a wider item on the Borough’s Sports Pitch Strategy.
- Suggested items relating to road safety, highways maintenance, potholes, etc. be referred to the Community and Corporate Overview and Scrutiny Committee.
- Members noted that an update report on estate infrastructure, following the 2020 Task and Finish Group report, would be submitted to the Overview and Scrutiny Management Committee on 11 September 2023.
- A report on WBC Staff recruitment and retention be added to the Management Committee’s forward work programme.
- Clarification be sought on the reporting line for the Council’s investment portfolio, i.e. what was currently reported to the Audit Committee and was there a potential role for Scrutiny.
- Following the successful attendance by Thames Water at Overview and Scrutiny, officers seek possible attendance by representatives from SSEN.
- Community and Corporate Overview and Scrutiny Committee consider the inclusion of an item on grass cutting performance in 2023.

RESOLVED: That the Overview and Scrutiny Forward Work Programmes for 2023/24, as amended, be approved.

23. ACTION TRACKER REPORT

The Committee considered the regular Action Tracker report.

RESOLVED: That the Action Tracker report be noted.

TITLE	Quarter 1 23/24 Performance Monitoring Report
FOR CONSIDERATION BY	Executive Briefing on 5 th September 2023 Overview & Scrutiny Management Committee on 11 th September 2023
WARD	(All Wards);
LEAD POLITICIAN	Sarah Kerr – Executive Member for Climate Emergence and Resident Services
LEAD OFFICER	Sally Watkins - Chief Operating Officer

OUTCOME / BENEFITS TO THE COMMUNITY

This report provides accountability and transparency against the Council's Key Performance Indicators (KPIs) for service areas and provision of these to our customers.

RECOMMENDATION

To note the performance of the KPIs relevant to this committee.

SUMMARY OF REPORT

Quarter 1 KPIs show good performance despite significant continued challenges to delivery. The highlights of quarter 1 for the Council include:

- Adults Services won an MJ Award for Best Social Housing Initiative for the Adult Social Care Specialist Accommodation Programme. Resource and Assets also won an award for Innovation in Delivering Sustainability and Social Value for the councils town centre regeneration project
- Successful bid for £6.5m special needs capital grant, which will contribute to the facilities and units in mainstream schools to support children with special educational needs.
- Purchase completed on our first children's home property to provide local placements for children in care, to enable them to stay in the same school and close to family and friends

Looking forward, inflation and increasing interest rates continue to cause challenges. Inflation drives up the costs of everything the council does and higher interest rates make borrowing money for capital investment more expensive. These 2 factors are also increasing demand to many services and compounds this with more complex issues. The current projected revenue monitoring position from the end of the year is running with a forecast overspend of approximately £2.9 million

As part of our annual performance cycle directors have met with lead members and KPIs have been refreshed along with their associated target to ensure that they report relevant performance in the most important areas of the council and new KPIs have been introduced, with a small number being retired to improve the councils general reporting. Details of the retired KPIs can be found in Appendix B which accompanies this report.

Further details of all KPIs are listed in Appendix A which accompanies this report.

Action from Previous Meeting

- The charts used in performance reports have been reviewed and more context is included in this report.
- Leisure Centre KPIs have been developed and 2 new KPIs have been introduced to improve reporting.
- Officers are working to bring a report to the appropriate scrutiny meeting to review the attendance, targets and performance of leisure centres.
- Officers have investigated reporting the value of the assets reported through RA4 Occupancy rate of WBC-owned Regeneration units. Whilst reporting this information quarterly is not possible the information will be reported annually as soon as it available.

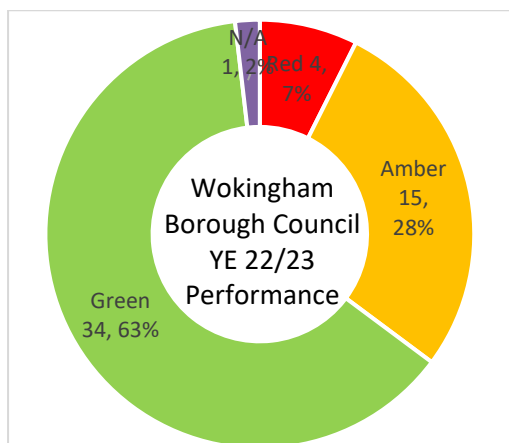
Background

- The Council's Key Performance Indicators (KPIs) measure how well each service is delivering against its current objectives.
- KPIs that are reported are decided by the lead executive members in consultation with their respective director. Targets for each KPI are also set in the same way.
- This performance report and appendices covers Q1 2023/24 April, May and June 2023.
- There are 54 KPIs, details of which can be found in found in Appendix A which includes year on year trends where available.
- Where available benchmarking information is included to give greater context.
- Each KPI should have a SMART target (Specific, Measurable, Achievable, Realistic and Timely), which takes into account historic trend information and benchmarking to compare Wokingham Borough performance with national trends.
- KPIs are assigned a RAG status (Red, Amber, Green) to indicate whether performance is on target (Green), close to target (Amber) or missing the target (Red).

Indicators are assigned to a Director and Lead Executive Member. Commentary including highlights, focuses for the future and potential challenges from the CEO, Deputy CEO and each Director can be found in Appendix A, which accompanies this report.

Analysis

The Council provides a wide range of services to its residents and so the reporting of a single bottom line is not possible. For this reason the Council uses a balanced scorecard approach, reporting a mixture of KPIs covering service activity, financial performance, indicators on the health of the work force and customer excellence scores. The following analysis is intended to give a picture of the overall health of the Councils performance at the top level and to highlight areas performing below target, the actions being taken to improve this and the challenges faced.



Quarter 1 23/24 Performance

Quarter 1 KPIs show good performance despite some significant continued challenges to delivery. High inflation driving up the cost of service delivery coupled with financial uncertainty at a global level has made it a challenging quarter. Despite this, the majority of KPIs, 34, are Green, 15 are Amber and 4 are Red. 1 KPI is untargeted

Red KPIs in Quarter 1 2023/24

The following information below gives details of the KPIs reported as Red in Q1 23/24 with background and context of performance and the corrective action being taken. ASCs results should be seen in the context of deliberately stretching targets to drive performance and set against the wider context of the benchmarking information provided.

PG10 – Total household tonnes

There has been an c.3% increase in the total household waste, which includes landfill, recycling and food waste, when compared with the same period in 2022/23. This is primarily due to the increase in recycling tonnages of c.593t with the percentage of waste sent to landfill down to c.5.95% in quarter 1 2023/24 compared to 6.95% in the same quarter of 2022/23.

A communications campaign to residents using social media, email and press releases to reduce, reuse and recycle to drive down overall waste levels is ongoing.

PG11 – All recorded crime in Wokingham borough (excluding fraud) (sourced from data.police.uk)

The majority of crime categories have seen an increase in Q1, but mainly in respect of Harassment, Theft from Businesses, Shoplifting, Theft from a Vehicle and Bicycle Theft offences. Trend and Hotspot data is being discussed at both the multi agency problem solving tasking group and the Community Safety Partnership.

Hotspot and trend data is being analysed to understand hotspot times and days.

Additionally action is being taken to increase communications via social media platforms, target offenders with enforcement action including Closure Orders and review CCTV capability ensuring that mobile CCTV is effective in hotspots, adequately resourced and providing value for money. Officers are working with Town & Parish Councils & Thames Valley Police to develop capacity.

Officers from community safety will also be working with the tackling poverty team to better understand how the 2 areas can work together to tackle poverty and reduce crime

AS1- Social work assessments allocated to commence within 28 days of the requests (counted at point of allocation)

This is not monitored as a national performance measure, however, numbers of people waiting for assessments, packages of care or reviews is collected regularly for all Local Authorities in the South East. Currently 26% of people are waiting longer than 6 months across the region. 28 days is a local target to ensure best practice.

People must be provided with the right combination of care, in the right place at the right time, in ways that will be sustainable going forward.

There is a process of triaging and risk assessing all contacts received to ensure those requiring immediate attention are prioritised.
 Performance in this area has been impacted by rising volume and complexity in Adult Social Care.
 Performance has improved in June-23 to 80% but remains below target.
 The percentage of assessments completed in 7 working days has increased significantly (73% this quarter compared to 35% in 21/22), evidencing that high risk cases are prioritised and allocated quickly.
 Changes will be made to the Adult Social Care pathway in Q2 and we will look to measure the impact of these changes to the performance data during Q3.

AS4 – New permanent admissions to residential or nursing care homes (65+) (ASCOF Measure 2A2)

Wokingham Borough Council scored 6 out of 152 Local Authorities for this ASCOF National Measure performance in 2021/22 (where 1 is best). Our aim is to reduce the number of long-term admissions to care homes.

In 2021/22 Wokingham reported, annually, 212.6 admissions to residential and nursing care homes for people aged 65+, per 100,000 population compared to 524.3 in the South East and 538.5 in England.

Achieving a reduction in the number of people entering care homes (residential or nursing) evidences that we are putting in the right measures to effectively reduce, delay, prevent the need for long term care and support.

Numbers of new admissions increased in Q1, which is reflective of the increasing needs of people presenting to Adult Social Care services, as also described in AS1.

KPIs without Targets

There is currently 1 KPI with out a target, reported as N/A. PG2 – Number of households in emergency nightly-let/B&B accommodation is reported to give visibility of the level of demand experienced by the housing service and its associated risks. Targeting of this KPI may drive the wrong behaviour and has limited value.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and 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)	Nil	Nil	Nil
Next Financial Year (Year 2)	Nil	Nil	Nil
Following Financial Year (Year 3)	Nil	Nil	Nil

Other financial information relevant to the Recommendation/Decision
None

Cross-Council Implications (how does this decision impact on other Council services, including properties and priorities?)

This report covers the whole of the Council's operations.

Public Sector Equality Duty

Please confirm that due regard to the Public Sector Equality Duty has been taken and if an equalities assessment has been completed or explain why an equalities assessment is not required.

Climate Emergency – This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030

Please state clearly what the impact of the decision being made would be on the Council's carbon neutral objective.

Reasons for considering the report in Part 2

N/A

List of Background Papers

Contact Will Roper	Service Chief Executives Office
Customer Insight & Performance Manager	Email will.roper@wokingham.gov.uk

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Appendix:
Quarter 1 2023/24
Key Performance Indicators
Wokingham Borough Council



Overview

Along with the hard work needed to deliver the continued strong results reported here there has been significant activity from officers across the council to deal with the financial challenges we face. The headwinds coming from the cost of living and a potential recession threaten the Councils income streams and are compounded by high inflation which mean that everything the council does costs more.

Top Wins

- Moving with confidence remains in high demand with the overall programme experiencing a 42% increase in demand, supporting ASC for another year with the reduction of hospital admissions caused from falls.
- Freedom of information request performance is significantly and consistently improved with 3 consecutive quarters performing above target
- Winning an MJ Award for Innovation in Delivering Sustainability and Social Value for the councils town centre regeneration project.
- Council tax collection rates for last year have been reported as being the best in the country

Top Opportunities

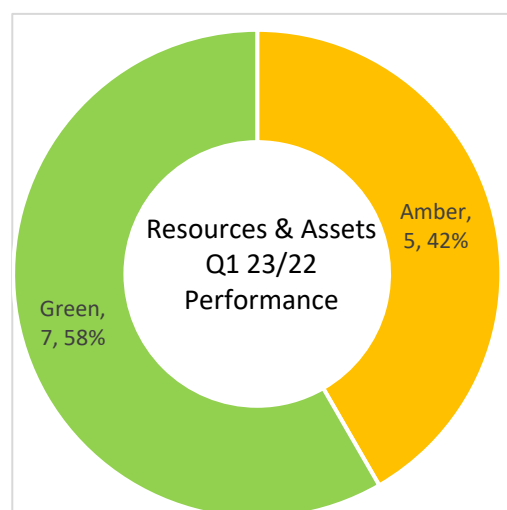
- Transformation of Sports and Leisure Services
- Property and land disposal opportunities

Challenges

- Driving footfall to leisure centres to recover from covid with the cost of living crisis
- Revenue monitoring shows a significant forecast overspend of approximately £2.9 million

Quarter 1 Performance Summary

- 5 are reported as (slightly-off target) Amber
- 7 of KPIs achieving target, Green
- No KPIs are reported as Pending
- No KPIs are reported as N/A
- No KPIs are reported as below target, Red



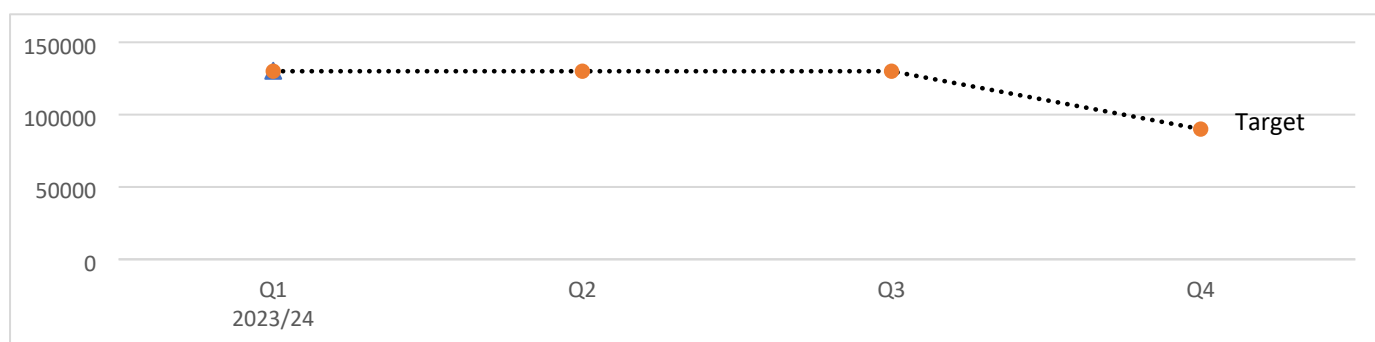
Appendix E-1: Resources & Assets Key Performance Indicators 2023/24 Summary Table

Ref	Description	RAG	DoT
RA1A	Junior activities – attendances for junior swim/fitness and swimming lessons	Green	Better
RA1B	All centre attendances – gym, swim, group ex	Green	Better
RA2	Participation in leisure activities to support those who may be experiencing social isolation (Moving with Confidence programme & Active Ageing programme).	Green	Better
RA3	Completion to time and budget of regeneration projects (Residential Works)	Amber	Better
RA4	Occupancy rate of WBC-owned Regeneration units	Green	Worse
RA5	Council Tax Collections	Amber	Worse
RA6	Business rates collection	Amber	Worse
RA7	Return on investment portfolio - Property Investment Fund	Amber	Better
RA8	Number of Freedom of information requests handled within statutory time frames.	Green	No Change
RA9	Number of data breaches reported to the ICO working days of decision to hold them	Green	No Change
RA10	Revenue monitoring forecast position	Amber	Worse
RA11	Capital monitoring forecast position	Green	Better

Appendix E-2: Resources & Assets Key Performance Indicators 2023/24 Detailed Information

RA1A – Junior activities – attendances for junior swim/fitness and swimming lessons

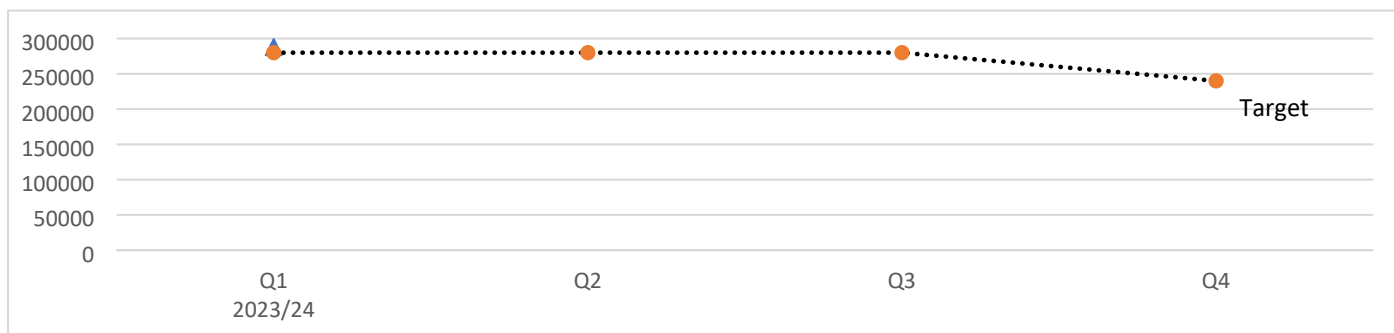
Period	Actual	Target	RAG	DoT
Q1 23/24	130311	130000	Green	Better
Q2 23/24		130000		
Q3 23/24		130000		
Q4 23/24		90000		
Year End				



Service Narrative: We have seen demand for our junior fitness sessions and sessions have now increased, swimming lessons across two out of the three wet sites are now exceeding pre-covid numbers, overall there has been a 14% increase since the last quarter. When comparing pre and post COVID activity we have a 56% increase in our junior activity offering, supporting the increase overall in junior attendance.

RA1B – All centre attendances – gym, swim, group ex

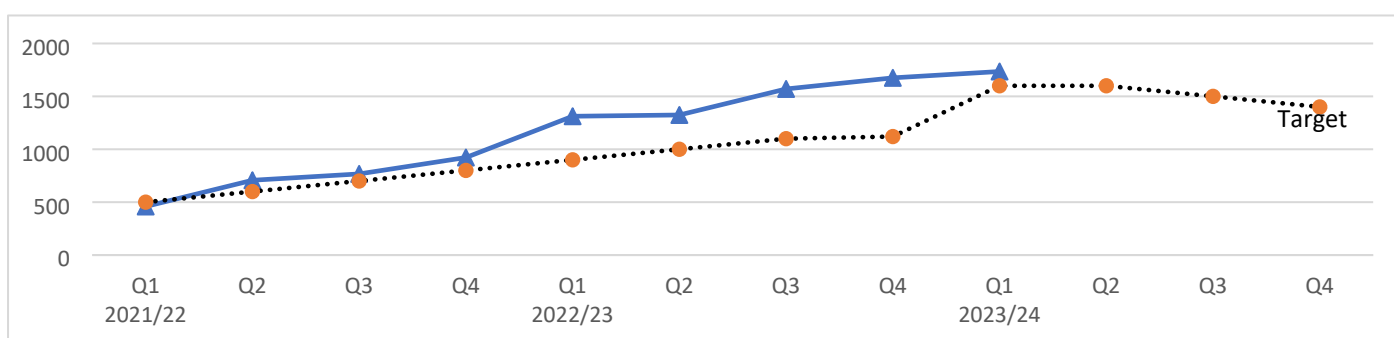
Period	Actual	Target	RAG	DoT
Q1 23/24	287839	280000	Green	Better
Q2 23/24		280000		
Q3 23/24		280000		
Q4 23/24		240000		
Year End				



Service Narrative: We have seen good uptake in our newly opened centre, and we continue to focus on the growth of usage numbers at the other sites as we have seen a 0.13% decrease since the last quarter, but we still remain on track with all sites combined, comparing pre and post COVID it's a 4% increase attendance overall.

RA2 – Participation in leisure activities to support those who may be experiencing social isolation (Moving with Confidence programme & Active Ageing programme).

Period	Actual	Target	RAG	DoT
Q1 23/24	1735	1600	Green	Better
Q2 23/24		1600		
Q3 23/24		1500		
Q4 23/24		1400		
Year End				



Service Narrative: We have seen an increase in our dementia friendly participants, we have worked with the dementia friendly action group and now offer a specialised chair-based exercise class. The need for falls prevention demand is increasing with additional seated exercise sessions needed to address the demand. Moving with confidence remains in demand, targeting those most vulnerable through 1:1 home visits.

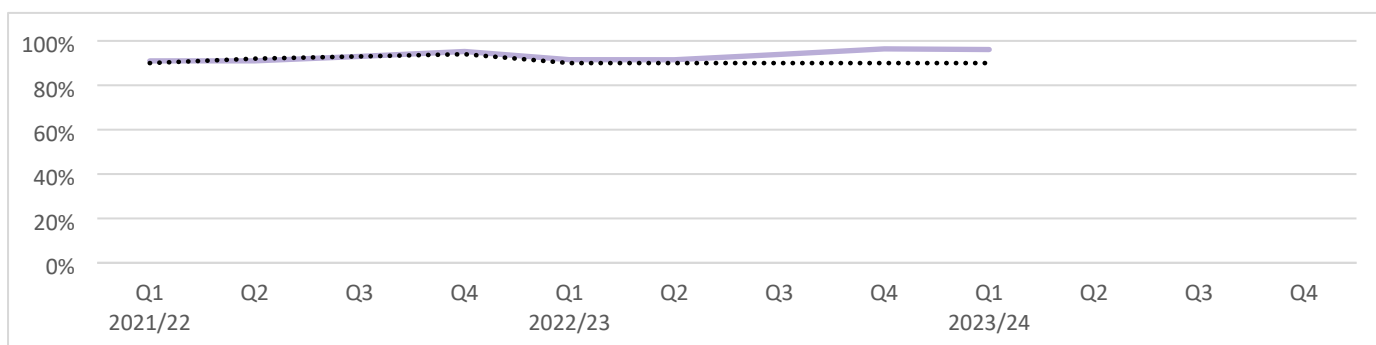
RA3 – Completion to time and budget of regeneration projects (Residential Works)

Period	Actual	Target	RAG	DoT
Q1 23/24	Amber	Green	Amber	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				

Service Narrative: Work has progressed this quarter and we expect to appoint a new contractor shortly to complete the construction works and complete the building. Early indications indicate that works could be completed within existing budget allocation (to be confirmed with appointment of contractor).

RA4 – Occupancy rate of WBC-owned Regeneration units

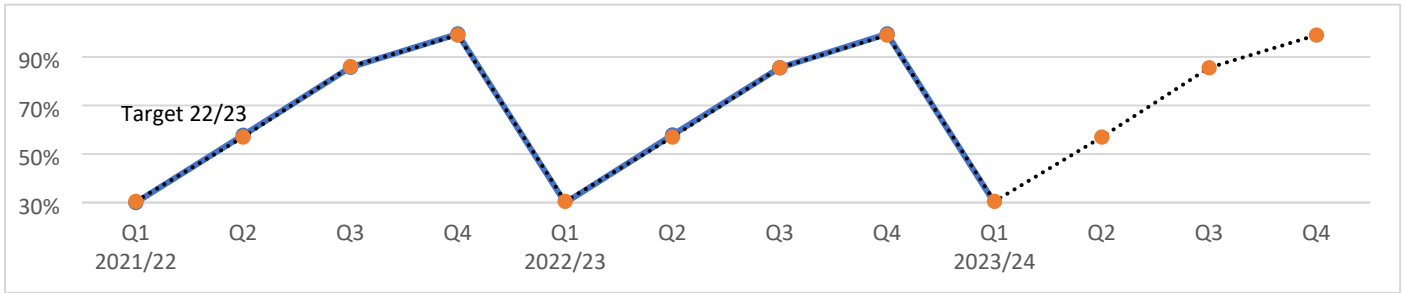
Period	Actual	Target	RAG	DoT
Q1 23/24	96.1%	90%	Green	Worse
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: The town centre regeneration portfolio has experienced a strong quarter's performance against continued market and economic uncertainty for high street retailers. One property deal completed in the quarter, involving Kutchenhaus at Elms Walk, and one tenant liquidation involving the Healthy Women gym has unfortunately resulted in a vacant unit at Peach Place.

RA5 – Council Tax Collections

Period	Actual	Target	RAG	DoT
Q1 23/24	29.84%	30.5%	Amber	No change
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				

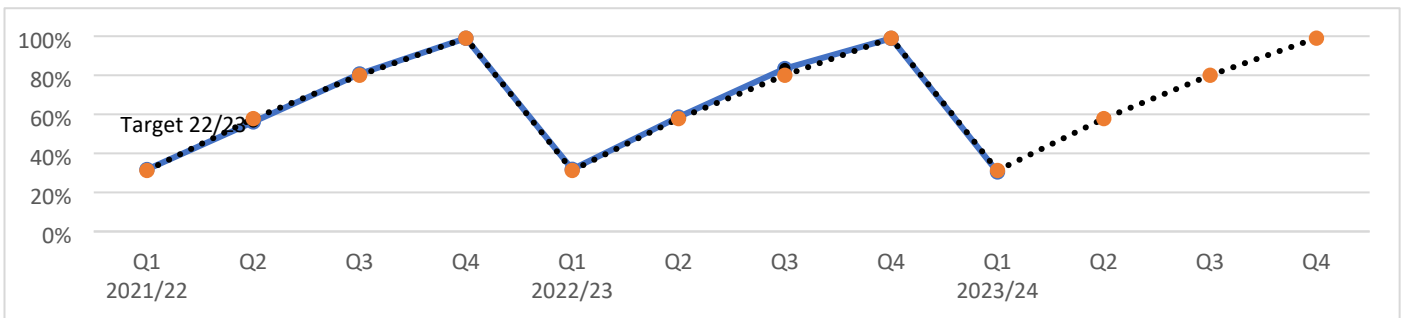


Service Narrative:

Collection rates remain strong with a level performance against the same time last year. Recently released results show that Wokingham had the top collection rates in the country for last year.

RA6 – Business rates collection

Period	Actual	Target	RAG	DoT
Q1 23/24	30.5%	31.2%	Amber	No Change
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				

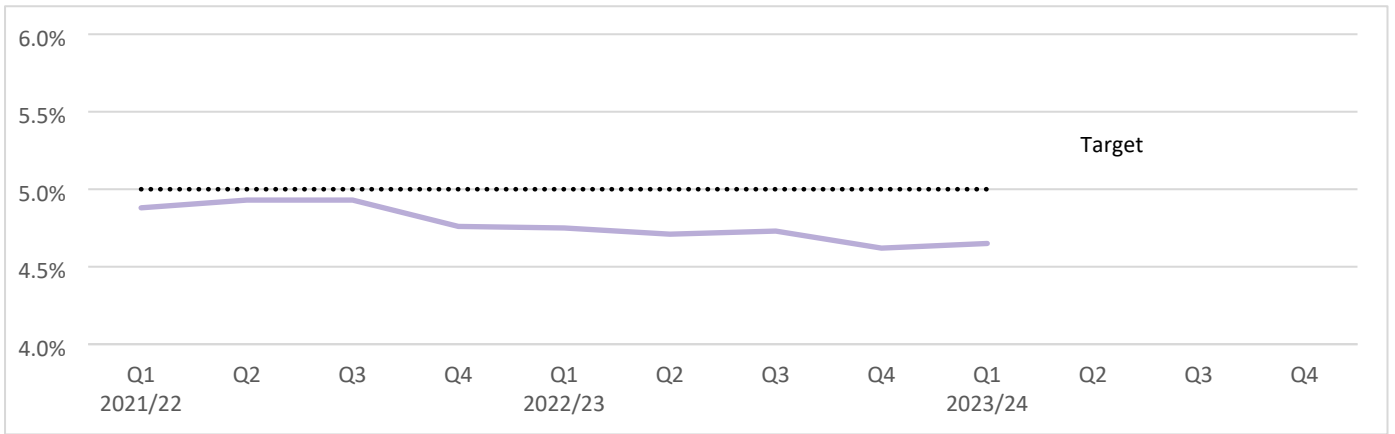


Service Narrative:

Collection rates remain strong with a level performance against the same time last year.

RA7 – Return on investment portfolio - Property Investment Fund

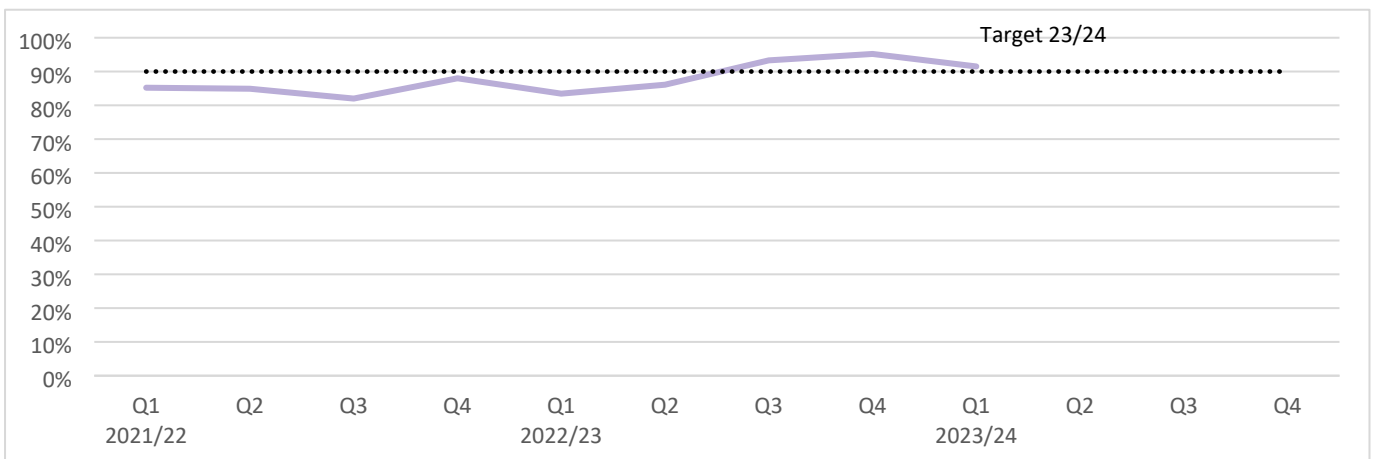
Period	Actual	Target	RAG	DoT
Q1 23/24	4.65%	5%	Amber	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: The downward movement in the rate is due to recent new lease terminations across the portfolio. Overall performance is undermined by exposure to post covid office market at Denmark St and Mulberry, both assets are subject to strategic review but improving in short term due to new lettings in hand. If/when portfolio is fully let, the return would exceed target rate. Excluding the two office assets the portfolio ROI is currently 5.15% exceeding target.

RA8 – Number of Freedom of information requests handled within statutory time frames.

Period	Actual	Target	RAG	DoT
Q1 23/24	91.5%	90%	Green	No change
Q2 23/24		90%		
Q3 23/24		90%		
Q4 23/24		90%		
Year End				

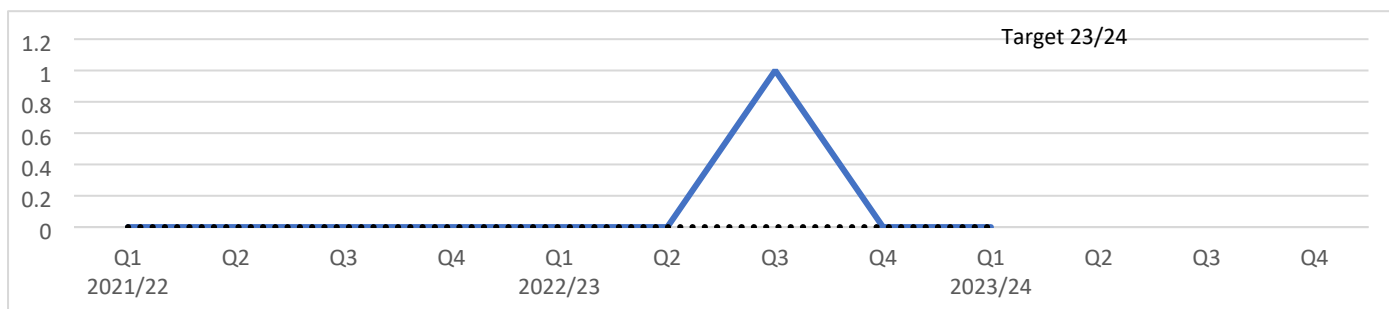


Service Narrative: We managed to maintain an over 90% response rate in Q1. However we saw a significant drop from April into May and June with a number of requests for 'extensions' (delayed response notice going to the applicant). One service area was due to change in staffing so this should return to normal response rates for future quarters in those areas. We will monitor those repeated teams asking for 'extensions' during Q2.

An officer has been working flexibly and logging in after 19:00 when a request is due on the day, which hasn't been closed by normal office hours, to check if a response has been provided after office hours and will continue to do so.

RA9 – Number of data breaches reported to the ICO working days of decision to hold them

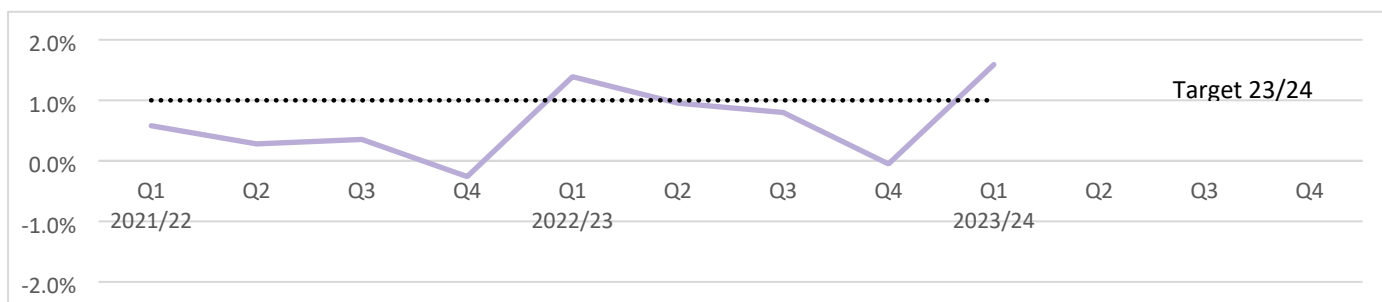
Period	Actual	Target	RAG	DoT
Q1 23/24	0	0	Green	No change
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: Q3 2022/23 - Report to ICO was due to PPP data breach which still had Wokingham's data in the notebook. Minimal risk in terms of our data as covered a short time period, but as Bracknell and West Berks were both reporting it, we had to. SB spoke with ICO helpline who said it would only be beneficial to report it. ICO decision concluded no action against WBC.

RA10 – Revenue monitoring forecast position

Period	Actual	Target	RAG	DoT
Q1 23/24	1.59%	1%	Amber	Worse
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				

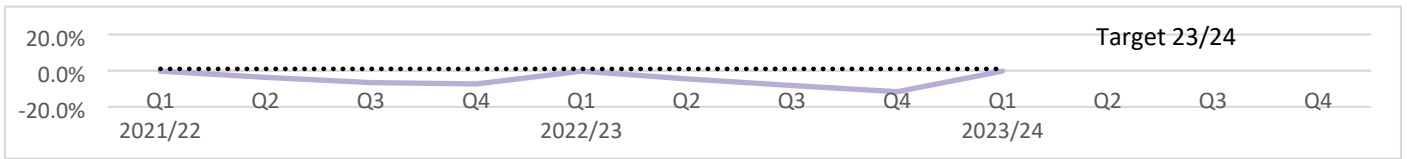


Service Narrative: The Council continue to face significant financial challenges from rising inflation, interest rates and demand for statutory services. The current projected overspend position of c£2.9m will be closely monitored as we move through the financial year.

RA11 – Capital monitoring forecast position

Period	Actual	Target	RAG	DoT
Q1 23/24	-0.21%	1%	Green	Better
Q2 23/24				
Q3 23/24				

Q4 23/24				
Year End				



Service Narrative: The programme will continue to be monitored and reviewed throughout the financial year and any further rephasing will be notified to Executive for approval. During the first quarter monitoring £0.9m savings have been identified which can be reinvested into future funding of capital schemes in the capital programme.

Overview

This department continues to perform well considering increased demands for services primarily caused by the economic downturn and the cost of living crisis.

There are many challenges that still remain. Services within the department are struggling to recruit certain roles, particularly in Highways and Building Control Services. The economic downturn will undoubtedly continue to increase demand for services, particularly in housing, where the causes of homelessness are becoming far wider reaching.

Top Wins

- Development of business intelligence capabilities to help manage Planning performance.
- Consistent health and safety compliance throughout the year, with 100% gas safety compliance and 100% of all fire safety checks completed

Top Opportunities

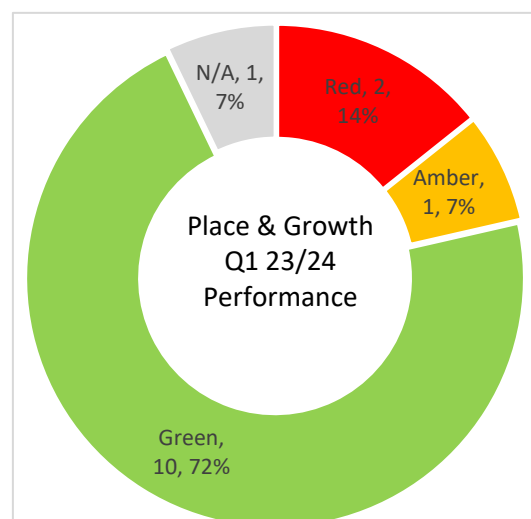
- National Planning Fee increase expected later in 2023/24 will improve income receipts.
- Feedback from tenant satisfaction through the annual STAR Survey and Tenant Satisfaction Measures provides us with an opportunity to continue to drive tenant satisfaction and to drive towards becoming a best practice provider of social housing under the new Consumer Standards regulations
- Continue to ensure diligence on damp and mould issues affecting tenants within our council home
- Likely publication of the revised national planning policy framework in the autumn which will guide out new local plan.

Challenges

- Planning applications and income are down due to economy, inflation and interest rate rises which are impacting on the development industry.
- It remains challenging to recruit Building Surveyors into permanent roles in the Building Control Service due to absence of skilled professionals and competition from Approved Inspectors.
- Homelessness – Increasing rates of homelessness putting more pressure on the service and the need for temporary accommodation
- Recognition that public consultation and an executive decision was required to approve contract amendments in relation to grass cutting, road sweeping and public litter bins.

Quarter 1 Performance Summary

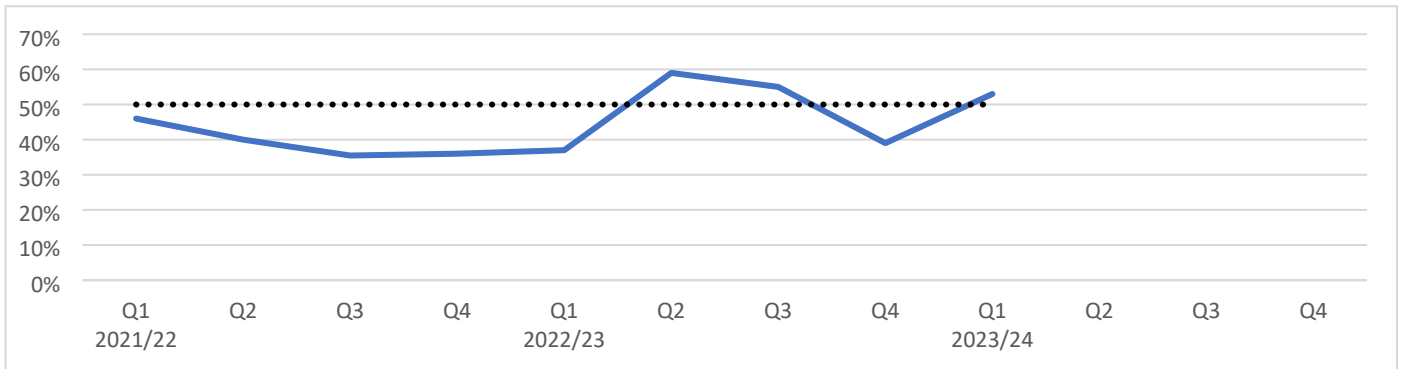
- 1 are reported as (slightly-off target) Amber
- 10 of KPIs achieving target, Green
- No KPIs are reported as Pending
- 1 KPIs are reported as N/A
- 2 KPIs are reported as below target, Red



Ref	Description	RAG	DoT
PG1	Number of households for whom homelessness has been prevented	Green	Better
PG2	Number of households in emergency nightly-let/B&B accommodation	N/A	Worse
PG3	Percentage of planning appeals won	Green	Worse
PG4	Percentage of 'major' planning applications determined within 13 weeks or the agreed extended time	Green	No change
PG5	Number of quarterly business engagement events to provide advice and guidance delivered	Green	N/A
PG6	Percentage of waste recycled, composted and reused	Green	Better
PG7	Average number missed collections per 100,000 collections	Green	No change
PG8	Total household tonnes	Red	Worse
PG9	All recorded crime in Wokingham borough (excluding fraud) (sourced from data.police.uk)	Red	Worse
PG10	Number of ASB service requests	Green	Better
PG11	Proportion of ASB service request cases, opened and closed within the period, that were responded to within 1 day	Green	Better
PG12	Place and Growth Housing Customer Excellence Score	Green	Better
PG13	Highways 2hr, 24hr and 28 day response to defects	Amber	N/A
PG14	Streetworks number of permits issued and numbers that exceed permit date/time	Green	N/A

PG1 – Number of households for whom homelessness has been prevented

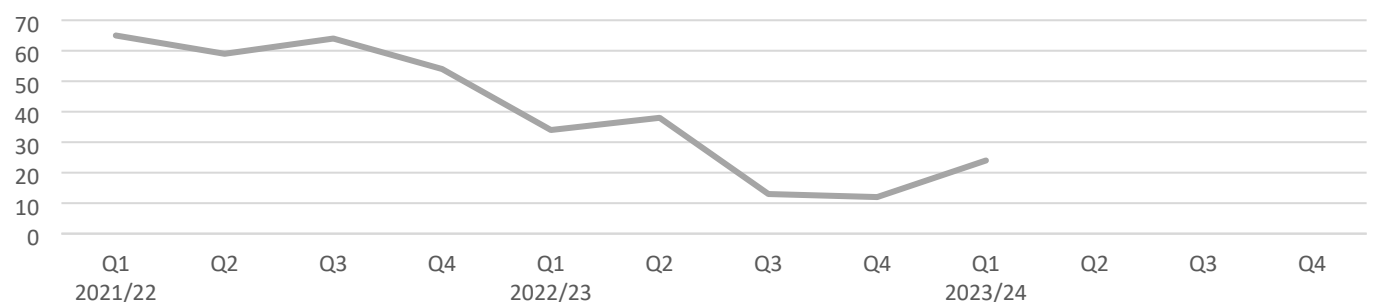
Period	Actual	Target	RAG	DoT
Q1 23/24	53% (65/121)	50%	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: In Q1, 320 households presented to the service, out of which we had a legal homelessness duty to 121 households, who were either homeless or threatened with homelessness within 56 days. During this period, we were able to prevent or relieve homelessness for 65 households, which was higher than Q4 22/23 (60 households) and over double the number for the same period last year (31 households). This has been achieved through improved access to the private sector via our Rent Guarantee Scheme and through Part 6 offers of social housing to eligible households. However, we are still seeing a significant demand on the service, in particular, from households fleeing domestic abuse and Refugee households and it is predicted that this demand will increase in Q2, due to a high number of refugee households placed in the borough likely to be required to move on from Home Office accommodation and due to the impact of the cost of living crisis which is affecting the ability of many households in the borough to pay their rent or mortgage costs.

PG2 – Number of households in emergency nightly-let/B&B accommodation

Period	Actual	Target	RAG	DoT
Q1 23/24	24	N/A	N/A	Worse
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				

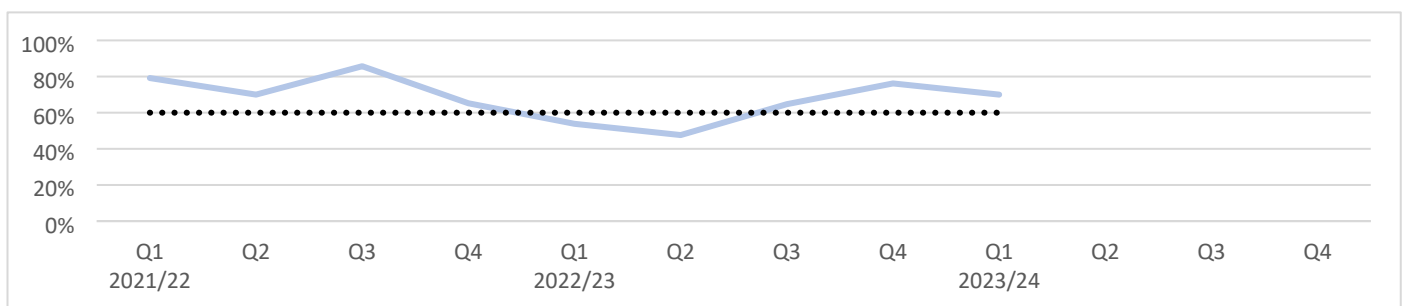


Service Narrative: In Q1 we made 51 new emergency accommodation placements and there were 24 households in emergency accommodation at the end of Q1. This is disappointing as the number of households in emergency accommodation had dropped significantly in Q3 and Q4 22/23. Unfortunately, no further temporary accommodation units from the Grovelands Park site became available in Q1, which would have had a positive impact on the number of households in emergency accommodation. We also had a lease end on one of our RGS properties in April 23 and we owed all 6 applicants living there a reapplication duty which meant we had a duty to

provide emergency accommodation for them whilst we looked to secure alternative accommodation. Based upon predicted demand, it is likely that we will continue to see this level of households in emergency accommodation in Q2. We have been able to increase the number of properties on our RGS scheme, which will help to absorb some of this increase and has already prevented households from needing to be placed into emergency accommodation in Q1.

PG3 – Percentage of planning appeals won

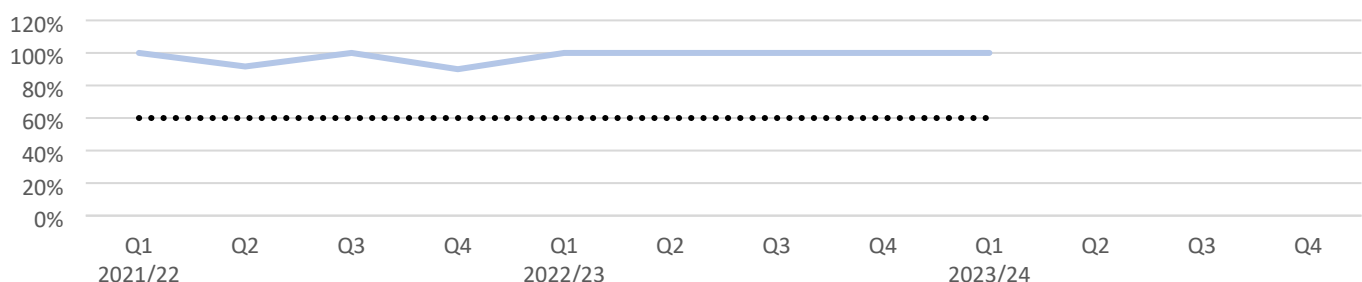
Period	Actual	Target	RAG	DoT
Q1 23/24	70% (7/10)	60% or more	Green	Worse
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: Appeal performance can vary due to the small number received each quarter. However, the decline in performance seen through 2022 has now been reversed with the amount of appeals dismissed rising to expected levels. This has resulted from increased negotiation with applicants leading to less refusals and therefore appeals.

PG4 – Percentage of ‘major’ planning applications determined within 13 weeks or the agreed extended time

Period	Actual	Target	RAG	DoT
Q1 23/24	100% (7/7)	60%	Green	No Change
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: The time taken to determine planning applications remains significantly higher than the Government’s statutory 60% target at 100% due to the team’s continued ambition to be a ‘top 10’ service. No concerns are raised at this time.

PG5 – Number of quarterly business engagement events to provide advice and guidance delivered

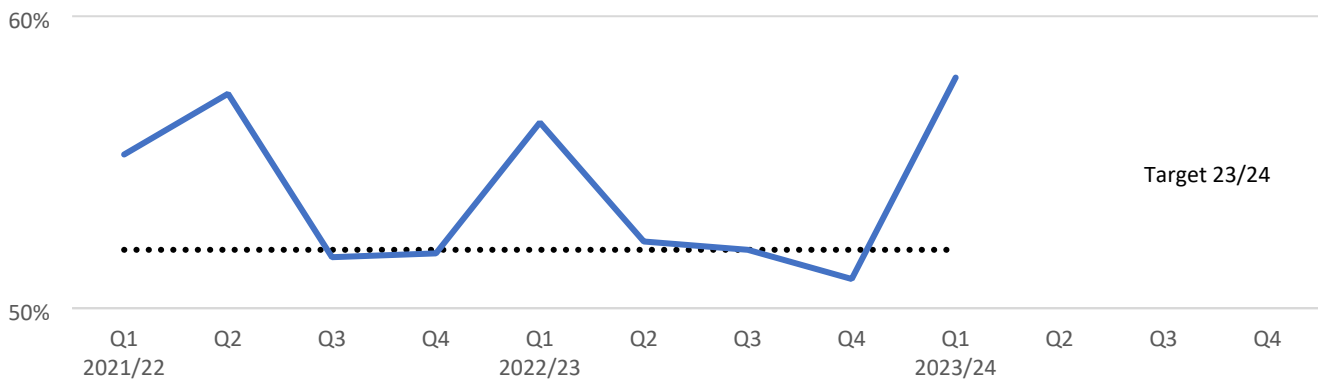
Period	Actual	Target	RAG	DoT
Q1 23/24	3	2 + per quarter	Green	N/A
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: Our overall yearly target is to deliver 8 business engagement events across the year. This is to provide a range of advice to support the growth and sustainability of our business community. This quarter we have so far delivered three events in partnership with other departments or external partners. Two of these events formed part of the councils wider Vision project and saw a range of town centre businesses attend to share their views. The final event was delivered in partnership with the Growth Hub to run a workshop supporting start up businesses in Wokingham and across Berkshire. This event was held in Wokingham Town Centre.

PG6 – Percentage of waste recycled, composted and reused

Period	Actual	Target	RAG	DoT
Q1 23/24	57.9%	52%	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: This quarter's recycling performance is c.1.5% higher as compared to Q1 2022/23. The main reason for this difference was increased in garden waste collected by c.544t (c.14%) due to the wet and sunny weather in the quarter which increased growth. The cost-of-living crisis continues to have an effect on the purchasing of products (including packaging) which results in less recyclable material in the waste stream. There was c.93t (c.6%) less food waste in Qtr 1 2023/24 as compared with 2022/23 which indicates residents are being careful as to what they consume and what is recycled.

PG7 – Average number missed collections per 100,000 collections

Period	Actual	Target	RAG	DoT
Q1 23/24	0.03% (31)	0.03%	Green	N/A
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				

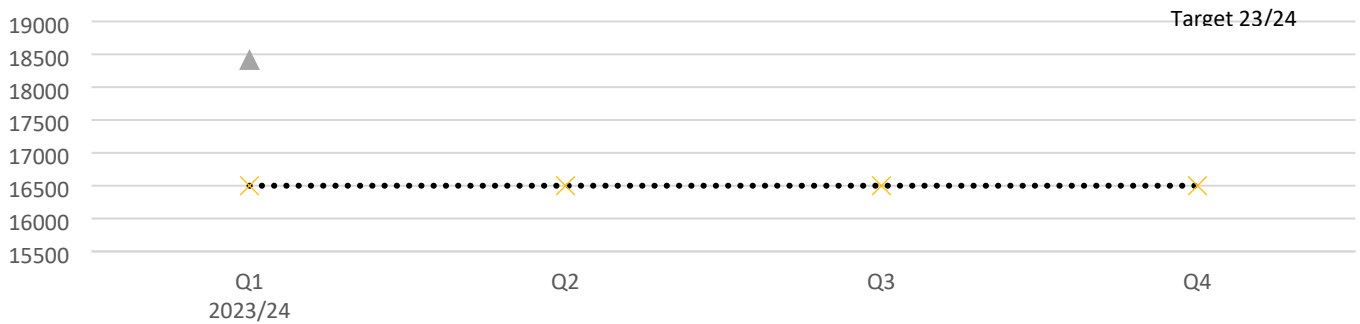


Service Narrative: Continued low levels of missed bins in most waste types. Garden waste missed bin reports fluctuates seasonally and depending on weather. The percentage is low.

PG8 – Total household tonnes

Period	Actual	Target	RAG	DoT
Q1 23/24	18414.7	16500	Red	Worse
Q2 23/24		16500		
Q3 23/24		16500		
Q4 23/24		16500		

Year End		66000		
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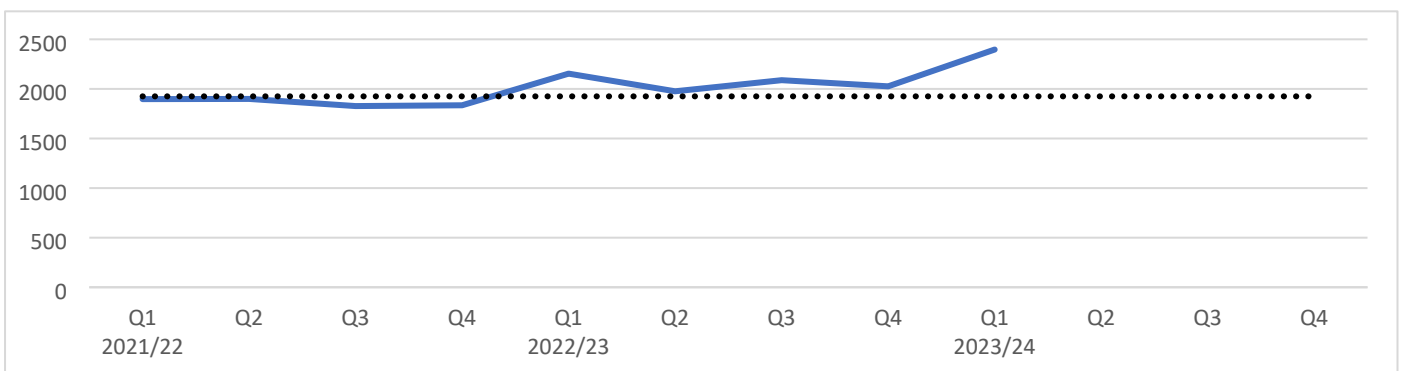
Service Narrative:

There has been an c.3% increase in the total household waste, which includes landfill, recycling and food waste, when compared with the same period in 2022/23. This is primarily due to the increase in recycling tonnages of c.593t with the percentage of waste sent to landfill down to c.5.95% in quarter 1 2023/24 compared to 6.95% in the same quarter of 2022/23.

A communications campaign to residents using social media, email and press releases to reduce, reuse and recycle to drive down overall waste levels is ongoing.

PG9 – All recorded crime in Wokingham borough (excluding fraud) (sourced from data.police.uk)

Period	Actual	Target	RAG	DoT
Q1 23/24	2397	1925	Red	Pending
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



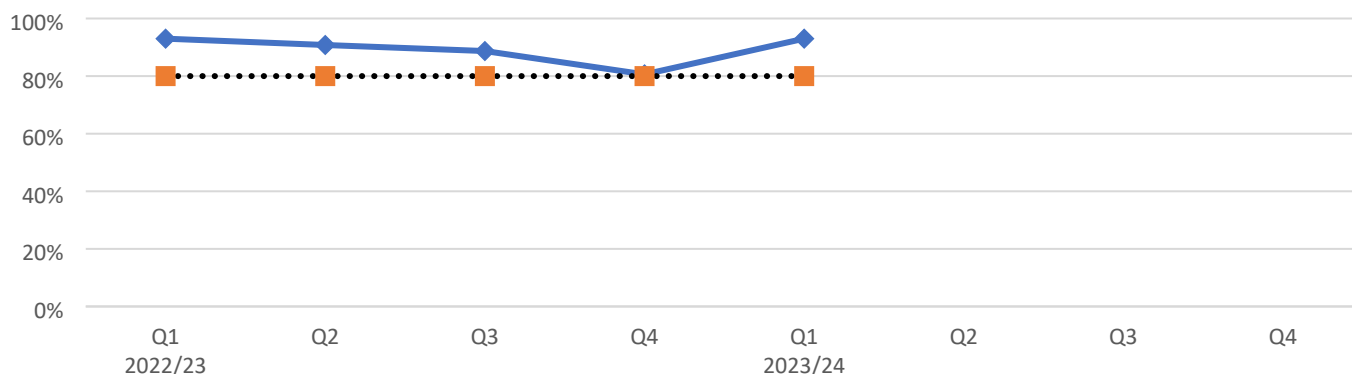
Benchmarking:

Service Narrative: The majority of crime categories have seen an increase in Q1, but mainly in respect of Harassment, Theft from Businesses, Shoplifting, Theft from a Vehicle and Bicycle Theft offences. Trend and Hotspot data is being discussed at both the multi agency problem solving tasking group and the Community Safety Partnership.

Hotspot and trend data is being analysed to understand hotspot times and days. Additionally action is being taken to increase communications via social media platforms, target offenders with enforcement action including Closure Orders and review CCTV capability ensuring that mobile CCTV is effective in hotspots, adequately resourced and providing value for money. Officers are working with Town & Parish Councils & Thames Valley Police to develop capacity. Officers from community safety will also be working with the tackling poverty team to better understand how the 2 areas can work together to tackle poverty and reduce crime

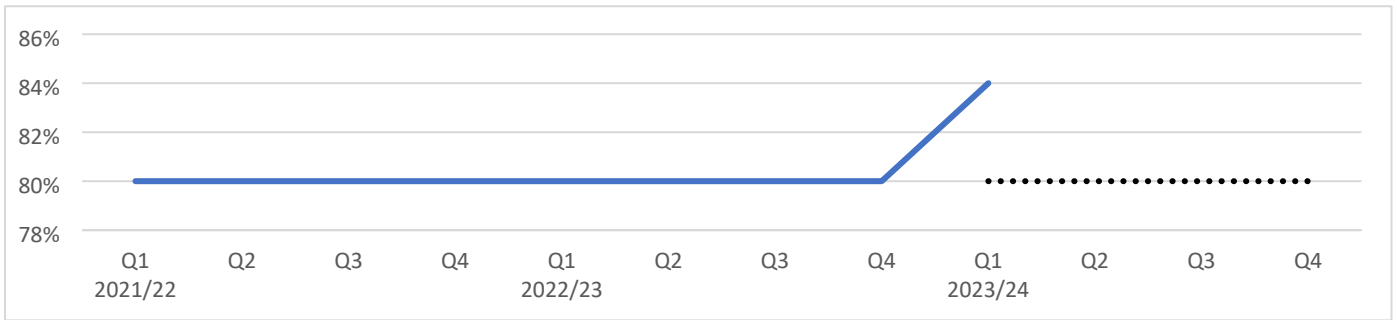
PG10 – Number of ASB service requests

Period	Actual	Target	RAG	DoT
Q1 23/24	661	80%	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



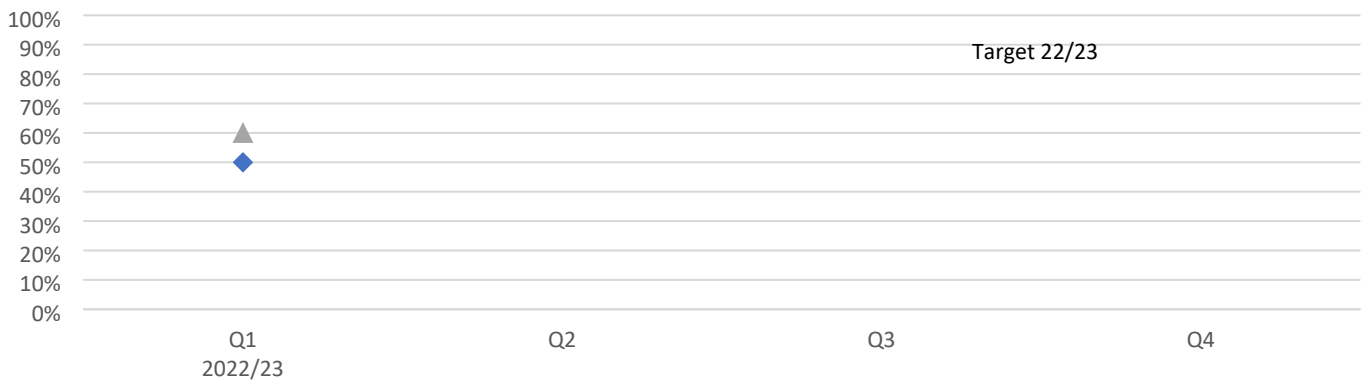
PG11 – Proportion of ASB service request cases, opened and closed within the period, that were responded to within 1 day

Period	Actual	Target	RAG	DoT
Q1 23/24	(560/661)	84%	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



PG12 – Place and Growth Housing Customer Excellence Score

Period	Actual	Target	RAG	DoT
Q1 23/24	60% (79)	50%	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



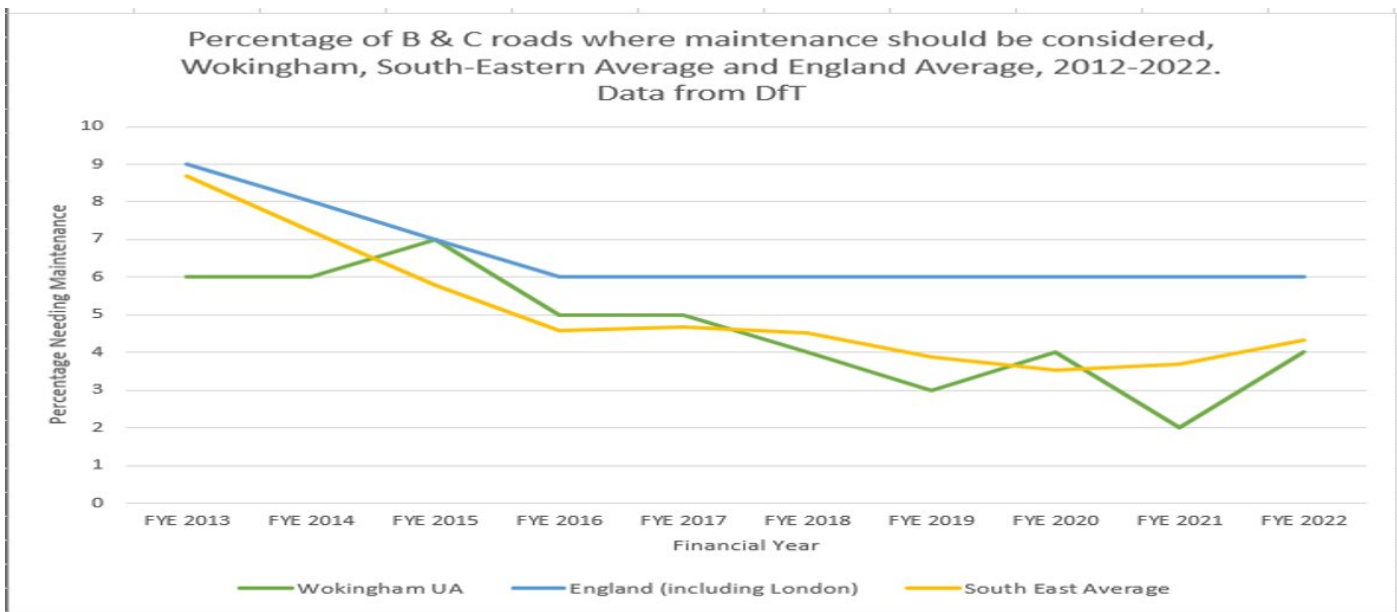
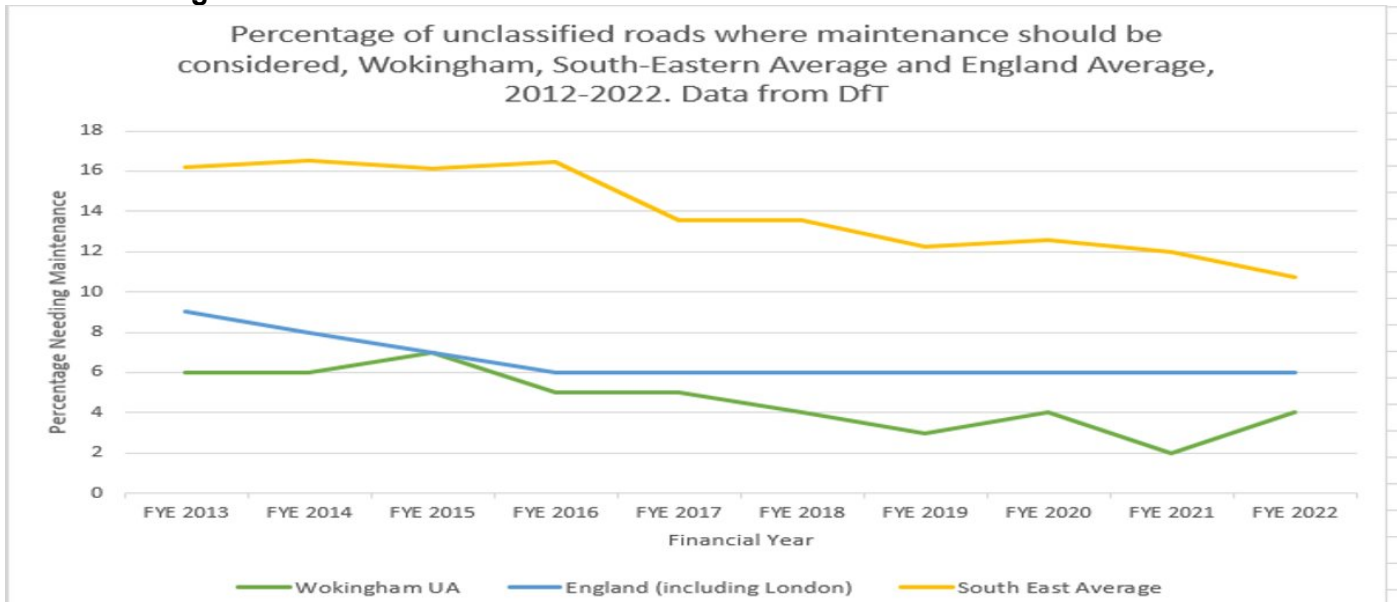
Service Narrative: In the first quarter of the 23/24 financial year, the Housing Service recorded 79 responses to the survey. Of these an average of 60% were satisfied with the outcome of the call and an average of 23% dissatisfied with the final outcome of the call. The average of those satisfied with the call was a decrease on the average of last year (72%), but positively, the overall average of those dissatisfied with the overall outcome of their call decreased; from 34% at the end of the last year to 23% at the end the first quarter. As with the data from the last financial year, the majority of dissatisfied responses were due to a tenant not receiving a call back when requested from the service (43%) or from a contractor (29%). Again, it is positive to note that the percentage of tenants dissatisfied within these datasets has decreased from the last financial year. The Housing Service continues to analyse and relay the results to wider Housing teams. Satisfaction with the Housing Assistants, who take calls for the service, remains positive 80% of respondents agreeing they were friendly and helpful and 78% agreeing they took the time to listen.

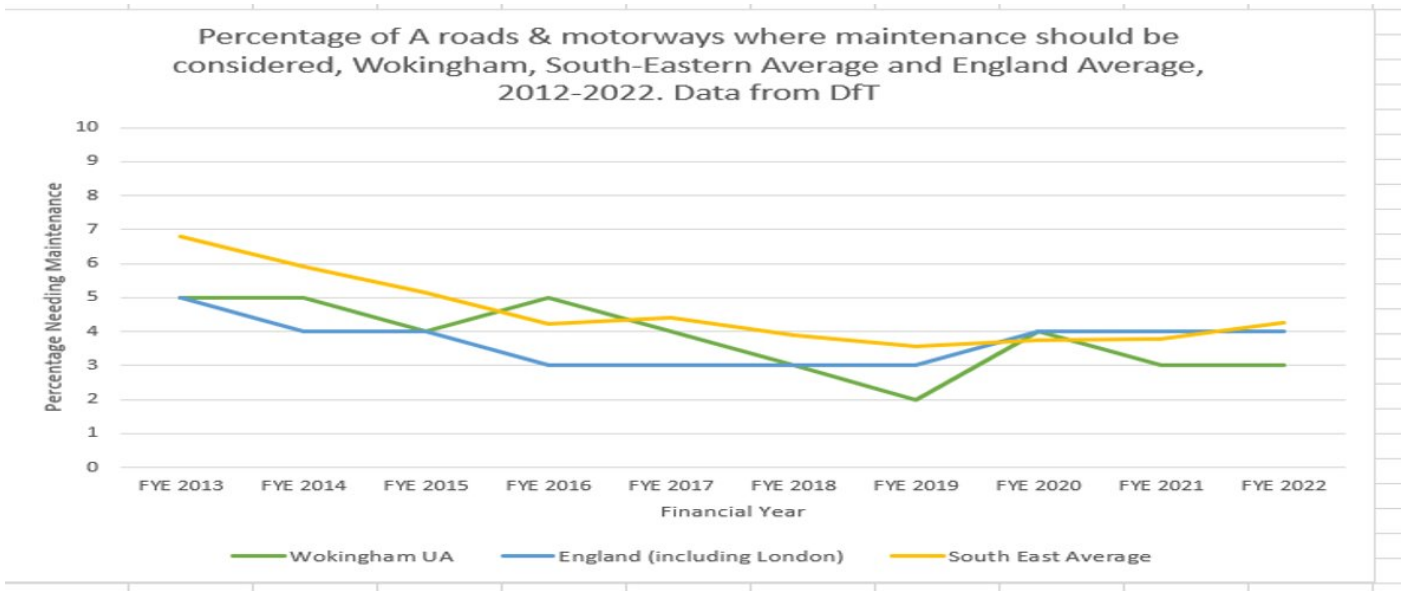
PG13 – Highways 2hr, 24hr and 28 day response to defects

Period	Actual	Target	RAG	DoT
Q1 23/24	61.79% (1895)	75%	Amber	N/A
Q2 23/24				
Q3 23/24				

Q4 23/24				
Year End				

Benchmarking:



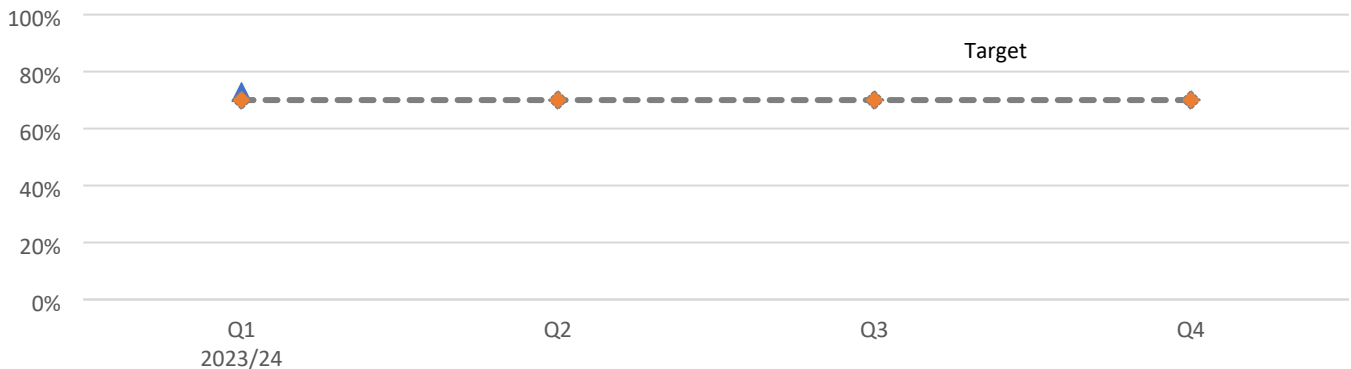


Service Narrative:

The winter was the wettest and coldest winter in recent years which significantly impacted the quality of the network. Work is underway to restore the network in readiness for the coming winter. Some funding was supplied by central government in recognition of the challenging winter which has helped. The graphs above demonstrate that Wokingham’s roads are in better repair than both England as a whole and the average for the South East.

PG14 – The Percentage of live Streetworks sites which were compliant

Period	Actual	Target	RAG	DoT
Q1 23/24	72.8%	70%	Green	N/A
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative:

Officers in the Streetworks Team undertake a randomly sampled amount inspections of live utility company (gas, electricity etc) worksites, based upon the utility companies previous nationwide performance, to ensure that the sites are safe for passing vehicles, pedestrians and the work force themselves (complying with the Safety at Streetworks and Roadworks: A Code of Practice) and that the highway is being reinstated correctly (complying with the Specification for the Reinstatement of Openings in Highways) to minimise the amount highway defects that might

appear as a result of such work. The Streetworks Team also undertake routine inspections based upon customer reports or issues that the Inspector witnesses. These are known as Category A (Live Site Inspections). The Council has a statutory duty to ensure that such works are carried out safely and that the structure of the highway asset isn't negatively affected.

This KPI indicates the number of inspections that are carried out and the percentage that have failed that inspection. If an inspection fails, it is the responsibility of the utility company to make the necessary changes within either 2 hours or 4 hours, depending on severity. Further sample and routine inspections, not covered by this KPI, are carried within the first 6 months of interim or permanent reinstatement (category B inspections) and within 3 months of the end of the guarantee period, which is 2 years or 3 years from deep excavations (Category C).

Overview

Officers in the CEO's Office are enablers, supporting other areas of the council and partner organisations to deliver what's most important to our residents. This includes work with the voluntary sector to help those most in need, helping the wider organisation to ensure the support available to residents is effectively communicated and supporting services to continue to develop through the change programme.

Top Wins

- The first external steering group for developing the community vision was held in June, with representation from VCS, businesses, Youth Council and statutory partners.
- Deployment of Microsoft teams telephony across the whole organisation to improve efficiency, reduce telephony costs and modernise IT infrastructure.
- Improved engagement has strengthened relations with unions and staff networks.

Opportunities

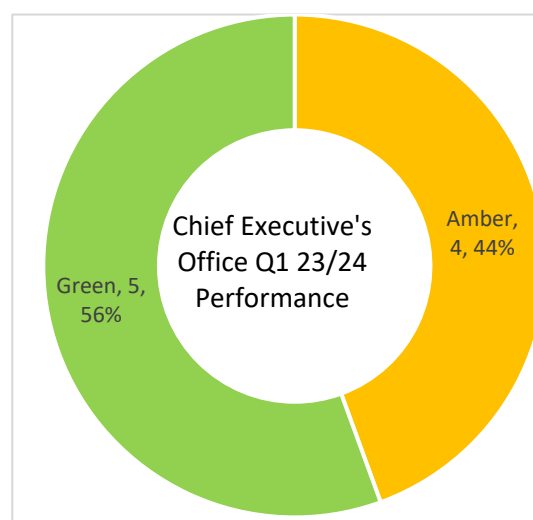
- Further enhancing the digital offering for residents and local business through utilising local platform enabled by the new council website
- To strengthen relationships with the community and partners through engagement on the new council vision
- To boost workforce engagement through involvement in developing the new people strategy

Challenges

- Continuing high inflation impacting costs and ability to meet MTFP targets
- Balancing business as usual alongside the ambition to challenge and improve outcomes.
- Difficulties recruiting to specialist roles within the directorate.

Quarter 1 2023/24 Performance Summary

- 4 are reported as off target Amber
- 5 of KPIs are achieving target, Green
- No KPI are reported as Pending
- No KPI are reported as N/A
- No KPIs are reported as below target, Red



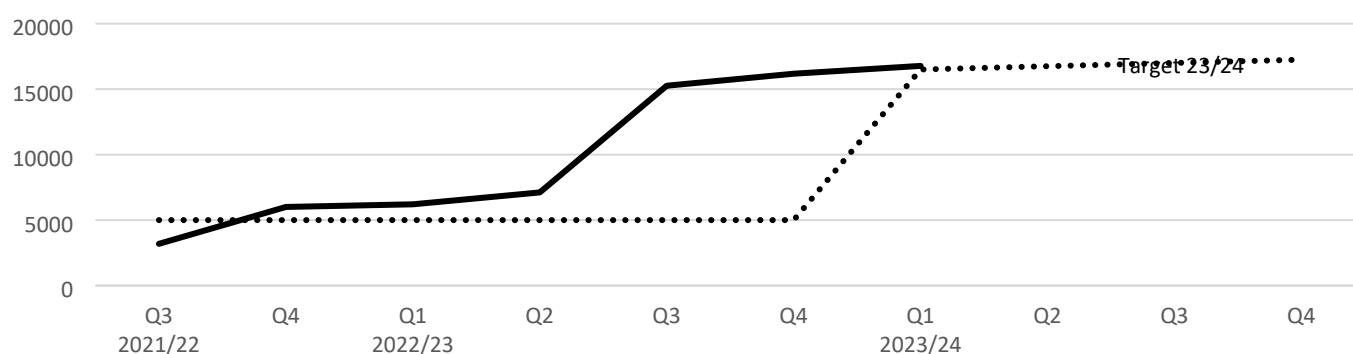
Appendix B-1: Chief Executive's Office Key Performance Indicators 2023/24 Summary Table

Ref	Description	RAG Q1	DoT Q1
CEX1	Number of people registered on the Engage platform	Green	Better
CEX2	Corporate Customer Experience Score	Green	No Change
CEX3	Corporate Customer Experience Web	Amber	Worse
CEX4	Early Resolution versus Stage One Complaints	Green	Better
CEX5	Customer Services Team satisfaction score	Green	No Change
CEX6	Channel Shift	Amber	Better
CEX7	Expected Voluntary Staff Turnover (turnover reported on a rolling 12 month basis)	Green	Better
CEX8	Sickness Absence (absence reported on a rolling 12 month basis)	Amber	Better
CEX9	Proportion of Wokingham resident pupils eligible for FSM in Wokingham borough schools	Amber	Pending

Appendix B-2: Chief Executive's Office Key Performance Indicators 2023/24 Detailed Information

CEX1 – Number of people registered on the Engage platform

Period	Actual	Target	RAG	DoT
Q1 23/24	16,775	16,500	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				

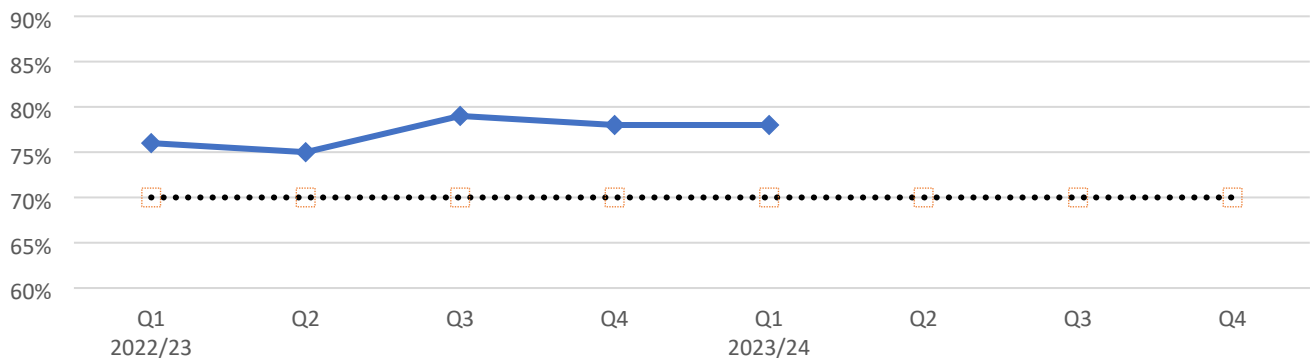


Service Narrative: Registration for the engage platform continues to be healthy and exceeds the expectations of our providers when benchmarked against other councils

CEX2 – Corporate Customer Experience Score

Period	Actual	Target	RAG	DoT
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Q1 23/24	78%	70%	Green	No Change
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



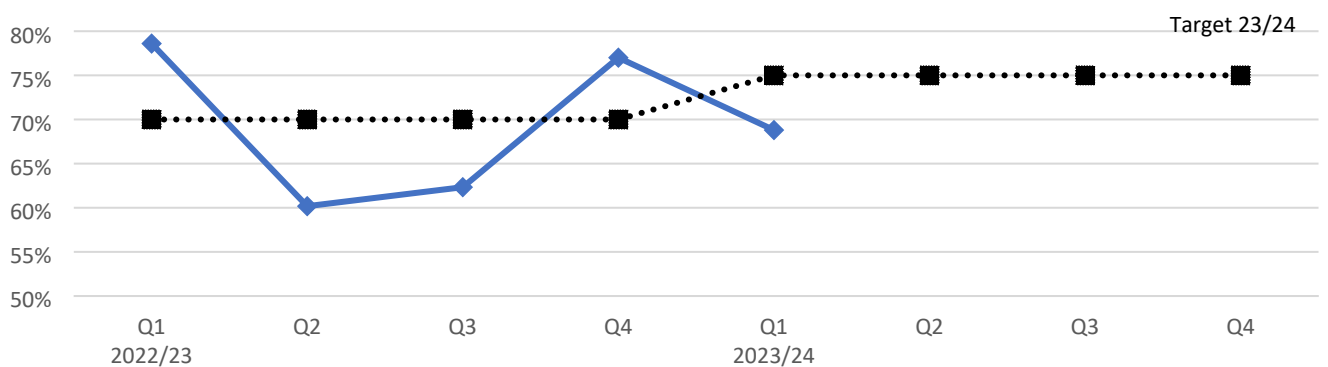
Service Narrative: This is the wider corporate customer experience score taken from the Council's govmetrics system against the phone and web. 1572 pieces of individual feedback received this quarter. Measuring against our Customer Charter, customers said we are helpful and professional when we talk to them. They are frustrated when they are waiting for updates or a solution from us.

We have been highlighting feedback themes that have occurred in the previous month within internal communications to staff. Raising awareness that teams should investigate poor comments and add notes to the system, including any learning and improvements.

We are process mapping customer journeys using information from Govmetric to pinpoint customer pain points to address.

CEX3 – Corporate Customer Experience Web

Period	Actual	Target	RAG	DoT
Q1 23/24	69%	75%	Amber	Worse
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



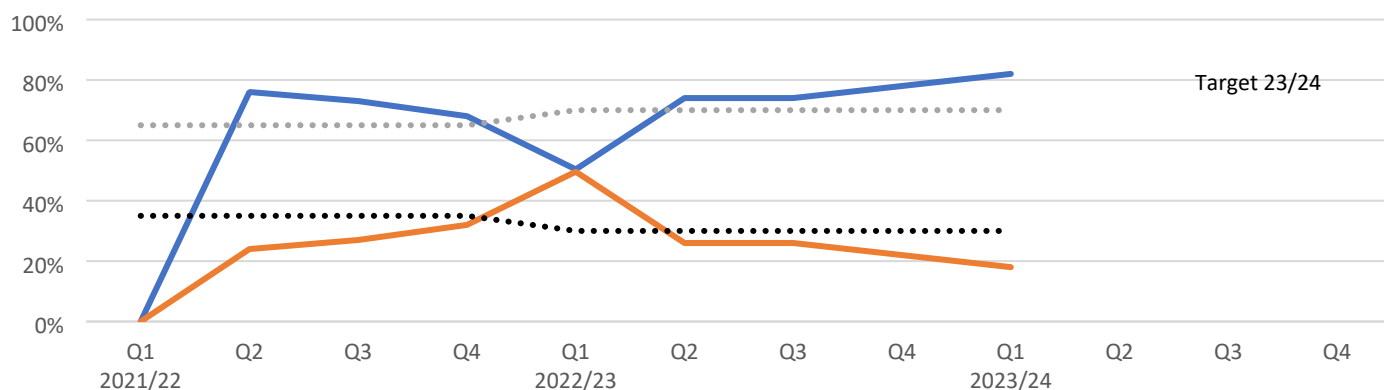
Service Narrative: Website updates have been frozen for the last 4 months due to the new website build and reduced to business critical only. As a result, satisfaction levels due to out-of-date content have dropped which was to be expected. The next few months will prove to be a levelling out period whilst

customers navigate their way around the site, improvements are made and Search engines crawl and rank the new content.

Following launch of the new website, the service will review feedback from customers and make further improvements to improve the digital experience.

CEX4 – Early resolution versus stage one complaints

Period	Actual	Target	RAG	DoT
Q1 23/24	Early resolutions- 82% (746) Stage one complaints- 18% (73)	Target ER 22/23- 70% Target S1 22/23- 30%	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative:

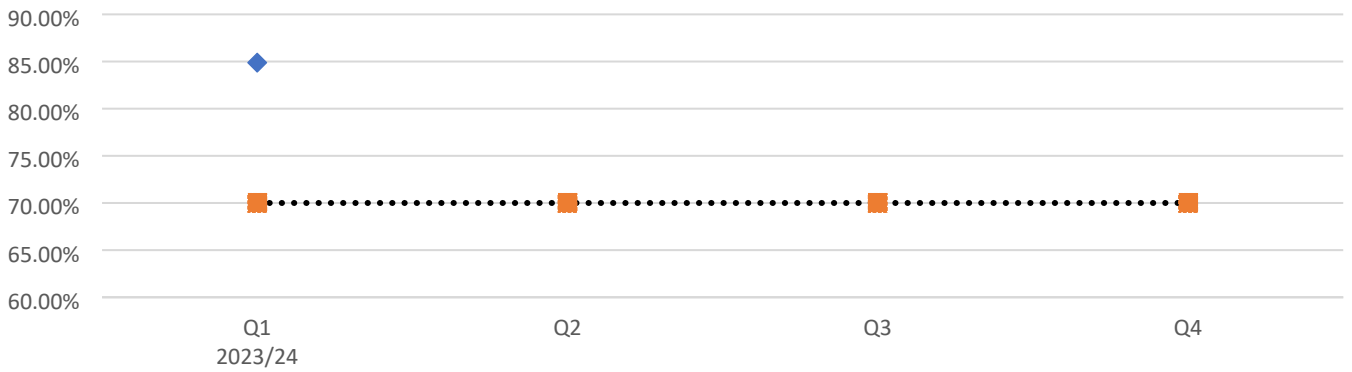
In Qtr.1 there was a rise (10%) in the number of complaints resolved early and a drop in formal Stage 1’s (4 cases). Complaints requiring a formal Stage 1 response has fallen successively for the last three quarters. The difference in early resolution cases between Qtr.1 this year and that seen last year was a result of two factors. The first was the introduction of the Housing Ombudsman complaint policy and its removal of the early resolution stage. The second, were the Council’s actions to improve customer accessibility and complaint tracking.

Most complaints resolved early, centred on service delivery not meeting expectations or disappointment caused from a perceived lack of guidance. Complaints requiring a formal Stage 1 response, were similar in nature but also included unhappiness with a Service decision. These patterns are consistent with what has been seen in previous quarters.

The complaint focus group has evolved into a dynamic forum facilitating cross-departmental discussions on common complaint issues and their underlying causes. This presents an opportunity to harness the collective expertise of the group and propose customer-centred process improvements.

CEX5 – Customer Services Team Score

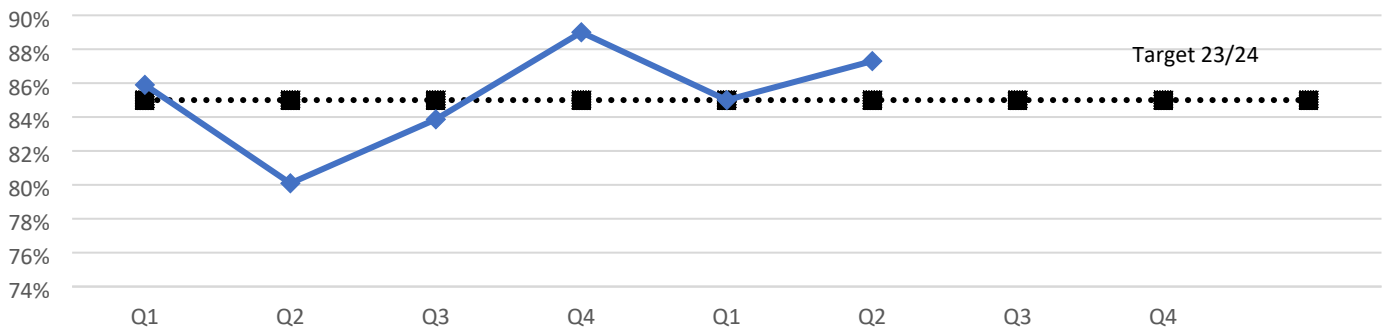
Period	Actual	Target	RAG	DoT
Q1 23/24	84.88	70%	Green	No Change
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: This looks specifically at the performance of the contact centre’s performance. 722 individual pieces of feedback. Customers advise that issues are dealt with swiftly and professionally, with a good overall experience score. As a mediated service for various teams there are comments about the level of knowledge the service have.

CEX6 – Channel Shift

Period	Actual	Target	RAG	DoT
Q1 23/24	87.30%	85%	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				

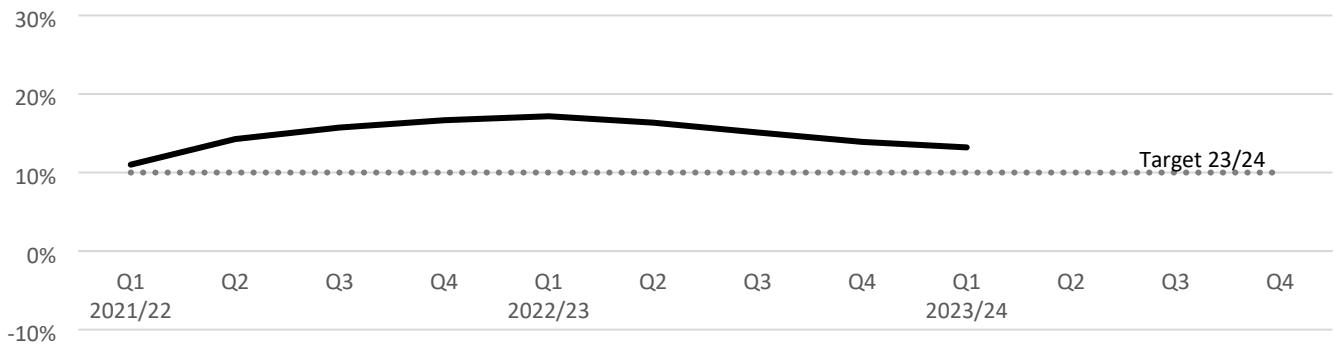


Service Narrative: This KPI covers online processes that are managed by Customer Services, and are available for customers to self-serve online; 11 Waste processes, Abandoned Vehicle, Apply for or renew a blue badge, Highways request and Vegetation (grounds maintenance). The overall self-serve percentage reflects those digital services used by a customer, where they did not need assistance from a team member. A high percentage of customers self-served due to these digital journeys being easy to use, intuitive and available 24/7.

CEX7 – Expected voluntary staff turnover (turnover reported on a rolling 12 month basis)

Period	Actual	Target	RAG	DoT
Q1 23/24	13.2%	10%	Amber	Better
Q2 23/24				

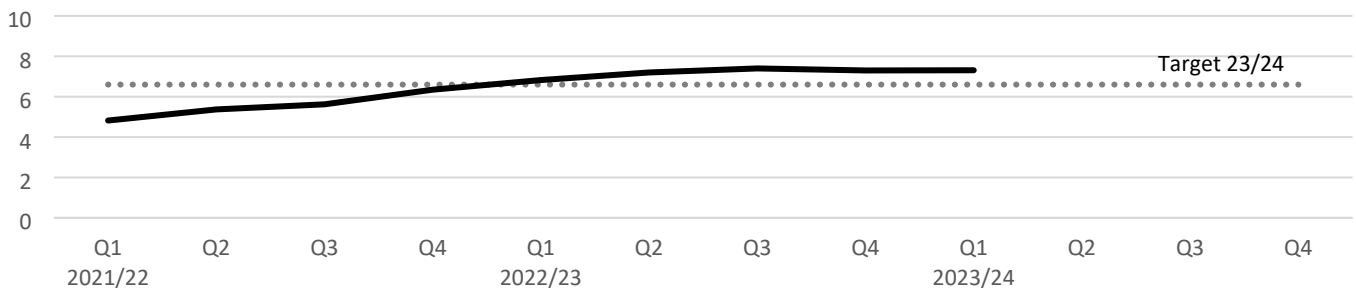
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: Voluntary turnover is now 13.2%, which falls just outside the Council’s target and just above the public sector average. We already have flexible working practices in place and plan to build on this foundation through embedding modern ways of working but also through our planned People Strategy and Plan.

CEX8 – Sickness absence (absence reported on a rolling 12 month basis)

Period	Actual	Target	RAG	DoT
Q1 23/24	7.2 days	6.6 dys or less	Amber	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Service Narrative: The absence rate for Q1 is slightly above the Councils target and is consistent with the Q4 figure for last year but well below the public sector average. Work is being undertaken to strengthen the policy around absence management in the organisation.

CEX9 – Proportion of Wokingham resident pupils eligible for FSM in Wokingham borough schools

Period	Actual	Target	RAG	DoT
Q1 23/24	8.8%	9%	Amber	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				

Service Narrative:

The increase is part of a continued push through the Tackling Poverty Strategy and using conversations and communications as part of the Household Support Fund and Cost of Living Crisis to raise awareness and encourage sign-up for FSM for eligible pupils. Whilst numbers have increased these are lower than hoped and still leaves a gap between FSM sign-ups and people known to be eligible based on other data sources, with further communications, promotion and conversations helping to reduce the gap over time.

Our ambition is for Wokingham Borough to be one of the best boroughs for adults and carers in need of support to live, where they feel safe, included and a key part of the community. Our key priorities for the next four years are: keeping people safe, prevent, reduce and delay the need for formal care and support, involve people in their care and support, work in partnership and commission services that deliver quality and value for money.

Top Wins

- Three MJ 2023 nominations were received for Adult Services - Digital Transformation for Project Joy, Innovation in Partnerships for Keeping in Touch and Best Social Housing Initiative.
- MJ award winners for Best Social Housing Initiative for the Adult Social Care Specialist Accommodation (ASCSA) Programme for the creation of new specially adapted accommodation to support a range of vulnerable residents, helping improve their independence and quality of life within the community.
- Wokingham Borough Council has exchanged contracts with Four Seasons Health Care on the purchase of The Berkshire Care Home. By purchasing the care home, the council will increase the availability of high quality, affordable dementia nurse care within the local area, ensuring that some of its most vulnerable residents can remain locally.

Top Opportunities

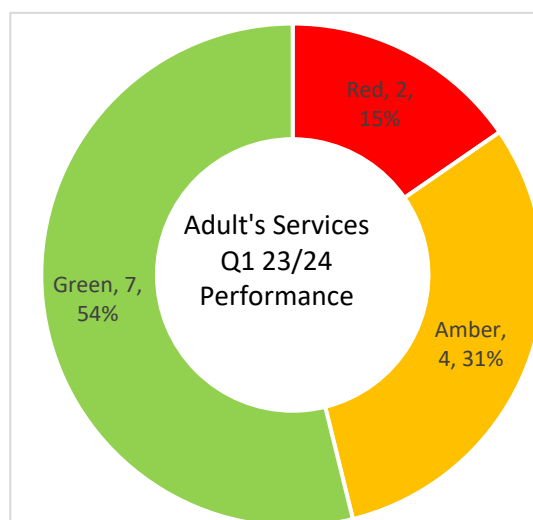
The Adult Services Transformation Programme has identified opportunities over the next 3 to 4 years. As part of our transformation work, Adult Social Care front door activity is under review and a strength-based approach will be used to manage the continuing increase in demand, which considers the person’s own strengths and capabilities and what support might be available from their wider support network or within the community to help. The work in this area will support the service to manage increasing demand and the increasing complex needs of our residents presenting to Adult Social Care to maintain our levels of performance across our Key Performance Indicators.

Challenges

Adult Social Care has been historically underfunded. Future demographic and inflationary pressures together with the significant funding pressures being unresolved, placing Adult Social Care statutory services and the wider care sector under increasing risk. More recently, the social care sector in Wokingham has experienced increased financial pressure, with a number of social care providers experiencing difficulties, effecting continuity of care within the local area.

Quarter 1 2023/24 Performance Summary

- 4 are reported as (slightly-off target) Amber
- 7 of KPIs achieving target, Green
 - No KPIs are reported as Pending
 - No KPI is reported as N/A
 - 2 KPI is reported as below target, Red
 - 5 KPI are annual and will be reported as they are updated each year



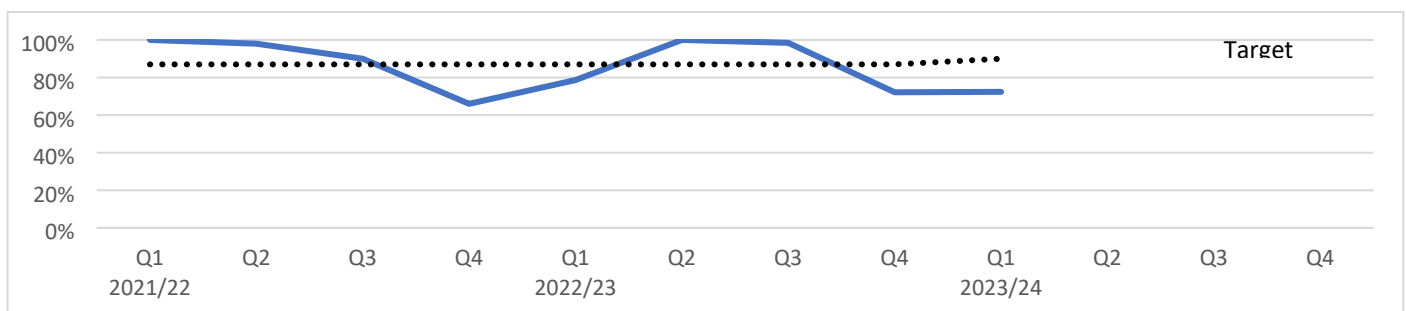
Appendix A-1: Adult Services Key Performance Indicators 2023/24 Summary Table

Ref	Description	RAG Q1	DoT Q1
AS1	Social work assessments allocated to commence within 28 days of the requests (counted at point of allocation)	Red	No change
AS2	Percentage of new contact referrals closed with advice, information or signposting.	Green	Better
AS3	The proportion of adults with a learning disability who live in their own home or with their family (ASCOF Measure 1G)	Green	No change
AS4	New permanent admissions to residential or nursing care homes (65+) (ASCOF Measure 2A2)	Red	Worse
AS5	Proportion of people receiving long term care who were subject to a review in the last 12 months	Amber	Better
AS6	Percentage of CQC-registered providers that are rated Good or Outstanding	Amber	Residential and Domiciliary Care: Better Nursing: Worse
AS7	Proportion of section 42 safeguarding enquiries where a risk was identified and the reported outcome that this risk was reduced or removed.	Green	Better
AS8	Hospital discharge - % of people who were discharged to their normal place of residence	Green	No change
AS9a & b	Annual measure: Increase in healthy life expectancy at age 65 (males/females)	Green (males) Amber (female)	Increase
AS10	Annual measure: Percentage of adults classified as overweight or obese	Amber	Increase
AS11	Annual measure: Percentage of adults meeting the recommended physical activity levels	Green	Increase
AS12	Annual measure: Reduction in the proportion of adults feeling lonely often/always or some of the time	Green	Reduction

Appendix A-2: Adult Services Key Performance Indicators 2023/24 Detailed Information

AS1- Social work assessments allocated to commence within 28 days of the requests (counted at point of allocation)

Period	Actual	Target	RAG	DoT
Q1 23/24	72% (152/210)	90% or more	Red	No change
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Benchmarking: This is not monitored as a national performance measure, however, numbers of people waiting for assessments, packages of care or reviews is collected regularly for all Local Authorities in the

South East. Currently 26% of people are waiting longer than 6 months across the region. 28 days is a local target to ensure best practice.

Service Narrative: Priority: Involve people in their care and support.

People must be provided with the right combination of care, in the right place at the right time, in ways that will be sustainable going forward.

There is a process of triaging and risk assessing all contacts received to ensure those requiring immediate attention are prioritised.

Performance in this area has been impacted by rising volume and complexity in Adult Social Care.

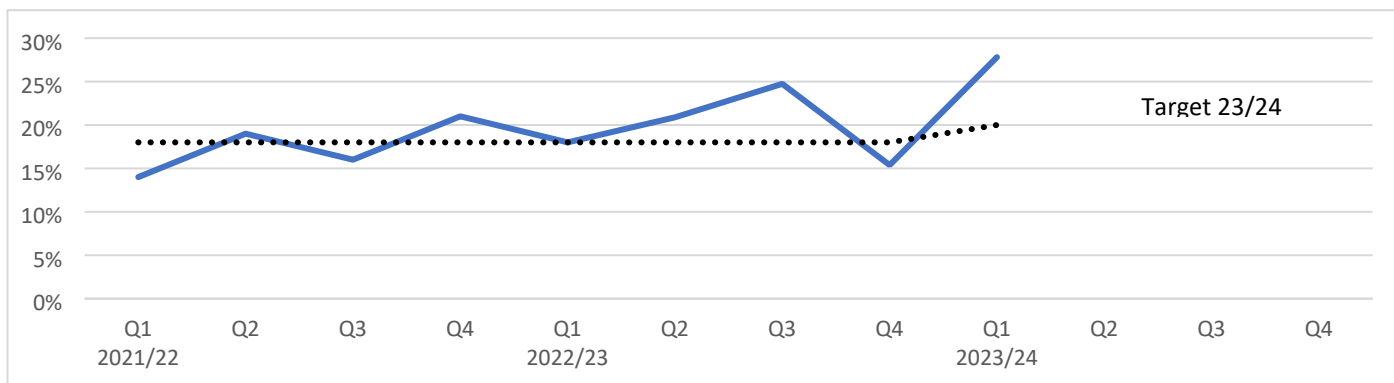
Performance has improved in June-23 to 80% but remains below target.

The percentage of assessments completed in 7 working days has increased significantly (73% this quarter compared to 35% in 21/22), evidencing that high risk cases are prioritised and allocated quickly.

Changes will be made to the Adult Social Care pathway in Q2 and we will look to measure the impact of these changes to the performance data during Q3.

AS2- Percentage of new contact referrals closed with advice, information or signposting.

Period	Actual	Target	RAG	DoT
Q1 23/24	28% (173/622)	20% or less	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Benchmarking: The target is set with the aim of improving our local performance for this specific area (information and advice). Comparative data from our statutory return is not reported with the same definition but monitors all new contacts from the community, resulting in signposting or universal services. For this measure we were 7th highest in the region.

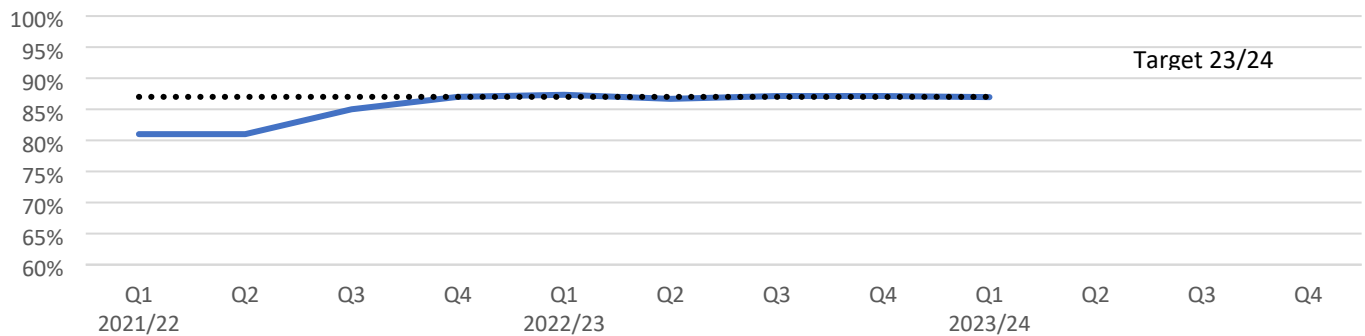
Service Narrative: Priority: Prevent, Reduce, Delay the need for formal care and support

Providing high quality advice, information or signposting at the first point of contact is key in achieving this aim.

We continue to achieve improvements in this area, despite increasing demand and complexity at our front door.

AS3 – The proportion of adults with a learning disability who live in their own home or with their family (ASCOF Measure 1G)

Period	Actual	Target	RAG	DoT
Q1 23/24	87% (460/529)	87% or more	Green	No Change
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Benchmarking: Wokingham Borough Council scored 38 out of 152 Local Authorities for this ASCOF Measure in 2021/22 (where 1 is best). Wokingham achieved 86.8% which is better than the England result of 78.8% and regional result of 76.2%.

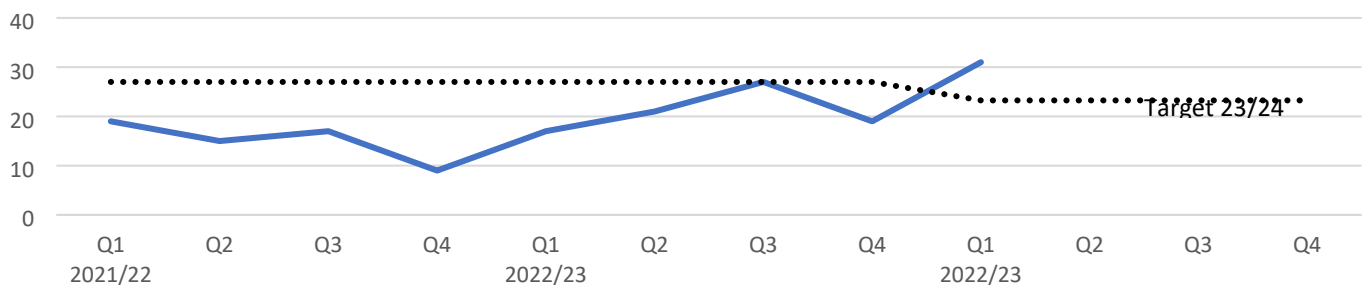
Service Narrative: Priority: To involve people in their care and support.

We aim to support people with a learning disability to live independently in suitable accommodation for as long as possible.

We remain on target with consistent performance in this area

AS4 – New permanent admissions to residential or nursing care homes (65+) (ASCOF Measure 2A2)

Period	Actual	Target	RAG	DoT
Q1 23/24	31	23	Red	Worse
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Benchmarking: Wokingham Borough Council scored 6 out of 152 Local Authorities for this ASCOF National Measure performance in 2021/22 (where 1 is best). Our aim is to reduce the number of long-term admissions to care homes.

In 2021/22 Wokingham reported, annually, 212.6 admissions to residential and nursing care homes for people aged 65+, per 100,000 population compared to 524.3 in the South East and 538.5 in England.

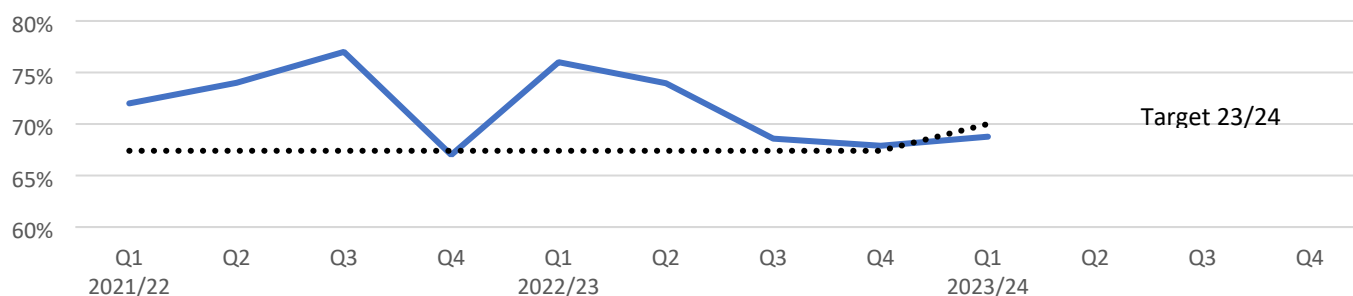
Service Narrative: Priority: Prevent, Reduce, Delay the need for formal care and support.

Achieving a reduction in the number of people entering care homes (residential or nursing) evidences that we are putting in the right measures to effectively reduce, delay, prevent the need for long term care and support.

Numbers of new admissions increased in Q1, which is reflective of the increasing needs of people presenting to Adult Social Care services, as also described in AS1.

AS5 – Proportion of people receiving long term care who were subject to a review in the last 12 months

Period	Actual	Target	RAG	DoT
Q1 23/24	69% (1090/1585)	70% or more	Amber	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Benchmarking: Wokingham is ranked 2 out of 16 South East Local Authorities (where 1 is best). The 2023/24 target has been set as a challenging stretch target. Our aim is to perform in the top quartile in comparison to other Local Authorities. Currently our performance for people with a review or assessment in the last 12 months places us 2nd highest in the South East Benchmarking Club.

Service Narrative: Priority: Involve people in their care and support.

People must be provided with the right combination of care, in the right place at the right time, in ways that will be sustainable going forward.

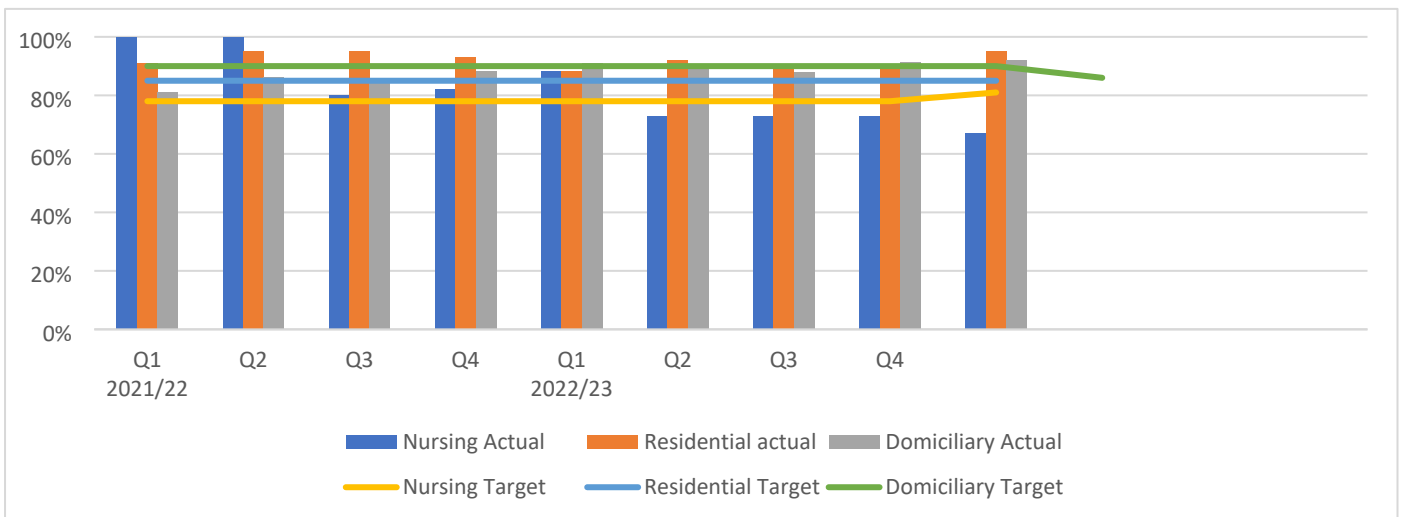
Local Authorities have a duty under the Care Act to undertake reviews of care and support plans to ensure that plans are kept up to date and relevant to the person’s needs and aspirations, provides confidence in the system and mitigates the risks of people entering a crisis situation.

Numbers are relatively steady but have fallen 1 percentage point below target for Q1. Reduced staffing capacity has been an issue within the team for the last year and the team is now fully staffed, so an improvement in this area is expected in the next quarter.

AS6 – Percentage of CQC-registered providers that are rated Good or Outstanding

Period	Actual	Target	RAG	DoT
Q1 23/24	Nursing Homes: 67% Residential Homes: 95% Domiciliary Care: 92%	Better than South-East: Nursing Homes: 81% Residential Homes: 85% Domiciliary Care: 86%	Amber	N/A
Q2 23/24				

Q3 23/24				
Q4 23/24				
Year End				



Benchmarking: The target for this indicator is to perform better than South East region.

Service Narrative: Priority: Work in partnership and commission services that deliver quality and value for money.

We aim to ensure we maintain a high proportion of regulated services in the local area that are judged as good or outstanding.

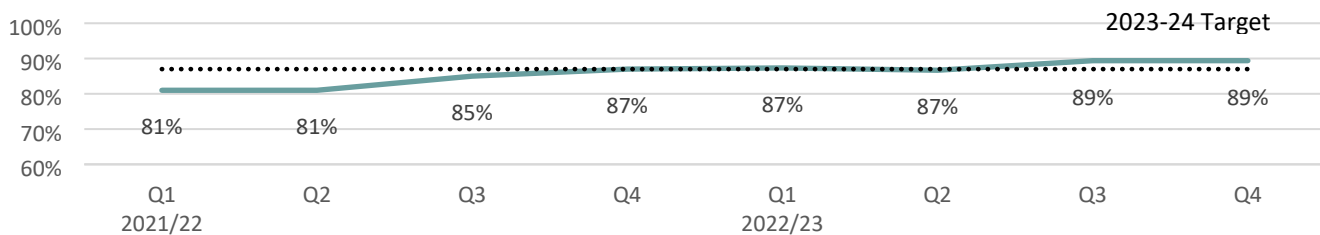
CQC inspection ratings for care providers are above national averages in Wokingham Borough as evidenced in our Market Position Statement.

Two of the three services (Residential and Domiciliary Care) are achieving target with a higher proportion of providers judged as good or outstanding in the Wokingham Borough area compared to the whole of the South East.

The locally reported percentage for Nursing Homes is impacted by small numbers in the borough and is therefore disproportionately skewing the overall percentage. One Nursing Home is 9% of the total, which is why this measure dropped to 67% this quarter.

AS7 – Proportion of section 42 safeguarding enquiries where a risk was identified and the reported outcome that this risk was reduced or removed.

Period	Actual	Target	RAG	DoT
Q1 23/24	90% (74/82)	87% or more	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Benchmarking: The total for Berkshire Authorities was 89% for 2021-22 which was in line with WBC performance for that year.

Service Narrative: Priority: Keeping people safe

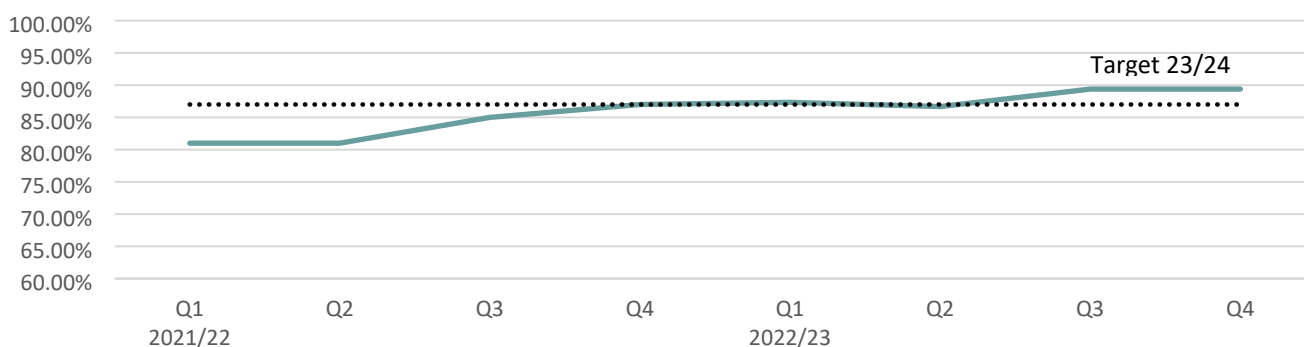
The Care Act (2014) places a statutory duty on local authorities to make enquiries or cause others to make enquiries where the adult at risk is; aged 18 years or over, has care and support needs, is at risk of or experiencing abuse or neglect and, as a result of their care and support needs is unable to protect themselves from that (risk of) abuse or neglect. WBC has a proven commitment and investment to the protection of their resident’s rights. Safeguarding is an integral part of all our practice, viewed as everybody’s business, there is a strategic approach in relation to safeguarding with clear roles and responsibilities for all staff.

This is a measure that is collected from all Local Authorities via the annual Safeguarding Adult Collection. From 2023-24 this is now an Adult Social Care Outcomes Framework (ASCOF) measure.

Wokingham Borough Council performs well in comparison to other areas and performance has improved in Q1 2023-24.

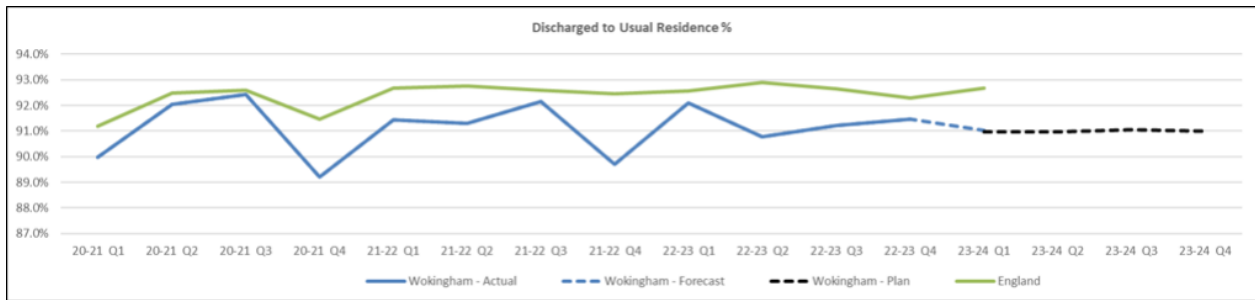
AS8- Hospital discharge - % of people who were discharged to their normal place of residence

Period	Actual	Target	RAG	DoT
Q1 23/24	91% (829/907)	91% or more	Green	N/A
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				



Benchmarking:

All England performance for this measure at the end of Q4 2022-23 was 92.3%



Service Narrative: Priority: Prevent, reduce, and delay the need for formal care and support. We work closely with our partners, including health services and those who provide services to support with hospital discharge with the joint aim of reducing delays with hospital discharge and continue to support people to remain in their own home rather than move into extra or residential care. Performance in this area is currently achieving target and has remained steady compared to last quarter.

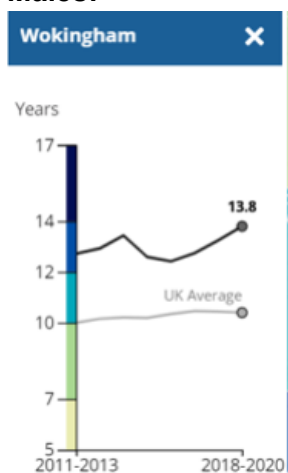
Adult Services
Annually reported performance measures

AS9- Annual measure: Increase in healthy life expectancy at age 65 (males/females)

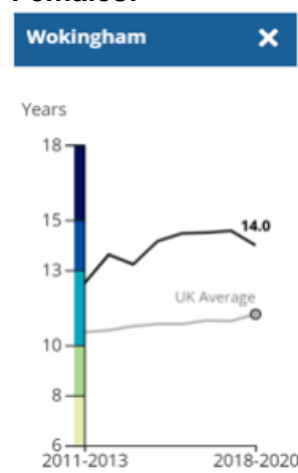
Period	Actual	Target	RAG	DoT
2018-20	13.8 years for males 14 years for females	Increase	Green- male Amber- female	Male: Better Female: Worse

Benchmarking: This measure is reported over a three-year rolling period. WBC performance is better than the UK average for both males and females.

Males:



Females:



Service Narrative: Healthy life expectancy for females in the Wokingham Borough fell in the last reporting period (2018-20), however, performance remains high in comparison to the UK average. The reported figure for males has increased steadily.

Life expectancy and healthy life expectancy are key summary measures of the health of a population. Healthy life expectancy shows the years a person would be expected to live in good health (rather than with a disability or in poor health). The majority of Wokingham residents tend to live long and healthy lives, however, it is important to note that there are health inequalities in the Wokingham Borough.

The Berkshire West Health and Wellbeing Strategy outlines the challenges around reducing health inequities and the impact this has on healthy life expectancy amongst those who have the worst outcomes. Local efforts to reduce health inequities means focussing on reducing gaps in healthy life expectancy amongst those who have the worst outcomes.

AS10- Annual measure: Percentage of adults classified as overweight or obese

Period	Actual	Target	RAG	DoT
21/22	61%	Reduction	Amber	Worse

22/23				
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Benchmarking:

Percentage of adults (aged 18+) classified as overweight or obese (from 2016/17 to 2021/22) for Wokingham

Period	% of adults (aged 18+) classified as overweight or obese			
	%			
	Wokingham	Minimum for All English unitary authorities	Mean for All English unitary authorities	Maximum for All English unitary authorities
2016/17	55.1	48.0	62.9	72.4
2017/18	53.4	51.1	63.5	73.3
2018/19	59.5	50.8	63.3	75.8
2019/20	57.8	49.9	64.9	76.9
2020/21	59.8	55.2	65.1	76.3
2021/22	61.4	53.6	66.1	76.2

Service Narrative: Local data indicates that Wokingham fares much better than nationally given that Wokingham has some of the lowest obesity rates when compared to national and regional data, however it should be noted that whilst local prevalence is lower than both the national and South East averages, there are still over half the adult population across Wokingham classified as overweight or obese.

Wokingham has committed to the overarching Berkshire West Healthy Weight Strategy outlining priorities for healthy weight work. WBC commissions a weight management service targeted towards adults over 16 years of age and will support people with a BMI above 25 to lose weight and learn about healthier weight maintenance by incorporating healthy eating and physical activity.

AS11- Annual measure: Percentage of adults meeting the recommended physical activity levels

Period	Actual	Target	RAG	DoT
21/22	70%	Increase	Green	No change
22/23				

Benchmarking: South East performance is 70.5% for the same period and all England is 67.3%.

Service Narrative: WBC is performing well in comparison to the all England percentage and has maintained performance in this area, however there is also much room for improvement in residents being physically active enough. Improving the physical activity levels of our residents has been, and remains, a key priority for the Wokingham Borough Wellbeing Board.

AS12- Annual measure: Reduction in the proportion of adults feeling lonely often / always or some of the time

Period	Actual	Target	RAG	DoT
19/20	17%	Reduction	Green	Not available
20/21				

Benchmarking:

Period	Count	Wokingham				South East	England
		Value	95% Lower CI	95% Upper CI			
2019/20	-	16.99%	13.09%	21.78%	20.83%	22.26%	

Source: Active Lives Adult Survey, Sport England

Service Narrative: Increased loneliness and isolation (exacerbated by COVID-19) is one of a number of broader issues impacting on individuals at risk of poor health outcomes. Supporting individuals at high risk

of bad health outcomes to live healthy lives is one of the five priorities detailed within the Berkshire West Health and Wellbeing Strategy.

Reducing isolation and loneliness so people can live happier and more independently for longer, particularly for those aged 65 years and older, is also an aim detailed within our Adult Social Care Strategy.

The most recently available data shows that WBC have a lower percentage of adult residents reporting feeling lonely often, always, or some of the time in comparison to the region and all England.

Overview

Children's Services are responsible for undertaking the LA statutory duties in relation to education including the provision of services for children with SEND, the delivery of statutory social care services and a range of early help provision, together with the services which support and quality assure these functions. We focus on making a difference, we aim high, we are strategic, efficient and effective, we value our people and we drive partnership, collaboration and co-production. We are striving to become a child friendly community, where children are safe and cared for, they enjoy and achieve, are healthy and resilient, ready for adulthood and are happy, hopeful and loved.

Top Wins

- The Prevention and Youth Justice Service were awarded the 'Youth Justice SEND Quality Mark award'. The Youth Justice SEND Quality Lead is awarded to those YOTs who provide evidence and case studies of improved outcomes for children in their local area through effective partnership working.
- Successful bid for £6.5m special needs capital grant, which will contribute to the facilities and units in mainstream schools to support children with special educational needs.

- Purchase completed on our first children’s home property to provide local placements for children in care, to enable them to stay in the same school and close to family and friends.

Top Opportunities

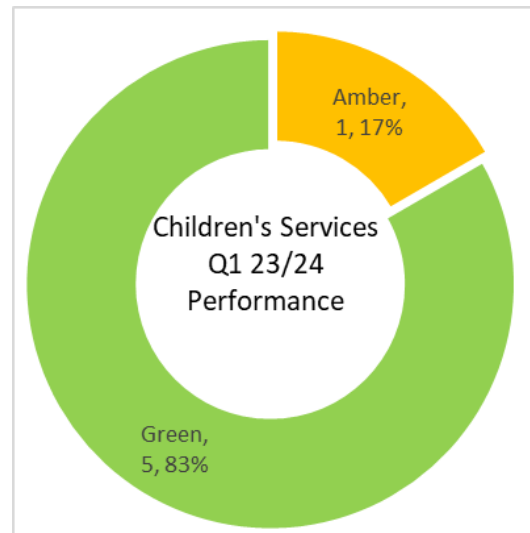
- Relaunch of Vulnerable Pupils meeting to include all appropriate services who can support children missing from education, medically vulnerable young people and pupils at risk of permanent exclusion.
- New measures are in place to improve the delivery of 20-week EHCP assessment legal responsibility.
- New Fostering website being designed to improve the promotion of fostering opportunities for children in care. Positive contact made with local community groups promoting fostering Unaccompanied Children.

Challenges

- Recruitment of Newly Qualified Social Workers, previously our most successful recruitment pipeline, has become very challenging in a competitive local and regional context.
- Increased pressure in finding suitable placements for children with a range of complex needs.
- Increase of Permanent Exclusions and Suspensions in Wokingham schools. We are proactively working with school leaders through the Borough Education Partnership to collectively address this.

Quarter 1 Performance Summary

- 1 is reported as (slightly off target) Amber
- 5 of KPIs achieving target, Green
- No KPIs are reported as Pending.
- No KPIs are reported as N/A
- No KPIs are reported as below target, Red



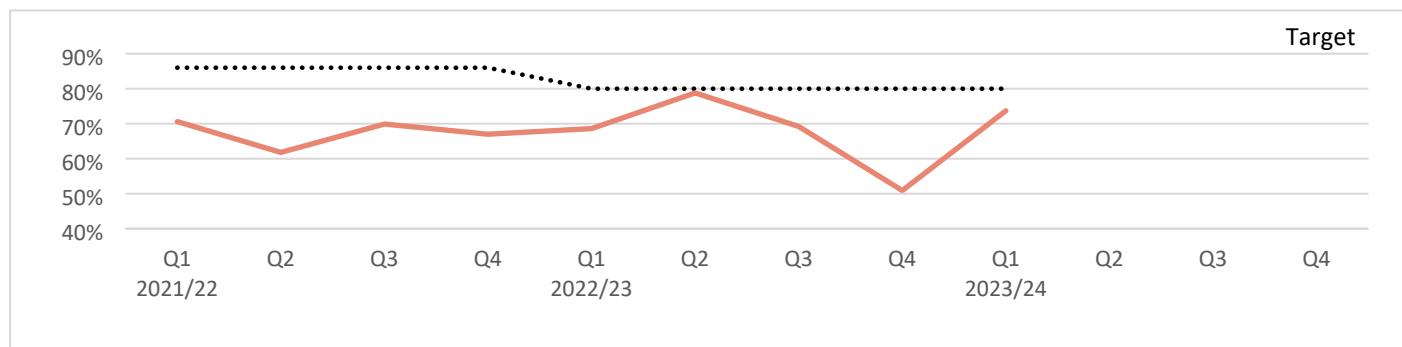
Appendix C-1: Children's Services Key Performance Indicators 2023/24 Summary Table

Ref	Description	RAG Q1	DoT Q4
CS1	Percentage of Continuous Assessments completed within 45 working days	Amber	Better
CS2	Percentage of Initial Child Protection Conferences within 15 working days of the start of the Section 47 which led to a conference	Green	Better
CS3	Child Protection plans lasting 2 years or more which cease during the year	Green	Better
CS4	Percentage of Care leavers 19 to 21 in suitable accommodation at period end	Green	Better
CS5	Proportion of all EHC plans issues in 20 weeks (including exceptions)	Green	Better
CS6	CME (children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school) in a period	Green	Better

Appendix C-2: Children's Services Key Performance Indicators 2023/24 Detailed Information

CS1 – Percentage of Continuous Assessments completed within 45 working days

Period	Actual	Target	RAG	DoT
Q1 23/24	74% (311/422)	80% or more	Amber	Better
Q2 23/24		80% or more		
Q3 23/24		80% or more		
Q4 23/24		80% or more		
Year End		80% or more		



Benchmarking:

The average of 2021-22 performance for England is 84.5%, South East - 85.7%, Statistical Neighbouring Local Authorities - 87%.

Service Narrative:

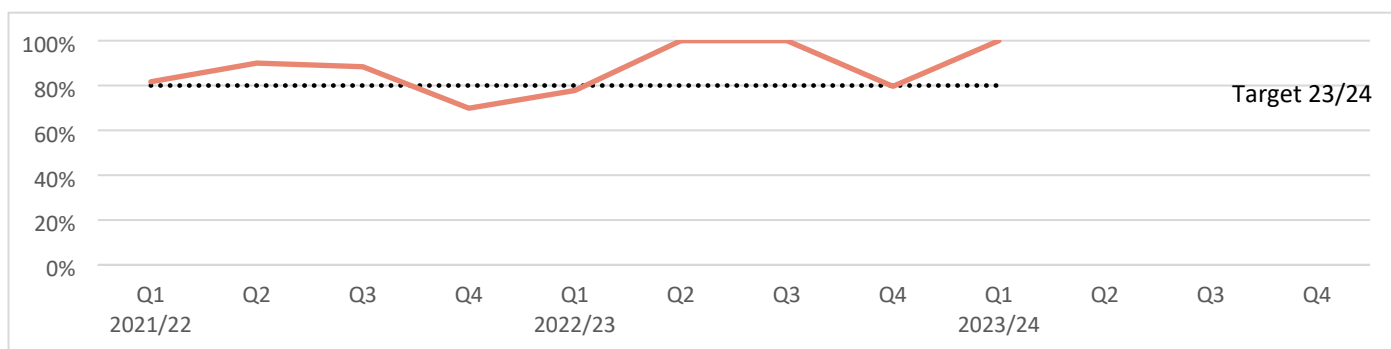
The service aims to complete 80% of the assessments within 45 working days.

There is a focus on bringing performance back in line following the dip in the last quarter due to the levels of absence and higher number of Assessments. New processes were fully implemented in April 2023, and are now being monitored for impact. Day 25 supervisions are booked, providing an effective mechanism to address issues about potential delays earlier. In addition, daily allocation meetings means that assessments can be allocated and commenced more promptly.

Timeliness increased steadily from April (64%) to May (77%) and June (80%).

CS2 – Percentage of Initial Child Protection Conferences within 15 working days of the start of the Section 47 which led to a conference

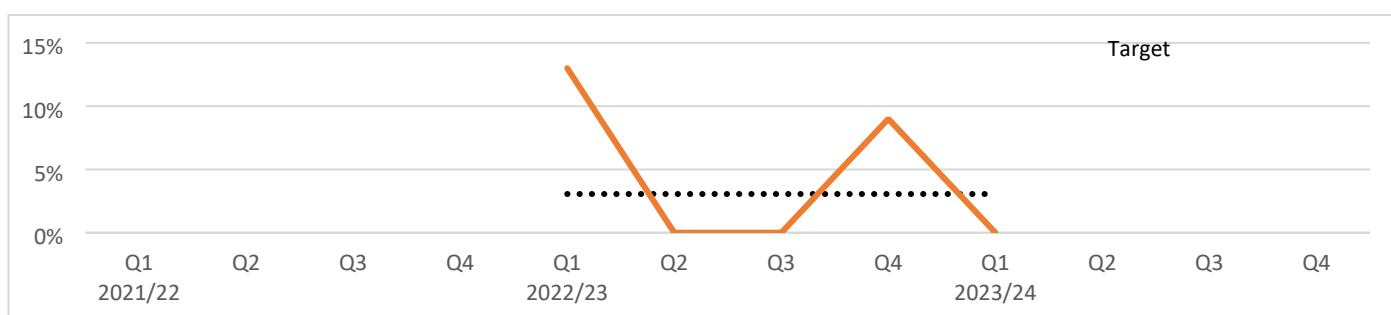
Period	Actual	Target	RAG	DoT
Q1 23/24	100% (43/43)	80% or more	Green	Better
Q2 23/24		80% or more		
Q3 23/24		80% or more		
Q4 23/24		80% or more		
Year End		80% or more		



Benchmarking: 23/24 Target is based on the average of the 2021-22 figures for National (79.2%), South East (78.6%) and Statistical Neighbours (81.49%)

CS3 – Child Protection plans lasting 2 years or more which cease during the year

Period	Actual	Target	RAG	DoT
Q1 23/24	0% (0/29)	3.1%	Green	Better
Q2 23/24				
Q3 23/24				
Q4 23/24				
Year End				

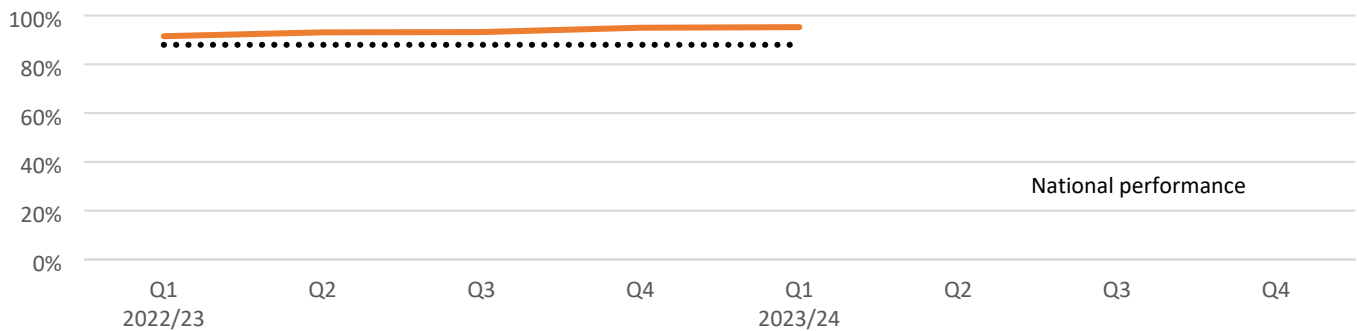


Benchmarking: 23/24 Target is based on the average of the 2021-22 figures for National (3.7%), South East (3.3%) and Statistical Neighbour (2.18%). A lower percentage indicates better performance.

CS4 – Percentage of Care leavers 19 to 21 in suitable accommodation at period end

Period	Actual	Target	RAG	DoT
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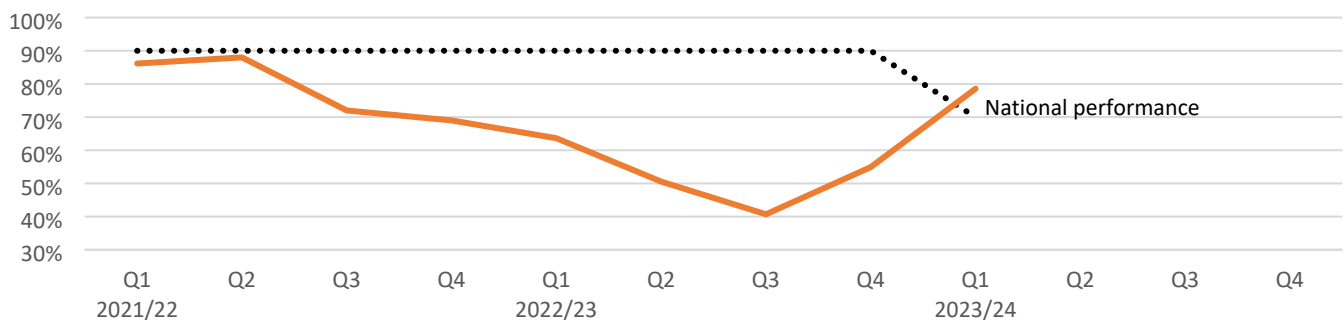
Q1 23/24	95% (60/63)	88% or more	Green	Better
Q2 23/24		88% or more		
Q3 23/24		88% or more		
Q4 23/24		88% or more		
Year End		88% or more		



Benchmarking: 23/24 Target is based on the average of the 2021-22 figures for National (88%), South East (86%) and Statistical Neighbour (90.4%).

CS5 – Proportion of all EHC plans issues in 20 weeks (including exceptions)

Period	Actual	Target/National	RAG	DoT
Q1 23/24	79% (55/70)	70% or more	Green	Better
Q2 23/24		70% or more		
Q3 23/24		70% or more		
Q4 23/24		70% or more		
Year End		70% or more		



Benchmarking:

In 2022 published results for EHCPs issued within 20 weeks (including exceptions), Wokingham scored 55.9% compared to South East 44.8%, Statistical Neighbours 38.52% and England 49.1%.

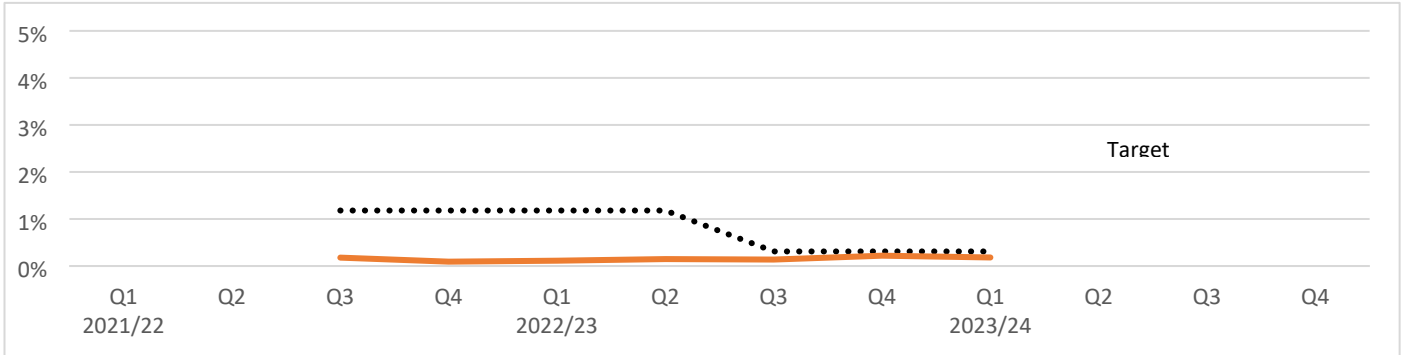
Service Narrative:

A realistic target of 70% has been set for the team, which is higher than the combined national /statistical neighbour/ South East average of 44.14%. The target will be reviewed next year.

CS6 – CME (children of compulsory school age who are not registered pupils at a school and are not receiving suitable education otherwise than at a school) in a period

Period	Actual	Target/National	RAG	DoT
--------	--------	-----------------	-----	-----

Q1 22/23	0.18% (53/29136)	0.33% or less	Green	Better
Q2 22/23		0.33% or less		Better
Q3 22/23		0.33% or less		
Q4 22/23		0.33% or less		
Year End		0.33% or less		



Benchmarking:

National figures (0.31%) are based on school academic year 2022-23.

Appendix B – Retired KPIs

Previous KPI	KPI Description	Rationale for archiving
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AS1 (New)	Percentage of safeguarding concerns leading to an enquiry completed within 2 working days	This KPI has been replaced by AS1 to reflect the performance of the service
CEX2	Proportion of Customer Services enquiries resolved via Self Serve	This KPI has been removed and the Customer Service KPIs redesigned to give a better understanding of the service's performance
CEX4	Proportion of WBC staff who have self-declared their ethnicity and disability information in BWO	This KPI was used as a proxy indicator for the councils approach to improving equality. The KPI has been removed however reports on the councils equality strategy are regularly reported to OSMC and staff edi measures are reported to personnel board annually.
CEX7	Overall Customer Satisfaction across phone and web	This KPI has been replaced by KPI CEX2 to better demonstrate the customer experience of the Council
CIC4 (RA6)	Proportion of housing stock which meets the Decent Homes Standard	This KPI has been replaced by PG 12 Overall customer satisfaction housing to give a more rounded view of the services impact on its tenants.
CS1	Percentage of re-referrals within 12 months	All of the Childrens services KPIs have been reviewed to better balance the information reported against the activity of the service.
CS3	Percentage of Children in Care, as on end of quarter and 31st March for the full year, who were 20 miles+ from their homes and out of borough	
CS5	Percentage of 16-17 year olds with activities/destinations not known	
PG10 (PG20)	Proportion of municipal waste sent to landfill	Both PG10 and PG11 have been replaced by PG6, 7 and 8 to better reflect the activity and performance of the service
PG11 (PG21)	Percentage of waste recycled from the kerbside	
PG4	Percentage of 'Standard' Highways work orders completed within 28 days (OPM14 Cat2 Task Orders)	These KPI has been replaced by more useful KPIs PG13 and 14 to better reflect the activity and performance of the service
PG7	No of Potholes reported this quarter	
PG8	Percentage of potholes repaired with in SLA this quarter	
PG5	Bus patronage (total and concessionary passenger counts) on WBC town contracted services	This KPI was set in 2021 to highlight the issues faced by the boroughs bus services due to the driver shortage. This issue is now better understood and so the KPI is no longer needed.
RA10A	Completion to time and budget of regeneration projects (Carnival Pool Phase 2)	The Carnival Pool element of the regeneration works are now complete and so further reporting is not needed. RA3 will continue to report the status of the residential works
RA3	Usage in Wokingham borough leisure centres	This KPI has been replaced by RA1 and RA2 to give a more rounded view of performance and the services provided by the Council

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WOKINGHAM BOROUGH COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

ADOPTION OF ESTATE INFRASTRUCTURE TASK & FINISH GROUP

UPDATE & PROGRESS REPORT

SEPTEMBER 2023

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ADOPTION OF ESTATE INFRASTRUCTURE

Section 1 - Background

- 1.1 This section offers a slightly updated version of information collected and shared over 2019/20. Refer to Annex A – Adoption of Estate infrastructure task and Finish Group, Report and Recommendations 2020.
- 1.2 As developers build new homes, they are required to build new infrastructure (roads, open space and play areas, etc.) to support the new communities. For example, estate roads are constructed and then linked to the existing highway to enable access to new estates. Each type of infrastructure is controlled by different legal and contractual frameworks and local/national standards. The process for each type of infrastructure is set out below.
- 1.3 The Task and Finish Group was established at the meeting of the Overview and Scrutiny Management Committee on 17 July 2019. This followed feedback provided to Members from residents about a number of delays and frustrations relating to the adoption of new roads and open space. The Task and Finish Group’s recommendations were approved by the Executive May 2020 and summarised below.
- 1.4 The prime objective of the Group was defined as:

“To review existing policies and procedures and develop recommendations for improvement which result in the adoption of high-quality estate infrastructure and positive outcomes for residents across the Borough”.
- 1.5 Since 2020, local and national patterns of infrastructure delivery and adoption have evolved with concurrent investigations occurring elsewhere. As a consequence, officers have explored outcomes locally and elsewhere to review progress and explore opportunities for improvement, Section 4 refers.
- 1.6 Further investigations identified the Local Government Ombudsman (LGO) decision, provided at Annex B. It expands on some of the challenges faced by stakeholders, identifying a raft of shortcomings by all parties. The case explores events associated with a highways agreement where the developer filed for bankruptcy, resulting in complaints by householders. The case captures many of the risks faced by homebuyers and highlights opportunities for service providers to improve systems and processes to protect them.
- 1.7 As recommendations 11 and 12 have been the subject of national efforts¹, and recommendation 10 (recruitment) was not resolved until June '23, this report focuses on progress nationally and locally, exploring how the recommendations have been embraced and or supplement, to inform ways forward.

¹ [Highway Adoption Advice Note](#), Department for Transport (DfT) 2022 & [Freeholders' estate and service charges](#), Parliament, 2023

Adoption of Roads

- 1.8 New roads are adopted under Section 38 (S38) of the Highways Act 1980 (HA80). Under S38 developers enter into a voluntary agreement with the Council which sets out their obligations to construct roads to an agreed standard, maintain the roads for an agreed maintenance period and provide a financial bond to cover the cost of the works in the event that the developer goes bust. Once these obligations are discharged, the Council adopts the road as publicly maintained highway. It must be stressed that the HA80 does not give Councils any power to compel developers to enter into adoption agreements contributing to leasehold patterns explored at a national level (see footnote 1).
- 1.9 The Council aims to adopt new roads serving more than five housing dwellings. Planning approval is required prior to entering into a S38 agreement. The requirement for adoptable road construction details is secured by a planning condition, and or a Section 106 legal agreement.
- 1.10 The S38 Agreement outlines requirements to submit designs for checking, inspections and auditing by an independent road safety team, requiring the payment of fees to ensure that each stage of construction meets the Council's standards. The completion of the S38 Agreement often takes many months to approve and is often advanced concurrently with technical approval, increasing uncertainty.
- 1.11 The developer or appointed consultants prepare and submit plans for approval. As part of the technical approval process, the S38 officer will examine plans and recommend changes to meet Council standards. The Council's fees for design and supervision are often delayed, pending the completion of the S38 Agreement. Technical approval is usually based on information available at the time so designs frequently evolve as surveys and works advance.
- 1.12 To mitigate the risk of default the S38 also requires the developer to put a financial bond in place to cover the completion of the works. It is understood that recent hikes in interest rises have also affected developer's willingness/ability to enter new agreements, perpetuating new risk management patterns.
- 1.13 WBC policy states that drains and sewers must also be adopted by the local Water Authority (usually Thames Water) before or at the same time as the road adoption. Sewers are adopted under S102 or S104 of the Water Industry Act 1991, Explained further below. As Sustainable Drainage Systems (SUDS) form an important and integral part of the highway and open space, some SUDS infrastructure may fall to WBC or the Water Authority, under separate agreements. Consequently, the change in national standards have added some complexity and uncertainty to the design, delivery and adoption process for these features.
- 1.14 Once satisfied that a new road and associated features, including paths and verges, are constructed to an acceptable standard, the Council issues a

Provisional Certificate of Completion which triggers a reduction in the financial bond and initiates the maintenance period (a minimum of 12 months).

- 1.15 Once the Provisional Certificate is issued the developer retains responsibility for maintaining the streets that will become highway, completing remedial works identified by the S38 Officer. Once the maintenance period is completed satisfactorily, a Final Certificate of Completion is issued confirming adoption and the remaining bond value is released.
- 1.16 In line with the Council's Fees and Charges, a commuted sum will be required for any development which is to become adopted as public highway. This is a one-off payment towards the future maintenance of assets. Such sums are set aside to fund maintenance.
- 1.17 The construction of new estate infrastructure may also involve works on the existing highway, for example creating accesses into new developments or works on public highway to mitigate the impact during or after construction. In these cases, developers may enter into a separate Section 278 agreement or a combined S38/S278 agreement. The process for these agreements is similar to that for S38 agreements in terms of technical checks and inspections, the provision of a bond, and payment of commuted sums where necessary. The requirement to undergo a maintenance period before adoption by the Council also applies. However, no S278 works on public highway may commence until the agreement is signed and the necessary Streetworks Licence is applied for and approved.
- 1.18 Some minor highway works may instead be covered by a Minor Works Agreement or licence arrangement, if acceptable to WBC. The maintenance period for Minor Works Agreements is a minimum of 24 months rather than 12.
- 1.19 In the event that a developer does not wish to enter into a Section 38 agreement, the Council secures the completion of an agreement under Section 106 of the Town and Country Planning Act 1990. This obliges the developer to construct the road to a satisfactory standard, pay for the Council to inspect the site and provide for a Management Company to be set up to manage the ongoing maintenance of the estate roads, footways and verges to an agreed maintenance regime once complete.
- 1.20 The Council also operates the Advance Payments Code (APC) under S219-225 of the HA80. The APC applies if the developer requests "building regulation approval" and the plans are passed for the buildings on the development prior to the signing of the S38 agreement for adoption of new roads. Within six weeks of a developer submitting a building regulations application, the Council must serve notice requesting a bond to cover the cost of the new road works if the developer cannot complete the works. This protects property purchasers from incurring costs in such a scenario and applies to sites of more than five units regardless of whether the developer intends to enter into a S38 agreement or not. The obligation to secure the bond is triggered by the commencement of works to the buildings fronted by

the street. Failing to provide a bond at this point constitutes a criminal offence. The completion of a S38 agreement discharges the obligation to secure an APC bond. For roads intended to remain private, the obligation can be discharged under Section 219(4) of the Act once the Council is satisfied that the road has been constructed to the required standard.

- 1.21 The refinement of all legal agreements within the Councils control are subject to frequent monitoring and review responding to good practice and case law. These include:
- Agreement time periods
 - Programme and trigger points
 - Minimum bond values
 - Linking obligations to construction phasing and administrative processes.

Adoption of Drains and Sewers

- 1.22 The Water Act provides enabling powers for developers and water authorities to enter into agreements to adopt drains and sewers at a future date (S104). Like the S38 HA80 Agreement this assumes that the developer submits a design to the water authority for checking, approval and inspection. The process also involves an initial flood risk assessment and takes account of the drainage requirements for the entire site to ensure that local sewerage and surface water drainage systems are considered and not overwhelmed.
- 1.23 Thames Water encourages developers to make a pre-planning enquiry setting out their requirements for foul and surface water infrastructure. On receipt of the enquiry, Thames Water carries out a network capacity check. If there are no concerns, Thames Water confirms the position to the Council as part of the planning process. If there are concerns, Thames Water will confirm this as part of the planning process. Once outline or full planning permission is granted, Thames Water then carries out modelling and designs and implements appropriate reinforcements to the system.
- 1.24 OfWAT, the Water Industry regulator, imposes an obligation on all water authorities to develop plans for future infrastructure, including planned development. Customer charges for ALL existing and future residents are set on this basis. It is only when unplanned development occurs, outside of the Local Plan e.g., at appeal, that the developer is required to pay for accelerated network upgrades. These costs are different to the accelerated infrastructure published in recent years, related to decisions² requiring water authorities to tackle pollution.
- 1.25 Officers previously relayed some of the challenges faced by water authorities, including lack of awareness amongst homebuyers about the adoption of drains and sewers adjacent their property and potential financial risks face.

² [Accelerated Infrastructure Delivery Project](#), OfWAT, 2023

- 1.26 As S102 of the Water Act enables the retrospective approval of drainage design, some developers start building drainage networks before these are technically approved, often going on to build estate roads over the sewer network. Whilst S102 requires surveys of as-built sewers this approach can result in new roads being excavated to repair/modify sewers to the detriment of the estate road infrastructure, adding to challenges for approving and inspecting officers.

Adoption of Open Space and Play Areas

- 1.27 Open spaces within new housing developments are adopted under the terms of an agreement made under S106 of the Town and Country Planning Act 1990. The agreement provides for the construction of Open Space and Play Areas to WBC specification, setting out the procedure for construction and adoption. Each scheme is submitted for approval and constructed in accordance with the approved plans. When complete the developer notifies the Council who in turn inspects to confirm that construction has followed planning approval and meets the obligations of the S106 agreement. If the scheme has not been built in line with planning approval or if remedial work is required, this can delay the adoption process significantly.
- 1.28 Once the Council is satisfied that there are no outstanding issues, an independent safety audit for play areas is required from the developer, and, where necessary, a water safety risk assessment for SUDS within the public open space. SUDS encompass a range of techniques which manage water run-off in order to reduce the quantity and increase the quality of surface water that drains into sewers. Any items flagged up by these audits and assessments then need to be addressed. Changes at national level (Sewers for Adoption 8 ([SfA8](#))) have supported an increase in features that are adoptable by Water authorities, but some do form part of the highway or are transferred to the relevant Town or Parish Council.
- 1.29 Once open space schemes are deemed complete, the commencement of a twelve-month maintenance period begins. During this period the developer remains responsible for maintaining the scheme in accordance with a planning approved Landscape Management Plan and carrying out any necessary remedial work.
- 1.30 At the end of the twelve months the Council inspects again to confirm that the scheme has been adequately maintained and that no further remedial work is needed. A further safety audit is required for play areas at the end of the maintenance period. Once satisfied the Council commences the legal transfer. At this point, a final commuted sum figure for ongoing maintenance is also confirmed. A back-to-back 12-month maintenance phase is standard practice in landscaping contracts.
- 1.31 In order to strengthen the process for adopting open space and play areas, WBC officers follow an Adoption Checklist based on industry best practice. The checklist sets out the different stages of the adoption process and the steps to be taken to monitor progress. The aim is to ensure that, in liaison

with other services, the completed scheme is handed over to the Council with the following agreed features:

- A land transfer map.
- A Maintenance and Management Plan.
- A Health and Safety File (including as-built drawings).
- A Playground Inspection Report (if applicable).
- A commuted sum figure covering a minimum of 20 years.

Adoption of SANG (Suitable Alternative Natural Greenspace)

1.32 SANGs are areas of open space identified for developer-funded enhancement, in order to make them more accessible and attractive for residents to use. The delivery of SANG is intended to mitigate the effect of new housing developments on the Thames Basin Heaths and its protected bird species.

Council Powers and Sanctions

1.33 As outlined above, the adoption process for new estate infrastructure is governed by statute, statutory guidance and legal agreements. Housing development is usually undertaken on private land and as the developers are private organisations, there is no obligation for them to seek that the Council adopt new roads and open spaces. If, for example, a road is not adopted then the Council has no powers to undertake works on the road itself, that obligation falls to the management company or individual property owners.

1.34 The law sets out that it is the responsibility of homebuyers to ensure they take the necessary steps when purchasing and fully understand the risks involved. Many developers devote resources to build trust and ensure good communication channels with existing and potential homeowners. However, there are numerous examples where this does not happen.

1.35 As the adoption process is controlled by legal agreements, the Council has the power to pursue enforcement action when breaches of planning conditions / legal agreements occur. However, this can be a lengthy legal process with a small fine, taking up much vital officer time.

1.36 WBC has also experienced some resource challenges with the approval, inspection and approval of infrastructure. As the legal remedies and administration of processes are challenging, it is usually more effective to work with developers to exert pressure on them to meet their agreed commitments rather than undertaking formal enforcement proceedings. t

Section 2 – Update on Recommendations

2.1 The following records and reports the latest position relative to the Executive Recommendations 1-12:

1. That the Council considers measures to increase public awareness about the adoption of new infrastructure .

The Council has added Frequently Asked Questions ([FAQ](#)) to the Council website which provides local context, in addition to the national [Advice Note](#).

2. That the Council considers measures to improve and expand the current interactive maps on its website.

The Council agreed to improve and expand access to information relating to the adoption of highways, where highway [searches](#) are available via the WBC website. Again, this provides a greater level of access available from Local Government Association: [FindMyStreet](#).

3. The Council considered measures to provide more regular briefings for Town and Parish Councils, especially in relation to new housing developments in their areas and the rights and responsibilities of different stakeholders.

The aspiration to provide briefings for Town and Parish Councils is a laudable aim. WBC recognises the excellent work that Parish and Town Councils do, acting as a communication conduit to the communities they serve, so it is reluctant to share incorrect information that might compromise credibility.

Ideally, WBC would provide these councils with the latest information on a monthly or even weekly basis. The design of new streets responds to a myriad of factors, responding to surveys, excavations and approvals by a range of authorities (including police and statutory undertakers et. al.), indeed many are implemented without approval. WBC are constantly working with developers, their agents and contractors to deliver the best possible arrangements for all parties and are called upon to apply a balanced approach retrospectively approving works or where necessary requiring construction works to be excavated and rebuilt. Appraising Parish/Town Councils on such matters and/or attempting to influence design changes to support local aspirations therefore prove impractical and/or would require additional resources for all parties.

As S38 Agreements are voluntary, officers have explored a series of steps with a sample group of developers which are being established to help inform operating procedures as follows:

- a. Planning Conditions are imposed on major developments to provide a Construction Environmental Management Plan (CEMP).
- b. At the application stage the CEMP outlines construction activities, such as construction hours and HGV routes.
- c. Prior to implementation the main contractor is required to update the CEMP expanding on development phasing and construction sequences, where appropriate explaining temporary access

constraints which might be subject to Traffic Regulation Orders or Streetworks licences.

- d. For strategic developments it is envisaged the CEMP will incorporate a communication strategy, to help share key activities.
- e. Officers aim to supplement these plans by providing CEMP guidance to set realistic expectations.

As schemes like '[Considerate Constructors](#)' have become common place across the UK, they generally support more informed communities and therefore enhanced (security) through natural surveillance, Officers expect to see further improvements.

4. That WBC Officers provide regular updates to the Borough Parish Liaison Forum on the process for adopting new estate infrastructure and the impact of new development arising out of the Local Plan Update.

Response 3 (above) explains powers used to improve arrangements, expanded further below.

5. That the Council considers the resources available for managing the adoption process in non-SDL areas in order to ensure a consistency of outcomes for residents across the Borough.

Resources are limited and WBC is currently considering a range of options to reduce costs and drive efficiencies across Council services.

WBC is using the planning and Building Regulation process to identify the developer's intent to start works, as this signifies the start of the six-week period associated with an APC. By notifying the H&T service can reduce the risk of S38 Agreements remaining unsigned, capturing fees and bond requirements.

Officers are working with developers to adopt a consistent approach to minimise risks, identified at a national level, associated with S38 Agreements, explored further in Section 5 below.

Section 2 outlines the S38 and related delivery Agreements and processes highlighting issues that influenced infrastructure delivery and developer approaches. For many, they actively advance S38 Agreements, but if costs and delays accumulate, they may elect to establish management companies to deliver future maintenance. In such circumstances the Council risks failing to serve an APC and may not recover fees as the S38 agreement remains incomplete.

6. That the Council reviews the process for developing and agreeing S106 agreements relating to the adoption of open space, specifically to:

- a. ensure that agreements are more detailed, specific and rigorous.

- b. **explore the potential for including financial penalty clauses linked to key milestones, with any penalties being added to agreed commuted sums.**
- c. **encourage high quality design for new play facilities.**

The Council produced various Supplementary Planning Documents ([SPD](#)) including Play Space Design used across developments to ensure appropriate open space and play equipment provision is delivered. All obligations must pass legal tests as such penalties cannot be imposed. However, officers have applied bespoke approaches to S106 Agreements aligning delivery triggers relative with phases, both dwelling numbers and parcels to minimise access issues due to construction.

S106 Agreements include detailed specifications for play equipment and open space, including appropriate tree planting and landscaping. Agreements include commuted sums for maintenance. The specification for the agreed landscape strategy includes arrangements for extended maintenance when planting 'fails'.

7. That Officers consider potential improvements to secure earlier engagement from Highways at the initial planning or pre-application stages of the process.

Officers have explored a series of steps with a sample group of developers which has established the following operating procedures expanded in Section 4 & 5 below:

- a. In line with best practice, WBC uses planning performance agreements (PPAs), but developers are not obliged to use the service. PPAs attract pre-application fees, captured by the planning service. The Highways & Transport (H&T) service do contribute to PPAs, but unlike two-tier authorities it does not capture separate pre-application fees for highway advice.
- b. Planning obligations (conditions/S106) routinely include obligations to help inform how infrastructure is delivered, through construction delivery and maintenance periods to adoption.

8. That the Council works with developers to build on the proactive work of Officers in improving the level of tree survival rates on new housing developments.

The Council has created a [strategy](#), around which extended maintenance regimes are imposed for up to 5 years.

Officers are currently collaborating to update highway guidance to ensure that the right trees are planted in the right places to support growth and long-term retention and maintenance.

9. That the residents and Town and Parish Councils who responded to the Call for Evidence receive feedback and responses to the issues raised.

Response 3-5 (above) explains powers used to improve arrangements, expanded further in Section 3 below.

10. That the Council considers measures to ensure the recruitment and retention of key staff working on the adoption process, with appropriate succession planning.

The Council has had several vacant posts, some filled on a temporary contract basis even before 2020. In June'23 the new Highway Development Manager joined, quickly reviewing recruitment and retention options for the team.

In conjunction with the Annual Performance Review of staff he has explored succession plan across the team, including the recruitment of a vacant post. With other leads across the H&T service, he is exploring options for apprenticeships to meet future needs.

Taking account of wider financial constraints, identified in response to recommendation 5 above, succession plans are likely to present further challenges.

11. That WBC Members receive annual training on the adoption process for new roads and open space linked to updates on the emerging Local Plan.

Due to staff retention and recruitment this has not occurred. This report, brings members up to date and outlines on-going efforts to deliver service improvements, expanded in Section 3 below.

12. That an annual update on the adoption process be submitted to the Overview and Scrutiny Management Committee.

Due to staff retention and recruitment this has not occurred. This report, brings members up to date and outlines on-going efforts to deliver service improvements, expanded in Section 3 below.

Section 3 - Opportunities for Improvement

- 3.1 Planning consents are not issued until any S106 Agreement is signed. Open space and play equipment infrastructure normally forms part of the S106 Agreement thus such infrastructure is susceptible to other risks. SUDS features that may/may not form part of a S102/104 Agreement contribute to infrastructure delivery and future maintenance risks, mainly around the timely delivery to meet the agreed specification and/or commuted maintenance for areas that might change.
- 3.2 As WBC has supported SUDS features (such as swales) many developments have advanced under local policies/standards. As SfA8 was not adopted until 2018, very few developments have advanced with the expectation that SUDS

features will be adopted by Thames Water. Consequently, WBC officers are endeavouring to work with Thames Water to address risk management measures.

- 3.3 It is common that developers begin construction, based on the submission of information/drawings demonstrating an intent to enter into S38 Agreements to deliver infrastructure for adoption.
- 3.4 Like the LGO case (Annex B refers), there is no reason to doubt that the Agreement will be completed and thus the infrastructure will be offered and become adopted by the Council. However, if the agreement is not signed that leaves the Council and potential future residents at risk.
- 3.5 WBC is not alone, similar issues have arisen across the country, many translating to investigations by a range of officials noted/appended to this report. Over recent decades these issues have evolved, responding to varying levels of demand, punctuated when house-building rates are high, capacity of skilled resources contribute to delays and less appropriate responses are adopted to meet demand.
- 3.6 The LGO decision is possibly the most informative evidence, as it explores potential shortcomings by all parties. Alongside other investigations it might be reasonable to suggest the following actions could be taken and reported to residents through the Council's website:
- Planning authorities should impose and enforce the discharge of pre-commencement planning conditions.
 - District/Borough councils should notify the Highway Authority of the discharge of Planning Conditions and/or Building Regulations, to enable them to serve an APC notice on developers within the time constraint of the law.
 - Highway Authorities should serve an APC, whether or not the developer plans to enter into a S38 Agreement, along with requests of fees and bonds.
 - Authorities should take reasonable endeavours to expedite the drafting of legal agreements.
 - Highway Authorities should set expectations requiring the developer to sign the S38 Agreement before reasonable development triggers and normally before first occupation.
 - (Potential) homeowners should apply reasonable due diligence when selecting a mortgage and professional services from a solicitor.
 - Solicitors completing searches for (potential) buyers should verify access rights to the property. Where this forms part of a housing development they should enquire as to the status of (proposed) highway and should not complete purchase until a S38 Agreement is in place and signed.
 - Councils should support solicitors completing searches, expanding responses to ensure they report the status of (proposed) highway access arrangements as above.
 - Mortgage providers are obliged to offer mortgages on affordability. Part of the approval process for the completion of a sale should be based on the dwelling gaining access via:
 - an (existing) adopted highway.

- an access that is subject to a S38 Agreement thereby offering confidence that the streets should be adopted as highway.
- an access to a private street that is subject to an APC, ensuring that any maintenance costs are incorporated into the affordability test.
- an access to a private street that is subject to a leasehold agreement, where communal areas are managed and maintained (typically by a management company) whose annual maintenance charges are incorporated into the affordability test.
- In the event that future residents (and mortgagors where appropriate) decide to proceed, that a surety (monies) is withheld pending until appropriate arrangements are in place.

3.7 Whilst H&T officers hope to implement several changes by the end of the year, there are some resource capacity constraints, so progress has been and may continue to remain slow. As far as reasonably practical, H&T will:

- Monitor development commencement and record start dates,
- Set up processes to ensure that APC notices and fees are issued to developers within six weeks of commencement. To achieve this, the service is advancing the recruitment of a vacant post.
- Influence administrative process so that legal searches report highway/access status outlined in 3.6 above.
- Review financial administration procedures to ensure commuted maintenance is 'ring-fenced' to development infrastructure and thus improving monitoring of item rates.
- Produce guidance for CEMPs to ensure the environmental, social and communication benefits are delivered through appropriate planning conditions. Amongst other things, WBC hope to improve lines of communication with Parish and Town Councils and, through CEMP communication strategies, work towards mutual benefits.

3.8 H&T have also observed some complaint patterns within developments where parking is constrained and some homes generate greater demand than others, contributing to localised issues such as the use of visitor spaces for householder parking. Officers have therefore begun:

- To recommend planning conditions, requiring a Parking Management Plans, even when streets are to be adopted. The purpose of such a condition is to ensure parking controls can be implemented during the maintenance period thereby preventing dangerous or inappropriate parking and thereby influence habits of new residents. It is envisaged that in the short-term this will reduce the need for new (adopted) highways to introduce parking controls and in the long-term enhance design quality.
- Are updating evidence, using the 2021 Census, to inform revised parking standards. This is likely to introduce requirements for LGV/van parking within estates, bespoke options for size/scales of development and/or location/accessibility.
- Are updating highway design guidance/standards to improve design quality relative to national standards/guidance and local experience and surveys.

- 3.9 If the H&T service can garner support from external partners and other service areas it is hoped that the following could enable the delivery of better financial and administrative procedures that will, in-turn, support the recruitment of additional resources and improve, services and delivery.
- Working with internal (WBC) partner service providers:
 - Explore the potential for pre-application charges to be added to PPAs to support early input into masterplan design decisions.
 - To optimise development density, landscape strategies often rely on planting within the highway, some of which is precluded under the Highways Act 1980. Officers are currently reviewing current legislation, policies and standards with the intent that guidance/standards can be updated to improve design quality and delivery, offering additional clarity between areas that are likely to fall into different adoption areas.
 - Continue planning/building control officers to proactively provide the required information for highway officers when developments commence construction.
 - As part of a review of Legal Agreements Performers:
 - review opportunities to improve uniformity, simplify clauses (to reduce time negotiating content) and take account of most known issues and options.
 - By serving APC notices the Council can ensure that checking and inspection fees are in place to better ensure works are delivered to standard and motivated to incur lower checking and inspection fees (through S38 Agreements, compared to an APC) the average time to complete Agreements can be reduced.
 - To align with updates on SUDS, review policies, standards and guidance for drainage, approach to maintenance (adopting authorities) and commuted sums.
- 3.10 As the Council's website has recently been updated, it is envisaged that early progress on the above will support the publication of additional FAQs to help house-buyers understand risks and sister service partners improve the quality of their services, identified at 3.6 above.
- 3.11 Taken together these actions will improve Council performance and improve customer satisfaction. It will be necessary to monitor and review progress and, in time, review maintenance costs to ensure commuted sums are appropriate.

Section 4 – Conclusions and Next Steps

- 4.1 In line with the Council's Constitution, the Council's Executive endorsed the recommendations of the Oversight & Scrutiny Management Committee. This report outlines changes that have occurred and how processes have evolved, responding to local and national programmes. We recognise that delays have occurred but hope that the report will help to demonstrate the value of the Scrutiny process in providing a voice for local communities.
- 4.2 Subtle changes to infrastructure delivery, adoption and approval processes mean that new risks arise. The actions outlined in 3.6 – 3.11 identify how H&T and other WBC services can improve internal processes. With complementary efforts by sister service providers these will support improvements in Council performance and customer satisfaction.

**ADOPTION OF ESTATE INFRASTRUCTURE
TASK & FINISH GROUP**

REPORT AND RECOMMENDATIONS JANUARY 2020

Local Government Ombudsman
Investigation into Teinbridge District & Devon County Councils



WOKINGHAM BOROUGH COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

ADOPTION OF ESTATE INFRASTRUCTURE TASK & FINISH GROUP

REPORT AND RECOMMENDATIONS

JANUARY 2020

Task & Finish Group Members:

Councillor Andy Croy (Chair)

Councillors Paul Fishwick, Sarah Kerr and Abdul Loyes

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ADOPTION OF ESTATE INFRASTRUCTURE

Foreword by Councillor Andy Croy

Buying a new home is one of the most important decisions that many people have to make in a lifetime. This is especially true in areas like Wokingham Borough where the average house price is currently around £440,000. The Borough is delivering a large amount of new homes, especially in the four Strategic Development Locations – North and South Wokingham, Arborfield Garrison and South of the M4 (Shinfield). Further sites will also be identified in the ongoing Local Plan Update.

In addition to building new homes, housing developers are also responsible for delivering new infrastructure such as roads, drains, landscaping, open space, SANGs (natural green space) and play areas as conditioned in the planning permission and associated Section 106 planning legal agreements. Each type of infrastructure is delivered in the context of different legislation, statutory guidance and local standards.

Members were aware of both local and national situations when, for various reasons, estate infrastructure was not delivered to the correct standard and/or within the agreed timeframe, thereby causing anger and frustration for residents. As a result, the Overview and Scrutiny Management Committee decided to set up the Task and Finish Group.

The primary objective of the Task and Finish Group was to produce recommendations for improvement which resulted in the adoption of high quality estate infrastructure and positive outcomes for residents across the Borough. In so doing, Members were informed of the excellent work which already took place and the high level of expertise and commitment demonstrated by Council staff. However, as always, there may be scope for further improvements.

The Task and Finish Group received evidence from a wide range of stakeholders including residents, Town and Parish Councils, Borough Council Officers and Members, housing developers, Thames Water and national housing and engineering bodies.

In preparing the report, the Task and Finish Group sought to understand the adoption process and the roles and responsibilities of the key players. Our recommendations aim to bring greater transparency and ensure that each individual or group can access accurate information and advice in a timely manner.

Finally, I would like to thank the residents, Officers, Members, housing developers and outside bodies who gave up their time and contributed to the Task and Finish Group's work in such a positive and constructive manner.

Andy Croy,
January 2020

Section 1 - Executive Summary

- 1.1 In recent years the Wokingham Borough has seen a significant amount of new housing development, much of it contained in the four Strategic Development Locations – North and South Wokingham, Arborfield Garrison and South of the M4 (Shinfield). The ongoing Local Plan Update will identify more sites for housing as the Council seeks to deliver on the Government requirement for over 800 new homes each year.
- 1.2 Much of the new housing is being delivered by housing developers, ranging from major FTSE companies to smaller local businesses. In addition to building new homes the developers are required to deliver new estate infrastructure such as roads, drainage, open space, landscaping, play areas and SANG (suitable alternative natural greenspace), as set out in the relevant planning permission. The process for delivering the new infrastructure is governed by legislation, statutory guidance and legal agreements between the Council and housing developers. Developers have a choice between handing the new infrastructure over to the Council for future management and maintenance (adoption) and managing it themselves, typically by establishing a management company.
- 1.3 If the developer decides not to have infrastructure adopted the Council has only limited powers to intervene if things go wrong, for example delays or sub-standard work. It is important, therefore, that homebuyers have a clear understanding of the adoption process and any potential legal and financial issues which may arise following their purchase. It is apparent, however, that some residents are not fully aware of the potential risks.
- 1.4 In order to look at the process for adopting new infrastructure, the Overview and Scrutiny Management Committee established the Task and Finish Group. The primary objective of the Group was to make recommendations for improvement which delivered high quality infrastructure and positive outcomes for new and existing residents.
- 1.5 In order to understand the local and national picture, the Task and Finish Group received evidence from residents, Town and Parish Councils, housing developers, Thames Water and a number of professional bodies. The evidence highlighted a number of themes including:
 - Could the Council provide better information and guidance to help new and existing residents to understand the adoption process, including their own rights and responsibilities?
 - Were there opportunities for improved communication and more joined up working between the Borough Council, Town and Parish Councils, housing developers and other local stakeholders?

- Were there opportunities to strengthen the Council’s resources available for addressing issues with smaller developers in non-SDL areas, to deliver a consistent approach across the Borough?
 - Could financial incentives or penalty clauses be introduced into S106 agreements for open space to align more with the process for highways adoption?
 - Was it possible to improve the Planning process to ensure that approved plans and drawings could be translated to buildings and infrastructure on the ground with less technical changes?
 - In light of the negative visual impact and growing awareness of Climate Emergency issues, were there any potential measures which could reduce the number of trees and shrubs which had to be replaced on new housing developments?
 - What steps could be taken to improve WBC Members’ understanding of the key issues surrounding the adoption of roads and open space, to enable them to support residents in their wards?
- 1.6 The Task and Finish Group also carried out a site visit to look at a number of adoption sites across the Borough. The sites visited demonstrated a range of outcomes from high quality design with good communication to poor design linked to delays and poor communication with residents and Town and Parish Councils.
- 1.7 Discussions with housing developers indicated that the majority were committed to partnership working and engagement with local communities. Developers working on SDL sites were likely to be present for a number of years as their developments went through a number of phases. As a result they were able to commit resources for engagement and community development. Conversely, smaller developers, typically building less than 100 homes did not have the same resources or motivation. It was felt that the actions of a minority of developers (including some of the big players) damaged the reputation of all housing developers across the industry.
- 1.8 Overall, we were impressed by the knowledge, experience and commitment of Council staff working on the adoption process. We recognised that the ongoing financial pressures placed on the Council made it harder to maintain high standards, especially in services facing increasing demand and high levels of public scrutiny. We also welcomed the initiative shown by staff in delivering service improvements that brought greater clarity, rigour and accountability to the process.
- 1.9 We hope that the recommendations in the report will help to drive further improvements and increase awareness amongst residents and other stakeholders. The report will be submitted to the Overview and Scrutiny Management Committee for approval and will then be submitted to the Council’s Executive for consideration of the recommendations.

Section 2 - Recommendations

- 2.1 That the Council considers measures to increase public awareness about the adoption of new estate infrastructure, for example through the provision of general advice and Frequently Asked Questions on the New Residents section of the Council website. It also underlines the onus on homeowners to take expert legal advice to ensure that they are aware of the risks and responsibilities involved.
- 2.2 That the Council considers measures to improve and expand the current interactive maps on its website, for example by including more details on S38 roads and roads not due to be adopted.
- 2.3 That the Council considers measures to provide more regular briefings for Town and Parish Councils, especially in relation to new housing developments in their areas and the rights and responsibilities of different stakeholders.
- 2.4 That WBC Officers provide regular updates to the Borough Parish Liaison Forum on the process for adopting new estate infrastructure and the impact of new development arising out of the Local Plan Update.
- 2.5 That the Council considers the resources available for managing the adoption process in non-SDL areas in order to ensure a consistency of outcomes for residents across the Borough.
- 2.6 That the Council reviews the process for developing and agreeing S106 agreements relating to the adoption of open space, specifically to:
 - ensure that agreements are more detailed, specific and rigorous;
 - explore the potential for including financial penalty clauses linked to key milestones, with any penalties being added to agreed commuted sums;
 - encourage high quality design for new play facilities.
- 2.7 That Officers consider potential improvements to secure earlier engagement from Highways at the initial planning or pre-application stages of the process.
- 2.8 That the Council works with developers to build on the proactive work of Officers in improving the level of tree survival rates on new housing developments.
- 2.9 That the residents and Town and Parish Councils who responded to the Call for Evidence (Annex B) receive feedback and responses to the issues raised.
- 2.10 That the Council consider measures to ensure the recruitment and retention of key staff working on the adoption process, with appropriate succession planning.
- 2.11 That WBC Members receive annual training on the adoption process for new roads and open space linked to updates on the emerging Local Plan.
- 2.12 That an annual update on the adoption process be submitted to the Overview and Scrutiny Management Committee.

3. Section 3 - Background

3.1 The Task and Finish Group was established at the meeting of the Overview and Scrutiny Management Committee on 17 July 2019. This followed feedback provided to Members from residents about a number of delays and frustrations relating to the adoption of new roads and open space. The Task and Finish Group's Terms of Reference are set out at Annex A. The prime objective of the Group was defined as:

“To review existing policies and procedures and develop recommendations for improvement which result in the adoption of high quality estate infrastructure and positive outcomes for residents across the Borough”.

3.2 The Task and Finish Group received feedback about a number of local developments including Sibly Hall, Folly Court and Montague Park. Members were also aware of national media coverage, typically about new homeowners who were living on unfinished housing developments. Many local residents had expressed surprise and frustration at the process involved in finishing new roads and open spaces.

3.3 Estimates assess the number of new homes needed in England at between 240,000 and 340,000 per annum, accounting for new household formation and the backlog of existing need. In 2017/18, the total housing stock in England increased by 222,000 homes. Clearly, the Government's priority is to deliver new homes as quickly as possible, especially in areas of high demand such as Wokingham Borough.

3.4 The contribution to the housing supply made by housebuilding companies is illustrated in the table below. This shows the number of completions reported by each of the Financial Times Stock Exchange (FTSE) 350 housebuilding companies in 2018.

Table: 2018 Housing Completions by FTSE 350 Housebuilders

Housing Developer	Total Housing Completions	Affordable Completions	Average Private Selling Price £
Barratt Developments	17,579	3,241	328,800
Persimmon	16,449	3,333	238,800
Taylor Wimpey	14,933	3,416	301,800
Bellway	10,307	NA	323,400
Galliford Try (Linden Homes)	6,193	NA	367,000
Redrow	5,913	1,102	NA
Countryside Properties	4,295	1,491	402,000
Bovis Homes Group	3,759	1,192	337,400
Berkeley Group Holdings	3,698	NA	NA
Crest Nicholson Holdings	3,020	637	393,000

Source: House of Commons Library – calculations from data in company annual reports and accounts.

- 3.5 Wokingham Borough has seen a significant impact arising out of the Government's plans for additional housing. The Council has responded strategically to the demand for new housing by promoting Strategic Development Locations for North Wokingham (1,500 homes), South Wokingham (2,500 homes), Arborfield Garrison (3,500 homes) and South of the M4 (Shinfield) (2,500 homes). The emerging Local Plan Update will also identify a number of new sites for development up to 2036. To date, over 260 potential sites have been submitted for consideration by landowners. The Government's assessment of the housing need for the Borough is currently 864 dwellings per annum. This will be recalculated each year as new data on house prices, incomes and household growth is published.
- 3.6 As developers build new homes they are also required to build new infrastructure (roads, open space and play areas, etc.) to support the new communities. For example, estate roads are constructed and then linked to the existing highway to enable access to new estates. Each type of infrastructure is controlled by different legal and contractual frameworks and local/national standards. The process for each type of infrastructure is set out below.

Adoption of Roads

- 3.7 New roads are adopted under Section 38 of the Highways Act 1980. Under S38 developers enter into a voluntary agreement with the Council which sets out their obligations to construct roads to an agreed standard, maintain the roads for an agreed maintenance period and provide a financial bond to cover the cost of the works in the event that the developer goes bust. Once these obligations are discharged, the Council adopts the road as publicly maintained highway. It must be stressed that the 1980 Act does not give Councils any power to compel developers to enter into adoption agreements.
- 3.8 The Council aims to adopt new roads fronting more than five housing units. Planning approval is required prior to entering into a S38 agreement. The requirement for adoptable road construction details is secured by a planning condition. The S38 process involves checks, inspections and road safety audits to ensure that each stage of construction meets the Council's standards. Technical acceptance, based on submitted plans which can be revised in discussion with the S38 Officer, must also be given by the Council before an agreement application can be progressed.
- 3.9 Once satisfied that a new road and associated features, including footpaths and verges, are constructed to an acceptable standard, the Council issues a Provisional Certificate of Completion which triggers a reduction in the financial bond and initiates the maintenance period (a minimum of 12 months). During this period, the developer retains responsibility for maintaining the highway and carrying out remedial works identified by the S38 Officer. Once the maintenance period is completed satisfactorily, a Final Certificate of Completion is issued confirming adoption and the remaining bond value is released.

- 3.10 For some items, a commuted sum may be required from the developer. This is a one-off payment towards the maintenance of assets such as traffic signals, culverts and other items. Where a commuted sum is deemed necessary, it is discussed with the developer and set out in the S38 agreement.
- 3.11 The construction of new estate infrastructure may also involve works on the existing highway, for example creating accesses into new developments or works on public highway to mitigate the impact during or after construction. In these cases, developers may enter into a separate Section 278 agreement or a combined S38/S278 agreement. The process for these agreements is similar to that for S38 agreements in terms of technical checks and inspections, the provision of a bond, and payment of commuted sums where necessary. The requirement to undergo a maintenance period before adoption by the Council also applies. However, no S278 works on public highway may commence until the agreement is signed and the necessary Streetworks Licence is applied for and approved. Some minor highway works may instead be covered by a Minor Works Agreement or licence arrangement, if acceptable to WBC. The maintenance period for Minor Works Agreements is a minimum of 24 months rather than 12.
- 3.12 In the event that a developer does not wish to enter into a Section 38 agreement, the Council secures the completion of an agreement under Section 106 of the Town and Country Planning Act 1990. This obliges the developer to construct the road to a satisfactory standard, pay for the Council to inspect the site and provide for a Management Company to be set up to manage the ongoing maintenance of the estate roads, footways and verges to an agreed maintenance regime once complete.
- 3.13 The Council also operates the Advance Payments Code (APC) under S219-225 of the Highways Act 1980. The APC applies if the developer requests "building regulation approval" and the plans are passed for the buildings on the development prior to the signing of the S38 agreement for adoption of new roads. Within six weeks of a developer submitting a building regulations application, the Council serves notice requesting a bond to cover the cost of the new road works in the event that the developer cannot complete the works. This protects property purchasers from incurring costs in such a scenario, and applies to sites of more than five units regardless of whether the developer intends to enter into a S38 agreement or not. The obligation to secure the bond is triggered by the commencement of works to the buildings fronted by the highway. Failing to provide a bond at this point constitutes a criminal offence. The completion of a S38 agreement discharges the obligation to secure an APC bond. For roads intended to remain private, the obligation can be discharged under Section 219(4) of the Act once the Council is satisfied that the road has been constructed to the required standard.
- 3.14 In July 2019 the Council was managing 79 ongoing S38 agreement applications. Some of these were for individual land parcels within the same development, for example Shinfield West and Arborfield Garrison. The status of these 79 agreements was:

- 17 Not Instructed – a Section 38 application had been submitted, but the plans had not yet achieved technical acceptance and Legal Services had not been instructed to take any action.
 - 32 Instructed – Legal Services had been instructed to progress with drafting the agreement and preparing engrossments (final version of the legal agreement) in communication with the developers’ solicitors.
 - 9 Signed – the S38 agreement had been signed by all parties and sealed by the Council. The works had not yet been completed to the point where a Provisional Certificate of Completion could be issued.
 - 21 On Maintenance – a Provisional Certificate had been issued. The minimum twelve-month maintenance period during which the developer retained responsibility for the site was underway, or the Council was awaiting the completion of remedial works/sewer adoption/other outstanding issues requiring attention ahead of adoption.
- 3.15 From September 2018 to March 2019, an Officer Taskforce was set up with a specific focus to progress outstanding S38 agreements towards highways adoption by identifying actions that needed to be taken. As a result, three of these sites, with S38 agreements dating from 2004, 2009 and 2013, had now been adopted, and progress was continuing to be made with others. Issues preventing adoption had included delays to the adoption of the sewers and outstanding street lighting and remedial works.
- 3.16 A number of measures and improvements have recently been implemented with a view to streamlining the adoption process for new roads:
- An upfront deposit of £20,000 or 2% of the overall fee, whichever is higher, has been introduced for applicants to enter into S38 and S278 agreements, ahead of any technical review. This ensures that Officer time taken to conduct these reviews has been paid for even if the agreement is later abandoned. This acts as an incentive for developers to complete agreements.
 - The application form has been updated and continues to be reviewed to request more details from developers. This will result in higher quality applications at the outset and save time through removing the need to go back and forth with the developer for further drawings and information.
 - All agreement applications are monitored and tracked. This has recently been revised to include target dates to flag where parts of the process are stalling and require attention. Agreement progress is also reviewed in monthly team meetings where any issues are highlighted, discussed, and escalated as appropriate.

- A formalised APC policy with input from Legal Services has also been included in the updated Highways Design Guide. The updated design guide is due to be the subject of public consultation and adoption as part of the Local Plan Update. Increased emphasis on the code has already led to bonds being secured for two developments. Implementing the code also acts as leverage where Section 38 agreements have stalled, as the completion of a S38 agreement discharges the obligation to provide an APC bond.

Adoption of Drains and Sewers

- 3.17 WBC policy states that drains and sewers must also be adopted by the local Water Authority (usually Thames Water) before or at the same time as the road adoption. Sewers are adopted under S104 of the Water Industry Act 1991. This involves an initial flood risk assessment and takes account of the drainage requirements for the entire site to ensure that local sewerage and surface water drainage systems are considered and not overwhelmed.
- 3.18 Thames Water encourages developers to make a pre-planning enquiry setting out their requirements for clean, foul and surface water infrastructure. On receipt of the enquiry, Thames Water carries out a capacity check. If there are no concerns, Thames Water confirms the position to the Council as part of the planning process. If there are concerns, Thames Water will confirm this as part of the planning process. Once outline or full planning permission is granted Thames Water then carries out modelling and designs and implements appropriate reinforcements to the system. Any works are funded by the infrastructure charges which all customers pay.
- 3.19 In line with other aspects of the process, Thames Water told us that a key issue was the lack of awareness amongst homebuyers about the adoption of drains and sewers adjacent to their property and the potential financial risk they faced if problems arose in future years. Thames Water felt that greater certainty would be provided if plot sale transfers for new homes stated that the housing developer “would adopt” new sewers rather than “would seek to adopt” new sewers. Thames Water also confirmed that each Council held public data on the state of local sewers. This data could be inspected on request by residents or conveyancers.

Adoption of Open Space and Play Areas

- 3.20 Open spaces within new housing developments are adopted under the terms of an agreement made under S106 of the Town and Country Planning Act 1990. This provides for the construction of the scheme to WBC specification and sets out the procedure for adoption. The developer notifies the Council when the works are completed. The Council then inspects to confirm that construction has followed planning approval and meets the obligations of the S106 agreement. If the scheme has not been built in line with planning approval or if remedial work is required, this can delay the adoption process significantly.

- 3.21 Once the Council is satisfied that there are no outstanding issues, an independent safety audit for play areas is required from the developer, and, where necessary, a water safety risk assessment for Sustainable Drainage Systems (SuDS) within the public open space. SuDS encompass a range of techniques which manage water run-off in order to reduce the quantity and increase the quality of surface water that drains into sewers. Any items flagged up by these audits and assessments then need to be addressed. At this stage, allotments are normally transferred to the relevant Town or Parish Council.
- 3.22 Once open space schemes are deemed complete, the commencement of a twelve-month maintenance period is agreed, during which time the developer remains responsible for maintaining the scheme in accordance with a planning approved Landscape Management Plan and carrying out any necessary remedial work. At the end of the twelve months the Council inspects again to confirm that the scheme has been adequately maintained and that no further remedial work is needed. A further safety audit is required for play areas at the end of the maintenance period. Once satisfied the Council commences the legal transfer. At this point, a final commuted sum figure for ongoing maintenance is also confirmed. A back-to-back 12 month maintenance phase is standard practice in landscaping contracts.
- 3.23 In order to strengthen the process for adopting open space and play areas, an Adoption Checklist has been developed based on industry best practice. The checklist sets out the different stages of the adoption process and the steps to be taken to monitor progress. The aim is to ensure that, in liaison with other services, the completed scheme is handed over to the Council with the following agreed features:
- A land transfer map;
 - A Maintenance and Management Plan;
 - A Health and Safety File (including as-built drawings);
 - A Playground Inspection Report (if applicable);
 - A commuted sum figure covering a minimum of 20 years.

Adoption of SANG (Suitable Alternative Natural Greenspace)

- 3.24 SANGs are areas of open space identified for developer-funded enhancement, in order to make them more accessible and attractive for residents to use. By enhancing local areas it is hoped to lessen the impact of new housing developments on the Thames Basin Heaths and its protected bird species.
- 3.25 Mitigation zones for the Thames Basin Heaths cover areas in the south of the Borough. SANGs are negotiated through S106 agreements. As an example, the Council negotiated the Rooks Nest Farm SANG (18.5 hectares) in order to mitigate the impact of 964 dwellings. The legal framework for SANGs is much stronger than other open space in that SANGs have to be approved and adopted before the commencement of house building on any new development.

Council Powers and Sanctions

- 3.26 As outlined above, the adoption process for new estate infrastructure is governed by statute, statutory guidance and legal agreements. Housing development is usually undertaken on private land and as the developers are private organisations, there is no obligation for them to seek that the Council adopt new roads and open spaces. If, for example, a road is not adopted then the Council has no powers to undertake works on the road itself.
- 3.27 The law sets out that it is the responsibility of homebuyers to ensure they take the necessary steps when purchasing and fully understand the risks involved. Many developers devote resources to build trust and ensure good communication channels with existing and potential homeowners. However, there are numerous examples where this does not happen.
- 3.28 As the adoption process is controlled by legal agreements, the Council has the power to pursue enforcement action when breaches of planning conditions occur. However, this can be a lengthy legal process with the maximum penalty being a fine of £2.5k. It is usually more effective to work with developers to exert pressure on them to meet their agreed commitments rather than undertaking formal enforcement proceedings.

Section 4 – Evidence and Issues

4.1 The Task and Finish Group met between August and November 2019. It set out to identify a wide range of stakeholders who could contribute to its work. In order to gather evidence the Task and Finish Group used a range of measures, set out below:

Call for Evidence – a notice in local print and social media setting out the aims of the Task and Finish Group, encouraging residents to share their views and submit evidence, comments and questions. The submissions received are set out at Annex B.

Site Visits – the Task and Finish Group spent an afternoon visiting a number of sites across the Borough, with the aim of seeing both positive and negative examples and outcomes. The sites included:

- Folly Court, off Blagrove Lane – highways and open space. Highways issues relating to delays in the adoption of drainage by Thames Water. Also, street lighting issues still unresolved. Open space issues relating to poorly designed SuDS scheme – waterlogged ground conditions. Also, poor quality implementation/maintenance of hard and soft landscape works and poor customer service from the developer.
- Hazebrouck Meadows, Pear Tree Close off Biggs Lane – open space. Well-designed open space and SuDS scheme. Good standard of implementation and maintenance. Effective communication and relationship building between the developer and residents.
- Arborfield Parcels F and G, Ambler Drive off Weavers Avenue. A 60 unit development forming part of the Arborfield Garrison SDL - highways. S38 process worked well (bond value £600,000). Good working relationship between the developer and stakeholders. High quality design.
- Ladbroke Close, off Vauxhall Drive – highways. Extension of existing road to front five houses and four apartments. Bond value £49,000. Thames Water had approved the drainage. High quality site with positive relationship between the developer and local residents.
- Parklands, Faringdon Road, off Woodlands Avenue – open space. Conflicting proposals approved at planning stage. Poor quality proposals prepared by the developer’s planning technician rather than a suitably qualified designer. Poor customer service and outcomes for residents.

Meeting with Housing Developers – the Task and Finish Group met with representatives of Bovis Homes, Crest Nicholson, Legal and General Homes and Taylor Wimpey. Members agreed Key Lines of Enquiry in order to structure the debate.

Thames Water – the Task and Finish Group received evidence from Thames Water’s Technical and Regulatory Advisor. This included an update on the new Ofwat regulated Code for Sewer Adoptions, which was due to be implemented in April 2020. Under the new Code, all water companies will have to follow a consistent process with standardised documentation and technical advice.

Specialist Organisations – the Task and Finish Group requested written evidence from:

- The National House Building Council (NHBC).
- The Home Builders Federation (HBF).
- The Chartered Institute of Highways and Transportation (CIHT).

Officers and Members – the Task and Finish Group produced a draft report which was discussed with WBC Officers (Assistant Directors for Planning, Highways, Green Infrastructure and Localities) and the Director of Locality and Customer Services. A draft of the report was also shared with the relevant Executive Members for comment.

4.2 Call for Evidence – the Call for Evidence generated a number of responses from residents and Town and Parish Councils. These included the following issues:

- Enforcement of planning conditions prior to occupation – it was harder to enforce when the developers had moved off site.
- Tree planting – a major concern that trees and shrubs were planted at the wrong time of year and were not maintained properly.
- Unforeseen consequences – issues relating to roads and/or open space arose after residents had moved in – it was then hard to challenge/enforce.
- Need for better liaison and early communication with Town and Parish Councils – especially when the Town or Parish would be taking over control/maintenance of the site.
- Frequently, homebuyers were not aware of additional charges relating to their new property – who was responsible for informing residents?
- Could communication be improved – for example, about the process for adoption in different phases of large developments?
- Management companies – WBC had no legal control – so how could residents and the Council influence their governance and work?

- The situation changed from the planning stage to completion of new homes and infrastructure on the ground. How could WBC ensure that stakeholders were kept up to date about changes?

More details of the Call for Evidence responses are set out at Annex B.

4.3 In preparation for the meeting with housing developers, the Task and Finish Group developed Key Lines of Enquiry (KLOEs) in order to frame the discussion. The KLOEs, together with the housing developers' responses are set out below.

KLOE 1: How can the Council and developers support and motivate new house buyers to carry out the appropriate checks prior to purchasing a property.

Response: It is the developer's responsibility to provide information to a purchaser about their specific plot as well as the development in general. Ideally, this will include adoption agreements being in place but unfortunately, it is more common for these to follow on later. Sales Teams have a process that guides purchasers through all the relevant details. So they should be fully informed. This includes information on street lighting, roads, drainage, planting, open space, play areas and waste collection rounds.

Some of the new developments were very large and would be implemented over a number of years. For example, the development at Finchwood Park (Hogwood Lane) had 15 phases. The developer would have received detailed planning permission (including S38, S106 and SANG) for the first phase only. So at that stage it would not be possible to give detailed assurances about the shape and timing of later phases. Details of adoptable and managed areas were provided as each phase came on stream. It was likely that roads on the site would not be adopted for a number of years.

There were particular issues with single access sites, such as Woodley Airfield, where roads could not be adopted until construction traffic had ceased on site.

It was very important for new homebuyers to use an experienced solicitor, preferably with local knowledge. This always resulted in better outcomes for residents. There was a significant amount of information to take on board as part of a new home purchase. However, new purchasers were strongly advised to take expert advice and to understand the detail in order to minimise later disputes.

KLOE 2: The legislation sets out the framework for attaching bonds to highway infrastructure. Is there scope for attaching bonds or penalty clauses to open space/play area schemes.

Response: Through the S106 process, developers were tasked with providing open spaces, play areas and SANGS by a certain number of

occupations. This usually allowed at least one season so works could be programmed to align with the better weather/planting seasons, so should be achievable.

There were mixed views on the potential for adding bonds/penalty clauses to open space adoptions. Developers felt the S106 process already provided a mechanism for tackling developers who failed to deliver on time. Each development project had a fixed budget, so adding additional bond/financial penalties could lead to other outcomes such as greater use of management companies and/or passing on additional costs to new homebuyers.

It was recognised that a small number of developers failed to meet their obligations in relation to open space adoptions, which caused frustration for residents and negative publicity for the whole housebuilding industry.

When problems arose, responsible developers were happy to take a pragmatic approach, for example by renegotiating S106 agreements and agreeing to more suitable timelines.

KLOE 3: What steps could be taken to ensure that plans/drawings agreed at the planning stage are consistent with plans/drawings used on development sites.

Response: During the Reserved Matters or Full Planning Application process, the developer would ideally have engaged with both the Highways Planning/Highways Adoptions Teams to ensure there is a unified approach from the Council as to the highways layout.

Developers felt that, during that process, there was potential for greater buy in from the Landscaping Team/Tree Officer in regards to trees and general planting within the proposed highways offering.

There is often a conflict between the Planning Team request and what the Highways Adoption Team will allow at the S38 technical appraisal stage, usually on the grounds of maintenance issues and highways safety. Developers believed that a more unified approach from the Council, with buy in from all parties at the planning or pre-application stage, would ensure an improvement on what is finally delivered on the ground.

There were often issues relating to proposed trees adjacent to new roads and/or adjacent to new buildings. Again, earlier involvement from the Highways team would help to clarify what was realistic and develop pragmatic solutions.

Developers recognised the benefit of working with Unitary Authorities in that all the key Officers were under one roof. Working with County and District Councils was often more problematic. The importance of early contact with the relevant Water Company (Thames Water) was also stressed.

KLOE 4: Are there any potential measures for increasing public influence over management companies and contractors.

Response: Management Companies are set up initially by developers but, over time, the aim is to bring residents onto the company board. New residents are made aware of the existence of the management company as part of their introductory information pack. Management fees for early homebuyers are held in an account until the management company is up and running.

KLOE 5: Is there scope for greater use of social media to highlight changes and upcoming events.

Response: In principle yes, this was a good idea but it was important to ensure buy in and transparency for all stakeholders. There was a risk, for example, that posting on social media would only reach a limited number of local stakeholders who had access to a particular platform. It was, therefore, important to use social media carefully.

Developers were keen to contact new/potential homebuyers. Their websites contained a large amount of information and they sought to raise awareness through leafletting, public meetings and social events. There was also a question of scale. The big developers on large sites were able to deploy PR staff and create visitor centres which made it easier to communicate with local stakeholders. There was clearly a critical mass in respect of the size of housing developments in terms of generating interest and involvement from residents.

KLOE 6: Linked to Climate Emergency, what could be done to reduce the loss of newly planted trees and shrubs on development sites?

Response: With the benefit of a Landscape Management Plan being in place, high quality planting should be installed at the best time in the year to ensure survival. More attention to watering at the earlier stages, following planting, would help.

WBC Officers told us that developers used Landscape Architects at the planning stage, but some then relied on the site manager to supervise the landscape contractor who planted the trees. Site managers were often not up to speed on the detailed Landscape Management Plan.

It was recognised that a proportion of new trees/planting would fail and would need to be replaced. The more responsible developers factored this into their plans and arranged for replacement. Developers felt that a more pragmatic approach, for example in relation to trigger points, would help to deliver better outcomes.

We noted that WBC encouraged developers to carry out landscape audits using landscape architects to ensure that planting was consistent with the original approvals. The Council also included the requirement to replace

trees that fall within five years of the grant of planning permission. This was secured by conditions relating to planning consents.

KLOE 7: WBC has recently published an updated Highways Design Guide and also publishes standards for open space and play areas. Could the Council do more to clarify its approach and the relevant standards required?

Response: There was some concern that the Highways Design Guide had not been the subject of public consultation and was not yet an adopted document. It was subsequently confirmed that the document was the result of internal work and consultation over the last couple of years. Its status was draft policy, or emerging guidance, and the Council intended for it to be consulted upon and adopted as formal policy through the ongoing Local Plan Update process. In the meantime, developers may challenge some of the proposed standards, for example in relation to the provision of electric vehicle charging points.

KLOE 8: Overall, which elements of the adoption process work well and which elements could be improved – are there any ideas for improvement.

Response: In working with WBC, there has always been a pragmatic approach in dealing with design/site issues in a timely fashion. It is very important that good working relationships are developed and maintained. With reference to earlier comments, developers would welcome a more aligned approach from the Council to avoid the developers being unable to satisfy all parties. This would require compromise and a pragmatic approach from the relevant parties. Early dialogue at the planning stage with all stakeholders should achieve proposals that all parties could work towards.

As discussed earlier the experience of working with a Unitary Authority was a positive. WBC Officers were felt to be approachable, knowledgeable and experienced. Ongoing discussions with Officers, Borough Members and Town and Parish Councils were felt to be generally positive and more frequent dialogue would be welcomed.

It was felt that the adoption process for highways was clear and effective. The adoption of open space was less formulaic and affected by issues such as growing seasons and changing weather patterns. As a result, compliance could be more challenging and timelines could be stretched.

Overall, compared to working with other authorities, the developer experience at WBC was positive. However, it was recognised that smaller developers did not have the same resources to put into communication, public relations and trouble shooting. As a result, the experience of WBC and local stakeholders in working with these developers may well be different.

- 4.4 In relation to a review of road adoption procedures, being undertaken by Lancashire County Council, the National Homebuilders Federation made the following comments:

“Developers securing highway approvals to commence works is a key to the whole delivery process – therefore a significant amount of resource is generally expended via professional consulting engineers and specialists at pre-application stage to ensure that submissions are correct and in the form they should be, in an attempt to speed up and smooth the highway approval process.

What is experienced more often than not is poorly resourced and inexperienced highway authority teams, inundated with applications and, as a result, failing to deliver. There are also common scenarios with inconsistency of staff within some County Councils and also contradictions in requirements for the highway design from members of the same highway authority teams which stalls the process significantly”.

Section 5 - What Does the Evidence Tell Us?

- 5.1 Wokingham Borough is regularly reported as being one of the best places to live in the country. The combination of a strong local economy, low crime, good schools and access to London and the motorway network result in a strong demand for housing. At the same time, the Government is determined to increase house building, currently requiring the Borough to accommodate 864 new homes each year. The emerging Local Plan Update will set out proposals for further new housing development with over 260 sites under consideration.
- 5.2 As we have seen, a large proportion of new housing across the Borough is provided by major housing developers. Housing developers are profit making organisations. The largest developer, Barratts, built over 17,500 new homes in 2018 and made a record annual profit of £910m. The second largest housebuilder, Persimmon, announced profits of £1.096bn, with nearly half its sales coming from the Help to Buy scheme. It is important to note that housing developers are not philanthropic organisations. They are profit making bodies, often with large legal and technical teams. This means that legal agreements relating to the adoption process must be as watertight as possible.
- 5.3 As set out in the report, housing developers, in addition to building new homes are also responsible for the provision of infrastructure to support new developments. The provision of new roads, drains, open space, SANGs and play areas is governed by statute, statutory guidance and legal agreements. This means that the Council's powers to act when something goes wrong are limited. We heard that new homebuyers receive a large amount of information from developers and that much of this information is technical and legalistic. It is vital, therefore, that they take appropriate legal advice before completing the purchase. However, in relation to their potential responsibilities relating to new infrastructure, it is clear that many homebuyers are not aware of the potential risks involved.
- 5.4 Some Councils provide assistance through guidance and frequently asked questions on websites (see Annex C). We concluded that a similar approach would assist residents of the Borough. The Council already has a section on the website providing information for new residents. We felt that this may be a useful webpage for the inclusion of guidance on adoption issues.

Recommendation 1 - That the Council considers measures to increase public awareness about the adoption of new infrastructure, for example through the provision of general advice and Frequently Asked Questions on the New Residents section of the Council website.

- 5.5 We heard that the Council already provides interactive maps on the website relating to the four SDL locations. These maps show what is happening on each of the sites and the site plans for each phase of the developments as they are approved. In addition Officers were currently looking at ways to improve the range of information available, for example in relation to the progress of new roads and details of roads which were not earmarked for adoption. We felt that

further improvements to the interactive maps would be useful for new and existing residents.

Recommendation 2 - That the Council considers measures to improve and expand the current interactive maps on its website, for example by including more details on S38 roads and roads not due to be adopted.

- 5.6 We received feedback from Town and Parish Councils (Annex B) which indicated a lack of clarity and effective communication about the adoption process, especially when the Town or Parish was expecting to take over the management of a new asset such as Sibly Park. In order to deliver more joined up working, we concluded that WBC should seek to provide more information and guidance to the 17 Town and Parish Councils. This could be delivered through more regular general briefings and specific discussions on local issues. We felt that the newly formed Localities team may be able to play a role in greater networking and joining up on infrastructure adoption issues.

Recommendation 3 - That the Council considers measures to provide more regular briefings for Town and Parish Councils, especially in relation to new housing developments in their areas and the rights and responsibilities of different stakeholders.

- 5.7 We also noted the role of the Borough Parish Liaison Forum. The Forum was established as a quarterly meeting involving representatives from the Borough and Town/Parish Councils. Its purpose was to share knowledge and promote improved joint working. As such, we felt that the Forum could provide a useful sounding board for discussion on infrastructure adoption issues and new housing development, including new sites arising out of the Local Plan Update.

Recommendation 4 - That WBC Officers provide regular updates to the Borough Parish Liaison Forum on the process for adopting new estate infrastructure and the impact of new development arising out of the Local Plan Update.

- 5.8 In relation to the resourcing of teams involved in the management of the adoption process, we heard that the Council had a strong team focussing on the four SDLs. This included Enforcement and Compliance Officers who carried out unannounced visits to development sites in order to check on the works being carried out. Similarly, we heard about the work carried out by the corporate Communications team who had a dedicated Officer working on SDL issues, often in liaison with Town and Parish Councils.
- 5.9 We were also informed that the bigger developers working on the SDL sites had the resources and long-term commitment to ensure that there was strong communication and engagement with local stakeholders. Conversely, smaller developers working on non-SDL sites had fewer resources and less capacity/motivation to engage effectively. We concluded that WBC should give further consideration to the resourcing for non-SDL sites to ensure a consistency of outcomes for residents across the Borough. Obviously, we were aware that

this had to be seen in the context of the significant ongoing financial challenges facing the Council.

Recommendation 5 – That the Council considers the resources available for managing the adoption process in non-SDL areas in order to ensure a consistency of outcomes for residents across the Borough.

- 5.10 In relation to the compliance and enforcement sanctions open to the Council, we heard that there was a different framework for highways (S38, S278, etc.) compared to open space (S106). It was felt that the process for highways was more formulaic with the use of financial bonds providing more certainty that developers would meet their obligations. Sanctions relating to the adoption of open space appeared to be less robust. Although S106 agreements were formal legal agreements, enforcement action for non-compliance could result in a lengthy process and a maximum fine of £2.5k. There were also examples of poorly drafted legal agreements with inconsistent clauses which made enforcement more challenging.
- 5.11 We also heard that open space adoptions often happened at the end of the building process and were affected by changing ground and weather conditions. We discussed the potential for introducing bonds or penalty clauses (potentially added to commuted sum payments) in relation to open space adoptions with housing developers. Their feedback was that such measures would be resisted as they would add financial pressures as each development site was managed within a set budget. However, on balance, we felt that there was scope for further consideration of penalty clauses within open space S106 agreements.
- 5.12 In relation to the development of new play areas within open space provision, our site visits demonstrated the difference between high quality facilities created by qualified designers and lower quality play areas often designed by planning technicians. We felt that the Council should seek to use any powers at its disposal to ensure that, wherever possible, new play areas benefitted from high quality design.

Recommendation 6 – That the Council reviews the process for developing and agreeing S106 agreements relating to the adoption of open space, specifically to:

- **ensure that agreements are more detailed, specific and rigorous;**
 - **explore the potential for including financial penalty clauses linked to key milestones, with any penalties being added to agreed commuted sums;**
 - **encourage high quality design for new play facilities.**
- 5.13 In our discussions with housing developers we heard positive feedback about Council Officers and their pragmatic, positive approach to negotiations. One issue raised by developers related to the different phases of the development process. They reported frequent differences between the requirements of Planning Officers at the planning stage and the requirements of Highways Officers at the S38 technical appraisal stage. They suggested that greater

technical input earlier in the planning process would benefit both the Council and developers. WBC Officers told us that joined up working was key but, in some instances, the level of technical detail submitted at the planning stage was not sufficient to support a S38 technical review. Having noted that viewpoint, we felt that the feedback from developers was still worthy of further consideration.

Recommendation 7 - That Officers consider potential improvements to secure earlier engagement from Highways at the initial planning or pre-application stages of the process.

- 5.14 We heard evidence about the significant amount of newly planted trees and shrubs which had to be replaced during the development process. As the Borough Council has declared a Climate Emergency we considered possible measures to minimise the loss of, often expensive, trees and shrubs. Housing developers told us that they recognised this issue and referred to the use of Landscape Management Plans and landscape audits to demonstrate best practice. Again the question arose of the motivation and resources available to smaller developers to employ qualified landscape architects. There were also occasions when planting took place at unsuitable times in order to comply with trigger points in S106 agreements. We also heard about the work of Officers, in liaison with developers, to identify potential issues relating to the conflict between trigger points and the most effective tree planting season.
- 5.15 We were informed that developers were responsible for replacing dead trees and shrubs for a five year period after adoption. Understandably perhaps, it could be difficult to get developers to carry out this work long after they had left the site and it was local residents who felt the negative impact on the local area. We discussed the possibility of increasing commuted sums in order to fund the anticipated future cost of replacing trees and shrubs on new developments.

Recommendation 8 – That the Council works with developers to build on the proactive work of Officers in improving the level of tree survival rates on new housing developments.

- 5.16 As stated in the report, we issued a Call for Evidence which generated a number of responses from residents and several Town and Parish Councils. The detailed submissions are set out in Annex B. We suggest that each of the individuals and Town and Parish Councils receive a response to the issues raised in their submissions. This will a) provide feedback on their specific concerns and b) demonstrate the value of the Call for Evidence process.

Recommendation 9 - That the residents and Town and Parish Councils who responded to the Call for Evidence (Annex B) receive feedback and responses to the issues raised.

- 5.17 We recognised the hard work and commitment displayed by Council Officers in the context of severe funding restrictions over a number of years. We hope that the report provides reassurance that much of what the Council does is effective and in line with best practice. We also heard about the challenges of recruiting to

key posts and the need for effective succession planning to ensure the future development of the service.

Recommendation 10 – That the Council considers measures to ensure the recruitment and retention of key staff working on the adoption process, with appropriate succession planning.

- 5.18 In order to ensure that WBC Members are able to assist the Officers and provide effective support for residents in their wards, we believe that appropriate training should be provided. We felt that the training should also be made available to Town and Parish Council Members.

Recommendation 11 - That WBC Members receive annual training on the adoption process for new roads and open space linked to updates on the emerging Local Plan.

- 5.19 Finally, in line with best practice, we suggest that the Overview and Scrutiny Management Committee receives an annual update report, commencing in 2020/21, setting out progress and any outstanding issues following the implementation of the Task and Finish Group's recommendations.

Recommendation 12 – That an annual update on the adoption process be submitted to the Overview and Scrutiny Management Committee.

Section 6 - Conclusions and Next Steps

- 6.1 The Task and Finish Group report will be submitted to the Overview and Scrutiny Management Committee for discussion and approval. Subject to any amendments it will then be submitted to the Council's Executive for consideration. We hope that the report will help to demonstrate the value of the Scrutiny process in providing a voice for local communities.
- 6.2 The role of Scrutiny is to make recommendations to the Executive based on the evidence received and considered. The Council's Constitution requires the Executive to agree which recommendations are acceptable (with a timeframe for implementation) and which ones are not (with reasons).
- 6.3 We hope that the report's recommendations will be accepted and will lead to improvements in the adoption process for new roads and open space. We also believe that implementation of the recommendations will lead to more effective working between the key stakeholders outlined in the report and more positive outcomes for residents across the Borough.

Wokingham Borough Council - Overview and Scrutiny
Adoption of Estate Infrastructure Task and Finish Group

Terms of Reference

To review existing policies and procedures and develop recommendations for improvement which result in the adoption of high quality estate infrastructure and positive outcomes for residents across the Borough.

1. To consider the Council's current approach to the adoption of estate infrastructure (new and historic).
2. To consider the legal framework and planning process within which the Council operates.
3. To consider the views of local stakeholders – residents, community groups and Town and Parish Councils.
4. To consider the views of housing developers.
5. To consider examples of best practice across the country.
6. To consider how progress on adoption is monitored, reported and communicated to Members and local stakeholders (including new residents).
7. To produce a final report to the Executive with recommendations for improvement.

Proposed Witnesses

- WBC Members and Officers;
- Residents and community groups;
- Town and Parish Councils;
- Best practice examples from other local authorities;
- Housing Developers
- Thames Water
- Specialist Bodies: the Home Builders Federation, National House Building Council and the Chartered Institute of Highways and Transportation

Table: Call for Evidence Submissions

Evidence from	Evidence submitted
Councillor Jim Frewin Shinfield South	<p>Enforcement – through the planning process, conditions are often applied. These conditions are only any good if enforced and are deemed to be of a suitable quality. For example:</p> <ul style="list-style-type: none"> • Flats Basingstoke Road Spencers Wood – condition that prior to occupation a communal garden be provided. This has not been done yet flats are up for sale. • Shinfield Eastern Relief Road (not yet adopted) Condition significant tree planting. This condition was ‘satisfied’ by putting in place a number of trees that were left lying on the ground and subsequently died. If landscaping is a condition it must be a proven to be a long term solution not a quick fix and dies later solution. • Traffic conditions – Weight limit access, speed limits conditions if not enforced are seen as meaningless by residents. <p>After build experiences - if during the after-build period, prior to adoption, it becomes apparent that there are issues and concerns these should be investigated and remedied prior to adoption. E.g. Blackboy roundabout (not yet adopted), significant resident feedback on safety and traffic flow issues. Council are restricted to stating it is in line with design. It is true that reported accidents are few but residents’ feedback is not counted after build. Issues:</p> <ul style="list-style-type: none"> • Leaving concerns to after adoption results in costs to WBC. Example Blackboy roundabout lane lineage. • Footpath Hyde End Road was found to be needed due to user safety issues post build. After Officer, Cllr, Parish Council and developer collaboration this was provided. The point is it should have been picked up by the adoption process. <p>Quality - there are examples where build quality is not as good as it should be. We should not adopt until quality has been assured by experience. E.g. ground water issues Shinfield Meadows, Shinfield Langley Mead SANG regularly floods making it unusable and multiple examples relating to trees.</p> <p>General observations:</p> <ul style="list-style-type: none"> • Seek local stakeholder feedback prior to adoption – user experience is more powerful feedback than a simple ‘does it meet design’ review. • Parking – again user feedback prior to adoption. • Could we consult prior to adoption? • Post build traffic and other planning criteria should be checked against application assumptions, i.e. if application states additional 50 journeys per day we should verify this before adoption. Air quality impacts, ecology assumptions etc. should be verified post build.
Councillor Shirley Boyt Bulmershe and Whitegates	<p>An issue in my ward has highlighted some areas for concern around issues of road adoption in relation to developments which include ‘affordable housing’ in the form of shared ownership or social rent. These are:</p> <ul style="list-style-type: none"> • Maintenance charges payable to the freeholder (in addition to council tax) for upkeep of roads, verges, refuse collection etc. places an additional burden on those who can least afford it.

	<ul style="list-style-type: none"> • Future maintenance issues in respect of road surfacing, drain maintenance etc. could place an intolerable burden on a low income family. • Sometimes developers know at an early stage that the Council will not adopt due to road or drain construction but do not advise prospective purchasers / tenants. • In some instances, the Council may choose not to adopt some years after the sale of the properties. Residents are stuck in a property with higher outgoings and which may be more difficult to sell. • My concern is that prospective purchasers/tenants are not being made fully aware of the implications that non-adoption can bring about. I believe the Council has a duty to highlight the issues arising from non-adoption or put pressure on developers to do so.
<p>Councillor Richard Dolinski Loddon</p>	<p>In Loddon Ward we have a large development, Loddon Park. The main developer is Taylor Wimpey with Antler Homes who are building houses on two smaller sites within the Park.</p> <p>My understanding is that WBC is or has adopted roads in Phases 1 and 2. If so this has not been communicated effectively to residents. This has caused confusion as to who is responsible for the maintenance of the roads. Residents are also asking if some roads will have yellow lines added and speeding restrictions, once adopted.</p> <p>The other potential problem is that the residents pay Chamonix, a service company to maintain the green spaces, ponds and play areas. Recently there have been a number of complaints regarding lack of maintenance work. There is also confusion amongst residents as to the green boundary between the Airfield and the Loddon development, namely who is responsible for maintaining the green corridor along Beggars Hill Road and the Perimeter Road.</p> <p>In addition, there is some confusion as to who is responsible for the newly established adjoining country park including, the access bridges over the River Loddon.</p>
<p>Earley Town Council</p>	<p>The one recent, and ongoing, adoption experience has been the Sibly Park development by Persimmon Homes. Associated with these planning approvals are four S106 agreements, see below, two dealing with affordable housing, one dealing with the provision of a telecoms mast and the main agreement dealing with items such as the adoption of open space.</p> <p>The Town Council is aware that there can also be problems with time taken for the adoption of highways within developments, but we have had no direct experience of this in recent years, although Sibly Park will presumably present some.</p> <p>Earley Town Council are particularly interested in the main agreement at Sibly Park as the intention was for the open space to be transferred to the Borough Council who would then transfer it to the Town Council, along with the commuted sums, for long term management. The open space includes Redhatch Copse with a Conservation Margin, a kick about area, a play area, an Ecological Area and a Green Link.</p> <p>The Town Council has been frustrated in its attempts to take transfer of the open spaces, due to a number of factors. Firstly, it is felt that the S106 was poorly drafted with ambiguity as to the limits of each area designated, with the developer's layout not following any defined limits and no mechanism for agreeing the final boundaries.</p> <p>Secondly, the developer has consistently been unable to deliver an acceptable level of finish to the open space for adoption, such that they have now agreed the payment of additional funds for the Town Council to complete the works to a satisfactory standard. Earley Town Council is in an advantageous position when compared to other Councils in that it has the resources to carry out such remedial works, unlike many other smaller councils.</p>

Thirdly, there appears to be a lack of understanding of the principles of development on the part of both the developer and the Borough Council, such that we believe a robust S106 has not been delivered, as detailed below:

The developer has sought to include private paths serving individual groups of dwellings within the open space transfer, even though they serve no purpose as part of that open space. The paths not being constructed to an adoptable standard, nor offered with a commuted sum. As a result, the transfer of such paths has been, not unreasonably, resisted by the Town Council. On other developments such paths have normally been conveyed in short lengths to the adjoining dwellings with cross rights of access and cross maintenance obligations.

There are four footpath links shown crossing the Ecological Area, also referred to as the Linear Park, to provide pedestrian links from the footpath/cyclepath running parallel with the watercourse along the eastern boundary of the development into the housing area. However, these footpath links do not appear to connect to any form of adopted pedestrian access within the development and would appear to be at risk of closure by the owners of the dwellings over whose land the pedestrians would have to pass.

The kick about area and play area in the Green Link appear to have been poorly designed and yet approved by the Borough Council. The play area has equipment with what appears to be inadequate safety zones, inappropriate landscaping and an inadequate enclosing fence. Whilst the fence could contain children it fails in the other purpose of such fences of keeping out dogs. The RoSPA report for this play area does raise concerns and yet the area is open to the public. Whilst the developer has carried out some stone picking of the kickabout area they have failed to clear many stones, leaving a safety hazard for children playing on this area, a fact highlighted by a number of residents

With regards to the landscaping of the open areas, the developer appears to have used inappropriate planting such as rose bushes, particularly in the play area, and has failed to maintain the planting in an adequate condition prior to adoption. Instead of completing the works to an acceptable standard, the Town Council has negotiated payments from the developer to carry out a number of remediation works itself.

The concern is that the Borough Council appear to have approved some details that the Town Council consider as inappropriate and whilst the Town Council has raised concerns about the quality of the product the developer is actually in compliance with these approved details.

In seeking to address the shortcomings of the developer in terms of the delivery of the open space, the Town Council believe that the Borough Council have failed to use the sanctions that were available to it whilst the developer was still selling properties, only apparently deciding to act once the developer had completed their sales.

In conclusion, the Town Council believe that there are a number of problems that have manifested themselves on this development:

1) The management practices of the developer, who appears to be only fixed on maximising their profit margin and minimising their obligations. The suggestion is that S106 agreements should be more tightly written to hold developers to specific timetable with sanctions to prevent them completing a site before the majority of their obligations are delivered.

2) A lack of understanding of the principles of development in detail, by both the developer, in this case, and by Planning and Highways officers at the Borough Council. It will be difficult to address a developer's shortcomings but Officers could be offered some additional training to ensure that what they are seeking to be adopted can be, without the minutiae causing difficulties.

	<p>3) Whilst the transfer of an asset as large as Sibly Park to a Parish or Town Council is quite unusual it may become more common in the future as Borough Councils focus on other service areas. To assist Parish and Town Councils address such a move it is felt that there should be more support and advice available to them during negotiations, and it would be helpful if Parish and Towns Councils were able to rely on the knowledge and experience of Borough Councils. In addition, the relevant Town or Parish Council should be involved in the negotiations of the relevant part of the agreement. Also, Borough Councils expect their reasonable legal expenses arising from the drafting an agreement to be covered by the applicant, it is felt that the legal expenses of a Town or Parish in regard to a S106 should also be covered.</p> <p>4) The Borough needs to develop a more robust approach to enforcing delivery of developments as approved using their powers in a more timely manner.</p> <p>5) A developer's main purpose is to make a profit, they are not a philanthropic business. This fact should be at the forefront of all agreements, they need to be watertight as developers have access to a full range of legal and planning advisors and have the resources to fund any challenge to the interpretation of agreements</p>
<p>Finchampstead Parish Council</p>	<p>We feel that much of the issue here is about communication, coupled with understanding about responsibilities. It is imperative that it is clear which body is responsible for a new facility or feature, and for how long, and that appropriate maintenance is undertaken so that the feature or facility is in good condition when it comes to the responsibility being passed to another body. Checks need to be undertaken at appropriate stages and follow up action taken if required.</p> <p>Arborfield Green (the SDL) is an example of where the process has not worked well with the landscaping, including tree planting. It is clear that some of the planting on this very new development has not been maintained, evidenced by weedy beds and dead trees and shrubs.</p> <p>I happened to be at Kingsley Park (Redrow) last week on another matter and took the opportunity to ask a representative of the Property Management Company about the responsibility for some of the landscaped areas. I was told they were the responsibility of the residents, which I do not believe is correct and we plan to arrange a separate meeting with the Company about this. As a Parish Council we would welcome clarification of the responsibilities here, the last thing anyone wants is a new development devoid of planting. I know you are already aware of the dead trees alongside the new Winnersh Relief Road.</p>
<p>Swallowfield Parish Council</p>	<p>Swallowfield Parish Council has experience of a site which has not been adopted by the Borough Council, The Pippins (37 homes) developed by Bellway Homes. Residents and non-residents of such sites are often confused about what rights each has.</p> <ul style="list-style-type: none"> • Open Space: who has a right to walk on the open space? In this instance Bellway confirmed that a condition of planning permission was public access to the open space, however, the residents are not aware and given that they are paying for its maintenance feel they have a right to ask non-residents to leave. We have had instances of residents of the development shouting at other local residents, telling them to "get off, we pay for this". This causes bad feeling and splits the community. • Management Fee: Residents pay an annual management fee, but many are not clear what that covers or that they may be responsible for damage to any facilities on the site. • Flood attenuation features: At The Pippins maintenance of flood attenuation features is critical for the village, e.g. balancing pond and filter drains which run across the end of some gardens, these must be cleared periodically, as a Parish Council it is not easy for us to establish what is being done. This issue has been raised recently

	<p>as residents living behind the new development can see that a ditch/drain which should be cleared regularly has not been touched. It is believed that the drain is on land which belongs to each of the new houses whose gardens back onto it, but do the new residents know that? Who is responsible for liaising with the management company to ensure that this critical drain is clear periodically?</p> <ul style="list-style-type: none"> • Affordable Housing: the council also understands that the affordable houses built on this site, a few houses on a cul-de-sac called Scarlet Mews, are not part of the management agreement, again this causes confusion and bad feeling, e.g. who maintains the road outside those houses, can those residents park on The Pippins. At the time the roads were named Swallowfield Council was only told there would be one road, not two. • Road condition: it is the council's understanding that the roads on unadopted sites may not be laid to such a high standard as required by the local authority. What happens when these deteriorate? • Parking: there are arguments about who can park where, again residents shouting at each other and getting annoyed. • Swallowfield Parish Council would like to understand how decisions are made regarding adoption, does the borough council have any influence or is the decision down to developer preference. What mitigation is in place if the management company appointed to look after the site does not fulfil its obligations, ceases to trade or does not have the funds to effect necessary repairs? Who monitors the effectiveness of those management companies? • Swallowfield Council would ask that Wokingham Borough Council adopts the appropriate infrastructure on all sites to avoid creating split communities and a two-tiered system.
Winnersh Parish Council	<p>Green Lane Winnersh - this site was intended to be adopted under section 38 of the Highways Act but it took the developer many years to bring the road and drainage up to a satisfactory standard for adoption. Residents raised their concerns over this difficult period. We are aware that Officers continued to put pressure on the developer and the road was adopted in March 2019.</p> <p>Alder Mews - we understand that this site has a long history of issues, ranging from works that do not come up to specification, built incorrectly and a drainage system that cannot be taken over by Thames Water and, therefore, the road has not been adopted. The developer (Hodson Developments) has now disappeared together with the supposedly secure bond.</p> <p>When residents originally purchased their homes in Alder Mews they expected the road and drainage system to be adopted. At present they are in 'limbo' with no official Street Manager and are expecting the Borough Council and Thames Water to take over responsibility for these assets. With this in mind the Borough Council together with Thames Water will need to find a way for adoption.</p> <p>Hatchwood Mill Development - this development is being carried out in phases and the site is still under construction by developers Bovis Homes and Persimmons. Not all the roads will be adopted but they include Hatch Farm Way (Winnersh Relief Road Phase 1) and the main internal roads through the development.</p> <p>There are large parts of the development that will NOT be adopted but handed over to a Managing Agent at some time in the future. Residents, some of whom have lived on the estate for over 2 years, were not made aware of this until very recently and it has raised many concerns about how it will operate, and how maintenance of the asset will be funded. The present condition of the roads that will not be adopted are NOT</p>

	<p>currently at a suitable standard to be taken over by the Managing Agent. The Parish Council have been represented at recent meetings with the developers, ward Borough Councillors and representatives of the residents and there has been and continue to be some major issues with both the roads and open spaces. However, there are some improvements now taking place.</p> <p>It is quite clear that there has been a lack of communication with residents and ward Borough Councillors/Parish Council as well as prospective buyers of homes on the estate, with false information being presented for example about a Primary School being constructed within the development.</p> <p>As recently as July 2019, the developers' goal appeared to be to place all available resources into building more homes and not completing the infrastructure, whether intended for adoption or not in the areas that had already been constructed. Some examples of these were lack of Street Name Plates, street lighting, unfinished footways, verges, kerbing and the clearance of surplus materials. It is unknown what the condition of the drainage systems were like as these are hidden underground. Many trees were planted on the development including the area of Open Space, of which around 80% have died. These will require re-planting and looking after properly especially in the first two years after planting. In addition, some trees are in small front gardens but planted close to the back footway edging where there are likely to cause issues in the future as the tree grows. There is an access point off Hatch Farm Way into the Open Space where a gate has been missing for several months. This has been reported to the developers but with no action.</p> <p>The developers have had little control over their contractors who have broken the planning conditions on many occasions working outside of regulated hours. The persistence of the ward Borough Councillors / Parish Council and residents in reporting these incidents seems to have brought this issue to a close. Several homes have been built at the wrong level with air bricks too low and back of footway edgings 'cut around' them into the footway to allow these to function. Other similar cases are in front gardens.</p> <p>The Sustainable Urban Drainage System on the north side of Hatch Farm Way and between Glasspool Road and Potter Way where the wet 'ditch' is quite deep and requires life buoys was not fenced and the developer had no intension of fencing it. The developer finally agreed to fence it following pressure from the ward Borough Councillors/Parish Council and the residents' group.</p> <p>There are still several phases of the development to be constructed and more roads to be adopted or handed over to the Managing Agent. Overall, the development does not give the appearance of a high standard.</p> <p>Summary - although some of the issues raised above are around the quality and timing of the road / open space construction and tree planting, the common error is the lack of communication by the developer and the Borough Council. What would be helpful going forward is an agreed Communications Management Plan between the developer and the Borough Council that is updated on a regular basis setting out for example who is constructing the roads and open spaces / play parks and indicating what roads are intended to be adopted and which are not together with open spaces / play parks and how these will be managed in the future. Bonds must be paid into a secure system to avoid a repeat of the Alder Mews situation and bonds must also be collected for Open Spaces/play parks along with commuted sums.</p>
Wokingham Town Council	The Town Council would like clarification on the relevant standards and process for adoption of new roads and open space. When does the Council (WBC) take on responsibility from developer and what is the adoption timeframe?

	<p>Also, on sites where there is public access, for example a need for School crossing at Montague Park development, when is this adopted by the Council (WBC)?</p>
<p>A resident of Woosehill</p>	<p>Although not new housing there is an issue on Woosehill re footpaths which were constructed in the 1980's by developers.</p> <p>There are four entrances to Fox Hill woods that no-one wants to take ownership of. We have been told by WBC that they are not public footpaths (even though one has a Council refuse bin and signage on). Some years ago two properties in Tiffany Close were allowed to extend their properties over footpaths via approved planning applications.</p> <p>This is a classic example of the full process of handover from developers not being followed and I would recommend you include footpaths in your review for the future</p>
<p>A resident</p>	<p>I don't think it is clear to residents why some estates are adopted by the Council whereas others aren't. For example, The Brumbles and Mitford Fields estates (off Basingstoke Road - RG7 1W...) both have a management charge. For a three bedroom house on The Brambles this comes to £200 per year in addition to the normal Council Tax fees. In comparison, the estates off Hyde End Road were adopted, look cleaner, and have a regular bus route.</p> <p>How is it fair that I pay the same Council Tax as those three beds that were adopted, but also have to pay an additional amount on top? I feel like I am double paying and not getting any additional benefit.</p>
<p>A resident of Montague Park</p>	<p>We received a copy of the proposed parking restrictions for Montague Park in the post and only have one main comment.</p> <p>The original Barratts/David Wilson plans, and the subsequent plans we've received from the Council all indicate far more visitor bays than have actually been put in. For example we are down in the apartments directly opposite the parking for the school and on all the plans it shows 3 bays outside our building – however, only one has been put in.</p> <p>While we appreciate the need for parking restrictions, many of the properties on the estate already come with not enough spaces for all the occupants (we only have one for two doubled bedroomed property) so people rely on the additional bays – the least we should expect is for Barratts/David Wilson to have put in the right amount as shown on their plans.</p>
<p>A resident of Montague Park - Council Question</p>	<p>Question:</p> <p>This question concerns road safety issues for children attending Floreat Montague Park School. Prior to August 2018, parents were told that a work plan had been agreed between Wokingham Borough Council and the builder, David Wilson Homes to install zebra, toucan or pelican crossings in place for September 2018 to enable children to cross William Heelas Way on the way to and from school. None of these crossings have been installed and despite numerous requests to both WBC and the builder, no satisfactory responses have been given.</p> <p>We understand that the road is un-adopted, which appears to have put us in a 'It's not my responsibility zone', however this is in essence a public road being used by young school children to cross from the houses to their school and their safety must be paramount. Therefore could WBC confirm what action is being taken and give a definitive timescale for a resolution?</p> <p>Answer:</p> <p>Many areas of the Montague Park site will be adopted by the Council in line with legal agreements (Section 38 of the Highways Act) that have been entered into by David</p>

	<p>Wilson Homes for various phases of the development. The site currently remains in private ownership as David Wilson Homes has not completed all of the approved works to an adoptable standard. As the Council is not physically delivering the planned works, we cannot commit to any dates for works to be completed, but continue to push the developer to conclude the necessary works, and commit to sign these off in good time when the details are submitted to the Council for review, which we have done. We have endeavoured to facilitate David Wilson's programme for these works and remain as frustrated as you with the progress that has been made to date. The Council is continuing to work With David Wilson Homes to progress these matters as soon as possible.</p>
A resident of Arborfield Green	<p>Re Waterman's View, Arborfield Green. The Council has adopted a fraction of the estate and residents pay £500 a year forever to a private company to supposedly maintain the rest. Meanwhile, residents pay WBC the highest Council Tax rates I have ever known.</p>
A resident	<p>I have concerns about the use of barbed wire. There is barbed wire at Montague Park SANG. There is barbed wire in Shinfield and along the perimeter Road on Woodley Airfield. I hope that this can be investigated. I suggest a policy to remove all barbed wire unless is required for livestock control.</p>
A resident	<p>I want to raise the issue of car park associated with the Stokes Farm Nature Park (SANG) which was constructed to offset the loss of green space due to the development of the North Wokingham Distributor Road. The park was constructed a while ago and is now declared to be open on the North Wokingham major development website. However, the car park associated with the park is not open. Despite my best efforts to move it along with the Countryside Department, it remains closed. Apparently the lock on the gate needs fixing! But it doesn't get done. It seems as if someone has ticked it off as complete, when it is not, and it has now been forgotten about.</p> <p>This park is mostly only accessible by car (certainly that is the case for me) and it is becoming increasingly popular. The result of this is that people have to park in front of the gates (which need the lock fixing) or between the pinch points that have been put in the road to slow down traffic for people exiting the car park. This means that this section of road is more dangerous than it would have been without the pinches as traffic has to weave in and out between pinch points and parked cars! The park has a 'made' path which means that as we approach winter it will become more popular to walk in and the problem will get worse unless the car park is opened.</p> <p>It seems like it fits the bill for your enquiry because no one seems to care that this facility is 99% complete but the vital 1% is missing. I am sure that if the Council put appropriate pressure on the developers they would make sure the lock was fixed and the car park would be operational.</p>

Examples of Frequently Asked Questions

Homebuyers

Q: What checks should a homebuyer expect to be carried out by their solicitor?

A: The Local Government Ombudsman has advised that a solicitor should:

- Check that the relevant planning conditions have been discharged.
- Check that there is a S38 agreement or a private road management scheme in place.
- If the S38 agreement is not completed, check if there is an APC payment in place.
- If there is no APC payment, negotiate a covenant with the vendor requiring them to have the road adopted or withhold a sufficient sum to meet the client's potential costs.

Adoption of Roads

Q: Why do housing developers build new roads?

A: Housing developers build roads to enable new homeowners to gain access to the existing public highway.

Q: What is road adoption?

A: It is the process where a road in private ownership becomes a public road, which is then managed and maintained by the Council.

Q: Does the Council adopt all new roads built by housing developers?

A: No, housing developers may choose to keep their new roads private and some roads do not meet the Council's adoption standards.

Q: Who looks after private and unadopted roads?

A: Resident groups and management companies usually maintain private roads not scheduled to be adopted by the Council.

Q: What is the advantage of having a new road adopted?

A: Adopted roads become part of the public highway. Following adoption, the Council manages and maintains the road at public expense. Residents do not have to pay additional sums for the maintenance of adopted roads.

Q: What is the process for developers to get new roads adopted?

A: New roads are usually adopted under legal agreements called Section 38 agreements (Section 38 of the Highways Act 1980).

Q: What is involved in a S38 Agreement?

A: The S38 agreement is agreed between the Council and the developer. It normally includes a financial bond to ensure that the works can be completed if the developer goes bust. Essentially the agreement states that if the developer builds the road to the agreed standards and maintains it for a year the Council will then adopt it.

Q: Who is responsible for the new road prior to adoption?

A: The developer is responsible for maintenance and repair of the new road prior to adoption. As the road is unadopted the Council has no powers to undertake works on it.

Q: Why does the adoption of a new road sometimes take longer than agreed?

A: There may be a number of causes, including:

- The developer commences building the road before entering into the S38 agreement.
- The developer tries to vary the standard terms of the S38 agreement.
- The developer, or contractor, builds the road slowly and does not finish it.
- The developer does not build the road in line with the agreed standards.
- The relevant Water Company (Thames Water) does not adopt the sewers under the new road.
- The road is almost complete but there are outstanding “snagging” items such as defective street lights, potholes, broken drain covers and overgrown verges.

Q: How can I find out more about the adoption of new roads?

A: Contact the Highways Team on 0118 974 6000.

Local Plan Update

Q: Will there be new infrastructure such as roads and open space to support new housing development?

A: Yes. When the Council has a better understanding of where and when new development is going to take place, a detailed infrastructure strategy can be prepared. This will set out what infrastructure is needed and how it will be funded.

Q: Will access to open space and our parks be lost due to new development?

A: Open space is an important feature of the Borough and it is important that residents have suitable access. Through the Local Plan Update, new open space will be delivered on housing sites in line with the requirements of the Borough's Open Space Strategy.

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Report

on an investigation into
complaint nos 10 014 203 against
Teignbridge District Council and
10 014 205 against
Devon County Council

19 September 2012

Investigation into complaint no 10 014 203 against Teignbridge DC and 10 014 205 against Devon CC

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The Local Government Act 1974, section 30(3) generally requires me to report without naming or identifying the complainant or other individuals. The names used in this report are therefore not the real names.

Report summary

Subject

Mr A complains on behalf of residents of a newly constructed housing estate about failure by the County and District Councils to secure completion and adoption of the road serving their homes. The construction of the road has not been completed and residents wishing to sell their homes have faced significant difficulty.

Finding

It was maladministration for the District Council to fail to notify the County Council when it issued a Building Regulations approval for the new houses. There was no maladministration in the way the District Council dealt with the planning enforcement investigation on the planning condition requiring completion of the highways works. There was no maladministration by the County Council in dealing with the developer about the highway works to be carried out.

Agreed remedy

As a result of my investigation the Councils have agreed to take action with a view to securing the completion of the necessary works and adoption of the road outside the complainants' homes. This provides a satisfactory settlement of the complaint.

Introduction

1. The complainant, Mr A, complains on behalf of himself and his neighbours. They live in a road on a small new estate where the roads have not been adopted as public highway, as intended, because construction was not properly completed. There is inadequate lighting and unsatisfactory landscaping. They face difficulty in selling their properties.
2. Mr A complains that the District Council failed to notify the County Highway Authority when it gave Building Regulations approval for the housing development. As a result, the County Council failed to serve a notice on the developer to ensure arrangements were in place to secure the completion of roads on the estate to an adoptable standard. He complains that the Councils are not willing to take further action to secure the adoption of the road and will not contribute to the cost of the works necessary to bring the road to an adoptable standard.

Legal and administrative background

3. The Highways Act 1980 makes provision for the making up of private streets:
 - S.38 gives highways authorities the power to adopt a highway, by way of agreement with any person liable to maintain it, as a result of which the highway becomes maintainable at public expense. An agreement under S.38 may contain provisions as to the dedication as a highway and the expenses of the construction, maintenance or improvement.
 - S.205 gives local highways authorities the power (but not a duty) to carry out works to improve the condition of a street, and to recover the expenses incurred in doing so from the owners of premises fronting the street. This provision is referred to as the 'private street works code'. The highways authority must serve a notice on owners of properties affected, explaining the proposals and costs and owners may object to the notices. If the objections are not resolved and the highway authority wishes to proceed, the matter can be referred to the Magistrates' Court to be determined.
 - S.219 and S.220 make provision for payments to be made to the relevant "street works authority" (here the County Council) by owners of land on which new buildings are to be erected. It applies to new buildings for which plans are required to be submitted under the Building Regulations and where the building will have a frontage onto street in which the street works authority has power to execute works. Unless one of the exempt categories applies, it is an offence to begin construction of a building before the owner has paid the highways authority or secured, through a bond, such sum as may be required by the authority for the cost of the works in that street. A district council (as building control authority) must notify the highways authority within one week of the grant of building

regulations approval that the plans have been passed, and the highways authority must serve a notice on the builder within six weeks of the plans being passed, specifying the sum required to be paid. One of the exempt categories is where an agreement has been made under S.38 of the Act (see above). These provisions are known as “the advance payment code” (APC).

Investigation

4. The investigation has included consideration of:
- information provided by Mr A, in writing and during telephone conversations;
 - information provided by the District and County Councils in response to enquiries; and
 - relevant legislation.

Key facts

5. Planning approvals were given in March 2000 and April 2003 for the road of 12 houses in which Mr A now lives. Planning permission was given for 14 houses in an adjoining road in March 2003. Conditions attached to these permissions required completion of access roads and landscaping before occupation of the dwellings to be constructed.
6. The County Council has records of contact with the developer about the highway proposals for this site from 2002 onwards. Building work on the site started in September 2003. By October 2003 a plan titled ‘Application for Adoption S.38 Highway’ had been produced and had been given technical approval by the County Council. Between September 2003 and October 2004 County Council highways engineers undertook weekly inspections of highway construction and associated drainage provision (for which fees were due but apparently not paid until October 2005). A memorandum dated February 2005 stated that details of specification, layout and lighting had been agreed and instructions were issued to the County Council’s legal team for a S.38 agreement to be drawn up. Inspections continued after October 2004 until April 2005 when the highways engineer was instructed not to carry out any further inspections because there was no S.38 agreement in place.
7. An application for Building Regulations approval was submitted to the District Council in February 2004. Building Regulations approval was issued in April 2004. The District Council has said that, at that time, the procedure was for the relevant building control officer to notify the County Council when the Building Regulations approval was issued, so that the County Council could take appropriate action under the APC. However, the District Council has no record of any notification being sent on this case and the County Council has no record of receiving any. Consequently, no notice was served on the developer by the County Council under the APC.

8. The developer began the construction of the houses in March 2004 (before the grant of Building Regulations approval) and various plots were constructed between 2004 and 2008. Properties on the estate were sold and occupied from the end of November 2004. At that stage the roads were partially constructed but the street lighting was not installed, pavements had not been constructed, no landscaping had been done and the roads had not been surfaced to the required standard.
9. Solicitors appointed to act on behalf of the County Council sent a draft S.38 agreement to the developer's solicitors in April 2005 and sent a reminder of the need for an agreement on 26 July 2005. The developer's solicitor returned the draft agreement with amendments on 28 October 2005. The Council's solicitors responded on 9 November 2005, sending final copies of the agreement for signature. Reminders were sent on 14 February, 30 March and 5 June 2006. The developer's solicitor responded on 7 November 2006 advising that the developer was looking for an alternative surety so the agreements would need to be amended. They said they would send details. The Council's solicitors chased again on 30 October and 5 December 2007, 2 April, 18 June and 25 November 2008 and 21 April 2009. However the developer's solicitors did not respond and a S.38 agreement was not completed.
10. In October 2005 the developer paid the fee for the inspections already done, but no further inspections were carried out by highways engineers because there was no S.38 agreement in place.
11. Mr A bought his house in August 2006. On the advice of his solicitor, he retained a percentage of the purchase price pending completion and adoption of the estate roads. A number of other purchasers, but not all, also retained monies pending completion of the roads.
12. Mr A says he began contacting the District Council in 2007 about the lack of progress in completing the road construction and the landscaping as required by the conditions attached to the planning permission. Construction of houses on plots on the estate was still underway, and some plots had been sold on to other builders. The Council's records indicate that the first complaints about the lack of compliance with planning conditions were received in September 2008.
13. In October 2008 Mr A made a formal complaint to the District Council about lack of enforcement action and on 6 November 2008 the enforcement officer wrote to him about discussions he had had with the developer on his proposals for completing the necessary works. The options for enforcement action had been complicated by the sale of individual plots for self-build (which would require enforcement action against individual owners). So the District Council was not proposing further action at that stage, but said the situation would be monitored and if the matter was not resolved further action would be considered.

14. The District Council's enforcement officers were in regular contact with the developer by letter and meeting from the end of 2008 onwards. In response to each contact, the developer outlined his proposals for completing outstanding work on the roads and associated landscaping, but said that some matters had to be resolved with the owners of plots which had been sold.
15. In April 2009 the County Council wrote to the developer noting that, at a recent meeting with the District Council, the developer had said the highways would be covered by a S.38 agreement. It said that considerable works had been undertaken on the site without the agreement in place and without inspection. It advised that if it was still the developer's intention to have the roads adopted as public highways, a detailed construction survey would be required, together with revised layout plans.
16. In July 2009 the District Council wrote to the developer giving a deadline of 31 October 2009 for completion of the works, failing which enforcement action would be commenced for breach of planning conditions. Committee authorisation for enforcement action was given in August 2009. The developer initially said that work would be completed but that the deadline could not be achieved. In February 2010 the developer asked for a further 18 months to complete the work. The Council served an enforcement notice on the developer on 12 February 2010. In April 2010 the developer went into voluntary liquidation.
17. In May 2010 Mr A contacted the County Council to complain that the roads had not been completed and adopted. He was advised that the District Council had not notified the County Council of the Building Regulations approval, so that it had not been possible for the County to serve notice under the APC within the requisite six week period.
18. In June 2010 Mr A made a formal complaint to the District Council with a copy to the County Council. The District Council responded, confirming the above events, but noting that the County Council Highways officers had been in contact with the developer about the road construction. The District Council said it was not unusual for road construction to begin before a Building Regulations application was submitted and it assumed that purchasers had been advised by their solicitors about the lack of an APC notice, so that they could have ensured they were protected should the work not be completed.
19. Mr A then complained to the County Council. He disputed the County Council's view that the an APC notice could not be served once six weeks had elapsed after the Building Regulations approval was issued. He maintained that the County Council could have served a notice when it became clear that the developer was not responding to communications about the S.38 agreement.

20. In August 2010 Mr A and other representatives of his local Residents' Association met officers from both District and County Councils to discuss the problems securing completion of the required highway works. Discussion covered:
- the reasons why no APC notice/S.38 agreement was in place
 - the retention monies held by some residents and the fact that some of the properties had since been sold by the original purchasers
 - the likely cost of completing the work, then estimated at around £100,000
 - the legal status of the highway land which, following the developer's liquidation, had devolved to the Crown
 - the residents' view that the Councils should organise and pay for the completion of the required works.

At the end of the meeting, officers agreed to respond to questions raised by residents about the outstanding requirements for the construction of the road, but no agreement was reached on a way forward.

21. The Crown Estates have offered to devolve the highway land on the estate to the residents' association or a management company for a minimal consideration. The County Council has identified that, as well as undertaking works to bring road surfaces, pavements and lighting up to standard, it will be necessary to establish what and where highway drainage has been installed and whether the installation is satisfactory. Mr A and another resident have carried out, at their own expense, much of the required landscaping work in the road.

22. The County Council says that:
- Its legal advice is that in the absence of notification of the Building Regulations approval it was unable to issue a notice under the APC
 - It has no powers to force a developer to enter into a S.38 agreement and demonstrably used its best endeavours to secure an agreement to bring about the adoption of the road
 - Developers often take a considerable period of time to complete a S.38 agreement, it is not unusual for developments to be almost, and sometimes wholly, completed before the agreement is in place
 - In the face of an unwilling or lackadaisical developer it was powerless to force such an agreement
 - Purchasers of properties on the estate were clearly able to see that the estate roads were not complete when they purchased their properties or their plots
 - There is correspondence between purchasers and the County Council which makes clear that there is no S.38 agreement in place
 - Purchasers of houses should take some responsibility for purchasing a dwelling with no assurance that the road would be completed and adopted by the Council, so that it would be unreasonable for the public purse to be expected to put right circumstances over which it had no control.

23. The County Council has said that, even if an APC notice had been served at the relevant time, it is unlikely the Council would have taken any action under it, because the developer was working towards a S.38 agreement. It also says that, at that time, APC notices were not issued as often as they should have been. Reliable processes were not in place at some of the district councils to ensure notification of all building regulations approvals. It says its enforcement regime has also not been as robust as it should have been and there have been no prosecutions. Practice has been reviewed recently and it is now pursuing developers more rigorously. In one recent case, the Council's litigation team was instructed to issue proceedings for non compliance with an APC notice but legal action was avoided as the developer completed the S.38 agreement.
24. The District Council says that:
- Prospective purchasers were, or should have been, advised by their solicitors at the time of purchase that the road was not completed and that there was no S.38 agreement in place so that there was no certainty that roads would be completed
 - The County Council knew that the development was proceeding and roads were being constructed before the application for building control was submitted in February 2004
 - It accepts that it failed to notify the County Council of the Building Regulations approval but says that later in 2004 the procedure was changed so that a weekly list was sent to the County Council
 - The Council has waived its normal fees and erected street signs which go some way to giving the appearance of normality and the roads are not in a dangerous condition.
25. Both Councils referred to the retention monies held by purchasers of properties on the estate and said that these should be used to secure completion of the works.
26. Mr A says
- There is no valid defence to the District Council's failure to notify the County Council of the building regulations approval
 - The advice given by the purchasers' solicitors is not relevant to this breach of the statutory duty
 - Purchasers would have understood that a S.38 agreement was being negotiated with the developer, which was not an unusual situation
 - The Councils should have alerted purchasers that the developer was unlikely to enter into a S.38 agreement
 - The majority of residents have made it clear that they are prepared to contribute to the cost of construction, although a few are not prepared to do so and cannot be compelled
 - Both Councils dealt with his complaint in a disgraceful manner, being dilatory and obfuscating, attempting to blame anyone rather than accept responsibility themselves

- It is both legally and morally wrong for the Councils not to take all reasonable steps to secure completion of the work by using S.205 of the Highways Act to arrange for the roads to be made up and adopted.
27. Mr A says that the worry caused by trying to secure completion of the road outside his home has adversely affected him and his wife over a period of five years, having a debilitating effect on their health and well-being. He believes that the Councils should cooperate to secure adoption of the highway at the proper expense of the residents and that they should offer compensation to him and his wife for the worry they have endured.
 28. Prior to issuing this report, I recommended to the County and District Councils that they use their best endeavours to secure the completion of the necessary works and adoption of the roads which are the subject of this complaint.
 29. The District Council has now agreed to use its powers to resolve the ownership of the highway and to work with the County Council to co-ordinate completion of the works, with the costs charged to residents.
 30. The County Council is prepared to use its powers under S.205 to secure the completion of the works and adoption of the road. However it says it will not know whether the roads can be adopted until it has obtained further information on their condition and highway drainage, and the costs involved in bringing these to an adoptable standard. The County Council has therefore offered to commission its Engineering Design Group (EDG) to undertake the necessary surveys and design work required to establish these matters.
 31. The County Council has said that if it is to pursue action under S.205, the funds retained by the residents from their original purchases should be contributed towards the costs of the scheme, as this is the purpose for which they were originally retained. It will therefore only commence action under S.205 if those residents with retentions provide them, in advance, to cover the cost or part of the cost of the works.

Conclusions

32. It was maladministration for the District Council to fail to serve notice on the County Highways Authority at the time the Building Regulations approval was issued. This meant the County Council was not put on notice of the development. However, I find on the balance of probabilities that the County Council was unlikely to have taken any action under the APC notice, because the developer was working towards a S.38 agreement.
33. The District Council was not at fault in the way it dealt with the planning condition requiring completion of access roads and landscaping before occupation of the

dwellings. Between 2004 and 2006, when the County Council was working with the developer on the road construction, it had no reason to believe the roads would not be completed. Mr A complained after he had bought his home in 2006. The options then available to the District Council were to commence formal enforcement action or negotiate with the developer on completion of the works. I do not criticise the District Council for choosing the latter option. Unfortunately the Enforcement Notice served in February 2010 did not secure completion of the works and the developer went into liquidation. But I do not find maladministration here.

34. The County Council's view is that, in the absence of the notification from the District Council, it was not able to serve an APC notice on the developer. I can see no grounds to criticise this. The County Council took reasonable steps to secure the completion of a S.38 agreement with the developer. It was not able to force the developer to complete the agreement. I do not therefore find maladministration by the County Council.
35. There is no legal procedure available to the frontagers to ensure the highway is completed and adopted, as they understood would be the case. Although many of the original purchasers were aware the S.38 agreement had not been completed, and may have retained part of the purchase price to reflect this, by itself this could not secure the completion of the highway as intended.

Remedy

36. The relevant legislation does not provide for highways authorities to meet the costs of constructing and adopting roads serving new housing developments. Mr A and other purchasers were aware when they bought their homes that the roads had not been adopted and there was no agreement in place ensuring that this would be done. I have found no evidence of maladministration by the County Council and the fault by the District Council was limited to the failure in 2004. In those circumstances I cannot recommend the County Council meet the costs of the necessary works, and do not consider it appropriate to recommend that the District Council do so in the light of my conclusions at paragraph 32 above.
37. The District Council has agreed to take the necessary measures to resolve ownership of the highway land.
38. The County Council is prepared to use its powers under S.205 to secure the completion of the works and adoption of the road. However it says it will not know whether the roads can be adopted until it has obtained further information on their condition and highway drainage, and the costs involved in bringing these to adoptable standard. The County Council has therefore offered to commission its Engineering Design Group (EDG) to undertake the necessary surveys and design work required to establish these matters.

39. The County Council has said that if it is to pursue action under S.205, the funds retained by the residents from their original purchases should be contributed towards the costs of the scheme, as this is the purpose for which they were originally retained.
40. It does not seem unreasonable that Mr A and other purchasers reduce the burden on the public purse by making their retention monies available to the County Council to facilitate completion of the necessary works under S.205. The purpose of the retention monies was to secure completion of the works and they will be used for that purpose. The County Council has agreed to incur the costs of commissioning the necessary survey and design work.
41. Mr A says he and others have been very distressed by the continuing uncertainty and experienced significant trouble in their efforts to secure completion and adoption of the road outside his home. But I consider the agreement by the Councils to take the action described at paragraphs 37-39 above provides a reasonable settlement for their complaint and do not recommend any further remedy.

**Dr Jane Martin
Local Government Ombudsman
The Oaks No 2
Westwood Way
Westwood Business Park
Coventry
CV4 8JB**

19 September 2012

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TITLE	Scrutiny Improvement Review – Action Plan
FOR CONSIDERATION BY	Overview and Scrutiny Management Committee on 11 September 2023
WARD	None Specific
DIRECTOR	Graham Ebers, Deputy Chief Executive

OUTCOME / BENEFITS TO THE COMMUNITY

Effective Overview and Scrutiny helps to improve services, holds decision makers to account and engages with local communities. In so doing it helps to demonstrate that the Council and other public service providers are open and transparent and are delivering high quality, value for money services.

RECOMMENDATION

The Committee is requested to:

- 1) consider the Scrutiny Improvement Review (SIR) Action Plan, appended to the report;
- 2) consider any further actions to develop and strengthen the Action Plan;
- 3) note that a SIR feedback session with the Centre for Governance and Scrutiny will be held later in 2023/24.

SUMMARY OF REPORT

Members will recall that the Council undertook a Scrutiny Improvement Review (SIR) in 2023. The review was carried out by the Centre for Governance and Scrutiny (CfGS) and involved interviews with Members and officers.

The CfGS review letter concluded that conditions for successful scrutiny were clearly present at Wokingham; there was a shared understanding from Members and officers that good governance involves scrutiny and, when used effectively, scrutiny can add value to decision-making. All of those interviewed believed that improvements could be made to make scrutiny more effective and to add greater value. Members recognised the benefits of change and improvement, and this presented a good opportunity for the Council to further develop the way in which scrutiny operated from its current position. Strengthening its role could also aim to elevate the status of scrutiny, so that it was recognised as a strategic function and is fully utilised as a resource to support continuous Council improvement.

Following the review a SIR Action Plan was developed in order to ensure that key recommendations were implemented and reported back to Members. The Action Plan is appended to the report for Member discussion and amendment.

The CfGS representatives will be arranging a feedback session later in the year in order to explore Member views about progress following the SIR and opportunities for further development of Overview and Scrutiny at WBC.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is, therefore, imperative that Council resources are focussed 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	NA	NA
Next Financial Year (Year 2)	0	NA	NA
Following Financial Year (Year 3)	0	NA	NA

Other financial information relevant to the Recommendation/Decision
None

Cross-Council Implications
Effective Overview and Scrutiny helps to drive service improvement, policy development and the achievement of value for money for the Borough’s residents.

Public Sector Equality Duty
Due regard has been given to Council’s Public Sector Equality Duty. The issues scrutinised during 2023/24 will raise the profile of Overview and Scrutiny for residents across the Borough, including residents with protected characteristics as defined under the Equality Act 2010. The aim is to achieve better/fairer outcomes and increased value for money for residents.

Climate Emergency – The Council has declared a Climate Emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030
The Overview and Scrutiny Management Committee has acted as a “critical friend” to the Council’s Climate Emergency activities through the work of the Climate Emergency Task & Finish Group. In 2022 the Committee established a new Overview and Scrutiny Committee with a specific focus on scrutinising the delivery of the Climate Emergency Action Plan.

List of Background Papers
None

Contact Neil Carr	Service Governance - Resources and Assets
Telephone No 0118 974 6000	Email neil.carr@wokingham.gov.uk
Date 1 September 2023	Version No. 1.0

Scrutiny Improvement Review - Action Plan – August 2023

No.	Recommendation	Action	Timescale
1	Political group leaders play a key role in resetting the level and standard of collaboration and transparency in scrutiny to allow it to function as a crucial part of council governance – accountability, policy and decision-making and improvement. Leadership is a must have ingredient in making this change. Leaders need to set the standards for others	Agreed. Leader has emphasised the importance of effective cross-party Scrutiny and its potential increased role in policy development	Ongoing – new Leader (May 2023) has confirmed the key role played by O&S as part of effective governance and decision making
2	A clearer focus on democratic accountability - Scrutiny of Executive members should form a key part of the work plan, with Executive members regularly attending Scrutiny to answer questions on items falling within their portfolio responsibilities is vital	Agreed. Executive Members now attend O&S meetings routinely to present items and to answer Member questions	Ongoing
3	Leader to attend Scrutiny on a quarterly basis to present an integrated finance and performance report and to be held to account for Council performance and progress. Perhaps adopting a ‘select committee’ style	Agreed. Attendance by Leader and CEX is scheduled every 6 months.	Next attendance due at O&S Management Committee on 16 January 2024
4	More emphasis on scrutiny’s shaping role - With a clear mapping for scrutiny in early policy development and key-decisions. Involving scrutiny early and sharing information in a transparent way, based on trust and co-operation	Agreed. Regular meetings between Executive Members, Scrutiny Chairs and CLT to “horizon scan” and discuss items and the effectiveness of Scrutiny	Ongoing – potential improvements in O&S “Overview” function discussed with Leader at meeting in July 2023
5	Scrutiny avoids the main focus on updates and presentations. The task of providing Scrutiny members with the essential core knowledge to be sufficiently effective in the scrutiny task could be developed as briefings or ‘master classes’ where the topic is complex. Lengthy learning exercises can squeeze scrutiny capacity	Agreed. Training programme for Scrutiny Members being developed with “one off” briefings on key issues. Focus on timely circulation of papers in advance of O&S meetings	Ongoing

6	Resist scrutiny being a source of political point-scoring. Intentionally targeting scrutiny as a forum to gain a media headline is a disruptive and diluting activity. This does not prevent disagreement or different perspectives being debated	Agreed. Training for Scrutiny Chairs to control meetings more effectively. O&S Management Chair has reminded Members that conclusions should be reached on the weight of evidence – not on party political grounds	Ongoing – review in 2023/24
7	Develop regular communication and information sharing so that Scrutiny can be a resource to inform (often improve) Executive decision making. This could be achieved through holding triangulation meetings between scrutiny chairs, Executive members, and relevant Directors to consider future issues and the part which Scrutiny could play in testing and shaping these forward plans. It would also present an opportunity to share and discuss opportunities to involve Scrutiny as an improvement asset	Agreed. As discussed in 4 above. Regular discussion on topics, timing, training and team (i.e. ensuring that the right people are in the room when issues are considered)	Quarterly meetings
8	Work planning to be a committee-based responsibility – review the need for a Co-ordinating committee to oversee this	Agreed. O&S Management Committee sets annual work programme. Each O&S Committee then reviews and develops its own programme. All the O&S Chairs sit on the Management Committee	Annual work programming process starts in January each year – extra/urgent items can be introduced during the year
9	Review the process for developing work plans for each Scrutiny committee - Engaging members, officers, partners, and the public to prioritise the topics for review	Agreed. As part of annual work programming process	Ongoing – as above
10	Build on the current approach to financial Scrutiny, MTFs/ budget scrutiny. We have produced guidance on financial scrutiny with CIPFA ¹ , setting out scrutiny activity to complement Councils' annual financial cycle. The guide suggests ways to move budget and finance scrutiny beyond set-piece scrutiny 'events and quarterly financial	Agreed. Community & Corporate O&S Committee reviews Budget development each year. Training provided for all Members on Budget Scrutiny. CIPFA guide shared with Members each year	Ongoing in 2023/24

	performance scorecards being reported to committee		
11	Set clear priorities for Children’s, Adult Social Care and Health scrutiny as areas where scrutiny must be fully engaged and properly focused. (Especially LAC, Safeguarding, SEND, changes to health and social care [with potentially large cost implications], and others	Agreed. These issues are scrutinised by Children’s Services O&S and HOSC. These Committees develop their own work programmes. Review need for additional Member training	Ongoing
12	Review the need for the O&S Management Committee. Or consider its purpose and its role within the overall Scrutiny structure,	O&S Management Committee has the oversight role and has its own extensive work programme. It also carries out the Call-In function. Its role is clearly established in the overall Scrutiny structure	Ongoing
13	Consider extending the use of task and finish group work – or alternative scrutiny arrangements – To ensure the most effective use of time and resources and to deliver maximum impact.	Agreed. Task & Finish Groups have operated successfully with detailed reports and recommendations to the Executive. This will continue in 2023/24	Ongoing
14	Change the way that information is provided to Scrutiny members for oversight - Reduce the number of items coming to Scrutiny solely for information and consider how information on the following matters could be shared with Councillors, outside of committee	Agreed. More effective briefings and pre-meeting work to ensure effective meetings and alternative methods of information sharing	Ongoing
15	Review how reports and information is supplied to scrutiny – so that it supports the scrutiny objective, is not excessively detailed and is understandable by Members	Agreed. See 14 above.	Ongoing
16	Review how the recommendations are made and how impact is measured – This could include putting a ‘recommendations monitoring report’ at the beginning of agendas to orientate Scrutiny towards outcomes-focused meetings,	Agreed. Implement a more effective “feedback loop” following O&S recommendations to the Executive. Annual O&S report to Council	Ongoing

	alongside an emphasis on finding strong recommendations from questioning, to present to the Executive as improvement or challenge proposals.	outlines key issues scrutinised and the impact on residents. Follow-up reports on the recommendations made by Task & Finish Groups. Action tracker in each Scrutiny Agenda	
17	More skills development support is offered for the key roles of Chair and Vice-Chair – To provide them with the confidence they need in leading the scrutiny function.	Agreed. 1 to 2 training pilot implemented for Chair and Vice-Chair of the O&S Management Committee – using the Centre for Governance & Scrutiny experts. Consider further training in 2023/24	Ongoing – subject to budget constraints
18	Consider further Scrutiny development and training for all Committee members - To develop a common understanding of what “good” Scrutiny practice looks like.	Agreed. Member training programme being implemented - suggestions include: introduction to Scrutiny; Budget Scrutiny; HOSC; Children’s Services; Charing and Questioning skills. Circulation of updated guidance and CfGS “how to” briefings	Ongoing – subject to budget constraints
19	Providing additional briefing or expert involvement as required - To assist Scrutiny members in becoming more capable to develop questioning strategies that will deliver high-impact and value-adding Scrutiny	Agreed. Expert witnesses have attended Task & Finish Group meetings. Co-opted members on Children’s Services O&S Committee	Ongoing
20	Cross-party pre-meetings for Scrutiny committees could be established - with a specific focus on identifying priorities and members working together to develop lines of enquiry so that recommendations are more likely	Agreed. These cross-party meetings have been successful in the past – look to re-establish for each O&S Committee in 2023/24	2023/24

WOKINGHAM BOROUGH COUNCIL EXECUTIVE FORWARD PROGRAMME

THIS DOCUMENT IS A “NOTICE” IN ACCORDANCE WITH
THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)(MEETINGS AND ACCESS TO INFORMATION)(ENGLAND)
REGULATIONS 2012

Executive Forward Programme 2023-24 (August 2023 update)

Updated 29 August 2023

Ref No.	Subject for Decision	Decision to be taken by	List of Documents to be submitted to the Decision Maker for consideration and Background Documents	Contact Details (Director/ Author)	Responsible Lead Member	Statement as to whether the item is likely to be considered in private and if so the reasons why / Explanation for any deferment of item
EXECUTIVE MEETING 28 SEPTEMBER 2023						
WBC 1394	Wokingham Borough Council Future Office Provision Purpose: The purpose of this report is to consider the Council’s current office provision and identify opportunities for a change in approach and provision which could bring financial and social-environmental benefits.	Executive		Deputy Chief Executive - Graham Ebers/ Sarah Morgan	Leader of the Council and Executive Member for Housing - Stephen Conway	N/A
WBC 1395	Violence Against Women & Girls Strategy 2023-26 Purpose: To set out how Violence Against Women & Girls will be addressed and tackled across the Borough.	Executive	Draft Violence against Women & Girls Strategy	Director, Place and Growth - Giorgio Framalico/ Philip Stoneman	Executive Member for Environment, Sport and Leisure - Ian Shenton	N/A
WBC 1387	Treasury Management Report Purpose: To receive an update on the Council’s Treasury Management strategy.	Executive		Deputy Chief Executive - Graham Ebers/ Mark Thompson	Executive Member for Finance - Imogen Shepherd-DuBey	N/A

Agenda Item 32.

WBC 1386	Risk Management Policy and Guidance Purpose: To approve the Council's Risk Management Policy and guidance	Executive	Risk Management Policy Risk Management Guidance	Deputy Chief Executive - Graham Ebers/ Paul Ohsan Ellis	Leader of the Council and Executive Member for Housing - Stephen Conway	N/A
WBC 1389	Leaseholder Insurance Purpose: The purpose of this report is to seek approval of the procurement strategy options appraisal to procure buildings insurance for leasehold 'Right to Buy' and shared ownership properties	Executive	Procurement options strategy documentation	Director, Place and Growth - Giorgio Framalico/ Rodney Coyle	Executive Member for Finance - Imogen Shepherd-DuBey	N/A
WBC 1374	Promotion of Wokingham Borough Council Assets Purpose: Promotion of WBC assets in Local Plan Update	Executive		Deputy Chief Executive - Graham Ebers/ Katie Meakin	Leader of the Council and Executive Member for Housing - Stephen Conway	N/A
142 WBC 1399	Bohunt 6th Form Purpose: Appraise options for Bohunt Sixth Form and to make recommendation.	Executive		Director, Children's Services - Helen Watson/ Piers Brunning, Ming Zhang	Deputy Leader of the Council and Executive Member for Children's Services - Prue Bray	N/A
WBC 1384	Enhanced Partnership Purpose: To approve the Enhanced Partnership Agreement for local bus services	Executive	Enhanced Partnership Agreement	Director, Place and Growth - Giorgio Framalico/ Rebecca Brooks	Executive Member for Active Travel, Transport and Highways - Paul Fishwick	N/A
EXECUTIVE MEETING – 26 OCTOBER 2023						
WBC1392	Proposed approach for the Street Scene and Grounds Maintenance service review Purpose: The Council is currently projecting significant financial pressures	Executive	Full Executive Report, Full Analysis of Public Consultation	Director, Place and Growth - Giorgio Framalico/ Richard Bisset	Executive Member for Environment, Sport and Leisure - Ian Shenton	N/A

	both in the current and future financial years and these must be addressed if we are to maintain statutory obligations and in particular support those in most need. This report will recommend how those service changes could be implemented following the feedback of a public consultation exercise and outcomes from October's Management Scrutiny prior to finalising the final report and recommendations to the Executive					
WBC1390	Local Transport Plan 4 - draft for consultation Purpose: Local Transport Plan 4 (LTP4) is due to replace the existing LTP3 which was adopted in 2011. This draft has been developed through the Member working group and officer and stakeholder groups and it is proposed that the current draft be consulted on throughout late November/December in order for a final version to be produced for adoption in 2024.	Executive	Report and the proposed draft including support documents.	Director, Place and Growth - Giorgio Framalico/ Robert Curtis	Executive Member for Active Travel, Transport and Highways - Paul Fishwick	N/A
WBC1391	Customer Experience Strategy Purpose: To sign off on the final strategy following public consultation.	Executive		Director, Communities, Insight and Change -/ Jackie Whitney	Executive Member for Climate Emergency and Resident Services - Sarah Kerr	N/A
WBC1393	Rent Setting Policy Purpose: The 'Rent Setting Policy' ensures we are regularising the current annual rent setting process, that re-confirms the rent setting is part of the annual Housing Revenue Account budget setting process.	Executive		Director, Place and Growth - Giorgio Framalico/ Harrison Wilks	Leader of the Council and Executive Member for Housing - Stephen Conway	N/A

	The policy requires the council to adhere to the Rent Standard 2020 and any subsequent amendments in legislation regulation or guidance including the updated Rent Standard 2023. That in practice, means our approach to rent setting continues without any changes to our historical approach.					
WBC 1361	Capital Monitoring 2023/24 - Q2 Purpose: To consider the Capital Monitoring position at the end of Quarter 2.	Executive		Deputy Chief Executive - Graham Ebers/ Mark Thompson	Executive Member for Finance - Imogen Shepherd-DuBey	N/A
WBC 1360	Revenue Monitoring 2023-24 Q2 Purpose: To consider the revenue budget position at the end of Quarter 2	Executive		Deputy Chief Executive - Graham Ebers/ Stu Taylor	Executive Member for Finance - Imogen Shepherd-DuBey	N/A
144	EXECUTIVE MEETING – 30 NOVEMBER 2023					
WBC 1398	Council Plan Extension 2024-25 Purpose: To extend the current council plan by one year while the new community vision is developed. A new council plan will be developed for 2025-29.	Executive		Chief Executive - Susan Parsonage/ Emily Higson	Leader of the Council and Executive Member for Housing - Stephen Conway	N/A
EXECUTIVE MEETING – 25 JANUARY 2024						
WBC 1363	Capital Monitoring 2023/24 - Q3 Purpose: To consider the Capital Monitoring position at the end of Quarter 1.	Executive		Deputy Chief Executive - Graham Ebers/ Mark Thompson	Executive Member for Finance - Imogen Shepherd-DuBey	N/A
WBC 1362	Revenue Monitoring 2023-24 Q3 Purpose: To consider the revenue budget	Executive		Deputy Chief Executive - Graham Ebers/ Stu Taylor	Executive Member for Finance - Imogen Shepherd-DuBey	N/A

position at the end of Quarter 3.

EXECUTIVE MEETING – 22 FEBRUARY 2024

WBC 1375	<p>Autism and Neurodiversity Strategy 23-26 Purpose: To seek executive decision on the all-age Autism and Neurodiversity Strategy 23-26</p>	Executive		Director, Adult Social Care and Health - Matt Pope, Director, Children's Services - Helen Watson/ Wesley Hedger, Sophie Kendall, Ming Zhang	Executive Member for Health, Wellbeing and Adult Services - David Hare, Prue Bray	N/A
WBC 1366	<p>Housing Revenue Account Budget 2024/25 Purpose: The revenue and capital budgets for 2024/25 are set and tenants rent levels are set for 2024/25 to ensure sound finances and value for money in providing housing services for council tenants.</p>	Executive	Housing Revenue Account Budget 2024/25	Deputy Chief Executive - Graham Ebers/ Mark Thompson	Executive Member for Finance - Imogen Shepherd-DuBey	N/A
WBC 1367	<p>Treasury Management Strategy 2024-2027 Purpose: Note the treasury management procedures, limits, and objectives for 2024/25. Effective and safe use of our resources to deliver service improvements and service continuity through the management of the council's cash flow and investments while funding the capital programme.</p>	Executive	Treasury Management Strategy 2024-2027	Deputy Chief Executive - Graham Ebers/ Mark Thompson	Executive Member for Finance - Imogen Shepherd-DuBey	N/A
WBC 1368	<p>Capital Programme and Strategy 2024-2027 Purpose: The capital programme and strategy 2024 – 2027 sets out the capital investment for the</p>	Executive	Capital Programme and Strategy 2024-2027	Deputy Chief Executive - Graham Ebers/ Mark Thompson	Executive Member for Finance - Imogen Shepherd-DuBey	N/A

	benefit of the community and how this is funded.					
WBC 1369	Medium Term Financial Plan 2024-2027 Including Revenue Budget Submission 2024/25 Purpose: To provide the Executive with the key revenue budget extract for 2024/25 of the Medium Term Financial Plan (MTFP) 2024-2027 for submission to Council.	Executive	Medium Term Financial Plan 2024-2027 Including Revenue Budget Submission 2024/25	Deputy Chief Executive - Graham Ebers/ Mark Thompson	Executive Member for Finance - Imogen Shepherd-DuBey	N/A
EXECUTIVE MEETING – 28 MARCH 2024						
WBC 1397	Young People's Housing Strategy Purpose: To agree to the publish the Young People's Housing Strategy.	Executive	Young People's Housing Strategy 2024-2028 EQIA	Director, Place and Growth - Giorgio Framalico/ Samuel Watt	Leader of the Council and Executive Member for Housing - Stephen Conway	N/A

→ **Members of the Executive:-**

Stephen Conway	Leader of the Council and Executive Member for Housing
Prue Bray	Deputy Leader and Executive Member for Children's Services
Rachel Bishop-Firth	Equalities, Inclusion and Fighting Poverty
Paul Fishwick	Active Travel, Transport and Highways
Lindsay Ferris	Planning and Local Plan
David Hare	Health & Wellbeing and Adult Services
Clive Jones	Business and Economic Development
Sarah Kerr	Climate Emergency and Resident Services
Ian Shenton	Environment, Sport and Leisure
Imogen Shepherd-DuBey	Finance

Note:

Unless the matter has been listed as being likely to be discussed in private, copies of the reports associated with the above decisions will be available no earlier than five days before the meeting at the Council Offices, Shute End, Wokingham; on the Council's website; by contacting a member of the Democratic Services Team on 0118 974 6053 or by emailing democratic.services@wokingham.gov.uk

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**WOKINGHAM BOROUGH COUNCIL
INDIVIDUAL EXECUTIVE MEMBER DECISIONS FORWARD PROGRAMME**

THIS DOCUMENT IS A “NOTICE” IN ACCORDANCE WITH
THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)(MEETINGS AND ACCESS TO INFORMATION)(ENGLAND)
REGULATIONS 2012

Individual Executive Member Forward Plan - August 2023

Updated 1 August 2023

Ref No.	Subject for Decision	Decision to be taken by	List of documents to be submitted to the Decision maker for consideration and Background documents	Contact Details (Director/ Author)	Statement as to whether the item is likely to be considered in private and if so the reasons why/ Explanation for any deferment of item
<p>1 IMD 2023/18</p>	<p>DfT/National Highways Route Strategies Consultation Response Purpose: National Highways have requesting feedback on their draft Route Strategies documents. Twenty 'Route Strategy Initial Overview Reports' have been published by National Highways. Alongside these reports, National Highways have also published their Strategic Road Network (SRN) Initial Report and Connecting the Country. Wokingham's response to the two consultation is set out in this report; the first was submitted on 13th July whilst the second has a longer consultation period and will be submitted on 11 August.</p> <p>Date 4 Aug 2023 Meeting Room and Time LGF8 at 11am</p>	<p>Executive Member for Active Travel, Transport and Highways - Paul Fishwick</p>	<p>Paper introducing the Consultation materials, the proposed responses to the consultations.</p>	<p>Director, Place and Growth - Giorgio Framaliccio/ Robert Curtis</p>	<p>N/A</p>

IMD 2023/19	Statement of Community Involvement Purpose: To agree a public consultation on the draft Statement of Community Involvement (SCI) Date 10 Aug 2023 Meeting Room and Time FF12 at 10.30am	Executive Member for Planning and Local Plan - Lindsay Ferris	Draft Statement of Community Involvement	Director, Place and Growth - Giorgio Framallicco/ Ian Bellinger, Ian Church	N/A
IMD 2023/15	Local Validation List - 2 Year Review Purpose: The Councils adopted Local Validation List (LVL) must be reviewed and updated every 2 years, the current LVL has been subject to both internal and external consultation and all relevant amendments incorporated. Date 30 Aug 2023 Meeting Room and Time LGF9 at 10am	Executive Member for Planning and Local Plan - Lindsay Ferris	Draft copy of the revised LVL.	Director, Place and Growth - Giorgio Framallicco/ Ian Jordan	N/A
IMD 2023/20	Rail Ticket Office Closures Consultation Purpose: To agree the Borough's response to the current consultation on closing of the ticket offices in rail stations in the Borough. Date 31 Aug 2023 Meeting Room and Time LGF9 at 12PM	Executive Member for Active Travel, Transport and Highways - Paul Fishwick	Paper, supporting informatino and proposed responses	Director, Place and Growth - Giorgio Framallicco/ Robert Curtis	N/A

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Members of the Executive:-

Clive Jones	Business and Economic Development
Stephen Conway	Leader of the Council and Executive Member for Housing.
Rachel Bishop-Firth	Equalities, Inclusion and Fighting Poverty
Paul Fishwick	Active Travel, Transport and Fighting Poverty
Prue Bray	Deputy Leader and Executive Member for Children's Services
Lindsay Ferris	Planning and Local Plan
David Hare	Health, Wellbeing and Adult Services
Sarah Kerr	Climate Emergency and Resident Services
Ian Shenton	Environment, Sport and Leisure
Imogen Shepherd-DuBey	Finance

Note:

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DRAFT WORK PROGRAMMES 2023-24

Please note that the Work Programme is a 'live' document and subject to change at short notice. The information in this Work Programme, including report titles is draft and is subject to approval by the Overview and Scrutiny Management Committee.

The Overview and Scrutiny Committees will consider their work programmes at the first meeting in the new Municipal Year.

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE 2023-24 WORK PROGRAMME

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
4 October 2023	Wokingham Borough Community Vision	To scrutinise the emerging Community Vision and Council Plan	Committee Request	Jackie Whitney
	Refugees and Asylum Seekers	To consider the Council's support for refugees and asylum seekers	Committee Request	Rhian Hayes
	Continuous Improvement Programme	To consider progress on the Continuous Improvement Programme – including more effective business plans	Committee Request	Sally Watkins
	Traveller Encampments	To consider issues relating to the management of unauthorised traveller encampments in the Borough	Regular Update	Narinder Brar
	Executive Forward Programme	To consider the Executive and IEMD Forward Programmes and identify any issues for Scrutiny	Regular Update	Neil Carr
	O&S Work Programmes 23/24	To consider the work programmes for the four Overview and Scrutiny Committees	Work Programme	Neil Carr
	Action Tracker	To consider the regular Action Tracker report	Regular Update	Neil Carr

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DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
15 November 2023	Waste Alternate Weekly Collection Project	To consider progress in the move to alternate weekly collection of waste and recycling	Committee Request	Steve Brown
	Progress against Council Motions	To consider progress against Council Motions agreed since November 2022	Committee Request	Neil Carr
	WBC Recruitment and Retention	To consider the Council's policies and training/development provisions aimed at recruiting and retaining high quality staff	Committee Request	Louise Livingston
	Executive Forward Programme	To consider the Executive and IEMD Forward Programmes and identify any issues for Scrutiny	Regular Update	Neil Carr
	O&S Work Programmes 23/24	To consider the work programmes for the four Overview and Scrutiny Committees	Work Programme	Neil Carr
	Action Tracker	To consider the regular Action Tracker report	Regular Update	Neil Carr

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
16 January 2024	Leader & CEX	To consider an update on challenges/opportunities from the Leader and Chief Executive	Committee Request	Susan Parsonage
	Thames Water	Follow-up discussions following attendance at June 2023 meeting	Committee request	Neil Carr
	Q2 2023/24 Performance Management	To consider the Q2 Performance Monitoring report	Regular item	Will Roper
	Air Quality	To scrutinise progress against the Council's Air Quality improvement targets	Committee Request	Narinder Brar
	O&S Work Programmes 2024/25	To start discussions on the work programmes for 2024/25	Committee Request	Neil Carr
	Executive Forward Programme	To consider the Executive and IEMD Forward Programmes and identify any issues for Scrutiny	Regular Update	Neil Carr
	O&S Work Programmes 23/24	To consider the work programmes for the four Overview and Scrutiny Committees	Work Programme	Neil Carr
	Action Tracker	To consider the regular Action Tracker report	Regular Update	Neil Carr

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
6 February 2024	Economic Development Strategy	To consider progress against the Council's Economic Development Strategy	Committee Request	Rhian Hayes
	Equality Plan	To scrutinise the annual update of the Council's Equality Plan	Regular Update	Emily Higson
	Tackling Poverty Strategy	To scrutinise progress against the Council's Tackling Poverty Strategy	Committee Request	Emily Higson
	O&S Committees Annual Reports	To consider the draft O&S Annual Reports prior to submission to Council	Standing Item	Neil Carr
	Executive Forward Programme	To consider the Executive and IEMD Forward Programmes and identify any issues for Scrutiny	Regular Update	Neil Carr
	O&S Work Programmes 23/24	To consider the work programmes for the four Overview and Scrutiny Committees	Work Programme	Neil Carr
	Action Tracker	To consider the regular Action Tracker report	Regular Update	Neil Carr

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
6 March 2024	O&S Work Programmes	To confirm the O&S Work Programmes for 2024/25	Annual item	Neil Carr
	Q3 2023/24 Performance Management	To consider the Q3 Performance Monitoring report	Regular item	Will Roper
	Executive Forward Programme	To consider the Executive and IEMD Forward Programmes and identify any issues for Scrutiny	Regular Update	Neil Carr
	O&S Work Programmes 23/24	To consider the work programmes for the four Overview and Scrutiny Committees	Work Programme	Neil Carr
	Action Tracker	To consider the regular Action Tracker report	Regular Update	Neil Carr

CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE 2023/24 WORK PROGRAMME

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	RESPONSIBLE OFFICER / CONTACT OFFICER
6 September 2023	Social Worker Recruitment and Retention Update	To monitor the development and progress of the strategy.	Information item	Children's Services / Adam Davis
	Safety Valve Update	To monitor the development and progress of the programme.	Standing item	Children's Services/ Ming Zhang
	Holiday, Activities & Food programme	To consider the impact of the cost of living crisis on holiday, activities and food programme	Information item	Children's Services / Helen Watson
	KPI's	To consider the key performance indicators	Standing item	Children's Services / Helen Watson
	Post Ofsted Action Plan	To review the Action Plan in response to the ILACS Ofsted inspection	Standing item	Children's Services / Helen Watson
	Home to School Transport - Training For Escorts And Drivers	To review the programme of training for escorts and drivers providing home to school transport.	Challenge item	Children's Services / Ming Zhang
	Executive Member Update	To receive an update from the Executive Member for Children's Services.	Standing item	Prue Bray
	Schools Causing Concern – Part 2	To consider the work being undertaken to support schools causing concern in a part 2 session	Standing item	Children's Services/ Ming Zhang

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	CSO&S Forward Plan	To consider the forward plan of the Committee	Standing item	Democratic Services/ Luciane Bowker
DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	RESPONSIBLE OFFICER / CONTACT OFFICER
1 November 2023	Safety Valve Update	To monitor the development and progress of the programme.	Standing item	Children's Services/ Ming Zhang
	Complaints review	To monitor the complaints received against the service.	Challenge item	Children's Services / Helen Watson
	Executive Member Update	To receive an update from the Executive Member for Children's Services.	Standing item	Prue Bray
	Schools Update	To monitor schools' performance.	Standing item	Children's Services / Ming
	Schools Causing Concern – Part 2	To consider the work being undertaken to support schools causing concern in a part 2 session	Standing item	Children's Services/ Ming Zhang
	CSO&S Forward Plan	To consider the forward plan of the Committee	Standing item	Democratic Services/ Luciane Bowker
DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	RESPONSIBLE OFFICER / CONTACT OFFICER
8 January 2024	Executive Member Update	To receive an update from the Executive Member for Children's Services.	Standing item	Prue Bray
	Schools Update	To monitor schools' performance.	Standing item	Children's Services / Ming

	Safety Valve Update	To monitor the development and progress of the programme.	Standing item	Children's Services/ Ming Zhang
	To Review the Post Ofsted Improvement Plan	To monitor the progress of the improvement plan.	Challenge item	Children's Services / Helen Watson
	Schools Causing Concern – Part 2	To consider the work being undertaken to support schools causing concern in a part 2 session	Standing item	Children's Services/ Ming Zhang
	CSO&S Forward Plan	To consider the forward plan of the Committee	Standing item	Democratic Services/ Luciane Bowker
DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	RESPONSIBLE OFFICER / CONTACT OFFICER
20 March 2024	Safety Valve Update	To monitor the development and progress of the programme.	Standing item	Children's Services/ Ming Zhang
	Schools Update	To monitor schools' performance.	Standing item	Children's Services / Ming
	Executive Member Update	To receive an update from the Executive Member for Children's Services.	Standing item	Prue Bray
	Schools Causing Concern – Part 2	To consider the work being undertaken to support schools causing concern in a part 2 session	Standing item	Children's Services/ Ming Zhang
	CSO&S Forward Plan	To consider the forward plan of the Committee	Standing item	Democratic Services/ Luciane Bowker

CLIMATE EMERGENCY OVERVIEW AND SCRUTINY COMMITTEE

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
25 September 2023	Council Procurement	To consider the Council's policies and plans for effective procurement in line with the CEAP	Committee Request	Sabrina Chiaretti
	Solar Farms	To consider progress relating to the development of solar farms in the Borough in line with the CEAP	Standing Item	Sabrina Chiaretti
	Work Programme	To consider the Committee's Work Programme for 2023/24 – to be informed by the CEAP Update	Standing Item	Neil Carr
	Action Tracker	To consider the regular Action Tracker report	Standing Item	Neil Carr

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COMMUNITY AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
2 October 2023 2023	Medium Term Financial Plan	To receive the strategic overview of the draft MTFP, and details of earmarked reserves held by WBC	Work programme	Graham Ebers
	Street Cleansing and Grounds and Maintenance Services	To consider the proposed changes to the Street Cleansing and Grounds Maintenance Services contracts.	Committee Request	Richard Bissett
	Local Plan Update	To receive an update on the development of the Local Plan Update	Work Programme	Ian Bellinger
	Action Tracker	To consider the Committee's action tracker	Standing Item	Callum Wernham
	Work Programme	To consider the work programme for the Committee for 2023-24	Standing Item	Democratic Services

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DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
30 October 2023	Medium Term Financial Plan	To receive details of proposed bids within the draft MTFP	Work programme	Graham Ebers
	Violence Against Women and Girls Strategy	To consider an update on the Violence Against Women and Girls Strategy.	Committee Request	Narinder Brar
	Action Tracker	To consider the Committee's action tracker	Standing Item	Callum Wernham
	Work Programme	To consider the work programme for the Committee for 2023-24	Standing Item	Democratic Services

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
14 November 2023	Medium Term Financial Plan	To receive details of proposed bids within the draft MTFP	Work programme	Graham Ebers
	Action Tracker	To consider the Committee's action tracker	Standing Item	Callum Wernham
	Work Programme	To consider the work programme for the Committee for 2023-24	Standing Item	Democratic Services

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
28 November 2023	Medium Term Financial Plan	To receive details of proposed and updated bids within the draft MTFP	Work programme	Graham Ebers
	Action Tracker	To consider the Committee's action tracker	Standing Item	Callum Wernham
	Work Programme	To consider the work programme for the Committee for 2023-24	Standing Item	Democratic Services

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
19 December 2023	Medium Term Financial Plan	To receive details of proposed and updated bids within the draft MTFP	Work programme	Graham Ebers
	Action Tracker	To consider the Committee's action tracker	Standing Item	Callum Wernham
	Work Programme	To consider the work programme for the Committee for 2023-24	Standing Item	Democratic Services

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
22 January 2024	Enforcement and Safety Service	To scrutinise the delivery of the Council's enforcement and safety service	Work programme	Narinder Brar
	Planning Service	To scrutinise the delivery of the Council's Planning, Strategic Planning and Planning Enforcement services	Committee request	Trevor Saunders
	Action Tracker	To consider the Committee's action tracker	Standing Item	Callum Wernham
	Work Programme	To consider the work programme for the Committee for 2023-24	Standing Item	Democratic Services

DATE OF MEETING	ITEM	PURPOSE OF REPORT	REASON FOR CONSIDERATION	CONTACT OFFICER
4 March 2024	Police and Fire Services	To receive an update on the work of the Police and Fire Services	Work programme	Graham Ebers
	Flood Risk Management	To receive the annual update on the Council's delivery of the flood risk management strategy	Work Programme	Boniface Ngu
	Combatting Drugs Partnership	To receive a report on the work of the Combatting Drugs Partnership Delivery Group	Committee Request	Narinder Brar
	Action Tracker	To consider the Committee's action tracker	Standing Item	Callum Wernham
	Work Programme	To consider the work programme for the Committee for 2023-24	Standing Item	Democratic Services

Task & Finish Groups – Active Travel Task and Finish Group

HEALTH OVERVIEW AND SCRUTINY COMMITTEE FORWARD PROGRAMME

DATE OF MEETING	ITEMS	PURPOSE OF REPORT	REASON FOR CONSIDERATION	RESPONSIBLE OFFICER / CONTACT OFFICER
19 September 2023	Healthwatch update	Challenge item	Challenge item	Healthwatch Wokingham Borough
	Specialist accommodation project	Update	Update	ACS
	Home care	Update	Update	ACS
	Update on dental services	Update on progress made since update in January 2023	Challenge item	ICB
	ASC KPIs	Challenge item	Challenge item	Matt Pope

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DATE OF MEETING	ITEMS	PURPOSE OF REPORT	REASON FOR CONSIDERATION	RESPONSIBLE OFFICER / CONTACT OFFICER
6 November 2023	Adult Services Workforce Strategy	Update	Update	Adult Social Care and HR
	Plan for Covid booster and flu vaccines	Update	Update	ICB
	Autism Strategy	Challenge item	Challenge item	Adult Social Care
	Healthwatch update	Challenge item	Challenge item	Healthwatch Wokingham Borough
	ASC KPIs	Challenge item	Challenge item	Matt Pope

DATE OF MEETING	ITEMS	PURPOSE OF REPORT	REASON FOR CONSIDERATION	RESPONSIBLE OFFICER / CONTACT OFFICER
31 January 2024	WestCall – out of hours GP service	Update	Update	Berkshire NS Foundation Trust
	Coroners court	Referral from Community and Corporate Overview and Scrutiny Committee	Update	
	Healthwatch update	Challenge item	Challenge item	Healthwatch Wokingham Borough
	ASC KPIs	Challenge item	Challenge item	Matt Pope

DATE OF MEETING	ITEMS	PURPOSE OF REPORT	REASON FOR CONSIDERATION	RESPONSIBLE OFFICER / CONTACT OFFICER
19 March 2024	South Central Ambulance Service	Update	Update	SCAS
	Healthwatch update	Challenge item	Challenge item	Healthwatch Wokingham Borough
	ASC KPIs	Challenge item	Challenge item	Matt Pope

Currently unscheduled topics:

- Maternal mental health
- GP access and communicating different ways of working with the public

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Overview and Scrutiny Management Committee – Action Tracker 2023/24

O&S Management Committee – 12 June 2023		
Agenda Item	Action	Update
Minutes of Previous Meeting	<ul style="list-style-type: none"> • Agreed 	<ul style="list-style-type: none"> • Completed
Thames Water	<ul style="list-style-type: none"> • Letter from Chair to Thames Water summarising issues discussed • Members to attend site visits at STWs • Notify Town/Parish Councils about opportunities for Thames Water briefings • Arrange discussion with Members on sinkholes in Borough • Thames Water – WBC discussions on cost of living measures, smart meters, adoption of infrastructure and water efficient homes 	<ul style="list-style-type: none"> • Completed • Ongoing • Ongoing • Ongoing • Ongoing
Q4 Corporate Performance Report	<ul style="list-style-type: none"> • Review layout and content of pie charts in report • Director and Executive Member review targets in leisure centre KPI • Further report on performance of leisure centres • Officers consider inclusion of assets values in KPI on investment portfolio 	<ul style="list-style-type: none"> • Ongoing • Ongoing • Ongoing • Ongoing
O&S Work Programmes	<ul style="list-style-type: none"> • Allocate resident/Town/Parish suggestions to O&S Committees • All reports/presentations to be submitted in advance of O&S meetings 	<ul style="list-style-type: none"> • Completed • Completed

O&S Management Committee – 18 July 2023		
Agenda Item	Action	Update
Minutes of Previous Meeting	<ul style="list-style-type: none"> • Agreed 	<ul style="list-style-type: none"> • Completed
Leader of the Council – Stephen Conway	<ul style="list-style-type: none"> • Improving the “Overview” aspect of O&S – discussions with Leader and O&S Chairs • All-Member briefing on the “Safety Valve” agreement with the DfE 	<ul style="list-style-type: none"> • Ongoing • Ongoing

	<ul style="list-style-type: none"> • Specific focus on improving partnership working with Thames Valley Police 	<ul style="list-style-type: none"> • Ongoing
Annual Complaints Report 2022/23	<ul style="list-style-type: none"> • Future reports to include data on response times for each stage of the complaints process • The term “customer” to be reviewed as part of the emerging Customer Excellence Strategy • Any policy updates to be submitted to the appropriate O&S Committee • Future complaints reports include more detailed equality monitoring data 	<ul style="list-style-type: none"> • Ongoing • Ongoing • Ongoing • Ongoing
Bus Enhanced Partnership & Scheme	<ul style="list-style-type: none"> • Progress on implementation to be submitted to O&S annually • Officers check legislation re inclusion of an exit clause to the agreement • Report to Executive to include clarification on WBC’s financial commitment after 2026/27 	<ul style="list-style-type: none"> • Ongoing • Ongoing • Ongoing
O&S Work Programmes	<ul style="list-style-type: none"> • Add OSMC item on Sports Pitch Strategy • Add OSMC item on WBC Recruitment and Retention • Approach SSEN re attendance at OSMC • Add C&C item on 2023 grass cutting 	<ul style="list-style-type: none"> • Completed • Completed • Ongoing • Ongoing