

# Questions and Answers

## Council

Thursday 15 September 2016

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# **Council Meeting**

## **15 September 2016**

Questions and Answers



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# Public Questions as specified in the Council's Procedure Rules of the Constitution

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(a) **Question submitted to the Portfolio Holder for Planning and Housing by Paul Inman:**

**Question:**

*“What consideration has been given to using the ‘Section 106’ contributions from the ‘Living at the Racecourse’ and many other recent new developments in Greenham towards mitigating the impact of more visitors to Greenham Common – and specifically to the project to restore the Control Tower to use as a visitor centre?”*

**The Portfolio Holder for Planning and Housing answered:**

No consideration has been given to using S106 contributions from the Racecourse development to restore the Control Tower at Greenham for two reasons:

The racecourse application was approved in April 2010 and the Section 106 agreement signed was to mitigate the harm caused by that development only. The legislation surrounding the use of Section 106 money is very strict and it is not legal to use the Racecourse S106 money to restore the Control Tower to use as a visitor centre since this project was not known about in 2010.

The second reason is that I do not believe that the control tower project, even if we could assign the funding, is the best use of these monies.

The audit commissioned by Greenham Parish Council exposed a wide range of failings in the project's governance and finances.

There has been a significant overspend on this project, with a requirement for borrowing of £150k from the Public Works Loan Board, to carry out further repairs, for which the residents of Greenham Parish will be paying, for the next 25 years. This is in addition to a Government Community Assets Fund grant of £422k plus a further £250k grant from Greenham Common Trust. So to allocate any further public funding to this ill-fated project would be throwing good money after bad.

Quite frankly Chairman, I am surprised that a question of this nature is being asked in a public meeting, as it will draw further attention to the mis-management of this project and embarrass Greenham Parish Council, of which Mr Inman is a member.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

There was no supplementary question.



**(b) Question submitted to the Leader of the Council by Balu Sudra:**

**Question:**

*“What did the Council spend in total marketing the Greenham Control Tower, including any spend on negotiations with the parish council and processing what turned out to be an unnecessary planning application for its change of use?”*

**The Leader of the Council answered:**

It would have been a pleasure to see a resident of my ward Thatcham South here this evening especially one who stood against me in the Thatcham Town Council elections. But congratulations to Parish Councillor Sudra, on now being appointed to Greenham Parish Council. Service to the Public is an important thing - especially right now in Greenham Parish Council's case. His skills as a retired accountant will never have been more needed than they are now, in sorting out the disgraceful financial position that is Greenham Parish Council's handling of Greenham Control Tower. Comments from the external audit report that they commissioned say things like “The Council should ensure that it adheres to the financial regulations, ensure that services are being obtained from legitimate and reputable organisations, ensure that value for money is being obtained.” These comments just demonstrate the total lack of financial control that has been evident in the Control Tower Project.

To answer his specific question, West Berkshire Council spent approximately £4,500 in valuation and estate agents fees to market Greenham Control Tower. However, this was not the major part of the cost to West Berkshire Council. The highest bid received was £320,000 – I'll repeat that £320,000. This Council took the view that we should help Greenham Parish Council in their plan to turn the Control Tower into a fully functioning Visitor Centre. As such we sold the Control Tower to Greenham Parish Council for only £100K. Effectively West Berkshire Council made a contribution to the development of that Visitor Centre of the difference between the £320,000 and £100,000. And we still haven't got the Visitor Centre.

Let's add that £220,000 to the money wasted by incompetent financial and project management by Greenham Parish Councillors especially the Liberal Democrat Councillors who led this project to a damning indictment from the external audit report. I would have asked Parish Councillor Sudra as a finance professional, would he agree with me that the BDO audit report is a damning indictment of the financial management of this project.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

There was no supplementary question.

**(c) Question submitted to the Portfolio Holder for Planning and Housing by John Gage**

**Question:**

*“Why did the Planning Department in 2014 fail to identify that a planning application for change of use of the Control Tower to a visitor centre not only existed from 2000 but had been substantially implemented, when normally ‘planning history’ on sites throughout the District is very comprehensive going back well before that date?”*

**The Portfolio Holder for Planning and Housing answered:**

Thank you for your question Mr Gage. It is the applicant’s responsibility (in this case Greenham Parish Council’s) to submit all pertinent information in support of the application to the Local Planning Authority. It is not the job of the local planning authority to do this work on behalf of an applicant.

It is the job of the applicant’s agent, and in this instance, the agent failed to pick this up when submitting the planning application number 14/03421.

I disagree the application had been substantially implemented. It was partially implemented by virtue of the construction of a mini roundabout on Burys Bank Road, opposite the Control Tower. No work was carried out on the Control Tower itself. However, as a result of this work the permission was automatically extant in perpetuity.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

**John Gage asked:**

*“I appreciate it may actually be, procedurally the job of the applicant to find out the details of the application. But given it was a Council to Council situation and public money being spent, couldn’t there be a bit more courtesy shown in that situation to work together to avoid any wasting of funds. Could there perhaps be a slight change in procedure?”*

**The Portfolio Holder for Planning and Housing answered:**

Chairman, the answer is no. West Berkshire Council, without wanting to be too technical, is one entity and the Local Planning authority, is legally for planning purposes, is a separate entity and we have to have a division between too, as indeed we do, when we as an authority submitting a planning application, there has to be a clear understanding that the Local Planning Authority operates independently. The planning fee for this application was £192.50, the application was withdrawn and the fee wasn’t refundable after validation. This is the case for all applications and we can’t make any exceptions.

**(d) Question submitted to the Portfolio Holder for Highways and Transport by Elizabeth O’Keeffe:**

**Question:**

*“The redevelopment of the Sterling Industrial Estate includes its decontamination and the provision of a new link road to the main employment area of Newbury, the latter funded by a time-limited grant from Berkshire Local Enterprise Partnership (LEP). This will relieve Mill Lane and Kings Road of one-way B-road through traffic. With no sign of the development starting and only 18 months before the potential loss of the LEP funds, what is the Council doing to ensure the road gets built?”*

**The Portfolio Holder for Highways and Transport answered:**

I would like to assure you we are doing everything in our power to see this important road built.

The question refers to the valuable funding provided by the Local Enterprise Partnership – and of course the Council is aware of the time limitation on this funding.

And we can be sure the developer is aware too. In fact, when planning permission was granted for this development in March 2015, permission was limited to 2 years instead of the usual 3, because we wanted to do what we could to ensure the developer met the timescale condition.

Meeting it is in the developer’s interest as much as it is in ours: without the LEP funding, the development is unviable: without the development, the road unaffordable.

We are working very closely with the developer and will continue to do so and I am glad to say that, based on the latest information we have from the developer, we expect demolition to begin on site in November.

This is good news for the development, for the funding, the district and our residents.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

**Elizabeth O’Keeffe asked the following supplementary question:**

*“Isn’t it true that what is holding up the progress is the applicants reluctance to develop the site, onto a piece of land that is not in his possession to the West corner—is actually developed . Could the council ensure this vital piece of road gets developed and would it be possible to use CPO paths into the purchase of that piece of land?”*

**The Portfolio Holder for Highways and Transport answered:**

We’ll have to inform you of that information later, but my understanding was, the development was held up because investigations that had to take place in the buildings and in their condition it had to be taken slowly than members imagined at first.

**(e) Question submitted to the Portfolio Holder for Highways and Transport by Mr Kim Hetherton:**

**Question:**

*“What can West Berkshire Council do to ensure minimum disruption to businesses from the effect of utilities digging up the highway with the result of adversely affecting trade in these testing times?”*

**The Portfolio Holder for Highways and Transport answered:**

We do agree that it's important to minimise disruption to businesses and it's the law – we are required to coordinate works on the road network to minimise disruptions and to keep traffic moving.

Before I speak specifically about the Council's role I would like to say something about the utility companies themselves.

This question refers especially to the disruption to businesses. In the special case of works and commercial centres, the utilities themselves have additional responsibilities to speak to local businesses, perhaps organising public meetings and finding out at the sharp end what they can do to make life easier wherever they can for our businesses.

More generally, I hope everyone is aware of the work our Streetworks team that do a great job for us here they operate a permit system. Works promoters (utilities) apply to the council for a permit to carry out their work – and if there's conflict or an opportunity to minimize disruption our team co-ordinates the work, and it's no mean feat. It's 9,000 permits which are issued each year.

It's not just done on a case by case basis. Every quarter all the major utilities are brought together for coordination of all major programmes planned ahead. It might be helpful to remind our residents there is always an up to date picture as to what is going on West Berkshire roads on [www.westberks.gov.uk/roadworks](http://www.westberks.gov.uk/roadworks).

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

There was no supplementary question.

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# Members' Questions as specified in the Council's Procedure Rules of the Constitution

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(a) **Question submitted to the Portfolio Holder for Highways and Transport by Councillor Billy Drummond:**

**Question:**

*"We are concerned about the safety of the A34. What actions are the Council taking to address safety issues, after recent accidents"*

**The Portfolio Holder for Highways and Transport answered:**

We share your concern about the safety of the A34 and wish to express our sorrow at the tragic deaths of five people in two accidents last month on this road.

As you know, the A34 is a Trunk Road and so responsibility of it rests with Highways England not West Berkshire Council.

But that doesn't stop us caring about it. We aren't taking action, we have taken action.

We are fully supportive of our MP Richard Benyon who is extremely proactive on this; he is working closely with Ed Vaizey and Nicola Blackwood, his co-MPs for this stretch of road and he's already taken up the question of safety with Highways England and John Hayes, the responsible minister at the Department of Transport.

Councillor Clive Hooker, who has a direct ward interest, is liaising on behalf of the whole Council with the newly formed A34 Action Group and he along with other councillors attended the inaugural meeting.

The Council itself wrote to Highways England on the 18<sup>th</sup> August 2015, about the accident record particularly on the Gore Hill section and a meeting has been arranged for senior Council Officers, our experts in this field, to meet with Highways England to discuss their proposals for this road in the beginning of October.

So we are doing what we can to make sure the West Berkshire voice and those of local residents are heard and will be continued to be updated with what happens.