



Scan here to access the public documents for this meeting

# Meeting of West Berkshire District Council

**Thursday, 7th December, 2017**

***Summons and Agenda***

---



WestBerkshire  
C O U N C I L

To: All Members of the Council

*You are requested to attend a meeting of*

**West Berkshire Council**

*to be held in the*

**Council Offices Market Street Newbury**

*on*

**Thursday, 7th December, 2017**

**at 7.00 pm**



Andy Day  
Head of Strategic Support  
West Berkshire District Council

**Note:** The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcasted, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

Date of despatch of Agenda: Wednesday, 29 November 2017

---

## AGENDA

---

22. **QUESTIONS AND ANSWERS**

Transcription of questions and answers from meeting.  
**(Pages 5 - 12)**

If you require this information in a different format or translation, please contact  
Moira Fraser on telephone (01635) 519045.

1. F



WestBerkshire  
C O U N C I L

**Agenda - Council to be held on Thursday, 7 December 2017 (continued)**

IEL  
D\_I  
T\_E  
M\_  
N\_U  
M\_B  
E\_R

2. F

IEL  
D\_I  
T\_E  
M\_  
N\_U  
M\_B  
E\_R

- (a) FIELD\_ITEM\_NUMBER
- (b) FIELD\_ITEM\_NUMBER



This page is intentionally left blank

# **Council Meeting**

## **7 December 2017**

Questions and Answers



---

## **Public questions submitted in relation to items not included on the agenda**

---

*(There were no questions submitted)*

---

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

---

- (a) Question submitted to the Portfolio Holder for Culture and Environment by Councillor Alan Macro:

**Question:**

*“Since the new charges for the disposal of waste at the HWRC have been introduced, how many instances of fly tipping have been reported on private land?”*

**The Portfolio Holder for Culture and Environment answered:**

Thank you for your question Councillor Macro. We introduced charges for non-household waste at our HWRCs on the 4<sup>th</sup> September this year.

We analyse and report fly tipping data every quarter, so the data for the relevant quarter (Sept to December) will not be ready until the end of January. We've taken a quick snap shot of data gathered so far and our records show that between September and November 2017 there were 17 reports of fly-tipping on private land. In the same period in 2016, 25 fly-tips were reported on private land.

**(b) Question submitted to the Portfolio Holder for Culture and Environment by Councillor Alan Macro:**

**Question:**

*“How does the Council penalise those who fly tip?”*

**The Portfolio Holder for Culture and Environment answered:**

Fly-tipping is a criminal offence and people who dispose of their waste in this way are liable to face prosecutions, substantial penalties, seizure of assets and potentially even a prison sentence.

We investigate fly-tipping and take action in line with our enforcement policy which highlights education in most instances as the first course of action.

Examples of situations where we would seek to educate rather than taking enforcement action include:

- Small scale fly tips.
- If the offence is not in the public interest we'd seek to educate.
- If there's has been a misunderstanding by a homeowner of their responsibilities (their duty of care) or if the homeowner has fulfilled their responsibilities but still fly-tipped waste we would seek to educate, or
- A business owner fails or misunderstands their responsibilities again we'd seek to educate.

The aim of education is to raise awareness about the required legal standards and to promote good practice and is typically achieved by issuing of leaflets and other forms of written guidance available to the public and businesses, or by face to face contact.

Along with any other education completed the offender would be issued with a warning letter and then if they reoffend we would take further action.

If a fly-tip offence does not fall into any of these examples that I listed there, then we will take enforcement action against people where there is evidence for us to be able to do that.

**Alan Macro asked:**

*“There was publicity recently of a fairly large sum of money raised by Reading by penalising fly-tippers. Now I'm not interested quite so much in the money raising but sometimes it's only the penalty which will put these people off. I mean there've been circumstances in my Ward where roads have been blocked by fly-tipping and in these instances no education is going to deal with that; you really need to get to grips with that kind of person. Thank you.”*

**The Portfolio Holder for Culture and Environment answered:**

I understand your point Councillor. A couple of things, first of all I'd like to respond to your concern about fly-tipping itself. We absolutely, I absolutely agree that it's a serious issue and we will take action if we're able to. Unfortunately it's often very difficult to find the evidence to allow a successful prosecution. After all fly-tippers are not in the habit of leaving their name and address with someone. If we have the evidence then we will prosecute.



Coming back to your point about Reading though, I think you're confused between Reading prosecuting fly-tippers and Reading issuing fixed penalty notices to residents who for example have left side waste next to their bins or have left their bins out for too long. That's what you're looking at there, that's what the issue fixed penalty notices are for. We don't issue yet fixed penalty notices but it's something we're going to look at to see whether we can toughen up our response to fly-tipping.

**(c) Question submitted to the Portfolio Holder for Planning, Housing and Leisure by Councillor Alan Macro:**

**Question:**

*“Is the Council considering using CPO powers on the Sandleford development?”*

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

Thank you for your question Councillor Macro.

As you will be aware the Sandleford Park site is an allocated site in the Council’s adopted Core Strategy. The site was promoted as a single site with supporting infrastructure. Since then it’s become clear that the two main developer teams are not working together and this has cast doubt on delivery of the much needed housing in a reasonable time. At this stage the Council continues to work with the developers but has not ruled out the use of CPO powers as a last resort.

**(d) Question submitted to the Portfolio Holder for Culture & Environment by Councillor Lee Dillon:**

**Question:**

*“Can the Council provide assurance that the Highwood Copse School project is being properly project managed?”*

**The Portfolio Holder for Culture & Environment answered:**

Thank you Councillor Dillon/Macro.

Highwood Copse is being delivered by the Property Services Team with a competent, experienced Project Officer allocated to the project, supported by an external professional consultant team including the Project Manager. The project is managed in accordance with the West Berkshire Council Project Management Methodology (a system based on a recognised industry standard of Prince2). The Property Services Team has delivered a significant number of capital projects on behalf of the Education Service including expansions to Spurcroft Primary School and the Willows Primary School.

**Councillor Alan Macro asked on behalf of Councillor Lee Dillon:**

*“Can you please assure me that sign-offs of particular stages of projects are being done at the appropriate stage and not merely being a box-ticking exercise as sign-offs are a very important issue and I’d like to assured that in future we will get the appropriate stages signed off correctly as they should be?”*

**The Portfolio Holder for Culture & Environment answered:**

I don’t get involved in this detailed process but I will take this matter away Councillor and I’ll let you have a written response to that.

**(e) Question submitted to the Portfolio Holder for Planning, Housing & Leisure and Culture & Environment by Councillor Lee Dillon:**

**Question:**

“Can you confirm to what BREEAM level Highwood Copse School is going to be built to?”

**The Portfolio Holder for Planning, Housing & Leisure answered:**

Thank you for the question.

The Highwood Copse scheme is designed to achieve a BREEAM rating of Excellent and is therefore compliant with the Council’s BREEAM Policy. The planning consent requires the project team to deliver on this rating and is conditioned as such.

**Councillor Alan Macro responded on behalf of Councillor Lee Dillon:**

*“Thank you for your answer. Please can you provide an assurance that an Excellent rating will be strived for rather than seeking a Good rating in order to save on costs which would be very regrettable in my view”*

**The Portfolio Holder for Planning, Housing & Leisure answered:**

I take your point Councillor Macro, however I think it’s recognised that the BREEAM standard in some respects is almost impossible to achieve and it doesn’t actually reflect the quality of the building, it reflects the audit trail of how the building became erected. I feel that we need to revisit our standard and have a standard that is more appropriate, that reflects the quality of the requirement of the building with regard to environmental qualities, with regard to sustainable heating measures rather than reliant on BREEAM which is really a box-ticking exercise and I feel that the building will be delivered to a high standard and that BREEAM Excellent can sometimes be a standard which is misunderstood because of the way in which the standard is set up.