



WOKINGHAM BOROUGH COUNCIL

MINUTES OF COMMITTEE MEETINGS FOR THE PERIOD

3 October 2022 to 24 October 2022

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

**Susan Parsonage
Chief Executive
Published on 9 November 2022**



WOKINGHAM BOROUGH COUNCIL

Our Vision

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

Enriching Lives

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

Safe, Strong, Communities

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

A Clean and Green Borough

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

Right Homes, Right Places

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

Keeping the Borough Moving

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

Changing the Way We Work for You

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

	PAGE NO.
Minutes of meeting Monday, 3 October 2022 of Community and Corporate Overview and Scrutiny Committee	5 - 12
Minutes of meeting Tuesday, 4 October 2022 of Personnel Board	13 - 14
IMD 2022/13 10 October 2022	15 - 16
Minutes of meeting Wednesday 12 October of Schools Forum	17 - 24
Minutes of meeting Wednesday, 12 October 2022 of Planning Committee	25 - 34
IMD 2022/14 14 October 2022	35 - 36
Minutes of meeting Monday, 17 October 2022 of Community and Corporate Overview and Scrutiny Committee	37 - 46
Minutes of meeting Wednesday, 19 October 2022 of Licensing and Appeals Committee	47 - 52
Minutes of meeting Monday, 24 October 2022 of Standards Committee	53 - 56

This page is intentionally left blank

MINUTES OF A MEETING OF THE COMMUNITY AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE HELD ON 3 OCTOBER 2022 FROM 7.00 PM TO 9.55 PM

Committee Members Present

Councillors: Peter Dennis (Chair), David Cornish (Vice-Chair), Norman Jorgensen, Laura Blumenthal, Chris Johnson, Pauline Jorgensen, Gregor Murray, Alistair Neal and Andy Croy (Substitute)

Officers Present

Callum Wernham (Democratic and Electoral Services Specialist), Neil Carr (Democratic & Electoral Services Specialist), Graham Ebers (Deputy Chief Executive (Director of Resources and Assets)) and Zulfiqar Mulak (Interim Assistant Director Housing)

Executive Members Present

Clive Jones (Leader of the Council), Imogen Shepherd-DuBey (Executive Member for Finance) and Stephen Conway (Executive Member for Housing)

29. APOLOGIES

An apology for absence was submitted from Shirley Boyt. Andy Croy attended the meeting as a substitute.

30. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 5 September 2022 were confirmed as a correct record and signed by the Chair.

31. DECLARATION OF INTEREST

There were no declarations of interest.

32. PUBLIC QUESTION TIME

There were no public questions.

33. MEMBER QUESTION TIME

There were no Member questions.

34. HOMELESSNESS UPDATE

The Committee considered a report, set out in agenda pages 13 to 32, which gave an update on homelessness within the Borough and ongoing measures to support individuals.

The report outlined that reduction of homelessness remained a key priority for the Council, and homelessness levels had fluctuated over the past few years. The main reasons for homelessness continued to be the end of assured shorthold tenancies via section 21 notices, family and relationship breakdowns, with an increase in domestic abuse related cases. A number of achievements had been realised to date, including the adoption and delivery of the Council's Rough Sleeping Strategy and new allocations policy, whilst it was planned to maximise funding opportunities via the Government's Rough Sleeping Strategy and Homes England grant programmes.

Stephen Conway (Executive Member for Housing) and Zulfiqar Mulak (Interim Assistant Director Housing) attended the meeting to answer member queries.

During the ensuing discussions, members raised the following points and queries:

- It was noted that additional refugees, including from Ukraine, was a situation to continue observing going forwards;
- It was noted that there was fluctuating demand for homelessness service requests between quarters;
- What were the key issues driving service demand? Officer response – Private landlord evictions were on the increase, whilst domestic abuse and family and friends no longer willing to accommodate were also on the increase. Covid-19 had created the ‘perfect storm’ which had forced families together, whilst also creating tension within some households;
- It was noted that officers were always searching for alternate and innovative solutions to deal with increased levels of service demand;
- Was the target of 5 individuals living on the street a monthly, annual, or different timeframe target? Officer response – At any one time, the target was to have no more than 5 individuals on the street in the Borough. There were currently a couple of individuals who had been offered accommodation multiple times, with staff visiting them regularly each evening. In instances like these, individuals were choosing to remain on the street out of choice;
- Who could members and the public contact to try and get support for individuals living on the street? Officer response – There was an out of office service, whilst the service could be contacted directly during office hours;
- What local connection was required to be demonstrated for people to use the Borough’s homelessness service? Officer response – There was a 5-year local connection requirement for the housing register, with a 3-year statutory local connection for homelessness. It was confirmed that individuals would retain access to their GP whilst using the service;
- Were homelessness service requests due to mortgage repossessions, currently at 0, a historic low? Officer response – Yes this was a historically low figure, and as these numbers were expected to increase officers were looking for solutions to help individuals and families in the future;
- It was noted that many families required 2-3 bedroom or 4-5 bedroom properties, which were difficult to offer. Properties had to be suitable for the individuals and families concerned;
- Was the family that had been in temporary accommodation since 2017 an exception rather than a norm? Officer response – Absolutely, this particular family had very specific needs that to date could not be addressed via a permanent housing placement;
- What solutions were there to addressing homelessness within the Borough? Executive Member and Officer response – Solutions included providing more social housing within the Borough and creating initiatives within the private rented sector to try and agree rents which were closer to the social housing sector than the open market;

- It was requested that data (a graph) be provided showing valid homelessness service requests within the Borough;
- It was requested that the data be provided with the long-standing family who had been in temporary accommodation being omitted, to see how many weeks on average a family was placed in temporary accommodation with that exception;
- What plans were in place to reduce homelessness numbers within the Borough? Officer response – The key was to prevent people becoming homeless in the first instance. Conversations were underway with the private rented sector to find alternative accommodation, whilst officers could also explore out of Borough placements;
- What were the common circumstances where family were no longer willing to accommodate? Officer response – Typically this was where parents would have a child, potentially a partner of the child and grandchildren living with them. It may get to the stage where parents felt that they could no longer accommodate. Mediation services were offered with a relatively good level of success;
- Was grant funding for the service fixed or demand driven? Executive Member and officer response - This was the first of a three-year settlement, which helped the service plan better. Funding had enabled the service to take on ambitious highly skilled staff;
- Were there processes in place for Ukrainian refugees hosts to contact the Council if they were no longer able to be sponsors? Executive Member and Officer response – There was a lot of support in place in this area, and officers spoke to hosts regularly to identify any emerging issues. There was a dedicated hotline available to discuss any issues, and the Borough was in a fortunate position where it had additional hosts ready to accept guests. Longer term solutions were also being looked into;
- Did the hostel for asylum seekers in Earley create demand on the Borough's homelessness service? Officer response – This was the responsibility of the home office, and as such there was no demand on the placed-on Wokingham Borough Council (WBC);
- Was the workload of 50 cases per officer a reasonable workload? Officer response – There were staff stresses within the service, and work was being done to look at some distribution of workload. There was some ongoing recruitment to ease pressure, and a caseload of 30 per officer was the target;
- Were people who could not demonstrate a local connection signposted to the correct Local Authority? Officer response – Yes, all requests that were not the responsibility of WBC were directed to the correct Borough;
- Were properties reviewed to ensure accommodation was kept to a proper standard? Officer response – A health and safety document was required to be completed for each property;
- Were physical inspections carried out, as there was a recent example of a family being sent to temporary accommodation in Slough where the property had cockroaches, whilst the property had the correct certificates? Officer response – Every person had a

named caseworker who could be contacted for any issues. Where problems did occur, inspections were organised and if issues were not resolved the accommodation and landlord would not be used again;

- It was noted that proactive conversations and relationship building was key with landlords who provided emergency and temporary accommodation;
- It was requested that the number of failures of landlords be recorded over a period of time;
- Were communications planned for existing residents, such as at Grovelands, to help facilitate integration into that community? Executive Member and officer response - Absolutely, a community welcome event was planned and regular communication was in place with residents. A lot of work had gone into addressing the legitimate concerns of existing residents. The standard of accommodation being provided at Grovelands was really high, and it was a very impressive scheme.

RESOLVED That:

- 1) Stephen Conway and Zulfiqar Mulak be thanked for attending the meeting;
- 2) The data and trends for valid homelessness requests be circulated to the Committee;
- 3) The data for the average time a family or individual spent in temporary accommodation, excluding major outliers, be circulated to the Committee;
- 4) Data be recorded to see how many landlords were failing to provide adequate facilities.

35. MEDIUM TERM FINANCIAL PLAN 2023-26 - STRATEGIC OVERVIEW

The Committee considered a report, set out in agenda pages 33 to 52, which set out the initial strategic overview for the draft Medium Term Financial Plan (MTFP) for 2023-26.

The report set out the unprecedented financial challenges facing Wokingham Borough Council (WBC), both nationally by Local Government and then subsequent impact on WBC. Inflationary pressures, including within utilities, construction, pay and contracts were placing pressure on WBC's finances, whilst Council Tax increases were presumed to be capped at 1.99%. Whilst budget managers, senior officers, the Corporate Leadership Team and Executive Members had already undertaken considerable work to provide proposals to be considered by Overview and Scrutiny, further work would be required to address the current estimated budget gap of £4m.

Clive Jones (Leader of the Council), Imogen Shepherd-DuBey (Executive Member for Finance), and Graham Ebers (Deputy Chief Executive (Director of Resources and Assets)) attended the meeting to answer member queries.

The Leader and Executive Member for Finance stated that this was to be the most difficult year for Local Authority Finances for the last 40 years, citing inflationary pressures, pressures from increasing numbers of refugees, and the looming Adult Social Care reform to name a few. Regular meetings were underway with a number of Council's in the South of England, who were also citing concerns around these pressures. Receipt of the Local Government Finance Settlement would occur around Christmas Eve, which was not an

appropriate way for Local Government to be able to set their budgets. Ministers had been written to, to ask for an earlier settlement for a period of longer than 1-year. Whilst WBC was in a much more favourable position than many other Local Authorities, it was still crucial for savings to be identified to address the current estimated budget gap of £4m.

During the ensuing discussions, members raised the following points and queries:

- Was the budget gap cumulative? Deputy Chief Executive response – Yes, and gap which was not addressed in year one would carry over to year two. If the total revenue budget gap was addressed in year one it would place WBC in a good position going forwards. With regards to capital, part of the solution could be to passport projects to future years, find additional income to fund projects, or decide which projects were absolute priorities and which may be delayed or cut;
- What was the long-term plan to address our financial situation, as even if internal spending was addressed this year additional pressures could arise in future. Executive Member and Deputy Chief Executive response – In frank terms, if this situation carried on then it would push WBC towards delivery of only statutory services. Some Local Authorities had declared Section 114 notices, whilst the underlying funding arrangement systems for Local Government were broken as the maximum WBC could raise Council Tax by would be 1.99%, with inflationary pressures far exceeding this. This situation required a considerable amount of work from departments to review their spending and identify potential savings, whilst this was also an opportunity to be radical with income – for example the Town Centre regeneration project had risks associated however this will provide an eventual income to WBC after debts were paid off. The fundamental issue with a move towards only statutory service provision was that preventative measures would be cut back, and quite often reactionary measures were far more expensive than taking initial preventive actions (for example in Children’s and Adult’s Services);
- At what point would a total reshape of service delivery and financial structures need to be considered? Executive Member and Deputy Chief Executive response – Every Local Authority was in the same situation, and the overarching question for Central Government was what they wanted Local Authorities to look like in future. On a micro-level, WBC was reorganising the business all the time, and the more fundamental question was whether Local Authorities would become a facilitator of social community capital rather than a direct service provider;
- As WBC had focused on sound financial management and value creation for some time, whereas other authorities may be experiencing the urgent need to create value for the first time. As such, was WBC towards the bottom of the list of Local Authorities in terms of financial issues? Executive Member and Deputy Chief Executive response – WBC had focussed on sustainable change and value creation for many years, and WBC was in the top 20 Local Authorities on the CIPFA Local Authority resistance list. Whilst WBC was by no means in the worst position, we did have the issue of lower income per resident;
- Did each new home delivered in the Borough ‘break even’ in terms of the income received and services delivered? Deputy Chief Executive response – This was a very difficult calculation which would make a number of assumptions. An estimated answer would be provided at a future meeting;

- What assumptions had been built in with regards to the expected level of Local Government Settlement? Deputy Chief Executive response – The assumption was that the settlement would be the same as last year which was a £0 revenue support grant, retention of between £12m and £14m in business rates, and £3m in new homes bonuses;
- It was requested that the overall departmental budgets and existing budgets for services be provided alongside proposed bids;
- Was there an assumption that the new homes bonus and various grant supports would continue? Deputy Chief Executive response – Yes, there was a risk that the new homes bonus would begin to tail off at some point. Grants were built in to a number of bids, and officers were always exploring new opportunities for funding;
- If capital schemes were delayed, then the subsequent revenue income stream could be impacted. What effects might this have? Executive Member response – Capital schemes were being prioritised in terms of the biggest benefits to the community. A part of this included identifying schemes which would deliver a revenue stream, for example delivery of solar farms. Where these schemes were not delivered as expected then WBC could see a reduction in revenue funds;
- It was noted that expenditure for the Democratic Process also included the Chief Executive's Office, which was much broader than delivering elections and member support;
- It was agreed that the contractual inflation figure would be split into its component parts (for example: contractual inflation, national pay award, utilities etc.) and provided at a future meeting;
- It was agreed that the current budgets for staff pay would be provided at a future meeting;
- What assumptions had been made with regards to contract and procurement savings, as companies may be under pressure to seek increased income? Deputy Chief Executive response – This was one of the reasons that the £9m inflationary figure could pose a challenge. WBC was working with providers to see how we could help them in terms of preferred payment methods, and it was wholly responsible to explore any savings that could be made through contractual negotiations;
- It was noted that WBC spent a considerable amount of money on external consultants, some of which carried out very specialist work. It was noted that it would be useful to see how much money each department was spending on external consultants;
- It was noted that an assumption of growth of services delivered by Adult Services was built into the presented figures;
- There were a number of special items proposed for 2023/24. If there was a risk of this not being one-off spends, would it be prudent to budget for them accordingly? Deputy Chief Executive response – The General Fund Balance was there to be used for true unknown spends. The change infrastructure team had always been classed as a special item, and it was now being embedded into the revenue budget as an ongoing

service. There were also a number of major set pieces within the Planning service which would require a one-off spend;

- It was agreed that the capital budget and outturn for the previous financial year would be provided at a future meeting;
- It was noted that delivery of solar farms was certainly expected to pay for itself over their lifetime whilst providing a revenue income stream to WBC. Additional specialist works and investigations would be carried out by officers to ascertain what future delivery might be possible and feasible;
- What did reprofiling of capital schemes entail? Deputy Chief Executive response – This was where a scheme which, for example, was proposed to be delivered in 2022/23 would be moved to a later year such as 2023/24 either in part or in total. This could be for a number of reasons, including defraying costs or prioritisation of other major capital schemes;
- It was noted that it was much cheaper for WBC to borrow from itself where possible, rather than from the market;
- Were capital projects being prioritised which would generate a revenue income for WBC? Deputy Chief Executive response – Any scheme which would generate more income than its overall delivery costs was an attractive proposition, which could provide revenue income for many years;
- Was a £14m capital budget gap in Year 1 particularly abnormal? Deputy Chief Executive response – A gap of this magnitude was not uncommon for a Year 2 budget, however it was comparatively large for Year 1;
- It was noted that refugees and asylum seekers moving into the Borough were likely to continue. Officers would be monitoring the situation closely;
- What was the process for a growth bid being withdrawn – what were the criteria and how frequently did this occur? Deputy Chief Executive response – The process for bids being sent to Executive and then Council for approval began with a considerable amount of departmental and corporate wide work. Once proposals were more formalised, they were released to Overview and Scrutiny for consideration. At any stage prior to the February Budget Executive and Budget Council meeting, there was always the opportunity for a bid to be modified or pulled by the Executive Member in consultation with the relevant director;
- It was noted that officers were always looking at Government Bills which could impact on WBC's finances.

RESOLVED That:

- 1) Clive Jones, Imogen Shepherd-DuBey and Graham Ebers be thanked for attending the meeting;
- 2) The overall existing departmental budgets be outlined next to bids at future meetings;

- 3) The contractual inflation figure be split into its component parts (for example: contractual inflation, national pay award, utilities etc.) and provided at a future meeting;
- 4) The current budgets for staff pay be provided at a future meeting;
- 5) A calculation be provided as to whether the average new property being built in the Borough broke even in terms of the cost of the average service provided compared to the income provided for example by Council Tax;
- 6) The Capital budget and for the previous financial year and the capital outturn be provided at a future meeting;
- 7) The existing budgets for services be outlined next to bids at future meetings;
- 8) The timetable for scrutiny of each Directorate's proposed bids be noted.

36. WORK PROGRAMME

The Committee considered their work programme, set out in agenda pages 53 to 58.

RESOLVED That:

- 1) Callum Wernham be thanked for attending the meeting;
- 2) An extraordinary meeting be arranged for 17 October 2022 to consider the items of the postponed Extraordinary Committee which was scheduled for 19 September 2022, in addition to an update on the Borough's response to the Cost of Living Crisis;
- 3) A training session be arranged for the Committee during lunchtime on 1st November 2022 in relation to Domestic Abuse, ahead of their consideration of this item at an upcoming meeting.

**MINUTES OF A MEETING OF THE
PERSONNEL BOARD
HELD ON 4 OCTOBER 2022 FROM 7.30 PM TO 8.55 PM**

Committee Members Present

Councillors: Rachel Bishop-Firth (Chairman), Clive Jones (Vice-Chairman), Prue Bray, Stephen Conway, Pauline Jorgensen and Stuart Munro

Officers Present

Madeleine Shopland, Democratic and Electoral Services Specialist
Joelle Cooper, HR
Susan Parsonage, Chief Executive
Matt Pope, Director Adult Services
Sally Watkins, Assistant Director Digital and Design (item 31 and 33 on agenda)

32. APOLOGIES

An apology for absence was submitted from Councillor Pauline Helliard Symons.

33. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 4 July 2022 and the Minutes of the extraordinary meetings held on 12 July and 27 July 2022 were confirmed as a correct record and signed by the Chair, subject to the amendment below.

4 July 2022 – Members felt that it should be made clearer that the Board had requested an investigation into the Real Living Wage be made, and the implications of adopting it, be brought back to the Board.

The Board agreed that the following wording, *Members requested that the Council adopting the Real Living Wage for its direct employees should be investigated, and the implications of this to be reported back to the Council. This should cover the possible implications for the pay of school staff, contractors, and parts of the organisation such as Optalis, replace -Councillor Bishop Firth questioned whether the Real Living Wage scheme could be considered and brought to a future meeting.*

It was confirmed that this piece of work would not commit the Council to undertaking the Real Living Wage. Matt Pope, Director Adult Services, stated that the Real Living Wage for Adult Social Care had, had approximately a 10% increase, which would indicate an additional cost of around £4.5million to the Council to achieve that. Pauline Jorgensen asked about adult social care pay rates and was informed that there were multiple suppliers that paid different rates. Not all shared their rates, but many would be below the Real Living Wage.

Councillor Bishop Firth questioned when answers to questions put at the July meeting would be received. Sally Watkins, Assistant Director Digital and Design, indicated that the action list would be circulated to Members.

34. DECLARATION OF INTEREST

There were no declarations of interest made.

35. PUBLIC QUESTION TIME

There were no public questions.

36. MEMBER QUESTION TIME

There were no Member questions.

37. EXCLUSION OF THE PUBLIC

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Act (as amended) as appropriate.

38. SALARIES COMPARED TO THE MARKET

Pauline Jorgensen questioned whether this item needed to have been fully in private session.

The Board considered a report regarding salaries compared to the market.

RESOLVED: That

- 1) Recommendations 1 to 3 within the report be agreed;
- 2) Recommendation 4 not be agreed;
- 3) An additional recommendation as discussed within the meeting, be agreed.

39. SENIOR OFFICER ROLES

The Board considered a report regarding Senior Officer roles.

RESOLVED: That the recommendations contained within the report be agreed.

40. Q1 AGENCY REPORT - AUGUST 2022

The Board considered the Q1 Agency report – August 2022.

RESOLVED: That the recommendations within the report be agreed.

Decision made in the presence of:
 Francesca Rowson, Policy Officer (Housing and Projects)
 Callum Wernham, Democratic & Electoral Services Specialist

**INDIVIDUAL EXECUTIVE MEMBER
 DECISION RECORD SHEET
 IMD 2022/13**

Title of the report	WBC Response to A Decent Homes Standard in the Private Rented Sector Consultation
----------------------------	--

DECISION MADE BY Deputy Leader of the Council and Executive Member for Housing
 - Stephen Conway
ACTION BY Director, Place and Growth - Steve Moore
DECISION MADE ON 10 October 2022

Recommendation contained in the report

That the Executive Member for Housing authorises Wokingham Borough Council to respond to the Government’s Decent Homes Standard in the Private Rented Sector consultation, as set out in Appendix 1 of the report.

Decision

That the Executive Member for Housing authorised Wokingham Borough Council to respond to the Government’s Decent Homes Standard in the Private Rented Sector consultation, as set out in Appendix 1 of the report.

Reasons for Decision if different to recommendation

N/A

Alternative options considered and rejected at time of the decision

N/A

Summary of consultations undertaken

SUMMARY OF CONSULTATION RESPONSES	
Director – Resources and Assets	No comment received.
Monitoring Officer	No comment received.
Leader of the Council	No comment received.

Reasons why the report was deemed to have contained confidential or Exempt information (if applicable)

N/A

Any Conflict of interest declared by any Executive Member who is consulted by a Member which relates to the decision

None

Any dispensation granted by the Head of Paid Service in respect of any declared conflict of interest

None

PUBLISHED ON: 10 October 2022

EFFECTIVE ON: 18 October 2022

CALL-IN PERIOD EXPIRES: 17 October 2022

**MINUTES OF A MEETING OF THE
SCHOOLS FORUM
HELD ON 12 OCTOBER 2022 FROM 10.00 AM TO 12.00 PM**

Schools Representatives

Carol Simpson	School Business Manager - Colleton Primary
Corrina Gillard	Primary Head - Emmbrook Infant
Brian Prebble	Primary Head - Rivermead Primary - Vice Chairman
Liz Woodards	School Business Manager - Hawkedon Primary
Ali Brown	Primary Head - Nine Mile Ride Primary
Julia Mead	School Business Manager - St Sebastian's CE Primary
Derren Gray	Academy Head - The Piggott School
Paul Miller	Trustee - The Circle Trust - Chairman
Shirley Austin	Academy Head - The Forest School
Debra Briault	Secondary Academy School Representative
Sara Attra	Special School Head - Addington School

Non School Representatives

Morag Malvern	Wokingham Borough Council
Sal Thirlway	Assistant Director for Learning and Partnerships

Also Present

Luciane Bowker, Democratic & Electoral Services Specialist
Prue Bray, Executive Member for Children's Services
Piers Brunning, School Place Planning Manager
Patrick Grant, DfE
Lynne Samuel, Senior Finance Specialist, People Services
Katherine Vernon, Schools Finance Manager
Helen Watson, Director for Children's Services
Stacey Wetters, DfE

1 ELECTION OF CHAIRMAN

Paul Miller was elected Chairman for the 2022/23 academic year.

2 ELECTION OF VICE-CHAIRMAN

Brian Prebble was elected Vice-Chairman for the 2022/23 academic year.

3 APOLOGIES

Apologies for absence were submitted from Paul Gibson, Ben Godber, Phil Sherwood and Amanda Woodfin. Amanda Woodfin was substituted by Chris Connian.

4 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 6 July 2022 were confirmed as a correct record and would be signed by the Chair at a later date.

5 MATTERS ARISING

Reference was made to the list of matters arising on page 15 of the agenda, and the following comments were made in relation to each point:

1. The Task and Finish Group had met to discuss the National Funding Formula (NFF) consultation.
2. The Education Welfare Service report was deferred to the December meeting.

3. The comment in relation to falling rolls was passed to the Admissions Group.
4. The information about the cost of maternity and sickness was included in the Revenue Monitoring report.
5. Revenue Monitoring – the Chairman asked that a note be added to show the £1.7million deficit and risks to make it clearer in the report.
6. An update on the principles behind the funding for all blocks would be shared with Schools Forum in December.
7. Ian Morgan was of the opinion that it was important that Kerry Clifford, as the only maintained nursery representative, continued as a member of the Early Years Task and Finish Group. *Subsequently Ian Morgan confirmed that Kerry Clifford wished to continue as a member of the Early Years Task and Finish Group.*
8. This update was deferred.
9. This was a comment.

6 DECLARATION OF INTEREST

There were no declarations of interest.

7 2022/23 REVENUE MONITORING REPORT

Katherine Vernon, Schools Finance Manager presented the 2022/23 Revenue Monitoring report and made the following points during her presentation:

- A deficit of £5.7 million was projected, mainly relating to overspend in the High Needs Block (HNB);
- The increased in-year deficit relates to £1.1 million from the from the HNB and £108k from the Schools Block. £1.1m of the potential EHCP related in-year overspend flagged in July has already been seen as actual spends;
- £55k was brought forward from the 2021/22 financial year and is held on behalf of maintained schools for contingencies;
- It is expected that the new St Cecilia School will open this year (previously anticipated in 2021/22), therefore the Growth Fund estimated cost of the opening has been brought forward. If classes do not open this year, there will be a carry forward (as shown in the appendix);
- A review of the de-delegated budget was undertaken and an underspend of £57k is anticipated, this was kept under review;
- There has been an increase in the number of Education Health and Care Plans (EHCPs). Due to a lack of suitable places within the borough, children have had to be placed out of the borough. 10 additional places had to be funded at Addington School;
- Additional funding relating to the 2021/22 financial year had been received for the Early Years Block due to a recalculation by the Department for Education (DfE) based on the census data. The Early Years Task and Finish Group would discuss proposals for the allocation of the additional funds.

The Chairman acknowledged that approximately £1.1million of the projected £1.7 million EHCP related overspend had already materialised and asked if there were any further risks in the projections. Lynne Samuel, Senior Finance Lead stated the risks were as previously reported, this was based on best available information. The service was continually reviewing the information provided by the SEND Team.

Derren Gray asked for clarification on the Growth Fund figures. Katherine Vernon explained that the £1.589 million was a top sliced figure agreed by Schools Forum from the Schools Block. The £1.664 million was the total DfE Growth Fund allocation for WBC.

RESOLVED That the 2022/23 Revenue Monitoring report update, with the associated risks be noted.

8 2022/23 HIGH NEEDS BLOCK UPDATE

Sal Thirlway, Assistant Director for Learning and Partnerships presented the 2022/23 High Needs Block update and made the following points:

- A £4.4 million shortfall in the HNB was being projected, this represented an increase of £1.1 million on what was previously reported. It was a challenging situation, with a continual increase in the number of EHCPs in the borough;
- The SEND Innovation and Improvement Programme (IIP) continued to deliver its programme, seeking to find solutions to the challenges faced in relation to the growing cost pressures on the HNB and the increase in demand;
- Progress had already been made, but there was recognition of the fact that more work was needed;
- A large piece of work had been undertaken, reviewing the resource spaces within the borough and future demand;
- The process of application for two new special schools in the borough was already under way;
- Conversations with the DfE were taking place to try and find solutions to tackle the HNB deficit.

Sal Thirlway confirmed that there was a digit missing for the total EHCPs on the last column on page 32, it should read *1651*. There was also a column missing for August 2022 which should read *1672*.

In response to a question Lynn Samuel explained that the £1.7 million deficit projection was based on the assumption of an additional 30 EHCPs per month.

Sal Thirlway explained that the chart on page 36 illustrated the different types of support and placements that could be offered, depending on the level of SEND needs. This was part of the resource 'spaces' review. It was recognised that some children, given the right level of support, could be educated within mainstream schools within the borough.

RESOLVED That the 2022/23 High Needs Block update and associated SEND IIP activity be noted.

9 DSG SAFETY VALVE

Sal Thirlway presented the DSG Safety Valve report. He pointed out that assumptions had been made in relation to the figures presented in the report and that this was a 'work in progress' document.

The Safety Valve Programme was a programme being developed by the DfE and the Education Skills Funding Agency (ESFA) for those local authorities with a high level of deficit in their DSG, due to pressures in the HNB.

The programme involved an assessment of the situation and how the local authority proposed to address the challenges and plan for the future.

A programme of improvement had been set out, looking at short, medium and long term strategies and planning; to continue to support the children and address the deficit.

A range of partners were being engaged in the development of the Safety Valve.

Over the last three years, the focus had been on improving the outcomes for young people, by delivering the improvements that were needed. The focus and challenge now was on sustaining good outcomes, and at the same time addressing the deficit and finding a sustainable future.

During the discussion of the item the following comments were made:

- Sal Thirlway stated that the Safety Valve priorities aligned with the priorities already identified by the SEND IIP;
- There were working groups working on each of the SEND IIP strategic priorities. The intention was to align the Safety Valve with the work which was already taking place, build on and continue the engagement and co-production with partners;
- In response to a question, Sal Thirlway stated that the involvement of Schools Forum was extremely important, given the implications on the DSG and HNB funding. He suggested adding a Safety Valve update as a standing item in Schools Forum's agendas;
- Councillor Bray, Executive Member for Children's Services explained that the Safety Valve was a mechanism to deliver the priorities that had already been identified by the service, it was not a separate initiative. She emphasised that partnership working was essential to the delivery and success of the programme;
- It was agreed that it was important to keep leaders informed on the development of the Safety Valve, not just at Schools Forum and the Wokingham Education Partnership, but also at other leaders' sessions;
- Helen Watson, Director for Children's Services endorsed the previous comments and emphasised that this was a collective piece of work. She stated that Sal Thirlway, Prue Bray and herself were open to hold conversations outside of the meeting too;
- Carol Simpson noted the ambition to balance the books by 2027/28 and asked when Schools Forum would be provided with the numbers;
- Sal Thirlway explained that there would be a meeting with the ESFA and discussions would follow to get an agreement on the way forward. He anticipated that it could take two to three months to get a formal agreement, but he hoped to be able to state the position earlier than that, Schools Forum would be kept informed;
- Sara Attra endorsed the initiative, however she pointed out the Safety Valve was not addressing the current crisis now. She informed that Addington School was full to capacity, with no more places available. This represented a burden on the school;
- Sal Thirlway recognised the challenging situation being faced currently, and stated that it was important to think collectively and creatively about how to address this challenge;
- Sara Attra suggested the possibility of creating satellite classes in mainstream schools, Addington could help to support to run those classes;
- Shirley Austin agreed that there was a crisis now. She highlighted the issue of children arriving from abroad with SEND and the difficulties with their assessments, placements and lack of capacity;
- Sal Thirlway explained that various options were being considered, including satellite provision;
- The Chairman asked if there were other streams of work or assumptions to mitigate the cumulative deficit in the next few years;
- Lynne Samuel explained that there was a lot financial modelling underpinning the plans. There were projections of unit costs, and considerations about the lack of

resource space within the borough and the future provision of new special schools to mitigate the challenges;

- Members expressed concern that there was no suggestion of a plan to address the immediate difficulties in 2023/24;
- Shirley Austin stated that Out of Borough placements were very expensive and suggested that these funds could be used instead in creating more in-borough placements now;
- Lynne Samuel explained that the financial models did take into account the projections of unmitigated risks, and how much it would cost if no action was taken;
- Sal Thirlway explained that as well as reviewing the current resource spaces and the expansion of Addington, other options were being considered to create more specialist spaces within the borough quickly. He added that the new Oaktree Special School was due to open in September 2023, and would alleviate some of the pressure;
- Councillor Bray urged members to put forward any other ideas to create more spaces, these ideas would be considered. She emphasised that the Local Authority could not tackle this issue on its own, schools had to be engaged, this partnership was very important. She also added that the service was aware of the challenges, including in relation to children coming from abroad who needed to be re-assessed, there was a lot of work being undertaken internally;
- Corrina Gillard asked if the new Oaktree School would be opening for all year groups, she was concerned that it could take 7 years before the school was open to all year groups;
- Sal Thirlway informed that this aspect was still being negotiated with the Maiden Erlegh Trust, he was unable to give a timeline of when this decision would be made;
- Corrina Gillard stated that she had a successful resource space within her school that she was happy to continue with. She explained that she needed confirmation on the level of funding for this unit and expressed frustration that this decision had not yet been made, especially in the context of a shortage of local places as was being discussed;
- Sal Thirlway accepted the point made by Corina Gillard;
- Sara Attra asked if the designation for the new Oaktree School had been decided;
- Sal Thirlway informed that the Oaktree School was going to be for children with ASD whom, with support, could access mainstream curriculum but could not access education in mainstream settings.

Members endorsed the programme and urged officers to take into account the points raised during the discussions. Schools Forum encouraged officers to work with the ESFA to put together a plan for the future to address the budget challenges.

RESOLVED That:

- 1) The contents of the report be noted;
- 2) The work that has been undertaken in the development of the proposals be welcomed;
- 3) The contents of the report and the next steps be supported in principle;
- 4) Upon feedback on negotiations with schools and the ESFA, detailed calculations be built into budget decisions by Schools Forum going forward, as appropriate; and
- 5) A DSG Safety Valve update be included as a standing item in Schools Forum agendas.

10 2023/24 BUDGET PLANNING

Katherine Vernon presented the 2023/24 Budget Planning report. She stated that the provisional allocation had been received in July, the final allocation would be received in December after the October 2022 census. There had been a slight increase in the Schools Block allocation.

For 2023/24 local authority's funding models have to allocate individual school funds within 10% of the National Funding Formula (NFF) rates. During the summer, modelling with the NFF, minimum and maximum rates had been done, and none of the current models worked with the current rates. The Task and Finish Group had met and asked for current school pupil number to see if a more appropriate model could be developed. Schools promptly provided their pupil numbers and it was ascertained that there were an additional 600 pupils in the system. This additional information has allowed a model to be developed which aligns with the minimum NFF rates.

With the new pupil numbers it was anticipated that the Growth Fund, of £1.6 million would be insufficient to support predicted growth and the need for new classes. Lynne Samuel explained that there were risks in relation to the Growth Fund, and the potential opening of new school.

The forthcoming consultation will address this matter.

Derren Gray informed that the Task and Finish Group had met twice. There was little difference for schools with the allocation model going 10% below NFF and at NFF, but it was sufficiently significant that the Task and Finish Group had decided to go with 10% below NFF. Derren pointed out to the DfE colleagues who were in attendance, that it was not fair that the allocation model had to work with NFF rates but the funding to be received will not match it those rates. Derren also pointed out that there was a significant amount of contingency in the Growth Fund, however this was likely to be needed.

It was proposed that the principles of the new funding allocation model be sent for consultation to schools.

The Chairman asked for further clarification in relation the clawback of Early Years funding process and how it differed from other local authorities. Lynne Samuel explained that a further small clawback had been anticipated for the last financial, however there had been an additional allocation instead. Wokingham's practice was to re-distribute any additional funding to providers. However, other local authorities generally did not do this.

Sal Thirlway explained that officers were thinking about the best way to use the Early Year's additional funding, in the context of the Safety Valve. The Safety Valve was looking to reduce the deficit in the DSG, not only the HNB deficit. However, there was recognition that settings were under significant financial pressure at this time. A proposal was being considered by the Early Years Task and Finish Group to implement a hardship fund using the unforeseen additional allocation.

Ian Morgan stated that he was broadly supportive of the proposal to implement a hardship fund. However, he pointed out that allocation for the next year was not yet confirmed. He worried that settings were facing significant challenges with the cost of living crisis, in particular in smaller settings. Feedback from the sector on this proposal would be

obtained through leaders forums, this would also be discussed at the Early Years Task and Finish Group.

The Chairman expressed his gratitude for the work of all of the task and finish groups, it made the budget setting process much more effective.

RESOLVED That the 2023/24 Budget Planning update be noted.

11 2023/24 SCHOOLS BUDGET CONSULTATION

Lynne Samuel explained the timeline process of consultation with schools on the Budget, had aimed to have the feedback from schools for discussion at this October meeting of Schools Forum. However, there had been an unprecedented number of challenges in preparing the budget for 2023/24 which had made it impossible to achieve the desired timescales for consultation with schools in time for this meeting. Had the consultation timeline been achieved, it would have enabled sufficient time to include Schools Forum's views and apply for any dis-applications to the ESFA.

The Local Authority will need to apply for dis-applications before the next meeting of Schools Forum. There is sufficient time to conduct a consultation before the dis-application deadline. Officers were asking Schools Forum to accept the schools' response to the consultation without having an opportunity to consider the outcomes/responses and make a formal response.

Lynne Samuel drew attention to the main points of the consultation, which were:

1. Principles of the Schools Block funding formula
2. Disapplication request for our all-through school re split site funding
3. Proposed 0.5% transfer from the Schools Block to the High Needs Block
4. Notional SEN methodology
5. Growth Fund methodology

Lynne Samuel pointed out that if schools and Schools Forum were not supportive of points 2 and 3, the Local Authority would have to submit a dis-application request to the DfE by November.

The Chairman further clarified that Schools Forum had a formal responsibility to make a recommendation on the Budget setting, based upon the feedback gained from the consultation with all the schools in the borough. However, there would not be another meeting of Schools Forum to discuss the results of the consultation before the deadline to submit dis-applications.

Derren Gray clarified that point 2 was to address the inequities created by having an all through school with a large secondary school and a small primary school.

In relation to point 3, Derren Gray explained that the Task and Finish Group was willing to help the Local Authority to compose the wording for the consultation, the recurring issue, as in previous years, was to have confirmation of how the money transferred would be used.

Sal Thirlway agreed that transparency was very important and agreed to share this with schools.

In response to a question Lynne Samuel stated that it was due to the complexities of this years' budget setting process, that it had not been possible to submit the consultation to schools earlier.

Sal Thirlway confirmed that if the 0.5% transfer from the Schools Block to the HNB was not supported, the Local Authority was likely to submit a dis-application request to the DfE.

Schools Forum asked that the Task and Finish Group, in particular Derren Gray, be involved in the production of the wording and explanations to go out in the consultation.

Upton being put to the vote, 14 members voted in favour of accepting the consultation results and 2 members voted against it.

Lynne Samuel added that there would be information sessions available for schools if they needed more explanation on the consultation.

RESOLVED That:

- 1) Schools Forum noted the planned timeline for the consultation process;
- 2) The Task and Finish Group would be involved in producing the wording and explanation contained in the consultation; and
- 3) Schools Forum would accept the results of the consultation.

12 FORWARD PLAN

The DSG Safety Valve update was added as a standing item.

The Education Welfare Service item was added to the December meeting.

**MINUTES OF A MEETING OF THE
PLANNING COMMITTEE
HELD ON 12 OCTOBER 2022 FROM 7.00 PM TO 9.34 PM**

Committee Members Present

Councillors: Rachelle Shepherd-DuBey (Chair), Andrew Mickleburgh (Vice-Chair), Chris Bowring, Stephen Conway, David Cornish, Rebecca Margetts, Wayne Smith and Alistair Neal

Councillors Present and Speaking

Councillors: Gary Cowan, Jim Frewin and Alison Swaddle

Officers Present

Kamran Akhter, Principal Highways Development Management Officer
Brian Conlon, Operational Lead - Development Management
Connor Corrigan, Service Manager - Planning and Delivery
Brigette Crafer, Landscape Architect
Chris Hannington, Team Manager - Trees and Landscape
Rachel Lucas, Senior Solicitor - Legal Services
Boniface Ngu Azeh, Principal Flood Risk & Drainage Engineer
Callum Wernham, Democratic & Electoral Services Specialist

Case Officers Present

Joanna Carter
Mark Croucher
Adriana Gonzalez
Baldeep Pulahi

37. APOLOGIES

An apology for absence was submitted from Councillor John Kaiser.

38. MINUTES OF PREVIOUS MEETINGS

The Minutes of the extraordinary meeting of the Committee held on 2 August 2022 and the minutes of the meeting of the Committee held on 10 August 2022 were confirmed as a correct record and signed by the Chair.

39. DECLARATION OF INTEREST

Stephen Conway declared a prejudicial interest in agenda item 45, on the grounds that he was the Executive Member with responsibility for social housing. Stephen added that he would speak as a public speaker as a supporter of the application, and then leave the room during the debate and vote.

40. APPLICATIONS TO BE DEFERRED AND WITHDRAWN ITEMS

There were no applications recommended for deferral, or withdrawn.

41. APPLICATION NO.221409 - NIGRA HOUSE, MULBERRY BUSINESS PARK, FISHPONDS ROAD, RG41 2GY

Proposal: Full planning application for the proposed demolition of Nigra House and the erection of 12 no. employment units (Use Classes E (g) (ii) and (iii) and B8) with new vehicular access and associated works including car parking, servicing and landscaping.

Applicant: Nigra Centre Ltd.

The Committee considered a report about this application, set out in agenda pages 15 to 48.

The Committee were advised that there were no updates contained within the Supplementary Planning Agenda.

Stephen Conway was of the opinion that this was an entirely appropriate application which had received no objections. Stephen added that he was pleased to see that the recommendation of approval was subject to agreement of a legal agreement to secure an employment skills plan.

Rebecca Margetts sought clarification as to how many electric vehicle charging points were proposed to be provided on site, and queried whether there was any way to encourage additional provision of electric vehicle charging points. Kamran Akhter, Principal Highways Development Management Officer, stated that the revised technical note submitted by the applicant set out that 6 active and 6 passive electric vehicle charging points would be installed. Mark Croucher, case officer, noted that Wokingham Borough Council's (WBC's) current policy was not strong enough to obligate applicants to secure more than what was proposed.

Wayne Smith commented that only a ten-percent reduction in carbon emissions was proposed as part of this application. Wayne asked that the Planning Team consider provision of supplementary guidance on this matter should the Local Plan Update be delayed, which would encourage applicants to achieve higher carbon reduction savings and energy efficiency standards.

RESOLVED That application number 221409 be approved, subject to conditions and informatives as set out in agenda pages 16 to 23, and subject to legal agreement.

42. APPLICATION NO.221788 - SWALLOWBROOK, JULKES LANE

Proposal: Full application for the proposed alterations to land levels to form orchard with raised vegetable beds.

Applicant: Charles Vickery.

The Committee considered a report about this application, set out in agenda pages 49 to 72.

The Committee were advised that updates contained within the Supplementary Planning Agenda included:

- Confirmation that the Environment Agency had raised no objection to the application subject to proposed conditions and informatives;
- Additional condition 4 as requested by the Environment Agency;
- Confirmation that a Construction Environment Management Plan was subject to condition 3 to ensure any impacts upon species is mitigated during the construction phase;
- Additional comments from local residents and associated officer response;
- Reference to an email received from the applicant with reference to digging on site occurring in order to satisfy building regulations in relation to the retaining wall, and the soil would be going back once the work was complete.

Liz Connolly, resident, spoke in objection to the application. Liz stated that she spoke on behalf of the eight neighbours who had objected to this application. Liz added that in her opinion approval of this application would mean a substantial increase in flood risk, a change in the historical topography, whilst negatively impacting sewage and water drainage. A very gentle slope towards the Barkham brook had existed within the paddock prior to excavation of materials, and not a steep gradient as referenced within the report. Liz was of the opinion that the impermeable clay-based material was unsuitable to be used for planting without the inclusion of additional topsoil. Liz stated that sewage pipes ran along the paddock and served three neighbouring properties, and Liz felt that the pipes may have already been damaged given the weight of the material and the use of heavy machinery. Liz added that there were covenants in place allowing access for maintenance which the plans had not considered. Liz was of the opinion that the heritage report for the new building application appeared to be ignored, which stated that the Carter's Hill house was the dominant status dwelling and building which sat proud of the flood plain on a bank above the flood plain. Liz referenced very substantial flooding in recent times which had required emergency evacuation of their horses and severely impacted their business, and was completely at odds with Wokingham borough Council's (WBC's) strategic flood assessment report which stated no historical flooding along the Barkham Brook according to Environment Agency records. Liz stated that two properties had also been flooded, and questioned why the report assumes a 1 in 100 year flood risk when she and her neighbours had provided evidence of serious flooding having occurred at least 4 times in the past 25 years. Liz stated that a landfill site upstream of the applicant's site had increased flood levels significantly, whilst a Category A dam just half a mile to the east of the site could present catastrophic floods. Liz concluded by stating that global warming would only add to the increased flood risk faced by this area, and for those who lived there.

Katie Vickery, applicant, spoke in support of the application. Katie stated that their whole approach to the land was one of sustainability, and creating a house and gardens which recognised the environmental challenges of the future. Katie added that they were keen to support the existing biodiversity, and a 30m native hedgerow had already been planted along the edge of the paddock. The plan was to plant a mixture of fruit trees, wildflower seeds and vegetables on the site, whilst a more level site would enable things such as ladders to assist with fruit picking. Advice had been sought from both a landscape gardener and the Chair of the RHS soft fruit Committee, and their comments had been incorporated into the proposals. A report had been submitted from a flooding and drainage expert, which had been compiled using localised data from the Environment Agency. The report showed that the site fell outside of the area which was at risk of fluvial flooding, whilst the levelling of the site would not affect the flood plain or the manner in which Barkham Brook flooded. With regards to pluvial flooding, the report noted that there were no impermeable surfaces on the site, and the shallower gradient of the terraces compared to the natural slope and the planting of trees would encourage a greater proportion of rainfall to infiltrate the ground rather than running off. Katie added that the report concluded that the overall run-off rates into the Barkham Brook were proposed to reduce as a result of the proposed development. Katie noted that there were no objections from the built heritage officer, and all neighbouring properties had levelled their land to some extent, whilst the garden of Carter's Hill House had created a levelled area to create a manmade terrace, which featured a manmade slope.

Gary Cowan, Ward Member, spoke in objection to the application. Gary stated that the planning document contained an excellent report covering the failures of Bearwood Lake

dam, located 750m away, which the planning report failed to make reference to. The report outlined that the dam fed into Barkham Brook, whilst the planning document mentioned no reference of historic flooding in the area despite numerous photographic examples from residents. Gary added that new sluices had doubled in size to protect the dam, which led directly into Barkham Brook, which doubled the capacity that would flow from the dam where there was an issue. Gary was not convinced that the proposals were compliant with chapter 14 of the NPPF, whilst the recent comments from the Environment Agency with respect to the impact of minimum changes in land levels needed to be noted. Gary stated that the material used would be predominantly clay-based, which was non-porous, whilst Gary felt that the land could be used as it stood for an orchard given Gary's opinion that it was not sufficiently steep. Gary stated that the impact of these works needed to be factored into development downstream in Barkham Brook, which it had not. Gary felt that if the land remained as was there would be no change to flood risk, whilst the planting of an orchard would be beneficial in flood risk terms on the current land levels. Gary was of the opinion that a condition that prevented level changes would be the best solution for Carter's Hill House.

Chris Bowring stated that the Committee needed to be mindful to only consider the red line application site. Chris added that the soil to be used was permeable, already existed on the site, and therefore in his opinion could not exacerbate flooding issues. Chris felt that the planting of trees would likely help to slow the flow of surface water. Brian Conlon, Operational Lead – Development Management, confirmed that the soil to be used would be taken from another area of the application site and would be secured via landscaping conditions.

Andrew Mickleburgh sought clarity that only the area within the red line boundary could be considered, and sought additional details regarding photos shown which demonstrated substantial flooding and the context of the 1 in 100 years flood assessment. Brian Conlon stated that this application was essentially looking at an engineering operation which was situated in flood zone 2. Brian added that planting and raised beds did not regularly require planning permission. Brian stated that the pictures shown demonstrated the type of flooding that could occur in a 1 in 100 year flood zone, which meant that in any one year there was a one-percent chance of flooding. The effect of climate change would also mean that flooding could occur more regularly, or be more severe when it occurred.

Boniface Ngu, Principal Flood Risk & Drainage Engineer, stated that the development was situated within flood zone 2, and the area had been assessed as having a 1 in 100-year flood chance, with a fourteen percent allowance for climate change as approved by the Environment Agency. The river Loddon and its tributaries had a 1 in 100-year flood chance. The effect of levelling land would improve pluvial flooding as it would take water additional time to travel, whilst trees would help store additional water. Boniface felt that the overall plan of levelling off the land with soil that was present on site and providing additional planting would improve the overall flooding situation.

Stephen Conway stated that he had sympathy for local residents and the local Ward Member, however unless the Committee had compelling evidence which could counter that of professional experts then they would be compelled to approve the application. Stephen noted that officers had presented the case that the application could in fact improve the flooding situation. Stephen felt that the relationship between the application and the Grade 2 listed building was sustainable.

David Cornish queried whether any damage done to the byway as a result of the construction phase of this application. Brian Conlon stated that any damage would be dealt with as a civil matter, whilst a construction and environmental management plan would require additional details.

RESOLVED That application number 221788 be approved, subject to conditions and informatives as set out in agenda pages 50 to 51, and additional condition 4 as set out within the Supplementary Planning Agenda.

43. APPLICATION NO.222321 - 52 MANNOCK WAY, WOODLEY, RG5 4XW

Proposal: Full application for the proposed erection of a single storey front extension, single storey rear extension, two storey side extension, and change of use of amenity land to residential.

Applicant: Mr J Southwell.

The Committee considered a report about this application, set out in agenda pages 73 to 88.

The Committee were advised that updates contained within the Supplementary Planning Agenda included:

- Clarification that whilst the applicant did not own the adjoining land, the applicant had duly met the requirements of Certificate B of the planning application form in serving the requisite notices;
- An update that the land was classified as ancient woodland, and whilst the land to which this application related was indicated to be amenity land within the original approval for the wider site, through the passage of time this use was no longer reflected in reality as there was restricted public access and regrowth of the adjoining woodland over this area.

Keith Baker, Woodley Town Council, spoke in support of the application. Keith stated that the comment from the Woodland Trust should not be considered as it referred to the previous application. Keith felt that it was very likely that this application would have been recommended for approval if the issue of ancient woodland was not present. Keith added that the information contained within the Supplementary Planning Agenda referred to the land being designated as amenity land, and if correct then in his opinion the strict rules relating to a buffer zone would not apply, however he had not been able to research this further as the Supplementary Planning Agenda had only been published the previous evening, whilst the numerical references contained within the paperwork were not valid for the current planning system. Keith was of the opinion that any change from amenity land to ancient woodland buffer zone should likely have required a formal redesignation.

Joseph Southwell, applicant, spoke in support of the application. Joseph stated his family had owned 52 Mannock Way for just over two years, and they had put in a planning application in April 2022. Wokingham Borough Council (WBC) required a very recent bat survey and an agricultural survey, which was carried out in early June which showed no negative impacts on either bats or trees. The Chartered arboriculturist's report summarised that the root protection area plan showed that there would be no impact to the woodland as a result of the development, whilst the development would result in no loss of woodland whilst having no impact on the woodland itself.

Alison Swaddle, Ward Member, spoke in support of the application. Alison stated that the arboriculture survey identified the area of woodland as having a root protection area plan which would not be immediately affected by the proposed development. The proposed development was not anticipated to have any impact on ancient woodland, ancient or veteran trees, nor was it anticipated to result in the loss or deterioration of the ancient woodland. Alison stated that she therefore fully supported the proposal, and hoped that the Committee would come to the same conclusion.

Stephen Conway stated that he fully understood why Ward Members were supporting this application, and why the application would want this application to be approved. Stephen stated that the Committee were bound to decision making via local and national framework, and the specific matter of ancient woodland had very few exceptions. Stephen stated that clear exceptions with regards to this specific application needed to be presented as to why it might be appropriate for the development to go ahead, else the Committee would be bound by policy requirements.

Andrew Mickleburgh stated that officers considered the proposed extension in terms of mass and scale acceptable and not detrimental within a countryside setting. Andrew added that the overarching issue was the impact that this proposal would have on the adjoining ancient woodland and its buffer zone. Andrew queried what the buffer zone was currently measured at and what it could be reduced to as part of this application, queried whether buffer zones had a special legal status, and sought detail with regards to TPO38-1971 and any potential impacts on this TPO. Brigette Crafer, Landscape Architect, stated that the TPO was an area border and not a single tree, and the ancient woodland did not follow the line of the ancient woodland consistently, with the ancient woodland extending closer to the application site boundary than the TPO.

Rachelle Shepherd-DuBey queried whether there were any alternative areas of the applicant's property where development would be permitted if the root protection area was not impacted. Brian Conlon, Operational Lead – Development Management, stated that the application was recommended for refusal based on infringement of ancient woodland and lack of arboriculture detail.

Chris Hannington, Trees and Landscape Manager, stated that the buffer zone for the ancient woodland was set at 15m which was in accordance with the minimum standard set by the Government. The list of exceptions for to allow development within these buffer zones included items such as major infrastructure projects. The root extension of trees was measured at twelve times the diameter of a tree measured at 1.5m, and mature trees likely had roots which extended far beyond this.

Wayne Smith queried if the Woodland Trust had specifically commented on this application. Baldeep Pulahi, case officer, confirmed that they had commented on the previous application.

Wayne Smith queried whether if the applicant provided additional details with regards to trees from a tree expert, would that have altered the officer recommendation of refusal. Brian Conlon stated that as there was an in-principle reason for refusal, infringement of ancient woodland buffer zone, additional information in relation to trees would not have changed the officer recommendation to refuse planning permission.

Brigette Crafer confirmed that the entirety of the proposed extension would be within the ancient woodland buffer zone, and the proposed extension would be 8.7m away from the ancient woodland.

RESOLVED That application number 222321 be refused due to incursion into an ancient woodland, insufficient submission of tree information, and loss of an irreplaceable habitat.

44. APPLICATION NO.222304 - LAND ADJACENT TO LANE END HOUSE, SHINFIELD ROAD, SHINFIELD

Proposal: Full application for the proposed erection of 6no. dwellings, with associated landscaping and access.

Applicant: Mr R Mellett.

The Committee considered a report about this application, set out in agenda pages 89 to 120.

The Committee were advised that the Supplementary Planning Agenda included amendments to conditions 2, 15, and 16.

Pierre Dowsett, on behalf of the applicant, spoke in support of the application. Pierre stated that this application represented a resubmission of an application currently at appeal, whilst the material considerations surrounding the weight of planning considerations no longer had the same weight of determination. Pierre stated that the development was located within a sustainable location, whilst 2 units would be provided as on-site affordable housing, with electric vehicle charging points supplied at each unit. Pierre praised officers for their quick action in considering the new planning balance, and Pierre asked that the Committee support the officer recommendation of approval.

Jim Frewin, Ward Member, spoke in objection to the application. Jim stated that he had been asked by Shinfield Parish Council to call-in this application, who were unhappy with the planning approach taken by the Council. Jim felt that this was the fourth application for this site, and was an example of how developers repeatedly submitted application with the knowledge that WBC would eventually approve it. Jim stated that Parish Councillors were questioning the point of a neighbourhood plan if the policies therein were ignored by WBC. Jim added that the planning application did not comply with the parking standards policy 5 of the neighbourhood plan, nor did it meet the drainage policy 8 or the tree retention policy 6. Jim stated that the site was actually within the countryside, and there were significant concerns with regards to construction traffic and access. Jim stated that there was not a lot of open green space in Shinfield, and Shinfield had already delivered a number of houses towards WBC's housing stock. Jim asked that officers work to ensure that applications complied with locally adopted neighbourhood plans, and added that Shinfield Parish Council requested that officers to find ways for the application to comply with the policies within the neighbourhood plan.

David Cornish sought clarification from officers with regards to some of the concerns raised by Jim Frewin. Brian Conlon, Operational Lead – Development Management, stated that that the Shinfield Neighbourhood Plan was considered within the standard policy hierarchy, whereby local policy such as this plan would be the starting point for considerations. Part of the NPPF had been engaged as the Borough could no longer demonstrate a five-year housing land supply, which meant that the local planning authority now had to consider whether this application would have such adverse impacts which

would outweigh any benefits. The officer's detailed assessment of the proposal concluded that the less than desirable impacts of this development were not considered to significantly outweigh the benefits of the scheme. Brian added that the Local Plan remained valid and was used as a starting point for planning considerations.

David Cornish queried that whether as the Shinfield Neighbourhood Plan was a more recent document than the Local Plan, would this counteract the Local Plan. Brian Conlon stated that the neighbourhood plan was a material consideration, and national policy took precedent where local policy, for example aspects of the local plan, were out of date.

Stephen Conway stated that whilst this application conflicted with aspects of Wokingham Borough Council's planning policy, planning applications were having to be assessed with a tilted balance which required the adverse impacts of planning applications to considerably outweigh the proposed should an application be refused. Stephen added that this was because WBC could no longer demonstrate a five-year housing land supply. Stephen added that the NPPF was also clear that there was an assumption in favour of development within the countryside where the development was demonstrated to be sustainable.

Wayne Smith queried whether this site was located within the SDL. Adrianna Gonzalez, case officer, confirmed that the site was located within the SDL.

Wayne Smith stated that Shinfield was the first area of the Borough to adopt a neighbourhood plan, and the Planning Inspector had gone against the wishes of Shinfield residents on two planning applications. Wayne added that homes were being delivered too quickly within the Borough which now meant that we could no longer demonstrate a five-year housing land supply. Wayne stated that he had raised the issue of over delivery with local Members of Parliament.

Andrew Mickleburgh stated that he had sympathy for the situation faced by Shinfield residents, and noted that this application did not meet three policies within the Shinfield Neighbourhood Plan. Andrew noted that the context of consideration of this planning application had now changed due to the absence of a five-year housing land supply. Andrew stated that this application could not only be refused if the negatives were unequivocally proven to outweigh the benefits. Andrew stated that some improvements to the scheme had been made compared to refused application in 2017, for example tree protection. Andrew queried whether all or some of the site was considered as previously developed land. Adriana Gonzalez confirmed that the specific area in question had never been considered as previously developed land.

David Cornish was of the opinion that the applicant could have done more with this application to try and win over the local community.

It was noted that the Shinfield Neighbourhood Plan was referenced within paragraph 7 of the officer report, and within the list of documents used to assess the application.

Al Neal queried whether Shinfield Parish Council owned the land required for access, and queried whether they could in theory block access. Adriana Gonzalez stated that Shinfield Parish Council had not mentioned the specific area of land, and highways officers had raised no objections to the application.

Wayne Smith queried how the properties were proposed to be heated. Brian Conlon stated that any new dwelling would require the most up to date standards in terms of energy efficiency which were separate to local requirements. Brian added that if developments met the national standards of a ten-percent reduction in carbon emissions, then officers could not justify a condition requiring additional measures.

RESOLVED That application number 222304 be approved, subject to conditions and informatives as set out in agenda pages 106 to 112, and amendments to conditions 2, 15, and 16 as set out within the Supplementary Planning Agenda.

45. APPLICATION NO.222001 - LAND EAST OF GORSE RIDE SOUTH, SOUTH OF WHITTLE CLOSE AND TO THE NORTH AND SOUTH OF BILLING AVENUE, FINCHAMPSTEAD, RG40 9JF

Stephen Conway declared a prejudicial interest in this item, and left the room after speaking during the public speakers section as a supporter, and as such did not take part in the discussion or vote.

Proposal: Application to vary conditions 2 (approved plans), 24 (affordable housing), 28 (landscape management) and 35 (planning obligations) of planning consent 202133 (full planning application for the proposed redevelopment of the existing Gorse Ride South Estate, comprising demolition of existing buildings and replacement with 249 no. dwellings (mixed-tenure flats and houses) together with associated access, parking, landscaping, public open space and drainage). The application seeks to introduce variation to the design of the approved scheme.

Applicant: Wokingham Borough Council (WBC).

The Committee considered a report about this application, set out in agenda pages 121 to 158.

The Committee were advised that there were no updates contained within the Supplementary Planning Agenda.

Stephen Conway, on behalf of the applicant, spoke in support of the application. Stephen stated that the application was before the Committee to amend some of the agreed conditions, including those related to design and layout of some of the car parking bays. Stephen stated that the Gorse Ride project was a flagship project for WBC, started by Stephen's predecessor but very much supported by himself. Stephen noted that there was a shortage of truly affordable housing within the Borough, with many residents priced out of living in the Borough.

David Cornish queried the reason for the change in roof design. Joanna Carter, case officer, confirmed that the design of the roof had changed due to concern of leaves falling from mature trees into the gulley between the roofs.

Andrew Mickleburgh queried whether the replacement to the energy block would be as equally environmentally friendly, and queried whether there was any possibility to allow some additional disabled bays to be unallocated if the current proposal of 5 allocated spaces was deemed insufficient. Joanna Carter stated that following the phasing strategy, it was realised that some properties at the edge of the site would not be in a position to be provided with sufficient energy. As such, it was now proposed to provide externally located substations, with their location and appearance to be agreed via conditions. Kamran

Akhter, Highways Development Manager, stated that there was an overprovision of parking spaces proposed, and the disabled parking would be managed by a parking management plan.

Wayne Smith queried whether power would be delivered via gas or electricity. Joanna Carter confirmed that the applicant had moved from gas to electricity.

RESOLVED That application number 222001 be approved, subject to conditions and informatives as set out within agenda pages 133 to 147.

Decision made in the presence of:
 Rob Bradfield, Head of Procurement, Contracts and Commercialisation
 Callum Wernham, Democratic & Electoral Services Specialist

**INDIVIDUAL EXECUTIVE MEMBER
 DECISION RECORD SHEET
 IMD 2022/14**

Title of the report	Modern Slavery Statement
----------------------------	---------------------------------

DECISION MADE BY Executive Member for Equalities, Inclusion and Fighting Poverty - Rachel Bishop-Firth
ACTION BY Deputy Chief Executive - Graham Ebers
DECISION MADE ON 14 October 2022

Recommendation contained in the report

That the Executive Member for Equalities, Inclusion and Fighting Poverty:

- 1) Approve the Modern Slavery Statement as set out in appendix 1 to the report;
- 2) Notes that if approved the statement is then to be published on the Council’s web page and the Home Office registry of modern slavery statements – to be published by October 2022.

Decision

That the Executive Member for Equalities, Inclusion and Fighting Poverty:

- 1) Approved the Modern Slavery Statement as set out in appendix 1 to the report;
- 2) Noted that the statement is then to be published on the Council’s web page and the Home Office registry of modern slavery statements – by October 2022.

Reasons for Decision if different to recommendation

N/A

Alternative options considered and rejected at time of the decision

N/A

SUMMARY OF CONSULTATION RESPONSES	
Director – Resources and Assets	No comment
Monitoring Officer	No comment
Leader of the Council	No comment

Reasons why the report was deemed to have contained confidential or Exempt information (if applicable)

N/A

Any Conflict of interest declared by any Executive Member who is consulted by a Member which relates to the decision

None

Any dispensation granted by the Head of Paid Service in respect of any declared conflict of interest

None

Background papers

Report & draft Modern Slavery Statement.

PUBLISHED ON: 14 October 2022

EFFECTIVE ON: 24 October 2022

CALL-IN PERIOD EXPIRES: 21 October 2022

MINUTES OF AN EXTRAORDINARY MEETING OF THE COMMUNITY AND CORPORATE OVERVIEW AND SCRUTINY COMMITTEE HELD ON 17 OCTOBER 2022 FROM 7.00 PM TO 10.26 PM

Committee Members Present

Councillors: Peter Dennis (Chair), David Cornish (Vice-Chair), Shirley Boyt, Norman Jorgensen, Pauline Jorgensen, Alistair Neal, Anne Chadwick (Substitute) and Adrian Mather (Substitute)

Executive Members Present

Councillors: Rachel Bishop-Firth (Executive Member for Equalities Inclusion and Fighting Poverty), Stephen Conway (Executive Member for Housing), Lindsay Ferris (Executive Member for Planning and the Local Plan) and Ian Shenton (Executive Member for Environment, Sport and Leisure)

Officers Present

Ian Bellinger (Service Manager for Growth and Delivery), Narinder Brar (Community Safety Manager), Neil Carr (Democratic & Electoral Services Specialist), Mark Gwynne (Strategic Lead - Chief Executive's Office), Emily Higson (Head of Insight, Strategy and Inclusion), Sean Murphy (Public Protection Partnership Manager) and Callum Wernham (Democratic and Electoral Services Specialist)

Others Present

Jake Morrison (Chief Executive – Citizens Advice Wokingham), and Emma Cantrell (Chief Executive – First Days)

37. APOLOGIES

An apology for absence was submitted from Councillors Laura Blumenthal and Chris Johnson.

Councillors Anne Chadwick and Adrian Mather attended the meeting as substitutes.

Councillor Gregor Murray attended the meeting via Microsoft Teams, meaning that he could participate in discussions but not vote.

38. DECLARATION OF INTEREST

There were no declarations of interest.

39. PUBLIC QUESTION TIME

There were no public questions.

40. MEMBER QUESTION TIME

There were no Member questions.

41. COST OF LIVING CRISIS RESPONSE

The Committee considered a report, set out in agenda pages 5 to 22, which outlined Wokingham Borough Council's initial and ongoing response alongside the Hardship Alliance to address the cost-of-living crisis.

Stephen Conway, Executive Member for Housing, and Rachel Bishop Firth, Executive Member for Equalities, Inclusion and Fighting Poverty, provided a brief overview of the partnership working being undertaken to help tackle this crisis. This was a very difficult

time for a lot of residents in the Borough, and a considerable amount of hard work was being undertaken to help support individuals and families. Practical advice and help were being provided in relation to issues such as food, keeping warm and managing impacts on mental health. The support being provided in conjunction with the Hardship Alliance was critical, and there was a real desire to strengthen and improve this type of collaborative working where possible.

Jake Morrison, Chief Executive – Citizens Advice Wokingham, provided the Committee with a background to the increased service demand being seen within the Borough. The same number of individuals had been referred for help in the first two-months of 2019 than had been referred this morning. There had been a forty-percent increase in the number of individuals being referred for benefit issues, and a twenty-percent increase in the number of individuals being referred with debt issues. Whilst it was good that people felt confident to reach out for help, demand had increased markedly with a thirty-five percent increase in calls received in October. The typical service request had also shifted, as previously people were contacting the service when bailiffs were at their door, whilst it was now more common for people to be contacting the service regarding not having access to essentials such as food, clothes or energy. More and more individuals were now considering or carrying out self-harm, whilst staff on phones regularly spoke to suicidal individuals. A survey had been sent regarding the cost-of-living crisis, with 680 responses received to date. Seventy-five percent of respondents had yet to reach out to services for support, whilst nineteen percent had borrowed money from either a friend, bank, payday loan company or a loan shark to pay for essentials.

Emma Cantrell, Chief Executive – First Days, provided the Committee with a background to the increased service demand being seen within the Borough. The issues being dealt with now were ordinarily seen in more deprived areas in places such as London. Demand management was introduced a few years ago to allow staff to work more closely with fewer families, however staff now dealt with far more cases than ever before.

Stephen Conway (Executive Member for Housing), Rachel Bishop Firth (Executive Member for Equalities Inclusion and Fighting Poverty), Mark Gwynne (Strategic Lead – Chief Executive's Office), Emily Higson (Head of Insight Strategy and Inclusion), Jake Morrison (Chief Executive – Citizens Advice Wokingham), and Emma Cantrell (Chief Executive – First Days) attended the meeting to answer member queries.

During the ensuing discussion, members raised the following points and queries:

- What level of additional work was being undertaken by Council officers to provide additional support? Executive Member and officer response – An Assistant Director was named for a specific response area, and they came together each fortnight to discuss response progress. Response areas were aligned with officer's core responsibilities, and this was very much an area where additional work and effort was required to see results. This was both a corporate and political priority, and whilst Wokingham Borough Council (WBC) did not have vast amounts of funding to put into this area, we had other resources which could be utilised;
- It was requested that officers continue to explore any opportunities from Central Government as to additional grants or funding available in this area;

- It was noted that whilst Wokingham was seen as an affluent area, for many people it would only take a small change in their financial circumstances for them to be in a crisis situation;
- It was noted that individuals were cutting back on anything that was considered as non-essential, including gym memberships and heating in some cases. This could have adverse consequences on individual's health;
- It was noted that poverty had been in Wokingham for a long time, it was just more hidden and now impacted a wider range of people;
- How was the targeted approach being managed? Executive Member and officer response – Public Health and other services were on hand to identify people most in need, whilst modelling was underway with adult social care data. There were a lot of people in the Borough who had a high income and lived comfortable lives, and this could make it harder for those on the lowest incomes, as it made prices higher including housing and food costs. People on low incomes could feel unsure about where or who they could turn to for help, and in areas of higher deprivation there was often better community signposting. Lobbying of Central Government was taking place on a cross-party level about this issue. There was concern that funding which was currently being utilised by WBC to continue free school meals in school holidays could be cut, and additional lobbying needed to take place to make the case for this funding to continue;
- It was noted that some individuals were required for their debt to get worse before help and intervention could be provided. The way which individuals were treated by all Council Services and the Hardship Alliance should be a single excellent level of service, with departments talking to each other and referring issues to the most relevant contact for a speedy response;
- What could be done on a local level to assist people with rising utility bills? Hardship Alliance response – Citizens Advice were calling for a winter ban of energy companies forcing people onto prepayment meters. It was requested that WBC consider writing a letter in support of this sentiment;
- How was the dashboard (operated by Citizens Advice Wokingham) being constructed? Hardship Alliance response – There was a public cost of living dashboard which could be circulated to members for information. Data was submitted weekly to WBC in an anonymised format;
- This area had not been a typical set of issues that Town and Parish Councils were asked to offer support for. How were Town and Parish Councils now being involved? Hardship Alliance response – Town and Parish Councils had been reached out to, as in many cases they were landlords of buildings that could be used for community gatherings or acting as a 'warm bank'. There was a plethora of fantastic and engaged clerks who were very open to providing support where they could;
- It was noted that prepayment meters usually attracted a higher unit cost, and as many of them were not compatible with smart meters this meant that residents could not see what was drawing the most power (and therefore cost) in their homes;

- Were there plans to get practical advice and signposting into the Borough News? Executive Member response – Officers were looking to get advice into printed format in addition to social media output, whilst residents associations were also being informed about signposting and support on offer;
- It was noted that the component organisations of the Hardship Alliance undertook a considerable amount of specialist work, and they have come together to work towards a common purpose. During the Covid-19 pandemic, the Wokingham Borough Community response had no stigma towards it, and this was the direction that the Hardship Alliance wanted to aim towards;
- Had options been explored to place ‘QR’ codes on stickers to be placed on lampposts, as had been done during the pandemic. This would reduce the stigma that some people might feel, and increase the places that people could access information and help. Executive Member response – this point would be noted and explored by officers;
- It was noted that reference to crowdfunding was about enabling local people who were able to and who wanted to donate to a number of the great charities operating in the borough;
- It was commented that some elderly people were ringing the emergency services, citing an accident, just to enable them to speak to someone as they were feeling lonely and isolated;
- Were large companies operating in the Borough being contacted to explore any donation matching schemes open to their employees (many large business matched staff donations up to a certain amount)? Executive Member and Hardship Alliance response – This was being actively explored, as were any corporate responsibility funds operated by these companies. It was noted that there would also be employees and pensioners in the Borough working for large organisations who were not based in the Borough;
- Payday loans offered a terrible interest rate, were community loans being explored? Hardship Alliance response – Credit Unions were an excellent resource for offering loans for certain expenditure. Community First in Norreys had spoken for some time about setting up a form of community loans service;
- It was noted that a cross-party letter or motion would be written to the Chief Executives of electricity companies, raising concern about how defaulting customers were being treated, included being placed on prepayment meters. It was added that Citizens Advice Wokingham could feed into this process via the provision of a policy statement;
- It was noted that teachers could often be the first point of contact within schools, and were therefore well placed to signpost families to the support on offer. Officers noted that schools were being actively engaged with as part of the community response to this issue;
- Could Town and Parish Councils legally use a portion of their precept to deliver services for select parts of the community, for example provision of warm banks? Executive Member and hardship Alliance response – A framework could be provided to Town and Parish Councils as to how they might wish to get involved in this

response. The best approach to something like a warm bank was making it a universally accessible session. Rather than promoting it as a place to stay warm, it could be promoted as a chance for local people to get together and have a cup of tea, play some board games, and talk about issues in the community. Best practice and guidance about warm banks was being produced and could be sent to Town and parish Councils. In terms of the use of funds or grants to deliver these services, it was suggested that Town and Parish Councils reach out to each other as some authorities had similar existing programmes. It was noted that Citizens Advice could share localised ward data with individual Town and Parish Councils on request.

RESOLVED That:

- 1) Stephen Conway, Rachel Bishop Firth, Mark Gwynne, Emily Higson, Jake Morrison, and Emma Cantrell be thanked for attending the meeting;
- 2) Officers continue to proactively explore any additional funding or grant opportunities from Central Government;
- 3) A cross-party motion or letter be written, with inclusion of a policy statement from Citizens Advice, raising concern about how defaulting customers were being treated, included being placed on prepayment meters;
- 4) The Citizens Advice cost of living dashboard be circulated to the Committee;
- 5) Officers explore placing cost of living support information on lamp posts;
- 6) Town and Parish Councils be sent upcoming guidance and best practice regarding warm spaces;
- 7) Town and Parish Councils be informed that they could request localised ward data from Citizens Advice Wokingham.

42. FRAUD AND UNFAIR TRADING UPDATE

The Committee considered a presentation, set out in agenda pages 22 to 30, which provided an update on fraud and unfair trading practices within the Borough and measures to tackle such offences.

The presentation noted that this was an underreported area of crime, and forty percent of victims were aged between the 70 and 84.

Ian Shenton (Executive Member for Environment, Sport and Leisure), Sean Murphy (Public Protection Manager) and Narinder Brar (Community Safety Manager) attended the meeting to answer member queries.

During the ensuing discussion, members raised the following points and queries:

- What could Wokingham Borough Council (WBC) do to help communicate information on fraudulent practices and reporting methods, and what could WBC do to help small businesses on a proactive basis who think they may have been the victims of fraud? Officer response – It was crucial that this entire area was dealt with understanding and awareness. WBC worked with other support organisations to help communicate key messages, whilst there was a key focus on preventative action. For businesses,

intellectual property was key as without it there may not be a core business and room for innovation;

- It was noted that there was a tendency for people to become repeat victims, which effected their mental health and went beyond the offence itself;
- Could data be provided with regards to the types of fraud being committed, how many cases were being resolved, whether KPIs were being achieved, and feedback from victims who had been supported? Officer response – There was no doubt that things were changing in this area, and specialised staff were required to deal with many cases including computer forensic consultants. A further session could be delivered for members to explore the trends behind the figures;
- With regards to Action Fraud, it was noted that they dealt with the reporting of instances of fraud. There was a huge amount of fraud and only a limited resource available to deal with it. The Police and Crime Commissioner for Thames Valley had recognised fraud as a high priority crime which was interlinked within the complicated web of organised crime. Stating this as a specific priority would hopefully allow further inroads to be made in combatting fraud locally;
- Who could be contacted to help solve fraud locally? Officer response – If it was within the Borough and trading related, trading standards could be contacted. Other issues should be reported to the police;
- Was social media being used to inform residents of potential scams in their area, and did scammers take notice of 'no cold calling zones'? Officer response – Information regarding the use of social media to inform residents could be shared with the Committee. With regards to 'no cold calling zones', there was a legal point that traders were required to leave a person's property when asked to do so. Provision of notices outlining this meant that traders were already served with this notice prior to knocking on doors;
- How were elderly residents proactively contacted to make them more aware of potential scams? Officer response – There was additional funding being placed into proactive messaging, including community visits. This also included providing support directly to victims, which in some cases had resulted in victims having lost funds returned;
- Were care homes visited and engaged with to give tenants knowledge about scams and fraudulent practices? Officer response – Yes, community support officers were always happy to talk to any groups including care homes.

RESOLVED That:

- 1) Ian Shenton, Sean Murphy and Narinder Brar be thanked for attending the meeting;
- 2) An additional session be considered to explore the trends behind the figures provided by officers and partner organisations;
- 3) Information regarding the use of social media to inform residents of fraudulent activities be shared with the Committee;

- 4) It be noted that local trading standards could be used to report trading related fraudulent concerns within the Borough.

43. LOCAL PLAN UPDATE - PROGRESS UPDATE AND NEXT STEPS

The Committee considered a report, set out in agenda pages 31 to 40, which set out a progress report on the development of the Local Plan Update (LPU).

Lindsay Ferris (Executive Member for Planning and the Local Plan) Stephen Conway (Executive Member for Housing) and Ian Bellinger (Service Manager for Growth and Delivery) attended the meeting to answer member queries.

During the ensuing discussion, members raised the following points and queries:

- What timeline was being worked towards and was it possible to speed it up, and if the Government changed the housing number requirement after publication of the LPU could the LPU be updated? Executive Member and officer response – The team had not been asked to adhere to a strict schedule of key milestones as of yet as it was still to be decided which direction Wokingham Borough Council would prefer to go. The two options available were to progress to a regulation 19 order, meaning that WBC would predominantly progress with the previously consulted plan, or go out for a further regulation 18 order, which would present a number of different options via consultation. The direction of progress would be discussed by the cross-party working group, whilst officers would produce a technical recommendation and if members wished to move in a different direction, then a regulation 18 consultation would be required. Progress had already been slow due to the necessity of two regulation 18 consultations. The Local Plan was required to be reviewed every 5 years, however it could be reviewed more frequently as and when required;
- Was there a requirement to provide an additional twenty-percent of housing in case under delivery, and was it possible to omit this as WBC had a history of over delivery? Officer response – the twenty-percent figure was for Local Authorities with a history of under delivery. WBC had a five-percent figure applied to allow for market changes;
- What were the implications of not meeting the December 2023 deadline for a completed LPU? Officer response – There was generally no intervention by Government so long as progress was evidenced to be made. The December 2023 deadline would already be a push to achieve, and the risk of intervention was a matter of debate;
- It was noted that WBC could not currently demonstrate a five-year housing land supply. The argument proposed by WBC that over delivery of housing in prior years should be taken into account should temper the balance of the lack of five-year housing land supply with inspectors, however this issue would persist from now until a new Local Plan was adopted. It was expected that WBC would lose more appeals due to the tilted balance process;
- Was it possible to plan infrastructure such as telephone masts at the outline stage of development, were there powers to enforce community spaces and building to be delivered at new developments, and was the Borough Design Guide planned to be updated alongside the LPU? Executive Member and officer response – Policies could be updated to stress that infrastructure was required to be installed early in the development process, however planning officers could not stop people or companies

coming back with a planning application for things such as telephone masts after development was completed. If community buildings were specified as part of the planning application, then they would have to be delivered as part of the development else an amendment to the application would be required to be submitted. Delays to construction of such buildings often occurred due to issues with phasing. The Borough Design Guide was also being updated, and members and the public were encouraged to come forward with any suggestions.

- What percentage of social housing was being sought at new developments? Executive Member response – The aspiration was to deliver fifty percent of all new housing as social housing, however this may not necessarily be achievable as it was a balancing act to get a number of different things from developers such as infrastructure and other payments.
- It was noted that developers had an option on almost every potential piece of development land in the Borough. Developers could also choose the pace of development, by delivering a large development quickly (as had been happening on Wokingham) or slowing it right down;
- Was it possible to plan to deliver a new secondary school as part of the LPU? Officer response – The only land suitable to deliver a secondary school was at Hall Farm;
- Was there anything that could be done to speed up the timeline of development of the LPU? Executive Member and officer response – The team were undertaking a considerable amount of detailed technical work, in conjunction with working alongside the cross-party working group. This work was crucial to deliver a sound and acceptable LPU;
- It was noted that due to the Borough's proximity to London, this would continue to push house prices up. There was a critical need to deliver truly affordable housing within the Borough;
- When would it be possible for officers to deliver a technical recommendation to members? Officer response – Initial discussions would take place prior to Christmas 2022, whilst technical testing of the evidence base would take place next year, and an informal recommendation hoped to be delivered in around the pre-election period next year;
- It was requested that main roads were not positioned between housing and schools at new developments;
- It was requested that an update be considered by the Committee in May or June 2023;
- Were there plans to engage with residents and developers? Executive Member response – This would be considered, however the LPU needed to get to a point where a strong case could be demonstrated for a particular site or sites;
- Was there a communications plan to engage early and often with residents who were voicing concerns over potential development sites? Executive Member response – It was important to recognise that there was a very specific process to be undertaken here. If a developer sensed that a decision was being made on anything other than

sound planning grounds they would then raise this at a public inspection. All interested parties were invite to the public inspection to make their case.

RESOLVED That:

- 1) Stephen Conway, Lindsay Ferris and Ian Bellinger be thanked for attending the meeting;
- 2) An additional update be considered by the Committee in May or June of 2023.

44. WORK PROGRAMME

The Committee considered their work programme, set out in agenda pages 41 to 46.

The Committee noted that time management of upcoming meetings was crucial, to give proper consideration to items scheduled prior to the Medium Term Financial Plan, and the Medium Term Financial Plan itself.

RESOLVED That:

- 1) Callum Wernham be thanked for attending the meeting;
- 2) The Committee's work programme be noted.

This page is intentionally left blank

**MINUTES OF A MEETING OF THE
LICENSING AND APPEALS COMMITTEE
HELD ON 19 OCTOBER 2022 FROM 7.00 PM TO 8.38 PM**

Committee Members Present

Councillors: Beth Rowland (Chair), Sarah Kerr (Vice-Chair), Peter Dennis, Mike Smith, Alistair Neal, Morag Malvern, Rachel Burgess, Bill Soane, Chris Bowring, Michael Firmager, Abdul Loyes and Shahid Younis

Officers Present

Luciane Bowker, Democratic & Electoral Services Specialist
Mike Harding, Licensing Officer
Keiran Hinchliffe, Service Manager for Licensing and Enforcement
Ed Shaylor, Head of Enforcement and Safety

10. APOLOGIES

There were no apologies for absence.

11. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 23 June 2022 were confirmed as a correct record and signed by the Chair.

Matters arising

It was noted that there was a spelling error on page 9 of the agenda pack, it should read *Councillor Burgess*.

It was noted that the agenda did not contain a recommendation tracker, as per the Committee's request. Luciane Bowker, Democratic and Electoral Services Officer apologised for the omission of the tracker and would ensure this was included in future agendas.

Ed Shaylor, Head of Enforcement and Safety provided an update in relation to the Committee's recommendation to apply a reduction to the licence fees charged in 2021/22. The Executive Member for Environment, Sport and Leisure and the Executive Member for Finance were considering this recommendation and this would be determined via an Individual Executive Member Decision (IEMD).

12. DECLARATION OF INTEREST

There were no declarations of interest.

13. PUBLIC QUESTION TIME

There were no public questions.

14. MEMBER QUESTION TIME

There were no Member questions.

15. FEES AND CHARGES FOR LICENSABLE ACTIVITY 2023/24

Ed Shaylor presented the report which was set out in agenda pages 15-36.

In the previous year, the Committee had recommended that the fees and charges remained unchanged, being mindful that the licensing services were coming back in-house.

An increase of 9.9%, based on the Consumer Price Index (CPI) was being proposed for 2023/24 (for the licensable activities that are within the Council's gift to determine). The income from licensing fees is supposed to offset the costs to the Council of administering the licensing service.

During the discussion of the item the following comments were made:

- Councillor Burgess asked for evidence of increases in the cost of the team;
- Ed Shaylor explained that the cost of running the service was currently more than the income received. The fee income from 2019/20 was £290k, this was being forecast to be £250k this year. He agreed that the staffing costs were unlikely to increase by 9.9%, but other costs to the Council would increase, perhaps by more than 9.9%. The basis of the proposal was that the cost of running the service was more than the current income. This had been the case for this year and the past two years;
- Councillor Firmager asked if there was any scope to reduce the cost of running the service;
- Ed Shaylor explained that infrastructure and overheads costs could be included in the cost calculation of running the service. The cost calculation of the hourly rate to process an application had been undertaken some years ago and stood at £59, it was proposed to increase this to £65. The cost calculation of a licence application included the number of hours spent processing a licence and enforcing it;
- Councillor Younis asked for more detailed information on the calculation of the proposed increase, he also asked if there were any financial benefits with bringing the service in-house;
- Ed Shaylor informed that the majority of the cost was staffing, it was difficult to accurately itemise the cost of the Council's overheads for each service. The process of bringing the service in-house had been driven by a desire to improve the quality of it and make it locally responsive, not by financial reasons;
- Councillor Younis asked if it was possible to compare the cost before, with the PPP and now with the service being run in-house;
- Ed Shaylor explained that under the PPP arrangements West Berkshire provided the licensing service to West Berkshire, Wokingham and Bracknell, and it would be difficult to ascertain the exact cost to Wokingham. In terms of the current staffing structure, there were: a licensing manager, two licensing officers and one full time and one part-time licensing processing officers. There were 3.5 customer delivery officers working on licensing work too;
- Councillor Loyes asked how the estimated £250k income was calculated;
- Ed Shaylor explained that as of September this year £125k had been received in income, this was being doubled to forecast £250k to the end of the financial year;
- It was predicted that costs would increase for the Council, and the CPI was being used to estimate the likely increase;
- Councillor Kerr was of the opinion that more information was needed for the Committee to make an informed recommendation to the Executive, and asked the following questions:
 - What was the breakdown of costs?
 - What was break even for the service?
 - Had West Berkshire been able to cover the costs of running the service or had they had to use the general funds from reserves to fill the gap?
 - Are we forecasting having to use general funds to fill the gap this year?
 - What is the breakdown of the currently hourly rate cost in Wokingham?

- What is the cost of running the service in-house? Is it costing more than before?
- Ed Shaylor suggested answering those questions in a separate report;
- Councillor Kerr made a recommendation that the Committee receives a report containing the full information about the costs involved in running the service;
- Keiran Hinchcliffe, Service Manager for Licence and Enforcement pointed out that decisions had had to be made when leaving the PPP, without the full information at the time about the costs. It would only be possible to ascertain factually the full costs at the year end. However, it was known that the service was currently not breaking even;
- Councillor Kerr stated that some assumptions about costs would have been made in drafting this proposal. She suggested that perhaps there should not be an increase in the fees until the full costs at year end were fully known;
- Councillor Soane asked if there was any increase being proposed for the statutory fees. Keiran Hinchcliffe explained that those fees were set by the central government and the local authority was not able off-set the balance of statutory fees against the non-statutory fees;
- Ed Shaylor stated that the statutory fees did not cover the cost of running the service, as an example he pointed to page 23 of the agenda and the cost of Temporary Event Notices (TENs) which was £21 only. Those licensing fees had been set in 2005 and had not been increased since;
- Councillor Bowring was concerned that the level of inflation was unpredictable and the figures may be different again by the times these fees are submitted for approval by the Executive. He asked if any of these licences were discretionary and if there were any considerations on cutting the costs of running the service;
- Ed Shaylor informed that modern software was capable of processing paperless applications and increase efficiency, thus reducing the costs. However, the cost of the software was considerable and would have to be factored into the cost of the licence;
- Councillor Burgess stated that most of the cost was related to staffing, and therefore it was possible to accurately forecast;
- Ed Shaylor confirmed that the staffing costs were being forecast in-year as part of budget monitoring;
- Councillor Smith asked if it was possible to produce a report with the details of cost and income by each activity;
- Ed Shaylor explained that the discretionary fees gave an indication of the amount of work involved as the number of hours had been worked out some time ago. He pointed out that to work out the amount of hours for each licence would incur a large amount of work for the team, but if there was interest in finding out more about a particular licence, this could be done;
- Councillor Younis agreed with the points raised previously, that more information was needed to for an informed decision. He was surprised that more technology was not already being used to process applications. He mentioned that there was an option to 'pay as you go' for software, without having to buy it upfront;
- Councillor Dennis would like to see a breakdown of the percentage of time spent on statutory licences and non-statutory licences. He also asked if there were any discrepancies within the discretionary licences, and if it was possible to use the licence fees as a social deterrent

Ed Shaylor was concerned about the amount of time it would take to produce a report answering all the questions raised during the discussion, in view of the timelines for the next meeting on 30 January 2023. He suggested either reducing the scope of the report or accepting that a more comprehensive report would take longer to produce.

The Chairman expressed concern that the questions raised today had not been asked previously, when the decision was made to bring the service back in-house.

Councillor Kerr informed that this Committee had not been consulted on the decision to leave the PPP.

After much discussion, the Chairman proposed that a simplified report be brought to the January meeting of the Committee. The Committee would then be able to make a more informed decision. At the same time, work could be undertaken to gather more information for the next year. She was seconded by Councillor Kerr. Upon being put the vote, most Members voted in favour of this proposal.

Ed Shaylor explained that the timelines would be tight for the submissions to the Council's Budget. The Chairman suggested that if this report and information was ready before 30 January, that an extraordinary meeting could be arranged.

Councillor Kerr pointed out that this Committee could only make recommendations, and she expected that the Executive would receive the additional information in order to make a decision.

RESOLVED That:

- 1) A report including information on costs and income would be brought to the 30 January meeting, or earlier to an extraordinary meeting if possible; and
- 2) Work would be undertaken to understand the full cost details of running the service would be carried out, in preparation for next year's report.

16. TAXI AND PRIVATE HIRE DRAFT POLICY REVIEW

Kieran Hinchcliffe presented the Taxi and Private Hire Review report which was set out in agenda pages 37-153.

The amendments which had been requested at the last meeting of the Committee had been incorporated into the revised document.

Rachel Lucas, Legal Advisor to the Committee highlighted some issues that still remained in the current document, as follows:

Page 88 of the agenda

- paragraphs 1.48 and 1.49 – DVLA points were not a conviction, so the wording needed to be changed.

Page 111 of the agenda

- paragraph 1.65 – the law in relation to child seat belts and restraints referred to the age 12 and or taller than 135cm, so the age needed to be changed to mirror the legal position.

Page 116 of the agenda

- Paragraph 1.19 – it should read s53 A(8)
- Paragraph 1.21 – should read s61(2)

Page 120 of the agenda

- Paragraph 1.9 – it should read s53 A(8)
- Paragraph 1.11 – it should read s61 (2)

Kieran Hinchcliffe informed that the report would be amended, in line with the legal advice received.

During the discussion of the item the following comments were made:

- Councillor Kerr pointed to:
- Page 68 of the agenda, paragraph 3.45, and stated that this was still not sufficiently clear. Kieran Hinchcliffe agreed to improve the wording;
- Page 109, paragraph 1.54 – what was the reasoning behind it? Other dress code mentions were open to interpretation.
- Ed Shaylor agreed that the references to dress standards needed reviewing and some should be taken out;
- Councillor Younis stated that the rules should be simple to follow and easy to implement, based on common sense. He asked if these rules had been written by WBC or if they had been adopted from somewhere else?
- Kieran Hinchcliffe explained that the document was based on WBC's current policy. A licensing lawyer had been employed to give advice on the policy. Also, this Committee had been consulted on the content;
- Councillor Smith pointed to page 81 of the agenda, and asked for clarification on paragraph 1.2;
- Rachel Lucas explained that 1.2 referred to case law that said that it was not for the Council to judge the merits of a conviction;
- Councillor Smith asked for clarification on page 83, paragraph 1.17 – how could temperament be measured?
- Rachel Lucas explained that, for example, if a person was called in for an interview with a licensing officer because of an allegation of misbehaviour, and this person was then aggressive or abusive towards the officer, this would be judged as the individual having a bad attitude and temperament;
- Councillor Firmager pointed to page 81 of the agenda, and grammar mistakes in paragraphs 1.1 and 1.3, and recommended thorough proof reading;
- Ed Shaylor confirmed that the document would be proof read before it went out to consultation;
- Councillor Burgess noticed that the drivers were put to many tests, she asked if there were any new tests being proposed? She also pointed to page 53, paragraph 2.7 – she stated that 'sufficient time' was vague and a specific timeline should be used to avoid disputes;
- Kieran Hinchcliffe accepted the point about specifying the time. With regards to new tests, he informed that there were no new tests in the policy.

After a robust discussion and upon being put to the vote, most members voted in favour of the recommendation, provided that the policy be revised to include the changes requested during the meeting.

RESOLVED That:

- 1) The Licensing and Appeals Committee approves the revised policy, with the amendments suggested during the meeting; and

- 2) Delegates to the Director of Place and Growth, in consultation with the Lead Member of the Executive, to release the revised policy for public consultation.

17. ANY OTHER BUSINESS

Councillor Kerr asked if it was possible to consider having a forward plan in the agendas going forward.

Ed Shaylor informed that a review of the Statement of the Licensing Policy was in the forward plan for the next year.

Councillor Kerr proposed that a review of licensing gambling be brought to the Committee for discussion, with a view to potentially finding ways to protect vulnerable people. She was seconded by Councillor Burgess.

The Chairman suggested including a review of alcohol licences too.

Upon being put to the vote, Councillor Kerr's proposal was approved.

RESOLVED That a review of gambling licences would be put in the forward plan.

**MINUTES OF A MEETING OF THE
STANDARDS COMMITTEE
HELD ON 24 OCTOBER 2022 FROM 6.30 PM TO 7.05 PM**

Committee Members Present

Councillors: Sam Akhtar, Graham Howe, Morag Malvern (Chair), Adrian Mather and Imogen Shepherd-DuBey (Vice-Chair)

Parish/Town Council Representatives:- Roy Mantel (Co-Optee Twyford Parish Council) and Sheena Matthews (Co-Optee Earley Town Council)

Sally Gurney (Co-optee Wokingham Town Council) attended the meeting virtually.

Officers Present

Andrew Moulton, Monitoring Officer

Madeleine Shopland, Democratic and Electoral Services Specialist

10. APOLOGIES

An apology for absence was submitted from Chris Johnson.

11. MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Committee held on 18 July 2022 were confirmed as a correct record and signed by the Chair.

12. DECLARATION OF INTEREST

There were no declarations of interest received.

13. PUBLIC QUESTION TIME

There were no public questions.

14. MEMBER QUESTION TIME

There were no Member questions.

15. PARISH / TOWN COUNCIL QUESTION TIME

There were no Parish/Town Council questions.

16. UPDATE ON COMPLAINTS

The Committee received an update on complaints.

During the discussion of this item, the following points were made:

- Andrew Moulton, Assistant Director Governance, provided an update on the complaints process. The Monitoring Officer would make an initial assessment of the complaint, write a summary of the complaint, and then subject to a consultation meeting with one of the Independent Persons, would take one of four courses of action.
- It was rare for complaints to reach the Members Hearing Panel stage. Only the most serious complaints would go to this stage and there were a number of stages and processes in place prior to this.
- Since the last Committee meeting three complaints had been received; two relating to Borough Councillors and one relating to a Town/Parish Councillor. No further action was taken in one case. WBC 6 was subject to an investigation.

- With regards to WBC 5, the complaint had been received from an Officer and had since been withdrawn, which ended the Code of Conduct process. In terms of the process there were lessons to be learned. Andrew Moulton indicated that he would bring a more detailed report back to the Committee on how processes could be improved, particularly regarding relations between Officers and Members.
- Councillor Akhtar asked if there was differentiation in how complaints were dealt with depending on the seriousness of the complaint. Andrew Moulton indicated that the different criteria were set out in the Code of Conduct. The majority of complaints were concluded as 'no breach.'
- Sally Gurney asked for an update about a number of long-term outstanding complaints relating to Woodley Town councillors. Andrew Moulton indicated that this matter had also been raised at the most recent Council meeting. The majority of the historic complaints related to two Woodley Town Councillors. Andrew Moulton would be writing to Woodley Town Council very soon to update on these complaints. The complaints had been difficult to resolve due to a lack of cooperation from the Members involved. He would look to see how he could support the Town Council in updating its Code of Conduct in line with the Local Government Association Code.
- The Chair asked about timescales in resolving the outstanding historic complaints. She was informed that communication with Woodley Town Council and the complainants would take place within the next few days.
- Adrian Mather indicated that comments had been made that the process did not have sufficient teeth and questioned whether it needed to be reviewed. He queried whether those councillors who had received complaints and refused to cooperate, be required to attend a Member Hearing Panel. Andrew Moulton commented that the whole system relied on relative cooperation.
- Sally Gurney questioned whether amending the process so that in cases where the person being complained about did not engage in the process, a decision was made based on the information received, was still under consideration, and if this step could be added to the formal process. The Chair asked whether the process was clear on the way forwards. Andrew Moulton responded that the six complaints had come from fellow Councillors or Officers.
- Imogen Shepherd-Dubey emphasised that there needed to be a time limit given for those being complained about to respond to the process. If the person was found guilty the results of the investigation needed to be made public.
- Sheena Matthews asked for an update on the Town and Parish Councils updating their Codes of Conduct in line with the LGA Code and requiring councillors to sign up to the Code officially. She indicated that Earley Town Council had amended its Code of Conduct. Andrew Moulton indicated that this was planned for later in the year.
- Roy Mantel noted that one of the options available to the Monitoring Officer once they had made an initial assessment of a complaint, was to take 'no further action.' He commented that complaints could sometimes be malicious and that there needed to be a mechanism for explaining why complaints were not being progressed in these instances. Andrew Moulton explained that he wrote to complainants and explained why a particular decision had been reached.
- Graham Howe emphasised the importance of exercising caution when making decisions as the situation was not always clear.
- The Chair questioned whether the Independent Persons were offered training and if so, if it was taken up. Andrew Moulton confirmed that it was offered. The Independent Persons were very experienced.

- Sam Akhtar questioned if there was an appeals process if someone was found to have committed a breach and was informed that there was not. The Committee had considered this a few years ago but had concluded at that time that it was not appropriate.

RESOLVED: That the update on complaints be noted.

17. UPDATE ON TRAINING

The Committee considered a report regarding training.

During the discussion of this item, the following points were made:

- From the Committee's terms of reference, it was clear that members of the Committee need, amongst other things, the following skills and knowledge:
 - A detailed understanding of the Member Code of Conduct (including "the Nolan Principles" and those areas identified through the Committee's analysis of complaints such as use of social media, the application of confidentiality etc);
 - Knowledge of how the processes work for dealing with complaints alleging a breach of the Member Code of Conduct including the role of the Independent Person and Monitoring Officer – it was suggested that the Committee invite one of the Independent Persons to a future Committee meeting.
 - A knowledge of the rules of natural justice and evidenced based decision making and how to apply them in the context of a standards panel hearing;
 - Knowledge of the Member Officer protocol;
 - Knowledge of other codes of conduct and procedures (e.g., Whistleblowing, Officer Code of Conduct).
- It was proposed that short training sessions (30 minutes) be provided prior to committee meetings.
- Members welcomed the forthcoming development of an online training package for Borough Councillors.
- Sam Akhtar commented that it would be useful to look at the social media element of the Code of Conduct.

RESOLVED: That the individual and collective training and development needs of the Committee members through the remainder of this municipal year and 2023/24, be agreed.

This page is intentionally left blank