

EXECUTIVE

MINUTES OF THE MEETING HELD ON

15 JULY 2004

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

Also present: Councillors: Barbara Alexander, Brian Bedwell, Paul Bryant, Keith Chopping, Geoff Findlay, Marcus Franks, Roger Hunneman, Graham Jones, Tim Metcalfe, Graham Pask, Alexander Payton, Quentin Webb, Emma Webster, Keith Woodhams, Laszlo Zverko

PART I

34. APOLOGIES.

There were no apologies of absence received.

35. MINUTES.

The Minutes of the meeting held on 17 June 2004 were approved as a true and correct record and signed by the Chairman.

The Leader of Council tabled a letter from the Chief Executive to Tesco in relation to the future of the Post Office in Northfield Road, Thatcham and stated that he hoped that this would produce a positive response.

36. DECLARATIONS OF INTEREST.

Councillor Phil Barnett declared an interest in Agenda Item 13 but reported that as his interest was personal he was permitted to take part in the debate and vote on the matter.

Councillor Paul Bryant declared an interest in Agenda Items 12 and 13 but reported that as his interest was personal on both items he was permitted to take part in the debate on the matters.

Councillor Graham Jones declared an interest in Agenda Items 14 and 16 but reported that as his interest was personal on both items he was permitted to take part in the debate on the matters.

37. 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 Tim Metcalfe to be answered by the Executive Member for Children and Young People:

"Can the governors and headmistress of Purley Church of England Infant School be assured that the promise made to them of being able to hold their nativity play in a new hall this Christmas will be kept?"

The Executive Member for Children and Young People gave the following answer:

"On 14 January the Eastern Area Planning Sub-Committee unanimously deferred the original plans on several counts. The plans were subsequently withdrawn and obviously then the timetable was delayed.

I am pleased to say that the governors and Headteacher and West Berkshire Council have worked together and new plans are to be submitted to Eastern Area Planning on 18 August. The resulting plans will provide more accommodation as well as being more aesthetically

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pleasing. I would like to, as a slight background note in case there is anybody who doesn't know Purley – Purley is a small infants school, it has a capacity of 53 pupils who go through to Key Stage 1. At the moment I am not quite sure if the number on roll is 49 or 42 which equates to 1.5 per teacher, and at the moment it has 12 applicants for 17 places in September.”

Cllr Metcalfe asked the following supplementary question:

“Could you ensure the continuation of this project?”

The Executive Member for Children and Young People gave the following answer:

“Going back to the beginning of planning you have to go through the whole process again. I understand from the planners that, providing that Eastern Area Planning approve the application, and that is the big proviso, the hall should be finished by December 31st, as of Phase I and then Phase II should be ready May/June 05. This will include the staffroom which is going above the lavatories and the storeroom, which is a tremendous improvement, and as I say, the plans are so much more aesthetically pleasing.”

- (ii) In accordance with the Executive Procedure Rules contained in the Council's Constitution, the following question was submitted by Councillor Paul Bryant to be answered by the Executive Member with responsibility for Libraries:

“May I have an update on the current state of the Council's financial claim with respect to the remedial work to Newbury Library? If negotiations are now concluded what was the outcome and if there are still outstanding issues when are they expected to be resolved?”

The Executive Member with responsibility for Libraries gave the following answer:

“Negotiations are virtually now concluded, however the insurers acting for the Moreton Partnership have indicated that they are not disputing liability. The loss adjusters acting for the Moreton Partnership are now considering the Council's claim in detail.

The issue is taking slightly longer to resolve than was first hoped but we are informed the rate of progress is not unusual for a claim of this nature. So we have some progress.”

Cllr Bryant asked the following supplementary question:

“Have you got a date of expectation, are we thinking in terms of months, years or decades?”

The Executive Member with responsibility for Libraries gave the following answer:

“I would think that things would start to move more quickly than they have done in the past in view of the fact that they are not disputing the liability so one would expect to see this phase being slightly quicker than the original period.”

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

“If the majority of consultation responses are against the proposed merger of schools in West Berkshire (i.e. Winchcombe Junior/Infant, Calcot Junior/Infant and St Mary's Junior/ Dunston Park Infants) will the Executive Member recommend that the merger option is not pursued?”

The Executive Member for Children and Young People gave the following answer:

“The consultation is just the first part of this process so clearly it would not be possible at this time to know even what the outcome of the consultation is at the three infant and junior schools.

The whole process is being undertaken without a pre-judged outcome and we are welcoming dialogue and obviously at the meeting we had, Ward Members thought that this was a good way to proceed, consultation first, further in-depth looking afterwards.”

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Cllr Pask asked the following supplementary question:

"Consultation is very important but it only focuses on one aspect. Could any other options have been consulted on at the same time?"

The Executive Member for Children and Young People gave the following answer:

"The consultation was not based just on buildings, it was based on what was in the best interests of the children and on what the local community thought they would like. It was based on many more things than the building, in fact the building was about fifth down the list."

- (iv) 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 with responsibility for the Cinema Project:

"Why is the Council refusing to release the papers from the Newbury Town Centre Task Group of 1st September 2003 relating to the required S106 contribution for a cinema in Newbury?"

The Executive Member with responsibility for the Cinema Project gave the following answer:

"The Council hasn't released the papers basically because they were produced in Part II."

Cllr Jones asked the following supplementary question:

"Can I have an assurance then, as I can speak on behalf of the Conservative members of the Group, that when the Group does convene, the Liberal Democrats will support putting these papers into Part I?"

The Executive Member with Responsibility for the Cinema Project gave the following answer:

"It is difficult to give that commitment because basically those papers were dealt with in Part II so it is difficult to change their status at a later date. The question is to a certain extent irrelevant because the information that is being produced is very historical and we are now in the situation where we have much more up to date information that we can give and we can give a far better picture. We have moved on a lot from this particular stage. The information contained in the documents, and your members were there at the meeting as were ours, in essence everybody has been involved with the original deliberations. The matter of the original discussions with regard to the cinema contained information that was produced at that particular moment in time, especially the 106 Agreement. We've moved on from that particular stage and negotiations have continued and there have been many parts of those negotiations that have had to be held, not in secret but the information that has been discussed has been confidential."

- (v) 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 Executive Member for Children and Young People:

"In view of the refusal to agree to my request at the last Executive meeting to extend the period of consultation for the merger of the two Calcot schools, why is it now seen as acceptable to extend the consultation period to 30th September?"

The Executive Member for Children and Young People gave the following answer:

"We actually had two days notice that the school hall, as with many of them at this time, was approximately a quarter covered by a stage, thus on health and safety grounds we felt we could not go ahead to have the meeting on that day at that time because as you know many schools have got productions at this time and if the hall is a quarter filled with staging, that space is then taken. The meeting has been re-scheduled for September and the process will proceed then."

Cllr Bedwell asked the following supplementary question:

"Can the Executive in the future look more sympathetically upon requests of this nature?"

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The Executive Member for Children and Young People gave the following answer:

"When such things as this are in abeyance it is best to get on with them and to follow the procedures so that nobody is left in question, and I believe at the meeting when I said to you as well that it would provide parents with absolute knowledge of what sort of school they were going to apply for at that time. We are sorry that it was delayed but it was purely on health and safety grounds, which I am sure you would agree with."

- (vi) In accordance with the Executive Procedure Rules contained in the Council's Constitution, the following question was submitted by Councillor Keith Chopping to be answered by the Executive Member for Culture and Leisure Services:

"Why did the Theale Green Recreation Centre swimming pool fail to reopen this May?"

The Executive Member for Culture and Leisure Services gave the following answer:

"During the 2003 season, the pool had encountered a number of operational problems and plant breakdowns. As a result of these problems and in preparation for this particular season, Culture and Youth Services and Theale Green School jointly commissioned specialist pool consultants to review the engineering services for the pool itself."

The report concluded that the water treatment plant was grossly under sized and inappropriate for that pool and the plant did not afford the appropriate level of protection for bathers. The report further stated that significant investment was required to ensure the safe and effective operation of the pool."

The report recommended that to ensure that the pool's operation is in compliance with industry and Pool Water Treatment Advisory Group (PWTAG) guidelines, that an investment budget of £108,000 would be required. An alternative was also explored which was a non-compliant scheme that was also suggested but not recommended, at a budget cost of £78,000."

As with the rest of the sports facilities at Theale Green School, ownership and responsibility for maintenance lies with the school itself and with the educational service. The Culture and Youth Service are tenants of the school in order to achieve community use outside of the periods when the facilities are needed for curriculum purposes."

The staff from Theale Green School and officers in the education service were in discussions to agree a priority that should be placed on this particular project. Some of our secondary schools have no on site swimming provision and therefore it is difficult to suggest that an investment of this magnitude for this particular curriculum should be a priority at this particular stage."

Cllr Chopping asked the following supplementary question:

"Leaving aside the matter of the website (our Council website tells the world at large that this pool is open for anybody who wants to go along to use), I understand that negotiations have been going on with Theale Green School towards raising the money towards the cost of these works. This Authority I understand has put forward a generous offer of £10,000 towards those costs mentioned by Councillor Rodger just now, either £108,00 or £78,000. Can the Executive Member please confirm to me that he feels it appropriate that the Northcroft outdoor swimming pool has had several tens of thousands of pounds spent on it by this Authority to make it useful whereas this pool, which is in Theale, to the east of the district, has a measly £10,000 offered towards the cost of the remedial works. Can you confirm that you consider this attitude to be appropriate?"

The Executive Member for Culture and Leisure Services gave the following answer:

"First of all one would apologise that this is being carried on the website that is something that we can actually rectify. 'A measly amount' – I think we have to look at uses of facilities – the total amount spent on Northcroft was some £35,000 in terms of boiler replacement and that was an expenditure that was felt to be wholly appropriate in view of the usage that the facility

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actually enjoys. We are in the situation where a school has a facility – our maintenance budget is £1.8m and the capital maintenance budget for all schools in 2004/5 was only £1.3m so the amount of money required at Theale is considerable to move it forward and the sum that was proposed by the department was thought to be wholly appropriate at that stage, so I am comfortable that it is not a miserly amount, it is an appropriate amount. And it should be pointed out that at Burghfield, that is some ten minutes away, we have a first class pool there, but as I said we are in negotiations with the school, those negotiations are continuing and I would say that the situation is not resolved yet “

- (vii) In accordance with the Executive Procedure Rules contained in the Council's Constitution, the following question was submitted by Councillor Marcus Franks to be answered by the Executive Member for Children and Young People:

“Some residents in the catchment area of Winchcombe Junior and Infant Schools have received the consultation papers on school mergers relating to Calcot Schools in error. At the time of submitting this question (5th July) the correct papers have not been issued to all residents despite the fact that the main consultation meeting is due to take place on 7th July. Does the Executive Member agree that the consultation process is in danger of turning into a shambles?”

The Executive Member for Children and Young People gave the following answer:

“We are sorry that there was this confusion with some of the delivery, but as you are aware, because you sat in the meeting, the leaflets were ready. The leaflets were put in boxes and given to a private company to deliver. They started to deliver the Calcot ones in Winchcombe, one of the residents phoned up and we immediately rang the distributor who stopped his people delivering them. They then continued to deliver using the leaflets they had but they delivered some further round from Winchcombe rather than towards the M4 way. There are more being printed and they are going to all areas. It was a mistake on behalf of the people who were delivering them because they didn't check the boxes. As you will recall when you sat in the meeting we passed them across the table and they did look very similar on the front – it was when you opened them inside and read Calcot, Winchcombe or Dunstan Park.”

Cllr Franks asked the following supplementary question:

“When I rang up I was told that the Winchcombe ones had been re-delivered to those properties at Calcot, as far as I am aware this was never done and with the Winchcombe and Newbury Area Forum meetings, two chances for people to have their say on the same nights, should the period of consultation for Winchcombe be extended as at Calcot?”

The Executive Member for Children and Young People gave the following answer:

“The leaflet is going out with added information in order that people may have the full consultation document so that they can reply into the Council, they can record their vote or whatever they wish to do. They are being delivered to every single house again. As I say again it was unfortunate. About one third of residents received the right ones, some got two and I now believe that the matter has been corrected if you choose to go round and check “

- (viii) In accordance with the Executive Procedure Rules contained in the Council's Constitution, the following question was submitted by Councillor Graham Pask to be answered by the Executive Member for Children and Young People:

“All of the Consultation documents on the merger of six schools in West Berkshire (Winchcombe Junior/Infant, Calcot Junior/Infant, St Mary's Junior/Dunston Park Infant) state that: “Focussing the new school on one site will free resources to enable the creation of extended schools at the heart of the community, delivering services and facilities for community use.

Can I assume that this statement categorically precludes the sale of any part of these school sites for housing?”

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The Executive Member for Children and Young People gave the following answer:

"I find it a strange question. It has always been the case that for any new school if created would be based on a development of existing school buildings and on current sites. The Headteacher and Governors will decide how they wish to proceed and no assumptions should be made that any land will be sold for housing or other purposes."

- (ix) In accordance with the Executive Procedure Rules contained in the Council's Constitution, the following question was submitted by Councillor Paul Bryant to be answered by the Executive Member with Responsibility for Policy:

"Are the remedial works to the County Records Office now complete and satisfactory? If so what were the financial arrangements for payment for this work and if there are still outstanding issues when are they expected to be resolved?"

The Executive Member with Responsibility for Policy gave the following answer:

"The remedial works to the Berkshire Records Office are complete and have been signed off as satisfactory. The building will shortly be transferred to Reading Borough Council."

- (x) 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 Executive Member with Responsibility for Planning and Sustainability:

"In view of the recent exhibition and intense public interest in Prudential's Kennet Valley Park housing project, can the Executive Member tell me what dialogue the Executive has had with Prudential on this matter?"

The Executive Member with Responsibility for Planning and Sustainability gave the following answer:

"Members of the Executive were first informed about the Prudential's proposals for housing in the Kennet Valley in Autumn 2002 and the company made its plans public in November 2002. In response to an article published in the Reading Evening Post, the then Leader of West Berkshire Council said:

"These proposals are extremely speculative. The Structure Plan that determines the number of houses to be built in the County is already in place for 2001 to 2006, and the current Local Plan for West Berkshire does not identify these areas for development. The proposals could only apply to the next Structure Plan which will cover the period up to 2016, so it won't be very productive to start speculating about them now."

At about that time I attended, with Officers, a meeting at which Prudential outlined their plans. However, in December 2003 the independent panel's report into the emerging Berkshire Structure Plan declined to recommend the allocation of any major strategic sites in the plan and recommended that there should be no change to either the overall number of homes to be built in Berkshire or the distribution of that number between the Berkshire Unitary Authorities. The Panel's recommendations were considered by the Joint Strategic Planning Committee in March 2004 and were accepted - so by that time the shape of strategic planning policies for Berkshire for the near future had been confirmed.

As is usual at the pre-application stage of major planning proposals, representatives of the Prudential have had meetings with officers from the Planning and Transport Strategy Service and other service areas in the Council on various occasions.

Brian, you will recall that on 17 February this year, the Prudential gave a presentation about their proposals to a cross party group of members which I attended. You will also recall that there was also a presentation from an officer of the Environment Agency who explained the concerns of the Agency about the proposal's location within the flood plain.

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The Environment Agency have since written a strongly worded letter to Prudential reiterating its opposition in principle to the proposal on flooding grounds and withdrawing from any further pre-application discussions.

On 7 April 2004 the Head of Planning and Transport Strategy wrote to the Prudential. He confirmed that the development of 7,500 homes in the Kennet Valley would be contrary to policies in both the adopted and emerging Structure Plan and also to the policies of our own Local Plan. In the light of the policy context Prudential were advised not to submit a planning application though I think they probably will. It was also suggested that if they wish to explore their proposal further it should be within the context of the development of strategic planning policy i.e. through the Local Development Framework.

Thus the Council has in effect disengaged from discussions with Prudential for the time being because:

- (1) The conflict between their proposal and current planning policy;*
- (2) The strong objection in principal from the Environment Agency;*

make it unlikely that the development will proceed in the short term.

Should this position change, and in particular if the Environment Agency withdraw their objection then the Council will of course resume pre-application discussions with Prudential and would aim to secure the best possible outcome for local communities.

These discussions should in my view include Officers, relevant members of the Executive and members of affected Wards."

- (xi) *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 tell me when the Executive intends to reconsider the draft 'Occupational Road Risk Policy' and can I have an assurance that it will either be extensively re-written or indeed scrapped altogether?"

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

"I find it rather worrying that the leader of the opposition thinks so little of road safety and the safety of employees of this Council that he appears to be advocating that we do not carryout risk assessment on road safety or have a policy on occupational road risk for our employees.

It was pointed out that the policy on the agenda of the last Executive was a draft policy and was still being worked on. However it is important that all drivers are aware of the risks when driving on business. As I am sure Cllr Jones is aware we have a PSA to reduce the number of people killed or seriously injured on our roads and we have an officer visiting local companies to advise them of the risks when driving on business. It would be very hypocritical of us to issue advice to others that we were not prepared to take ourselves.

The policy is still being worked on and I can't say at this stage when it will next come to the Executive."

- (xii) *In accordance with the Executive Procedure Rules contained in the Council's Constitution, the following question was submitted by Councillor Paul Bryant to be answered by the Executive Member with Responsibility for Information:*

"Does the Executive Member think it wise for the Council to have issued a press release promoting Starbucks considering that they opened their Northbrook Street coffee shop without the benefit of planning permission and also removed the green tiles on the building which were of historic interest?"

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The Executive Member with Responsibility for Information gave the following answer:

"The press release was actually promoting a national project that was begun long before the issue regarding the Starbucks premises arose. It was felt wholly appropriate to continue with the scheme as withdrawing from it would have deprived pre-school children of resources to help them develop their potential at a crucial stage in their life.

The particular problem that was created with Starbucks was a planning issue and had nothing to do with the project. Of course the press release gave credit to Starbucks as this was wholly appropriate."

Cllr Bryant asked the following supplementary question:

"I am hoping you will agree with me that as a public organisation we should take great care when choosing the people we deal with?"

The Executive Member with Responsibility for Information gave the following answer:

"Yes. "

- (xiii) 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 Executive Member for Highways and Transportation:

"Is the Executive aware that when distributing travel tokens Officers are advising members of the public that the reason for the reduction in value is that the government has given insufficient funding to West Berkshire Council?"

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

"I am unable to comment on what my colleagues are or are not aware of but the press release issued on 1 June advising that a review of the token scheme was to be carried out stated "because the government has diverted money due to West Berkshire in its annual grant to other areas of the country the Council has been forced to make savings"..."

- (xiv) 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 Leader of the Executive:

"Is the Executive Member aware of Section 5.5.11 of the Council's Constitution (Executive Rules of Procedure) which states: 'Members of the Council who are not Members of the Executive may attend meetings of the Executive and any Committees of the Executive? They shall have the right to address the Executive on any item of the agenda...'

Why was this rule not upheld at the Executive meeting on 26th May?"

The Leader of the Executive gave the following answer:

"I have already provided the Conservative Leader with a written response. The Constitution is quite ambiguous on this point but it does state rather categorically that "Subject to the discretion of the Chairman, Members may be allowed to join in debates but may not vote." On that occasion my view was that there was nothing to be gained from further debate because the subject had been discussed at great length at the meeting of the Select Committee, that we both attended, and at which all relevant issues were explored. Also the Executive was proposing to accept the Task Group's recommendations without reservation."

38. PETITIONS

There were no petitions received.

39. WEST BERKSHIRE FORWARD PLAN AUGUST 2004 TO NOVEMBER 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 Executive Member for Highways and Transportation requested amendments to the Forward Plan as set out below.

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

- (1) Addition of an item on Delivering Investment from Growth – Responses to Consultation to be taken as an Executive Decision on 12 August 2004.
- (2) Addition of an item on Residents' Parking Policy and Guidance to be taken as an Executive Decision on 12 August 2004.
- (3) Executive Decision EX0797 "Newbury Parking Study" to be moved from the Executive meeting on 12 August to the meeting on 9 September.

40. CORPORATE PLAN ANNUAL 'REFRESH'.

The Executive considered a report (Agenda Item 7) outlining the annual update of the Council's five year Corporate Plan 2003-2008. The Council's Corporate Plan 2003-2008 would be reviewed annually to reflect changes in circumstances, feedback from stakeholders and lessons learnt from the previous year. This was the first 'refresh' of the Corporate Plan that set out the Council's vision and key priorities for the next five years.

Members were informed that the 'refresh' retained the Council's original 10 strategic priorities. From these 10 priorities, four strategic development priorities and three cross cutting strategic themes had been chosen which would be given particular focus when shaping resource allocation through budget setting in the context of the Medium Term Financial Strategy as well as shaping service planning in all areas of the Council. The 'refresh' also identified a list of key projects that the Council would be focussing its attentions upon.

RESOLVED that the Corporate Plan 'refresh': "Update 2004: Building on Success" as set out in Appendix 7 of the report be agreed.

41. MEDIUM TERM FINANCIAL STRATEGY 2004 - 2008.

The Executive considered a report (Agenda Item 8) outlining how the Council's priorities, service delivery objectives and targets could be achieved in the medium term. The Medium Term Financial Strategy would provide the overall framework for the budget setting process for the following year and set out the likely consequences for subsequent years. It also provided an essential link between the Corporate Plan and the finances of the authority.

Members noted that a resource gap of approximately £6.5m had been identified over the next three years and there was therefore a need to identify steps to ensure that resources were brought into line with activity and focussed on priorities. The interaction of ceilings, capping and passporting had been a major contributor of this anticipated gap.

Members requested clarification as to whether there were plans, with the introduction of the Agresso finance system, for base budgets for each budget holder to be included in the system. It was confirmed that the new system would be able to undertake this task. However the system would not be up and running until November 2004 and the budget build for 2005/2006 would already be underway.

The report stated that "the Council had achieved significant savings since 1998 in excess of £23m." Members requested further information on exactly where these savings had been made. It was agreed that a written answer would be provided.

RESOLVED that the Medium Term Financial Strategy 2004-2008, as set out in Section 5 of Appendix 8 be adopted.

42. SUPPLEMENTARY PLANNING GUIDANCE ON HOUSE EXTENSIONS AND ON REPLACEMENT DWELLINGS AND EXTENSIONS IN THE COUNTRYSIDE.

The Executive considered a report (Agenda Item 9) relating to a consultation exercise on the draft supplementary planning guidance (SPG), the representations received and the Council's response, including modifications to the guidance. The House Extensions SPG had been prepared to replace the existing undated document "House Extensions: Guidance for Householders seeking Planning Permission", which was published by Newbury District Council, and had been afforded little weight at recent appeals. The SPG on Replacement Dwellings and Extensions to Dwellings in the Countryside had been prepared in response to requests from Members for further guidance on the implementation of policies ENV.23 and ENV.24 of the West Berkshire District Local Plan, which set out the criteria for approval of extensions and replacement dwellings in the countryside.

The Executive were informed that a cross-party working group had been set up in February and following consultation a number of amendments had been made to the draft SPG which was then considered by the Working Group and recommended for adoption.

With regard to the section relating to increase in size of extensions to dwellings in the countryside Members were concerned that the policy needed to be robust enough to assist Planning Officers in their duties. It was agreed that the SPG would be revisited if it was found to be unworkable.

RESOLVED that the amended guidance be approved and documents be approved and adopted as Supplementary Planning Guidance, and the Guidance reviewed on a regular basis.

43. MEMBER TRAINING AND DEVELOPMENT NEEDS ANALYSIS 2004.

The Executive considered a report (Agenda Item 10) proposing a way forward in relation to the formulation of the 2004/05 Member Development Programme. During the beginning part of the year a Training and Development Needs Analysis exercise for Members was carried out by Julia Wright, a training consultant.

A large number of positive comments had come out of the exercise and it was proposed that the 2004/05 service grouping themed session element of the Member Development Programme would be produced in partnership with the responsible Executive Member and Opposition Spokesman. It was agreed that the resultant "Community Councillor" job profile, attached as Appendix 10, would be useful for new and prospective Members.

During discussion of this item Members requested an update in relation to the Members' Portal. The report implied that this development had been agreed when in fact it was believed that the Portal was only being trialled by the pilot group and that a decision would be made after this time as to whether this was the way forward. It was agreed that a written answer would be provided to this question.

Members also requested clarification on how far the improvements in Member's technology met the IEG requirements which needed to be in place by December 2005? Members also requested sight of the ODPM's report on how far the Council had come in achieving the IEG requirements.

In relation to Recommendation 5 concerns were expressed that an accreditation scheme might prove to be a waste of time and money.

RESOLVED that:

- (1) The Council establish a Members' Steering Group responsible for drafting the 2004/05 Member Development Programme (MDP).
- (2) The MDP be based on Core Competencies and service grouping/partnership themed sessions.
- (3) The core competency sessions should run throughout the year to give all Members the opportunity to attend.
- (4) The Council should consider holding specific planning sessions for each Area Planning Sub-Committee to promote effective working within the Committee
- (5) The Council should consider establishing an accreditation scheme for all Members undertaking core competencies.

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- (6) The relevant Portfolio Holders and Select Committee Chairman be asked to work with the Corporate Director/Heads of Service to draft the service grouping and partnership themed development sessions.
- (7) The MDP should provide a mix of external and Internal providers using different methods of delivery.
- (8) The Learning and Development Group be appraised of the work of the IT Working Group given the synergy between their two areas of work.
- (9) The Council consider using the information gained from this exercise to develop more comprehensive and interactive web pages for Members.
- (10) The MDP for 2004/05 be located within the Members' Portal and each development session, delivered via powerpoint, to be accessible on line.
- (11) The Council consider establishing a formal buddy/mentoring scheme in time for the next District Elections in 2007, or earlier for those Members joining the Council following a by-election.
- (12) The Council consider issuing pre-election information to prospective candidates, to publicise the MDP and possible diary dates.
- (13) The information ascertained from the interview process to be used to establish a database of Councillors information, including their areas of expertise.
- (14) The Council consider development through informal opportunities.
- (15) The Council consider a corporate approach to plain English in reports and public documents.

44. RESOURCE COMMUNITY CAFE.

(Councillor Graham Jones declared a personal interest in Agenda Item 11 by virtue of the fact that he was a member of the PCT Executive. Councillor Jones remained in the Chamber and took part in discussions on this item).

The Executive considered a report (Agenda Item 11) requesting that West Berkshire's wellbeing powers be used to enable the Health Authority to grant money to the Resource Mental Health Charity. Following the successful development of the community café project in Reading the Berkshire Health Care Trust (BHCT) wished to work with Reading Mental Health Resource Centre (Resource) to open similar services in Newbury. Newbury PCT would like to provide grant funding to Resource using the Health Service's S28a procedure which would enable them to pass capital funds from BHCT via the Council to the Charity using the Local Authority's wellbeing powers.

Members were informed that the community café project was supported by the majority of mental health groups in the area and was a great opportunity to provide part time short jobs which in turn may provide effective routes for some people back into employment. It was noted that the project had cross-party support.

RESOLVED that the proposal to use West Berkshire Council's wellbeing powers to enable the Health Authority to pass grant money to the Resource Mental Health Charity be approved.

45. HERITAGE LOTTERY FUND GRANT FOR SHAW HOUSE.

(Councillor Paul Bryant declared a personal interest in Agenda Item 12 by virtue of the fact that he resided in the vicinity of Shaw House. Councillor Bryant remained in the Chamber and took part in discussions on this item).

The Executive considered a report (Agenda Item 12) updating Members on the outcome of the application for grant funding for Shaw House and seeking agreement on further actions that were required. It was previously agreed that a stage two application for grant support would be submitted to the Heritage Lottery Fund in order to restore Shaw House and its gardens. The trustees of the Heritage Lottery Fund met on Tuesday 22nd June 2004 and approved a grant of £4,195,000 for this project. This sum however was £518,000 less than the Council's application had requested. The Heritage Lottery Fund were aware of the

financial impacts of a further delay on this project and in order to progress matters they had requested that a selection of items be removed from the list of works at this stage.

Members were informed that this would provide the opportunity to make the house secure and it was anticipated that work on the gardens and grounds would follow at a later stage. Concern was expressed about the possibility of overspending on a project of this size and any overspend would be funded.

Members also requested confirmation regarding who authorised the publication of the tender list as it had been expected that this would be confidential under the Code of Tender Procedures. It was therefore agreed that a written response would be provided to Councillor Chopping and a copy given to the members of the Executive.

RESOLVED that invitations to tender be despatched to those companies that had been recommended for inclusion on the select tender list.

46. ENABLING LAND TRANSACTIONS ASSOCIATED WITH THE SHAW HOUSE PROJECT.

(Councillor Phil Barnett declared a personal interest in Agenda Item 13 by virtue of the fact that he was a governor of Fir Tree Lane Primary School. Councillor Barnett remained in the Chamber and took part in discussions and voted on this item).

(Councillor Paul Bryant declared a personal interest in Agenda Item 13 by virtue of the fact that he resided in the vicinity of Shaw House. Councillor Bryant remained in the Chamber and took part in discussions on this item).

The Executive considered a report (Agenda Item 13) that sought necessary approval to finalise the financial details to acquire and to dispose of land interests adjacent to Trinity School and to rationalise land at Fir Tree Lane Primary School in order to enable the Shaw House Project to proceed. The disposal of the Fir Tree land would secure a valuable capital receipt and provide valuable additional housing including key worker housing.

Members noted that the existing sports hall and gymnasium of Trinity School were situated in the grounds of Shaw House and the location of the sports hall disrupted teaching by increasing time spent by pupils moving to and from lessons. Relocating these facilities closer to the school would improve the efficiency of lessons and the replacement facilities would be of better quality and would broaden the range of sports facilities available.

RESOLVED that:

- (1) agents to market land identified for disposal, as outlined in the report, be appointed
- (2) a conditional agreement to purchase land for the site of the new sports hall be entered into.

47. CONSUMER DIRECT.

(Councillor Graham Jones declared a personal interest in Agenda Item 14 by virtue of the fact that he was a member of the PCT Executive. Councillor Jones remained in the Chamber and took part in discussions on this item).

The Executive considered a report (Agenda Item 14) that outlined the Consumer Direct Initiative and also determined the level of interaction between the Council's Trading Standards Service and Consumer Direct. Consumer Direct was a DTI initiative to launch a national telephone and on-line consumer information and advice service relating to trading standards. This would allow the Trading Standards Service to concentrate on the more complex enquiries and those received from the most vulnerable consumers.

Members were informed that 18 out of 19 local Councils had agreed to join and that there would be no cost to the Council for the next 5 years.

Concerns were expressed relating to who would run the call handling centre and also that the Council would wish to retain the right to withdraw from the scheme if necessary. Members also wanted to ensure that steps would be taken to encourage customers who were not happy with the service received to inform the Council.

RESOLVED that: the commitments outlined in Section 3 of the report be adopted, subject to the caveat outlined in Paragraph 3.3 of the report.

48. EXCLUSION OF PRESS AND PUBLIC.

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972 specified in brackets in the heading of each item. Rule 4.2 of the Constitution also refers.

PART II

49. PROVISION OF NURSING HOME BEDS FOR ELDERLY MENTALLY FRAIL PEOPLE IN WEST BERKSHIRE

(Paragraph 9 – terms proposed in negotiations)

(Councillor Graham Jones declared a personal interest in Exempt Agenda Item 16 by virtue of the fact that he was a member of the PCT Executive. Councillor Jones remained in the Chamber and took part in discussions on this item).

The Executive considered an exempt report (Exempt Agenda Item 16) concerning contracts to secure the long term provision of specialist residential and nursing home beds for older people with dementia.

RESOLVED that the recommendations as set out in the report be approved.

46. ORGANISATIONAL CHANGE ISSUE – FOLLOWING CALL-IN BY SELECT COMMITTEE

(Paragraph 1 – particular employee)

The Executive considered an exempt report (Exempt Agenda Item 17) concerning an organisational change issue that had been called-in and subsequently considered by the Strategy and Commissioning Select Committee.

RESOLVED that:

- (1) benefits be awarded to the individual concerned in accordance with Option D contained in the report, by the addition of six and two thirds added years, and redundancy payments based on the level of actual pay;
- (2) the recommendations of the Select Committee to review the Council's Severance Policy be accepted and that Officers be instructed to produce a report to be submitted to an Executive Sub-Committee made up of two Liberal Democrat and two Conservative Members. One of the Liberal Democrat Members to be the Portfolio Holder who would chair the Sub-Committee.

(The meeting commenced at 6.30 p.m. and closed at 8.20 p.m.)

CHAIRMAN

Date of Signature: