

Agenda Item 2.

MINUTES OF A MEETING OF THE EXECUTIVE HELD ON 31 MARCH 2022 FROM 7.00 PM TO 7.40 PM

Committee Members Present

Councillors: John Halsall (Chairman), John Kaiser, Parry Batt, Graham Howe, Stuart Munro, Gregor Murray, Wayne Smith and Bill Soane

Other Councillors In Attendance

Pauline Jorgensen, Highways and Transport
Imogen Shepherd-DuBey

128. APOLOGIES

An apology for absence was submitted from Councillor Charles Margetts.

Councillor Pauline Jorgensen was unable to attend the meeting in person but attended virtually.

129. MINUTES OF PREVIOUS MEETINGS

The Minutes of the meeting of the Executive held on 17 February 2022 and the Extraordinary Executive held on 7 March 2022 were confirmed as correct records and signed by the Leader of Council.

130. DECLARATION OF INTEREST

Councillor John Halsall declared a personal interest in Agenda Item 129, Temporary Closure Remenham Footpath No 4 Henley Festival by virtue of the fact that he was a resident of Remenham and Chairman of the local Parish Council. Councillor Halsall did not act as Chairman of the meeting for this item but remained in the meeting for the debate and vote.

131. PUBLIC QUESTION TIME

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

131.1 Peter Must asked the Executive Member for Highways and Transport the following question:

Question

Following work on a draft Borough-wide Parking Management Action Plan by the Community and Corporate Overview and Scrutiny Committee in 2019 it was reported by the Director of Locality and Customer Services to that Committee at its meeting on 2 September 2019 that: "In 2019/20, the Council is to review its parking management strategy for the Borough. If agreed, this document will go out for full public consultation before adoption by the Council. Following this and in line with the strategy documents, an action plan will be developed and further policies and procedures put in place".

Could the Executive Member say what has happened since that statement?

Answer

Proposals to commence a Borough-wide review of the Council's Parking Management Strategy and to prepare an Action Plan in the final quarter of the 2019/20 financial year were suspended due to the impacts of the Covid pandemic on parking demand.

Apart from impacting resident and visitor parking behaviours, both on-street and in the Council's car parks, the pandemic also affected the ways in which essential site assessment surveys could be undertaken by the Council's Officers and its consultants. I know for instance in Twyford, where we started some of the work, there were an awful lot more people working from home and parked on the streets than is normal. So it is very difficult to get a representative sample.

However, a pilot parking management project to assess the parking behaviour and develop solutions in Twyford, for which the majority of resident surveys had already been completed prior to Covid, was resumed in November 2021 when we considered that things had got more back to normal and a number of supplementary surveys to measure kerbside occupancy, parking characteristics and street capacity were concluded in February.

The results of these surveys are currently being assessed and will enable a number of the broader parking management measures proposed in the draft Borough-wide Parking Management Action Plan to be reviewed in a post-Covid context, enabling aspects such as commuter parking, resident parking zones and permit policy and greater, daytime on-street parking demands by those now working from home more frequently can be considered.

In addition, a review of the Council's Off-Street Car Parks Order was carried out and has resulted in a number of changes which are currently progressing through statutory procedures. Both of these activities will inform the Parking Management Action Plan and enable a revised draft to be presented for public consultation in Autumn 2022.

Supplementary Question

If I have got the gist of that it is intended to bring the Plan forward for public consultation later in this year? How will you be conducting that?

Supplementary Answer

A normal consultation. I think we normally do wide ranging communications. We generally put things on the website. We will put stuff in libraries and that sort of thing and we will generally make sure as many people as possible know about it so that we can get as much input as possible.

131.2 Peter Humphreys asked the Executive Member for Resident Services, Communications and Emissions the following question:

Question

The Council have announced a target of carbon zero by 2030 and plan to plant 250,000 trees in the five years to 2025. Yet actions speak louder than words. Rather than reducing electricity usage in property it owns or has influence over it is increasing usage, take the unopened section of the NWDR which has been illuminated every night for since last autumn. Amazingly some of the Xmas illuminations in Broad Street are still switched on each night whilst the existing Wokingham Library and new Carnival Pool are illuminated 24/7. It can't be for security reasons as its unlikely the pool will be stolen.

Of new trees planted a high percentage have died due to lack of watering, on Dead Trees Roundabout even the replacements have been allowed to die. And there has been the deliberate mass destruction of trees at various sites.

You'll agree that Wokingham is thus in a negative position with regard to trees; how many trees will now need to be planted by the target date to achieve a net 250,000 increase of trees that will reach their tenth birthday?

Answer

The climate emergency remains a key priority for the Council and for our residents, and we all must do our bit to reduce carbon emissions. As a Council, we want to take an active role as possible in tackling our properties and our carbon footprint, and we are continuing to look at ways to improve our properties and make them more energy efficient.

The Council has also a responsibility towards the safety and security of our residents and employees, and for this reason, some night illumination might be required. The library, for example, will be illuminated outside of opening hours whilst staff from other departments based in the building are working, whilst cleaning is being undertaken, and the emergency lighting is left on as per a legal requirement. Carnival pool is a construction site, and the power is managed by the contractor, the lights are left on for workers and for the security staff that remain there. The Council is committed to working with businesses to increase awareness of good energy efficiency practices, we can remind contractors and staff to switch off lights and be more climate conscious.

Regarding your comments about mature trees being removed, it is true that development will result in some of the mature trees being lost but we can compensate for this over the long-term through the provision of replacements. There are mature trees in urban areas now that were planted alongside new developments many generations ago. The Council is developing a tree policy that is viable and works within legislative and guidance boundaries, this is currently being consulted on alongside the Core Strategy.

The trees that are planted by developers are part of their planning obligations, and these are not being counted in the 250,000 tree planting project. The 250,000 tree-planting target is looking at delivering schemes outside of these requirements, for example, across the Council-owned sites including country parks and public open spaces, sites owned by our towns and parish councils and community groups, schools and private landowners who have the space appropriate for hedgerow and woodland creation. The Council is also developing a Tree Strategy for the Borough which will include guidance around developer responsibility in relation to felling and replanting trees. The policies within the developing Tree Strategy will be linked to the Core Strategy currently under consultation.

From October 2021 to the end of March 2022, over 15,000 trees have been planted by various community and volunteer groups, schools, town and parish councils, WBC Countryside Service and by private landowners. The Council will continue to actively engage with the community to support the delivery of this target.

Supplementary Question

I do not know if you want to answer the first question about why the lights are left on at the new road that is still not open for several months?

Apart from that you obviously do not seem to be monitoring how many trees have been cut down so how are you actually going to know if you are going to reach carbon zero if you have got no records of what is going on? Also, as you are only planting 15,000 trees you are well short of the annual target, which should be about 50,000 on average.

Supplementary Answer

I would need to speak to Pauline in a bit more detail about the north west distributor road.

My understanding, and I am sure Pauline will hopefully confirm this, is that that piece of the north west distributor road is actually still owned by the contractor that was building it and as per the same as your own house and your own back garden we do not have the right to ask you to turn your light off. If they want to leave it on overnight all we can do is ask them but they are under no obligation to do it. If they choose as a private contractor to have lights on a road that they own there is nothing that we can do as a Council other than ask them to turn them off.

In terms of the tree planting yes, some trees have been cut down and some trees have, unfortunately, been left to die by developers. I live on a development myself where that has happened. We as a Council are asking the developers to live up to their obligations. Many of them will overplant the number of trees they are required to put into the ground on the assumption that some will die before they complete on the site. I am sure that Wayne would be able to give you some more details around what his department are doing in order to make sure that more trees get planted by developers.

One thing I can also add is that I have seen the supplementary planning guidance that is being proposed as part of the Local Plan Update. I know that the Tree Strategy is being developed and will be included. Part of that includes some very, very high targets for tree planting but also ensuring that trees get to maturity will be part of our Local Plan Update.

Councillor Jorgensen gave the following answer:

Gregor gave a very comprehensive answer. The only thing to add is that the lights, not only are they currently in the control of the developer but they have not been certified yet so they could not be handed over to us yet in any case as the development is not yet finished.

132. MEMBER QUESTION TIME

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

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

Question

In Wokingham we have suffered increasing anti-social behaviour due to late night drinking in the town. This is resulting in broken windows, smashed glasses and bottles around the town, destroyed flower planters and loud behaviour in the early hours, waking up local residents. This is blighting the lives of those who live, work and use the Town centre area, especially as the mess is still there in the morning. We are in desperate need of a solution that ensures that a few people do not make things so unpleasant for the many.

It then came; much to my surprise to find that the ASB team only intend to operate till 2am. Most of the alcohol related anti-social behaviour we see occurs after 3am, as the bars close and people are heading home. I have suggested ways in which WBC can find funding for itself and the police – via a late-night levy on late licences – which is well within its power, if needed. However, we desperately need extra support in Wokingham Town – now – especially in the early hours at the weekend.

Please can you explain what commitments Wokingham Borough Council are going to take in tackling this significant problem?

Answer

Anti-Social Behaviour problems across the Borough are discussed at the Wokingham multi-agency Problem Solving Task Group, which is chaired by Thames Valley Police. Issues that have been occurring in Wokingham Town were discussed at the last meeting, several actions have been agreed including;

- The Police and Council are planning an operation to check licence standards and customer compliance in Wokingham Town.
- The Council's Licensing Team and police have required a problematic license holder to update the licence conditions to be more robust in relation to CCTV and other security measures.
- The notice of variation is posted on the window of the premises for residents and other interested parties to view, comment and make representations.

In addition to this, joint visits with police licensing have been undertaken to several Wokingham late night licensed venues. It was agreed that they will work with the door staff to ensure customers are not leaving their venues with bottles and glasses. Licensing Liaison Officers have also been looking for broken glass and engaging with venues during their weekly patrol in Wokingham. It is also anticipated that the Wokingham Pubwatch group will be able to restart meetings again shortly.

The viability of implementing a late-night levy has recently been reviewed, in order to put this scheme in place, it requires a minimum number of late night licenses. Unfortunately, as it currently stands, there is a lack of late-night licensed premises in Wokingham to make it possible to implement one.

The Council wants to encourage people into our local towns, to enjoy the facilities and businesses and to help support the local economy. However, we also want to ensure that a few individuals do not detract from the majority of well-behaved people enjoying the town and its amenities. We anticipate that these actions will send a clear message to both the licensee and anybody thinking of behaving badly.

Supplementary Question

Well, it is good to know that they are going to try and stop them leaving pubs without glass bottles and that the Pubwatch team is going to reestablish themselves.

The problem we have is not so much in the bars themselves it is when people leave. They are going to look for taxis and wandering around and they are walking home. That is generally where we have the problem. We want people to enjoy the town but we need more support on the street as people leave and there is evidence that we need some controls in that area.

So, I am kind of asking what solutions would you suggest for this piece of work?

Supplementary Answer

Let me say that the incidences that you are saying occur after 3am. The fact is that our ASB Teams will be working up until 2am as it is at the moment and after that time, obviously, the police will be in attendance as well and the sort of issues you are raising, I

would think that hopefully the police will deal with. Let me say that the times of the Anti-Social Behaviour Team is very flexible. We do not even know if we need ten Officers throughout the night or two Officers throughout the night at the moment. It is very early stages. It is flexible and should there be a high demand for more Officers or longer hours then that can be reviewed, but obviously at this stage it is early stages.

What I will say is, just to give you some idea of what we are doing, tomorrow night we have some of our new Anti-Social Behaviour Teams out with the police and going to the Gig House to have a look and see what exactly is happening, and how we can best improve the service.

132.2 Gary Cowan had asked the Executive Member for Finance and Housing the following question but as he was unable to attend the meeting the following written answer was provided:

Question

Page 86 of the report mentions an Inspector's Report of which a copy of the inspector's report is in Appendix 2. Comments a, b, and c below are quite challenging and do not appear to be satisfactorily answered in the report. I cannot comment on the Inspectors report as I cannot find Appendix 2.

On 17 November 2021, the Inspector made his decision not to confirm the CPO on the grounds that:

- a) The sustainability benefits claimed by the Council were not substantiated.
- b) The Council had not shown that the demolition of the existing properties is the only or best way to achieve those benefits; or
- c) That inclusion of the objector's properties is necessary.

The Inspector concludes that the task of demonstrating a compelling case therefore falls not on the objectors, but firmly on the Acquiring Authority. A copy of the Inspector's report is in Appendix 2.

My question is how legal or more to the point moral is this Compulsory Purchase Order?

Answer

The Gorse Ride regeneration project is a flagship scheme in the Council's response to the escalating need for more and better social housing. The provision of well-planned and delivered social housing has never been more important. Data on a national and a local-level shows that homelessness is on the increase, with an escalating demand for temporary accommodation. Not only impacting the Council's future temporary accommodation budgets but having a major effect on those residents whose lives are disrupted by not having a stable and secure home.

The use of compulsory purchase powers will enable all necessary land interests to be acquired to secure the delivery of the regeneration of Gorse Ride and the consequential benefits to the local community.

The scheme will deliver improvements to housing stock within the Borough through the demolition of 178 poor quality housing units and the creation of 249 new well-designed homes. It will bring vitality to the area and enrich the community for the future. The scheme will provide significant social, economic, and environmental benefits to the local

area by creating a new community of which residents can feel proud, new jobs for local people and a significant public realm and landscaping improvements.

A recent analysis of social value generated from those rehoused from the first phase of the Gorse Ride regeneration showed that since moving home, people experienced improvements in, their sense of belonging, their perception of antisocial behaviour in their neighbourhood and their levels of health, as well as now living in homes with improved energy efficiency.

The Council remains committed to acquiring third party property interests voluntarily without the need to exercise the CPO. However, an approval for the Council to proceed with making a new compulsory purchase order is sought as a last resort. The ability to include CPO after all other stages of the negotiation process have been exhausted will enable the regeneration scheme to proceed in accordance with the timeframes shared with residents. Until now the Council has been able to purchase properties successfully through negotiation but to ensure the delivery of the project for the whole community the Council needs to have the right to exercise CPO powers if needed.

In deciding to use this power to make a CPO, the Council has had regard to all other available compulsory purchase powers, including section 17 of the Housing Act 1985, which authorises the acquisition of land for housing purposes. The Council has chosen to utilise its power in section 226 of the 1990 Town and Country Planning Act because it considers that the regeneration of the site will deliver wider regeneration benefits to the community and the locality, than just the provision of housing.

133. TEMPORARY CLOSURE REMENHAM FOOTPATH NO 4 HENLEY FESTIVAL
(Councillor Halsall declared a personal interest in this item)
[Note: For this item Councillor Kaiser took over as Chairman]

The Executive considered a report relating to an application received for the Temporary Closure of Remenham Footpath No 4 to enable the Henley Festival to be organised and run in a safe manner.

The Executive Member for Environment and Leisure went into detail on what was being requested as part of the application, as set out in the report.

Councillor Munro queried whether the timings of the closure of the footpath was in line with the timings requested by the Festival organisers? Councillor Batt confirmed that this was the case and that widespread consultation had taken place and the times had been agreed as per the organisers' requirements.

RESOLVED that:

- 1) the making of an order for the closure of Footpath Remenham 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 4th to Wednesday 6th July 2022 inclusive and from Monday 11th July to Tuesday 12th July 2022 inclusive be approved; and
- 2) include within the closure a 620m section for evening performances from Wednesday 6th July to Sunday 10th July 2022 inclusive and day time performances on Saturday 9th July and Sunday 10th July 2022, 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.

134. VOID PROPERTY WORKS CONTRACT

The Executive considered a report relating to approval of a procurement business case for a new contract to provide a range of repair and refurbishment works required to ensure domestic void properties meet the Council's re-let standard prior to occupation by new tenants or licensees.

During his introduction the Executive Member for Finance and Housing explained that the contract related to homes that sat within the Council's Housing Revenue Account and a void was a property that had become vacant eg because somebody has gone into care or moved to a different property. Work or refurbishment would then be carried out on the property before being occupied by new tenants. Because of the size of the contract Executive approval was required.

Councillor Kaiser confirmed that the total number of homes that sat within the HRA was around 2,700 and around 10% of these became voids per annum. Given the number of people waiting for such homes it was important that any voids were turned round as quickly as possible. Councillor Kaiser also advised that when a property was void the opportunity was also taken to undertake substantial changes eg improving insulation, updating boilers and upgrading kitchens.

RESOLVED: That the business case to enable the Housing Service to procure a suitably qualified, experienced, and competent contractor for the delivery of void property works as required for the Council's housing stock be approved.

135. WINNERSH FARM ACCESS

RESOLVED: That the item be deferred for more information and further review.

136. ARRANGEMENTS FOR THE NEW ENFORCEMENT AND SAFETY SERVICE

The Executive considered a report relating to arrangements for the new Enforcement and Safety Service which was due to start operation on 1 April 2022.

During his introduction the Executive Member for Neighbourhood and Communities reminded Members that the Council had left the Public Protection Partnership, a joint service hosted by West Berkshire Council, today. From tomorrow certain regulatory functions would be run in-house. Councillor Soane advised that after 12 months of considerable negotiations agreement had been reached with both partners for an exit strategy which was fair to all concerned. Councillor Soane thanked Officers from both Councils for their hard work in bringing this to a conclusion.

The meeting was informed that service managers would be in place to oversee issues relating to environmental health, licensing, residential and environmental protection and anti-social behaviour. Councillor Soane stated his gratitude to the Partnership for their work over the years and thanked the Officers and staff who had assisted Wokingham in the past.

Councillor Soane highlighted that in bringing these services back in house the Council would have the ability to offer residents a service that met their needs and their expectations. The service offered by the Anti-Social Behaviour Team would be able to

rapidly and efficiently respond to incidents by being available during times of increased demand. It was noted that currently some of the Team were engaged in the important role of ensuring the safety of Ukraine refugees arriving in the Borough by checking that the homes and the hosts were best suited to the needs and safety of the refugees.

It was further noted that some trading standards and ancillary services, as set out in the report, would continue to be provided by West Berkshire Council.

Councillor Halsall stated that the work of the new service complemented the work being undertaken with the Community Safety Partnership and Domestic Violence and Anti-Social Behaviour Managers.

RESOLVED that:

- 1) the progress made in relation to the repatriation of Environmental Health and Licensing from the Public Protection Partnership ('PPP') to the Council, and setting up an Anti-Social Behaviour Team within the newly created Enforcement and Safety Service be noted;
- 2) it be noted that the Council will continue to contract services for Trading Standards (and ancillary services) from the PPP until 08 January 2027 and agrees that the initial term of the contract shall be at least 2 years;
- 3) a supplementary estimate to facilitate the payment of £416,681 to West Berkshire Council in full settlement of all liabilities incurred as a result of the Council's decision to withdraw services from the PPP be approved. The payment shall be made over 3 financial years; and
- 4) the Director of Place and Growth and Deputy Chief Executive (and Section 151 Officer), in consultation with the Lead Member for Finance and Housing, be delegated the agreement of the final terms of the settlement with West Berkshire and completion of the settlement agreement and the contract for Trading Standards and ancillary services.

137. DELIVERING THE GORSE RIDE REGENERATION PROJECT - COMPULSORY PURCHASE ORDER

The Executive considered a report relating to the use of a compulsory purchase order to enable all necessary land interests to be acquired to secure the delivery of the Gorse Ride regeneration project.

The Executive Member for Finance and Housing reminded the meeting that the Gorse Ride regeneration project was the flagship scheme in the Council's response to escalating need for more and better social housing. The provision of well planned and delivered social housing had never been more important and data on a national and local level showed that homelessness was on the increase. There was also an escalating demand for temporary accommodation.

Councillor Kaiser confirmed that the use of Compulsory Purchase powers would enable all the necessary land interests to be acquired to secure the delivery of the regeneration of Gorse Ride and the consequential benefits to the local community. The scheme would deliver improvements to the housing stock within the Borough through the demolition of 178 very poor quality housing units and create 249 new well designed homes.

Councillor Kaiser reiterated that the Council remained committed to acquiring third party property interests voluntarily without the need to exercise CPO powers. CPO would only be used as a last resort after all stages of negotiation had been exhausted and only to ensure that the regeneration scheme could proceed in accordance with the timeframe, not only to save money but to ensure that people could move into the homes as soon as possible. The Council had been able to purchase properties successfully through negotiations but to ensure that the project could be delivered for the whole community the Council needed the ability to exercise CPO powers if required.

Councillor Smith advised that he was impressed with the quality of the houses completed as part of the first phase.

RESOLVED that:

- 1) the Council should make a new compulsory purchase order ("CPO") to acquire the land as shown indicatively edged red on the plan at Appendix 1 of this report ("the Land") required to deliver the proposed regeneration of land known as land at Gorse Ride South, Finchampstead, Wokingham ("the Site") pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act") because it considers that:
 - a. the acquisition of the Land will facilitate the carrying out of the development, redevelopment or improvement of the site.
 - b. the development, redevelopment or improvement of the site 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 the borough of Wokingham; and
 - c. there is a compelling case in the public interest for the CPO.
- 2) the Deputy Chief Executive, in consultation with the Executive Member for Housing and Finance, be authorised to:
 - a. take all necessary steps in relation to the Land to secure the making, the confirmation and the implementation of the CPO including publication and service of all relevant notices and the presentation of the Council's case at any Public Inquiry; and
 - b. approve terms for the acquisition of legal interests (including rights if required) by agreement including for the purposes of resolving any objections to the CPO.