

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD ON THURSDAY 19 FEBRUARY 2015 FROM 7.00PM TO 7.35PM**

Present:- Keith Baker (Chairman), Charlotte Haitham Taylor, Pauline Jorgensen, John Kaiser, Julian McGhee-Sumner, Philip Mirfin, Anthony Pollock and Angus Ross

PART I

110. MINUTES

The Minutes of the meeting of the Executive held on 29 January 2015 were confirmed as a correct record and signed by the Chairman.

111. APOLOGIES

There were no apologies for absence received.

112. DECLARATIONS OF INTEREST

There were no declarations of interest received.

113. PUBLIC QUESTION TIME

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

113.01 Question

Imogen Shepherd-DuBey asked the Executive Member for Regeneration and Communities the following question:

Item 118.00 sets out to agree the use in principle of Compulsory Purchase Orders (CPO) to acquire the last part of the land you need for the Peach Place regeneration scheme. In other words, you have got to the point where the Peach Place planning application is due to go before the Planning Committee in March, without having managed to buy all the land you need to allow the scheme to go ahead. Why have your efforts to acquire the land been unsuccessful, so that you need to resort to compulsory purchase?

Answer

The Council has not been unsuccessful in securing the land required to deliver the Peach Place regeneration scheme and is now the majority land owner within the red line.

It is not a requirement for the submission of a planning application or the granting of a planning consent for the land in question to be in ownership of the applicant. It is also not a requirement that all land within the red line be in the ownership of the Council to enable successful delivery of the proposals.

The Council is not 'resorting' to CPO but is proposing a standard legal approach for a scheme of this type and location. As set out within the Executive report the CPO process is not simply about purchasing pieces of land but also about dealing with a variety of land interests such as leases, orders, consents and alterations to highways.

As with any scheme the Council will continue to seek to deal with any such interests through negotiation. However, an in-principle resolution to use CPO powers should they be required, can only demonstrate the Council's commitment to seeing the scheme succeed and strengthen their negotiating position as the regeneration is delivered.

Supplementary Question

Marks and Spencer is a big company. The last time the regeneration was involved with a big company it was with the plans for a supermarket on Elms Field; when you kept saying that Sainsbury's were going to sign up, despite all the evidence to the contrary, and in the end they didn't do what was wanted. What happens if Marks and Spencer don't do what you want and decide to fight the compulsory purchase order for a piece of their land?

Supplementary Answer

I am puzzled when you say "don't do what you want" relating to Marks and Spencer's. Marks and Spencer's, who we have a very good relationship with, who when I last saw them the Director of Property for the UK was very willing to co-operate with us in our regeneration scheme and in fact was very encouraging for the whole scheme. As such we are in constant negotiation with them and others in and around the red line area to achieve the minor changes that are required to fulfil the whole of the planning application. Indeed they see it as an absolute benefit for people once the square is completed. People coming out of Bush Walk will see a brand new rear entrance to Marks and Spencer's which is much more positively set than the current one and therefore in many respects thankfully they want to stay where they are and thankfully they are supporting the whole solution of the regeneration. So I don't see anything there at all being something that they don't want to proceed with and I don't see that Marks and Spencer's are in any way resisting it.

114. MEMBERS' QUESTIONS

In accordance with the agreed procedure, the Chairman invited Members of the Council to submit questions to appropriate Executive Members.

114.01 Question

Tim Holton asked the Executive Member for Planning and Highways the following question:

My question refers to the Dairy Hatch Farm Application. Since the application was approved in 2011 I have noticed that the area has been subject to flooding. Please can you clarify if this will be discussed in the reserve matters?

Answer

The planning permission for Hatch Farm Dairies has been the subject to extensive assessment and negotiation over many years with the Environment Agency to address the flood risk. The Environment Agency has agreed the proposed and detailed submission in the flood risk assessment submitted to support this application. The development must be carried out in accordance with this flood risk assessment.

When the detailed layout is submitted at the reserve matters stage, which will go before the Planning Committee, we will review the situation with regards to the flood risk assessment. The development will also need to comply with other conditions placed upon the permission to safeguard against flooding. There is also a condition relating to sustainable urban drainage and this will see betterment in drainage terms relative to the existing site.

As you point out the area was subject to extensive flooding last year. In the light of this we did inspect the site again at the time and I can confirm that none of the areas which are intended for housing and related built development were flooded.

114.02 Question

Norman Jorgensen asked the Executive Member for Planning and Highways the following question:

Some residents have said they are finding it difficult to get affordable rented accommodation, especially if they are working and are on housing benefit. What is Wokingham Borough Council doing to help such people?

Answer

There are a number of things that we do obviously and they come under a number of headings. Say for instance social housing. The wait for social housing on the Housing Register can, at present, be long due to the numbers of people requesting housing outstripping available resource. The new Allocations Policy that will be launched in the Spring will provide a clear process for customers to understand the likelihood of them being rehoused by Wokingham Council. There are flexibilities within the policy that can allow the Council to respond to particular local need; e.g. offer some social housing specifically for people working locally.

We also have Intermediate Rent Models. The Council understands that some working families' access to accommodation that costs less than market rents can be a valuable option when looking for a home. As well as providing social housing, we have recommended to our development partners, which are basically Registered Social Landlords, the provision of some accommodation at intermediate rent levels, which is normally about 80% of the markets, so that we can offer this to households.

Shared Ownership Housing is another way of owning a home with regards to affordable housing and it is a model that offers households to step-purchase a home by starting off by buying a small share and perhaps progressing to a larger share as their circumstances improve.

Where decisions are made about affordable housing, at the Planning stage, we will request that a proportion of the units are developed into Shared Ownership properties. These schemes are very popular with local working people and offer a real alternative to the rental market; when a family would not have the means to make an outright purchase on the open market.

The other issue is the private rented sector and that is more difficult for some of our residents to access because of the cost of housing in the Borough but we do help wherever we possibly can but we are faced with an unfortunate situation that changes in the way benefits will be paid will mean that in future benefits will be paid to the recipient and not the landlord and that is making more and more private landlords not very keen to take on benefit claimants.

The true answer, I guess, is the new houses that we are building for the future. This new housing in the Borough will bring with it 30-35% of affordable housing. It will also allow the Council to take the commuted sums from developers which will allow the Council to bring forward affordable housing via its own housing company; Wokingham Housing Ltd.

114.03 Question

Chris Bowring asked the Executive Member for Environment the following question:

Residents in Eastheath Gardens in my ward have suffered for some time from flooding in the street. On occasions the water can be several inches deep making transport by car or on foot difficult. Would the Executive Member for the Environment please update me on what the Council is doing to alleviate these problems?

Answer

As we all realise it has been a problem for some time. Earlier in the year a study was commissioned into the cause of flooding in Eastheath Gardens and possible ways to alleviate the problem.

Following that work the Council has now decided to construct a small pumping station to pump the water into the highway drainage system on Finchampstead Road. The outfall will be through the footway from Eastheath Gardens to Finchampstead Road; that is between No 14 and 15 Eastheath Gardens.

We are confident that this proposal will lead to a significant reduction in the incidence of flooding in the area.

Supplementary Question

Can you give me an indication of when the works are likely to begin?

Supplementary Answer

Until this afternoon the information I had was once the detailed ground investigations and design have been completed it is hoped that works can begin early in the new financial year.

Just today I had an update on that and, although there have been some delays due to constraints in the area, next week a trial pit will be dug. We are also aware of the worsening condition of the road there and Highways will continue to monitor this and will provide alternative arrangements for waste collection which have been put in place pending a solution and getting the whole area tidied up again.

114.04 Question

Lindsay Ferris asked the Executive Member for Economic Development and Finance the following question which was answered by the Leader of Council:

Question

Given the ever increasing challenge facing this Council when setting a budget, isn't it about time you actually included the public and overview and scrutiny members by fully consulting on budget choices such as the priorities for spending and their potential impact?

Answer

It is incredibly interesting that you raise this, you must have been reading my mind because before October last year I asked Officers to research how other Berkshire Councils engage residents in their budget setting process. The objective was to see if there were any good practices out there. Across Berkshire I believe only Bracknell Forest carry out any form of survey but I am willing to stand corrected on that.

The structure and wording of such a survey has to be well balanced and this isn't a very easy task which is why it will take some time to come up with some draft proposals. For example how do you explain priorities in a digestible form? How do you manage the expectations of residents and there is a whole host of other questions to answer?

That work is continuing to establish what would be best for our Council. Exactly when that is likely to be completed has not yet been worked out. In a similar way how it is moved forward, i.e. do we have a cross party working group or do we use the Constitutional Review Group to debate this, is also an outstanding issue.

Supplementary Question

Will you then set up a proper timetable public and scrutiny committee budget consultation as an integral part of next year's budget setting process?

Supplementary Answer

That is a possibility. I do not want to prejudge anything let us get some ideas of what we might be doing and then we will move it forward.

115. HOUSING REVENUE ACCOUNT BUDGET 2015/18

The Executive considered a report setting out the Housing Revenue Account budget for 2015/16 which included proposed rent levels for council housing and council-owned garages.

The Executive Member for Planning and Highways advised Members that the proposed rent increase on Council house dwellings was on average 3.34% and on the shared equity rents the increase was between 6% and 13%. Although the increase on shared equity rents appeared high the monetary affect was actually between £3 and £11 per month and this reflected the amount the Council was currently spending on the housing stock which was in the region of £6m for this financial year.

RESOLVED That Council be recommended to approve:

- 1) the Housing Revenue Account Budget;
- 2) that Council house dwelling rents be increased by an average 3.34% effective from 1 April 2015;
- 3) that garage rents be increased by 2.4% effective from 1 April 2015;
- 4) that it be noted that a review of the Shared Equity Rents in 2011 had determined that rents had been kept artificially low in previous years and not increased in line with the terms of the leases. Therefore rents for shared equity properties will gradually increase above inflation for four years to bring the rents in line by 1 April 2016. The increase for 2015/16 will be between 6% and 13% (£3 and £11 per month) depending on the property;
- 5) that Tenant Service Charges are set in line with estimated costs;
- 6) the Housing Major Repairs (capital) programme for 2015/16 as set out in Appendix C to the report.

116. CAPITAL PROGRAMME AND STRATEGY 2015/18

The Executive considered a report setting out the proposed Capital Programme and Strategy for 2015-2018 which sets out the schemes that would be carried out during this period.

The Executive Member for Economic Development and Finance advised that the capital expenditure for 2015/16 was estimated at £95m which was made up of various funding sources including developer contributions, grants, borrowing, reserves and capital receipts. Councillor Pollock highlighted a number of areas where the money would be spent including new schools, roads and the town centre redevelopment.

RESOLVED That:

- 1) Council be recommended to approve the Capital Programme and Strategy 2015/18;
- 2) the allocation of the remaining un-ringfenced Large Scale Sites Grant from the HCA towards the delivery of the Strategic Development Locations (SDLs) be approved;
- 3) the allocation of developer contributions (s106) and Community Infrastructure Levy (CIL) to schemes in the 15-16 Capital Programme (Appendix C to the report) be noted.

117. TREASURY MANAGEMENT STRATEGY 2015/16

The Executive considered a report setting out the Treasury Management Strategy for 2015/16 which included the statutory statements eg capital plans, investment strategy etc which the Council was required to approve before the start of the financial year.

The Executive Member for Economic Development and Finance informed the meeting that the Treasury Management Strategy was becoming more and more important because of the size of the proposed capital programme. It was noted that Treasury Management also dealt with the Council's investment portfolio and provided the intellectual underpinning to finance the budget.

RESOLVED That Council be recommended to approve the following:

- 1) the Capital Prudential indicators, 2015/16-2017/18;
- 2) the borrowing strategy 2015/16;
- 3) the Annual Investment Strategy 2015/16; and
- 4) the Treasury Indicators: limits to borrowing activity 2015/16.

118. MEDIUM TERM FINANCIAL PLAN 2015/18 – REVENUE BUDGET SUBMISSION 2015/16

The Executive considered a report setting out the Medium Term Financial Plan for 2015/18, which included the proposed revenue budget submission and schedule of fees and charges for 2015/16.

The Executive Member for Economic Development and Finance highlighted the huge amount of work that had been undertaken to keep income and expenditure in line while maintaining front line services and providing support for the most vulnerable.

RESOLVED That:

- 1) the 2015/16 schedule of fees and charges (Appendix A to the report) be approved;
- 2) the joint Environmental Health and Trading Standards provisional service fees and charges for 2015/16 (Appendix B to the report) be noted;
- 3) Council be recommended to approve the Medium Term Financial Plan (MTFP) 2015/2018, including the budget submission for 2015/16.

119. HOUSING STRATEGY 2015-18

The Executive considered a report relating to a proposed Housing Strategy for 2015-18 which sets out the Council's ambitions for housing provision, investment and management.

The Executive Member for Planning and Highways advised the meeting that the Strategy was designed amongst other things to: address housing needs; support vulnerable people; tackle homelessness and enhance tenants' services. The Housing Strategy was intended to be an overarching umbrella document with various other strategies feeding into it eg Older People's and Young People's Housing Strategies. It was noted that these other strategies contained more detailed information.

RESOLVED: That Council be recommended to adopt the Housing Strategy 2015-18.

120. REQUEST FOR THE TEMPORARY CLOSURE OF FOOTPATH 4 REMENHAM (PART)

The Executive considered a report relating to a request that had been received from the organisers of the Henley Festival of Music and the Arts for the temporary closure of Footpath 4 Remenham (part).

The Executive Member for Environment explained that the closure would allow Henley Festival to be organised and run safely and asked Members to note that it was actually the Secretary of State for Transport who would give the final consent to the request.

Councillor Ross advised that following discussion about last year's request a Member Working Group had been established to look into how the matter could be dealt with in the future. The Working Group's work was well advanced and their recommendations would be coming forward in due course.

The Leader of Council clarified that such requests were not usually brought to Executive but because of the nature of this particular footpath the decision was always made in public.

RESOLVED That:

- 1) the making of an Order for the closure of Footpath No 4, for a closure of an 80m section of the footpath for the set up and de rig of the Festival stage from Monday 6th July to Wednesday 8th July 2015 inclusive and from Monday 13th July to Tuesday 14th July 2015 inclusive be approved;
- 2) included within the closure is a 488m section for evening performances from Wednesday 8th July to Sunday 12th July 2015 inclusive, under Section 16A of the Road Traffic Regulation Act 1984, subject to the receipt of the requisite consent of the Secretary of State for Transport;

- 3) the progress of the Member Working Group established to investigate: the principle of limiting closures of public rights of way by the introduction of a byelaw and/or policy which would preclude any further applications, limiting current closures to those existing and conditioning those closures so that they have the minimum impact on the residents and public be noted.

121. TWYFORD YOUTH CENTRE

The Executive considered a report relating to proposals to agree formal lease arrangements and dilapidation works for Twyford Youth Centre.

The Executive Member for Regeneration and Communities advised that the purpose of the report was to allow the continuation of the site for youth service provision in Twyford. Councillor Mirfin explained that the Council had acquired control and responsibility for maintaining, repairing and insuring of the property following the demise of Berkshire County Council.

Councillor Mirfin informed Members that there was currently a licence under 'tenancy at will', with a notice period of one month, operating with the Twyford Youth Centre CIO which enabled them to provide a youth service in Twyford. The level of dilapidation costs was required to be determined if it was decided to proceed with a sub-lease.

In relation to the amount of dilapidation costs it was noted that there was a difference of opinion between the Trust and the Council. The proposal was that a supplementary estimate for £65k be agreed to fund the repair work which would make the youth centre fit for purpose and agree a sub-lease for 7 years.

RESOLVED That:

- 1) the dilapidation works of £65k required to repair the Youth Centre to a 'fit for purpose' state be supported;
- 2) a capital supplementary estimate of £65k to fund the works be agreed;
- 3) a sub-lease of 7 years with the Council remaining responsible for rates, repairs and insurance be agreed.

122. COMPULSORY PURCHASE ORDER (CPO) – IN-PRINCIPLE RESOLUTION

The Executive considered a report relating to authorisation for an in-principle use of a compulsory purchase order (CPO) in order to enable the acquisition of all necessary land interests to deliver the regeneration of Peach Place which was a key part of the regeneration of the town centre.

The Executive Member for Regeneration and Communities tabled a revised set of recommendations and outlined the differences from those contained in the agenda. Councillor Mirfin explained that the proposal was to gain agreement in-principal to use CPO should that become necessary and if it was deemed necessary then a further report, outlining the extent of the land to be acquired, would come back to the Executive for consideration.

The intention to delete all but the first sentence of the last bullet point on page 175 of the agenda was noted.

RESOLVED That:

- 1) it be agreed to authorise in-principle the use of compulsory purchase powers to acquire the necessary land interests the extent of which is shown indicatively within the red line on the annexed plan required to deliver the proposed regeneration of Peach Place Wokingham town centre pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) and, in the case of any new rights, pursuant to section 13 of the Local Government (Miscellaneous Provisions) Act 1976, because it considers that:
 - (a) The acquisition will facilitate the carrying out of the development, redevelopment or improvement of land; and
 - (b) The development, redevelopment or improvement of the land is likely to contribute to the achievement of any one or more of the promotion or improvement of the economic, social and environmental well-being of Wokingham.
- 2) authorisation be given to the Chief Executive, in conjunction with the Leader and Executive Member for Regeneration, to take all necessary steps to commence the process for the making of the compulsory purchase order ("CPO"), including securing the appointment of suitable external advisors and preparing all necessary draft CPO documentation;
- 3) it be noted that following the finalisation of the necessary preparatory work, a further report will be put before the Executive to approve the final extent of the land to be acquired and to authorise the making of the CPO.

123. TOWN CENTRE REGENERATION – SITE ASSEMBLY

The Executive considered a report relating to the acquisition of town centre properties within Wokingham town centre in order to implement improvements to the regeneration proposal in line with the regeneration objectives.

Members were informed that the acquisition of the town centre properties, set out in the exempt sheet, would provide greater flexibility and assist in the redevelopment of the town centre. It was noted that the Peach Place redevelopment planning application was due to be considered by the Planning Committee on 4 March; the next phase would include proposals for Carnival Pool; and detailed proposals for Elms Field were due to be announced shortly.

Councillor Mirfin confirmed that once the purchase of the site had been finalised then the actual location of the site would be publicised.

RESOLVED That:

- 1) the acquisition of the town centre properties in line with the costs identified within the report be agreed;
- 2) any further related and subsidiary decisions if required to complete the transaction be delegated to the Chief Executive, in conjunction with the Leader and Executive Member for Regeneration; and
- 3) additional capital budget be allocated in line with the costs identified in the report.

These are the Minutes of a meeting of the Executive

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