

EXECUTIVE

MINUTES OF THE MEETING HELD ON

13 MAY 2004

Councillors: Phil Barnett (P), Billy Drummond (P), Denise Gaines (P), Mrs Sally Hannon (P), Owen Jeffery (P), Mrs Mollie Lock (P), Dr Royce Longton (P), Mike Rodger (P)

Also present: Councillors Mrs Barbara Alexander, Brian Bedwell, Jeff Brooks, Paul Bryant, George Chandler, Keith Chopping, Geoff Findlay, Roger Hunneman, Graham Jones, Joe Mooney, Graham Pask, Alexander Payton, Terry Port, Paul Pritchard, Andrew Rowles, Quentin Webb, Emma Webster, Keith Woodhams, Laszlo Zverko

PART I

1. APOLOGIES.

There were no apologies for absence received.

2. MINUTES.

The Minutes of the meeting held on 8 April 2004 were approved as a true and correct record and signed by the Chairman.

3. DECLARATIONS OF INTEREST.

Councillors Barbara Alexander, Brian Bedwell, Paul Bryant, Keith Chopping, Geoff Findlay, Mollie Lock, Royce Longton, Joe Mooney and Terry Port declared interests in Agenda Item 10 but reported that as their interest was personal they were permitted to take part in the debate and where appropriate vote on the matter.

4. QUESTIONS.

(a) Public Questions

There were no public questions submitted.

(b) Member Questions

- (i) In accordance with the Executive Procedure Rules contained in the Council's Constitution, the following question was submitted by Councillor Graham Jones to be answered by the Executive Member for Highways and Transportation:

"Can the Executive Member give me a progress report on the proposed horse crossing at Mile End, Lambourn?"

The Executive Member for Highways and Transportation gave the following answer:

"A request was received from Farringdon Stables during 2001 for measures to be introduced to ensure that horses could safely cross the B4001. Farringdon Stables agreed to fund the measures and in August 2001 Officers applied to the Government Office for the South-East (GOSE) for the introduction of non prescribed signs. GOSE requested further information, which included vehicle speeds, number of horses likely to use the crossing and crossing times.

Surveys were undertaken and in September 2002 Officers formally requested permission to introduce the signs, which incorporate flashing amber lights. In view of the speed of vehicles using the crossing GOSE did not grant permission but suggested that an equestrian crossing, similar to a pedestrian crossing, would be a more suitable measure.

To help progress the installation of a crossing and reduce vehicle speeds, a 50mph speed limit was introduced during October 2003 following the statutory consultation process and

EXECUTIVE- 13 MAY 2004 - MINUTES

making of the Traffic Regulation Order. Officers have since instructed a Consultant to provide a quotation to undertake the design of an equestrian crossing facility. Farringdon Stables have been informed of the cost to design the crossing, which is about £9,000 plus VAT, and has also been informed that the works to subsequently install a crossing would cost approximately £20,000 to £25,000. However a more detailed estimate would have to be undertaken once the design of the crossing has been finalised.

The stables have been asked to confirm if they are still willing to fund the works and once we have received a reply from them we will undertake the necessary action and advise the Ward Members accordingly."

Graham Jones asked the following supplementary question:

"Clearly there is a substantial amount of money involved. Could I have an undertaking from the Executive Member to liase with me later about some correspondence that I have regarding this difficult decision in order to move it forward?"

The Executive Member for Highways and Transportation answered:

"Yes, certainly."

- (ii) In accordance with the Executive Procedure Rules contained in the Council's Constitution, the following question was submitted by Councillor George Chandler to be answered by the Executive Member for Highways and Transportation:

"Many of West Berkshire's Parish Councils have welcomed the opportunity to be trained in the use of the Speed Indicator Device, which enables parishes to be proactive in tackling the problem of speeding in rural areas.

How many parishes has West Berkshire's Speed Indicator Device been deployed in over the last year?"

The Executive Member for Highways and Transportation gave the following answer:

"We appointed our SID Co-ordinator in March 2003 and held four training sessions for Parish Councillors to enable them to operate the devices. 68 Parish Councillors from 39 Councils, including Councillor Pask, have now been trained to use it and 14 Parish Councils have carried out speed surveys. The cost of the SID equipment and the salaries of the SID Manager and his assistant are funded from the Thames Valley Safer Roads Partnership, which is money from speeding fines."

George Chandler asked the following supplementary question:

"As we have just heard the training has been in place, but at the rate of deployment of the scheme that you have just given us it would seem that it is possibly going to take up to two years to go round all of the Parishes keen to take part in the scheme and I am very concerned that Parishes which are trained are perhaps going to loss faith in the scheme and feel that their training was perhaps not put to good use. What can be possibly done to speed up the process therefore making the residents of the area feel that something is being done about this persistent problem in their Parishes?"

The Executive Member for Highways and Transportation answered:

"I think there are a number of points. First of all actually not all Parish Councils have taken up the invitation to be trained in the SID equipment and there are equally Parishes who don't actually want speed limits introduced on any of their roads and I was amazed when I was actually told that. As I said the funding comes from the Thames Valley Safer Roads Partnership and therefore doesn't cost us any money. We did actually put in another application for some more SID devices and that was turned down so we have done as much as we can. We do have a two year planned programme which has been agreed by the Parishes involved, but in answer to your question we did ask for more money from the Safer Roads Partnership, we weren't granted the money to buy more equipment and that is

EXECUTIVE- 13 MAY 2004 - MINUTES

particularly frustrating as we know that actually the money now goes back to the Treasury as we are unable to spend all the money that came through."

- (iii) In accordance with the Executive Procedure Rules contained in the Council's Constitution, the following question was submitted by Councillor Brian Bedwell to be answered by the Leader of Council:

"In view of the key recommendation R1 on p6 of the Audit Commission report 'Challenge to planning review - West Berkshire Council' does the Executive member now intend to review the current planning committee structure?"

The Leader of Council gave the following answer:

"The short answer, as I am sure you expected, is no. The Audit Commission's concern relates to the speed at which planning applications are determined and against this consideration has to be balanced the quality of the decision making and the degree of involvement available to concerned members of the public.

I am sure you will accept that our present Committee structure permits a high degree of public involvement in the process and indeed it has won much external praise from this point of view. Unfortunately there is a possibility that our present system can cause a delay in determining some applications. So we need to ask whether our performance regarding speed of determination is currently so poor that we should consider abandoning the democratic benefits inherent in our current system and, if so, whether there is anything we can do to improve the speed of determination while retaining the present Committee structure.

Here I would remind colleagues that close to 90% of planning applications are currently determined by officers under delegated powers. A process whose length is unaffected by the Committee system and clearly if all of these delegated decisions were made within the specified times we would meet most of the Government's targets. I would also remind colleagues that our performance against these targets has been steadily improving. In the category 'Other Applications', which includes the majority of those submitted to us, we are currently determining more than 85% within eight weeks, against the national target of 80%. In the category of 'Minor Applications' we are currently achieving our interim target of 55% determined within eight weeks and we should soon be very close at least to the national target of 65%. It is really only in the category of 'Major Applications' that we are currently well behind target and here I think it is generally accepted that we shall always be struggling to reach 60% in 13 weeks regardless of the Committee system, in part because of the time taken to negotiate S106 Agreements. However, Councillor Bedwell will be aware that our officers are working hard to develop procedures to improve our performance on major applications and I would point out that if used flexibly, for example by holding special meetings to deal with individual major applications when this would result in deadlines being met, or by referring major applications to either an Area Committee or the Planning and Development Committee, depending on the dates of meetings, there is no reason why our present Committee system should delay the determination of the relatively small number of major applications that we receive."

Brian Bedwell asked the following supplementary question:

"Since the Audit Commission did recommend that we review the current planning structure, you are therefore not going to undertake that representation from the Audit Commission?"

The Leader of Council answered:

"We reviewed our Committee system very recently Brian as you know. I don't at the present time see any reason to review it again. If, however, our performance falls back again then we shall have to look at the matter again."

5. PETITIONS

A petition was received from Councillor Alexander Payton on behalf of 1,596 residents of Thatcham. The petition related to the planned closure of the Northfield Road Post Office in Thatcham by Tesco Stores Limited. The Chief Executive reported that the Council had written to Tesco requesting a meeting to discuss this matter. The Executive agreed that a report would be brought back to the 17th June meeting.

A petition, in the form of 29 letters, was received from Councillor Graham Pask on behalf of residents along the B4009 between Newbury and Hermitage. The petition related to concerns regarding speeding and heavy traffic along the B4009. The Executive agreed that road needed to be looked at as a matter of urgency and a response would be supplied at the 17th June meeting.

6. WEST BERKSHIRE FORWARD PLAN JUNE 2004 TO AUGUST 2004.

The Executive considered a report (Agenda Item 6) concerning items to be considered by West Berkshire Council over the next four months. The Leader of Council and the Portfolio Members for Highways and Transportation, Children and Young People and Environment and Waste requested amendments to the Forward Plan as set out below.

RESOLVED that the West Berkshire Forward Plan for June 2004 to August 2004 and its subsequent publication be approved, subject to the addition of:

- (1) an item relating to Representation on Outside Body – Chamber of Commerce to be taken as an Individual Decision on 4 June 2004.
- (2) an item relating to Newtown Road – North (St Johns Roundabout to Blackboys Bridge, Newbury) – Environmental Improvements to be taken as an Individual Decision on 4 June 2004.
- (3) an item relating to Consultation on the Reorganisation of the following Infant and Junior Schools:
Dunstan Park Infant School/St Mary's CE Junior School
Winchcombe Infant School/Winchcombe Junior School
Calcot Infant School/Calcot Junior School
to be taken as an Executive Decision on 17 June 2004.
- (4) an item relating to Padworth Common – Local Nature Reserve Status to be taken as an Individual Decision on 2 July 2004.

7. INFORMATION MANAGEMENT.

The Executive considered a report (Agenda Item 7) concerning a proposed vision and implementation plan for information management at West Berkshire Council which addressed the Council's Corporate Priorities. The report also demonstrated the benefits of investment in information management – including savings in time and money spent locating documents etc and making the Council an easier organisation to do business with.

During discussion of this item Members were keen to receive copies of the notes circulated during a recent BT training course on information management and also the Shadow Portfolio Member for Community Care and Housing requested a list of improvements that had been implemented following the Caldicott Review.

RESOLVED that:

- (1) the Corporate Director Strategy and Commissioning and the Portfolio Member with responsibility for Information, be appointed to lead on information management and ensure that it has a high priority in the Council;
- (2) the structure of 'information co-ordinators' across functions and by service areas, to deliver a cohesive approach be agreed;
- (3) the importance of compliance with statutory information management areas, including Data Protection Act 1998 and Freedom of Information Act 2002, be stressed and the revised Data Protection Policy and new Freedom of Information Policy, as set out in the report, be approved;

- (4) an allocation of £7,000 from the Corporate Training Budget for training on information management be agreed.

8. WEST BERKSHIRE COUNCIL ICT STRATEGY REVIEW.

The Executive considered a report (Agenda Item 8) outlining the Council's approach to the ICT Strategy Review that was developed to help deliver the objectives of West Berkshire Council's Corporate Plan 2003-2008.

Members were informed that the progress review highlighted the progress made on the key objectives of the ICT Strategy:

- Improved access of PCs and software for all Council Officers and Members – currently 98% of Officers had access to PCs and associated tools and 50;
- Improved access to Council services on-line
- Additional WBC sites added to area network – provided 'core' ICT to a greater number of Officers in Community Care and Housing and Children and Young People service areas; and
- Improved back office business processes including implementation of a new finance/e-procurement system that would provide improved financial management information including committed accounting.

Members noted that all the objectives shown with a 2003 completion date had been fulfilled. An update was requested regarding the flexible working feasibility project that was currently taking place and Members were informed that some members of the ICT Strategy Group were taking part in this project and actually had thin client technology in their home.

The Portfolio Member for Community Care and Affordable Housing asked to be involved in the implementation of the new Community Care and Housing Systems that were planned. Members were informed that the proposed system was used in other authorities and had helped streamline processes considerably.

RESOLVED that the West Berkshire Council ICT Strategy Review 2003-06 be approved.

9. ASSURANCE WORK PROGRAMME

The Executive considered a report (Agenda Item 9) which proposed an integrated programme of work for the three main elements of the Assurance Service: risk management, health and safety and internal audit. Each of these elements formed an important part of the Internal Control Framework of the Council and were therefore important aspects of the delivery of stronger governance.

Members noted that work programme, outlined in Appendix A, supported the Council's Risk Management Strategy and that the results of the audits, carried out under the Programme of Audits in Appendix C, would be fed into the JSC.

RESOLVED that the programme of work for Assurance Services be agreed.

10. CONCESSIONARY FARES TRAVEL TOKENS

(Councillors Barbara Alexander, Brian Bedwell, Paul Bryant, Keith Chopping, Geoff Findlay, Mollie Lock, Royce Longton, Joe Mooney and Terry Port declared a personal interest in Agenda Item 10 by virtue of the fact that they received Concessionary Fares Travel Tokens. The Members named above remained in the Chamber and took part in discussions and where appropriate voted on this item.)

The Executive considered a report (Agenda Item 10) outlining amendments to the Concessionary Fares Travel Tokens Scheme. This was due to the decision taken by Council on 1st March 2004 to deliver a 7.9% Council Tax increase which meant that a saving of £150,000 had to be achieved in 2004/05 to meet the reduction in the current year's budget provision.

The Concessionary Travel Tokens scheme was adopted by the new Unitary Authority from the former Newbury District Council in July 1999 and was supplemented by the Statutory Minimum Half Fare Bus

Pass Scheme in July 2001 in accordance with DETR Guidance of May 2001. There are currently three band values which had remained unchanged since 2001 and are determined by residency and the distance from "designated centres" which are considered to be areas which possess a Post Office and basic food shopping facilities. It was proposed that any changes to the Concessionary Fare Travel Tokens Scheme would be an interim measure for this year and that a full review would be carried out during the following year.

Members were informed that a number of representations had been received from the voluntary sector and a meeting would be taking place to try and mitigate these concerns. However it had never been the intention for travel tokens to fund transport for attendance at non-emergency hospital appointments.

During discussion of this item Members were concerned that the areas that would be most disadvantaged would be rural and remote areas and those to the East of the District. Given the proximity of residents in Newbury, Thatcham and Calcot to shopping facilities it was considered unfair that residents in these areas received the same amount of tokens as residents in rural areas. The Executive noted these comments but reported that many of the neighbouring authorities did not actually provide such concessions to their residents and that discussions had taken place with the voluntary Handybus and car operators to investigate whether the potential impact on these services could be minimised, particularly for residents in the more rural areas.

RESOLVED that the existing three band values of tokens be removed and replaced with one single value of £30 per annum as an interim measure for 2004/05.

11. LEA GOVERNOR APPOINTMENTS FOR RECONSTITUTING GOVERNING BODIES.

The Executive considered a report (Agenda Item 11) concerning proposals for a fast track process for the re-appointment of LEA governors when governing bodies reconstitute.

Currently LEA governors were appointed/re-appointed by Members at Area Forum meetings for a term of four years. Due to the fact that new legislation would require governing bodies to reconstitute between 1st September 2003 and September 2006 this could lead to situations where governors would have to go through a further re-appointment process before their term of office naturally came to an end.

The Executive were pleased to note that the new process would reduce the amount of bureaucracy for governors when the need arises for governing bodies to reconstitute.

RESOLVED that the fast track process, as outlined in paragraph 1.4 of the report, be approved.

12. PARK WAY PLANNING BRIEF.

The Executive considered a report (Agenda Item 12) concerning the adoption of the Park Way Planning Brief as Supplementary Planning Guidance (SPG). The Park Way Planning Brief once adopted as SPG would be a material consideration in the determination of planning applications and a key component in taking forward the Newbury 2025 Vision which was approved last September and the redevelopment of the Park Way site.

Members were informed that the Planning Brief had been prepared by DTZ and had undergone two rounds of consultation. The Brief covered a large extent of the Park Way area and as it was unlikely that a single scheme would come forward to develop the whole of the site it was intended as a framework against which to consider any applications large or small. This would also ensure that the Council maximised the overall opportunities that the site as a whole presented.

The Town Centre Task Group recommended the following as items they would like to come forward from the development:

- Large retail store;
- Improved access – new multi-storey car park, improved cycling provision, removal of car parking in Park Way;
- Residential development – including low cost housing;
- High quality development in line with the historic character of Newbury;

EXECUTIVE- 13 MAY 2004 - MINUTES

- Linkage between Northbrook Street and Park Way; and
- A safe environment promoting public art and access for all.

During discussion of this item Members requested clarification on the proposals contained in the Brief relating to the frontage with Victoria Park which appeared dissimilar to proposals contained in the Vision. It was agreed that a written answer would be supplied on this matter.

RESOLVED that:

- (1) the Park Way Planning Brief, incorporating changes following consultation, as attached to the report be adopted as Supplementary Planning Guidance;
- (2) the Park Way and Wharf Planning Statement and Development Brief 1988 supplementary planning guidance be withdrawn.

13. PARK WAY DEVELOPMENT BRIEF.

The Executive considered a report (Agenda Item 13) concerning the Park Way Development Brief and Expressions of Interest documents due for adoption in seeking a preferred development partner.

The planning and development briefs had been agreed by an all party Task Group and following the advice of the Council’s consultants it was agreed that open competition was the most likely to secure the best deal for the Authority. Also not following open competition could potentially lead to a legal challenge. The next stage would be to issue an OJEU notice tomorrow.

Members were concerned that the Council was adopting a confrontational approach and also requested confirmation that any Compulsory Purchase Order (CPO) costs would be borne by the developer. The Corporate Director (Strategy and Commissioning) informed Members that following advice from reputable consultants that an open competitive route was considered to be the best way forward in order for the Council to secure the best possible development for the town. Confirmation was also given that any CPO costs would be borne by the appointed developer.

RESOLVED that:

- (1) the Council adopt the documents entitled “Expressions of Interest” in seeking initial interest from developers and “Development Brief” (Appended in Part II) for use by subsequent shortlisted candidates in the search and selection of a preferred developer;
- (2) an Official Journal of the European Union (OJEU) notice be issued immediately after adoption and publication of the Park Way Planning Brief seeking expressions of interest from developers desiring to be appointed as preferred developer for the development of the site identified in the appendices to the report and to confirm that this contract is primarily a works contract and that the procurement strategy will comply with the Public Works Contracts Regulations 1991 and that the procedure that will be used will be the competitive negotiated procedure under Regulations 10 and 13 and that the open or restricted procedure is not appropriate for this procurement because overall pricing is not possible because of the nature of the works;
- (3) Members of the Newbury Town Centre Task Group be given delegated authority to compile the shortlist of prospective development partners for the submission of more detailed proposals.
- (4) Minor amendments to the Expression of Interest and Development Brief, as set out in the supplementary Part II papers distributed previously, be approved and incorporated within the approved documents adopted under recommendation (1).

(The meeting commenced at 6.30 p.m. and closed at 8.00 p.m.)

CHAIRMAN

Date of Signature: