

Questions and Answers

Executive

Thursday, 20th December, 2018

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Executive Meeting

20 December 2018

Questions and Answers



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

(a) Question submitted to the Portfolio Holder for Highways and Transport, Environment and Countryside by Mr Steve Masters:

Question:

“Do the Executive have a viable plan and target date to achieve net Zero Carbon status in West Berkshire?”

Portfolio Holder for Highways and Transport, Environment and Countryside answered:

Thank you for your question, Mr Masters.

Let me start by saying that protecting the environment and the long term sustainability of this district (and beyond) is immensely important to this Council. We are committed to the essential 'green' principles of stewardship, responsibility and resilience. We are ready to play our part in transitioning to net zero carbon status and we've got a great foundation.

- We are contributing to the Berkshire Local Industrial Strategy which has a focus on green technology and green growth;
- despite the doomsayers we have high rates of recycling;
- we are, with considerable ambition, evaluating investment in solar and battery technology;
- we encourage smarter and active transport;
- we invest in walking and cycling routes, public and community transport;
- we have a network of reliable, energy saving lamps across the district;
- our planning system works to the triple bottom line and insists on 'BREEAM excellent' for public buildings;
- the two new schools we are building will have the smallest carbon footprint possible;
- we partner with BBOWT and the AONB where we look forward to the Agriculture Bill passing into law.

So that is a reminder of the good work we do and there is much more I could refer to, but to get to the specifics.

Like you, we support the goal of a net zero carbon West Berkshire. Like you, I participated in the Zero Carbon Newbury event in October, where we had the privilege of hearing leaders in the field – among them, Professor Sir Brian Hoskins and our own Richard Benyon MP – who began to plot a path to the future. Like you - I assume this is the case - we take pride in the leading role this government is playing in response to climate change, putting Clean Growth at the heart of its modern industrial strategy, setting out the Road to Zero, promising at least £5.8 million to help developing countries follow the same path. And, this is critical, this autumn, the government announced it will join the Carbon Neutrality Coalition and asked the Committee on Climate Change for advice on a net zero emissions target, with the aim of bringing our greenhouse gas emission reduction target in line with the Paris Agreement.

From this work, national and international, expert and informed, practical not hyperbolic, we as a local authority will get our guidance and build our plan and set our target date, and I believe that this date will be sooner than 2050.

And this is where we are not alike, you are campaigning, and I admire your campaign, but we have to act and we do. For now, we have a national target of 2050, and for now, that is what we must work towards, but I think in West Berkshire, we have made a very good start.

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?”*

Mr Steve Masters asked:

“I invite the Council and the Council Members on both sides to sign my petition in good faith.

You know what they say, aim for the stars and reach the moon. So I would encourage all Council Members to take a look at the petition, it is on West Berkshire e-petitions. We are already at several hundred signatures on both online and offline so in good faith I would request that it is duly considered”

Portfolio Holder for Highways and Transport, Environment and Countryside answered:

Yes, I have of course read your petition and as I have just said I admire your campaigning. I don't think I would feel able to sign up to a target of 2030 without being clear about how we get there. And that's the work we've got to do, we have to have a strong concrete plan.

I admire your ambition and I appreciate what you are doing.

(b) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Ms Susan Millington:

Question:

“In the light of the EU commitment to ban single-use plastics across the EU by 2021, can we ask West Berkshire Council to follow the lead of other councils around the country and bring forward a motion to confirm the phase out of their use as soon as possible (by 2021 at the latest), within WBC itself, to promote the banning of similar products in all businesses with which you work through procurement avenues and other networks, and to keeping residents informed of progress?”

The Portfolio Holder for Planning, Housing and Waste answered:

Thank you Ms Millington. Before I answer your question, I just want to read out a short statement with regard to the Resource and Waste Strategy published by the Government this week which challenges us all to manage resources more effectively and to reduce our impact on the environment. I am pleased that the Strategy doesn't just put the responsibility for resource management on local authorities. We are one part of a circular economy where everybody has a part to play. I am very proud of West Berkshire's recycling rate of 51.8% compared to the national rate of 45.2%, but we can of course all do more. I would encourage everyone to think about how they can reduce, reuse and recycle more than they already do.

So to turn to your question. The draft Vision for West Berkshire 2036 recognises that there is a growing awareness of the impact of plastic use on our natural environment and on our wildlife. As part of this Vision we will consider as partners how the use of materials harmful to the environment, including plastics, can be kept as low as possible. The draft Vision has recently been subject to a public consultation and we are currently collating comments before it is considered at Council next year.

At present some of our corporate buildings like Shaw House are mindful to make the change where it is sustainable and are selling reusable cups.

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?”*

Ms Susan Millington asked:

“Given the recent Strategy published by the government and the huge public concern to reduce plastic waste, is there a way that you will keep residents informed of progress and actually encourage residents and local businesses to reduce their single use plastics?”

The Portfolio Holder for Planning, Housing and Waste answered:

I think we do keep everyone informed of progress anyway and we will of course do all we can to encourage our residents to reduce the use of single use plastics.

With regard to businesses of course, we welcome the measures designed to get manufactures to take responsibility for the materials they produce and I think that is where the real issue lies, it is about the manufacturers taking responsibility for the materials they produce and accepting them back. We also of course welcome the Government's plans to stimulate demand for

recycled plastic because if there is a stable market we might, as an authority, be able to collect different types of plastic materials as well.

(e) Question submitted to the Portfolio Holder for Highways and Transport, Environment and Countryside by Mr David Marsh:

Question:

“The headteachers, governors and parents of Falkland and Park House schools believe that a reduction in the speed limit from 30mph to 20mph on Andover Road near the schools would greatly enhance their children's safety. Do you agree?”

(f) Question submitted to the Portfolio Holder for Highways and Transport, Environment and Countryside by Mr David Marsh:

Question:

“Will you consider improving safety for residents, pedestrians and road users by extending the 30mph speed limit zone along the A343 south in the direction of Wash Water so that it covers the whole residential area of Andover Road?”

The Portfolio Holder for Highways and Transport, Environment and Countryside answered:

Thank you Mr Marsh. I am going to cover both of your questions and they are two very important questions about speed limit requests for the Andover Road in Newbury and I am grateful for the opportunity to explain the rather difficult decision I made last week not to progress these requests to public consultation in this round. I made this decision with the help and guidance of experienced experts of real integrity and I made it for one reason – safety. Not funding, not workload, not some sort of institutionalised bias towards the internal combustion engine. Just one reason – safety. Decisions about safety need to be made in the specific context of real-world road characteristics and expert guidance.

It is simply not the case that reducing legal speed limits automatically improves safety. The latest DfT report backs this view up. These are more complex decisions than that. I have nothing but respect for the Head Teachers and Governing Bodies of Falkland and Park House Schools – I’ve been a Governor myself for many years – and I admire the campaign that was run in support of these requests but the evidence leads me to the view that to be effective, speed limits must be enforceable, consistent with the characteristics of the specific roads to which they are applied and not inadvertently encourage risk taking by creating a false sense of security.

The evidence in these two cases suggested that they would not increase safety. The decision was made at the end of a thorough and independent process which I would like to explain. This will take a minute or two, but I think it is very important that you are aware of what we do.

- When a request for a change in speed limit is received our Engineers investigate the site to confirm that the request is appropriate and this is followed up by a visit by the Principal Engineer and our Speed Co-ordinator.
- Road characteristics and the surrounding environment are reviewed, a speed survey is carried out (usually over a seven day period), accident data is considered and the location is videoed.
- All the information is analysed and reviewed against the Department for Transport guidance ‘Setting Local Speed Limits’.
- An assessment report is produced and considered by a Speed Limit Review Task Group, which is independent, it is made up of two Elected Members (one Conservative and one

Liberal Democrat), a Thames Valley Police Roads Policing representative, a Senior Engineer in the Council's Traffic & Road Safety Team, our Speed Co-ordinator and our Road Safety Officer. I have no role in this.

- When the Task Group convenes, each request is introduced by the Engineer who prepared the assessment report. The video is shown and if there is further investigation required then there is a site visit. The Ward Members and the Parish Councils are invited to present their case.
- The Police view is then stated and this is followed by an open discussion before a final recommendation is made by the Task Group.
- An Individual Decision report is produced to formally present the recommendations. This is circulated to the appropriate Ward Members before a formal Decision is made by the Executive Member for Highways – so that responsibility and duty falls to me.
- If it is accepted the recommendation will then be taken to consultation, so it is a very very thorough process.

I would be very happy to provide you with full details of the assessments for these two requests. However, in both these cases, the recommendation was not to proceed, and after much thought and discussion, and it was much thought and discussion, I accepted these recommendations. I could have formed a different view, because I am after all a Newbury Councillor and politically it might have been better if these schemes were taken forward to consultation – but, and if you knew anything about me and my background you would know this to be true, I would never, ever play politics with safety.

This Council made the best decisions possible on the basis of all the evidence available and for the best of reasons.

We know it is a matter of great interest to many of our residents and I appreciate you raising these requests tonight. In full recognition of this we have agreed we will test these decisions in the next round, we will examine them again. If new data or new advice from DfT comes forward, then it is possible the outcome will be different. But whatever happens, I am confident that the decision that will be made then will be the best decision possible, and it will be motivated by our desire to see the safest conditions on these roads.

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?”*

Mr David Marsh asked:

“I appreciate that very thorough answer, I don't know that plans you have to visit Wash Common over the next few months but would you be willing to meet people who are concerned about this issue? For example outside Park House School during morning rush hour, and see for yourself what the concerns are?”

The Portfolio Holder for Highways and Transport, Environment and Countryside answered:

Of course I would. I see that the Ward Member, Councillor Adrian Edwards is here tonight, and I know that he has a great knowledge of these sites and we have spoken. This really was a very thorough process, and the decision was made for the best of reasons.

(g) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Ms Moz Bulbeck Reynolds:

Question:

“Which housing developers are the Council actively seeking out to encourage efficient, environmentally sound, and truly affordable home building on brown sites in the West Berkshire Council area?”

Ms Bulbeck Reynolds has been provided with the following written answer:

The Council is not actively seeking out any housing developers in the terms asked by the question.

However, the Council has regular dealings with 25 developers who are active on a multitude of sites in West Berkshire.

All local planning authorities are required by national planning policy and guidance to maintain an up to date picture of the amount of land that is available for new development. And since 2017 the Council is also required to publish a Brownfield sites register showing brownfield land in the district which is potentially available and suitable for residential development. Which the Council has done.

(i) Question submitted to the Portfolio Holder for Health and Wellbeing, Leisure and Culture by Mr John Stewart:

“Now that any redevelopment of the London Road Estate is not going to happen for some years, when will the council re-open the Faraday Road football stadium fit-for-purpose so that teams in the Newbury community can once again play their league matches?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

Depending upon how the Council decides to proceed, the commencement of development could be as little as only 12 months away. The old football ground has always been an integral part of any regeneration based on the expert advice that the Council received right at the beginning of the project.

In that scenario it makes no sporting or commercial sense to reopen the stadium as before. The infrastructure now is most suitable for a multi-use games area for the public, which is the Council's intention for the facility in the interim period.

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?”*

Mr John Stewart asked:

“What advantage is there to the sporting people of Newbury who aspire to play at a football ground of decent quality. What advantage is there to not having a football ground in the town for the foreseeable future?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

As you know, the Council is intending to produce a long term leisure strategy which will encompass football and all other sports throughout the district, and it is the Council's intention to provide good facilities for men's, ladies and children's football, and all other sports. And not only in Newbury but right across the district. That leisure strategy will be produced over the intervening period, and will be published and consulted upon.

(j) Question submitted to the Portfolio Holder for Corporate Services by Dr Julie Wintrup (asked on her behalf by Mr Lee McDougall):

Question:

“When will the Council disclose all relevant documents including but not limited to the decisions of committees and individual members, fiscal and legal advice and recommendations, and risk assessments related to the regeneration of the London Road Industrial Estate project since 2010, as it is obliged to do under its Duty of Candour?”

The Portfolio Holder for Corporate Services answered:

The Council placed all relevant material before the Court during the litigation pursued by Faraday Developments Ltd, and there has been no suggestion that it did not.

The Council will disclose everything that it is legally obliged to disclose and we intend to publish a FAQ document on the Council’s website with information relating to this project. However, documents which are commercially sensitive or which contain legally privileged material will not be disclosed.

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?”*

Mr McDougall did not ask a supplementary question.

(I) Question submitted to the Portfolio Holder for Corporate Services by Mr Paul Morgan (asked on his behalf by Mr John Stewart):

Question:

“Given that the football stand is an Asset of Community Value (ACV), will the Council provide the necessary legal documentation, such as a bill of transfer to a 3rd party, to show that it has complied with the ACV requirements?”

The Portfolio Holder for Corporate Services answered:

The demolition of the stand does not automatically amount to a disposal under the ACV legislation.

Further, as the outgoing tenant gave the stand to Hungerford by way of a gift the legislation restricting the disposal of assets of community value was not triggered. The stand was part of the tenant’s assets and therefore the Council does not hold any legal documentation about the gifting of the stand.

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?”*

Mr Paul Morgan asked:

“When did the stand become Newbury Football Club’s asset, given that it was built in about 1993, and belonged to Newbury Town Football Club prior to Newbury FC taking over. When did it become Newbury FC’s asset?”

The Portfolio Holder for Corporate Services answered:

I am afraid I don’t have any information on assets owned by Newbury Town Football Club.

(m) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Mr Lee McDougall:

Question:

“Given that there has not been a section 80 Notice of Demolition issued, despite Gary Rayner confirming in writing that one was required, will the Council be reinstating the stand until the necessary approvals are in place?”

The Portfolio Holder for Planning, Housing and Waste answered:

Correct procedure was followed. On 15th November Wokingham Building Control confirmed that a Demolition Notice was not required and removal of the stand will continue.

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?”*

Mr Lee McDougall asked:

“Does that mean then that your Head of Development was incorrect in the information and advice he given to the Council via email?”

The Portfolio Holder for Planning, Housing and Waste answered:

I would say he was not incorrect, I think he was erring on the side of caution. However, having actually looked at the procedure, the correct procedure was followed because the Demolition Notice was not required but it is better to err on the side of caution rather than to say something and then be accused of giving false information.

(o) Question submitted to the Leader of the Council by Mr Jack Harkness:

Question:

“Does the Council’s failure to consult the Newbury Ladies football team about the closure of the Faraday Road Football Stadium demonstrate a sexist mindset within the Council?”

The Leader of the Council answered:

The short answer is no.

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?”*

Mr Jack Harkness asked:

“In view of the fact that you are saying no, for a number of years the Council drove Newbury Football Club out of Faraday Road driving them down and down and down. Why suddenly, just a few months ago, did the Council start negotiating with Newbury Football Club about a replacement ground?”

The Leader of the Council answered:

Thank you. Firstly I would refute the accusation that was made within that comment and question.

The correspondence over the end date of the football ground lease was between the Council as the landlord and the football club as the tenant. The Council has no other tenancy or access arrangements with other entities and thus the inability of the ladies football team to play at the ground, along with any other entities that the old tenant allowed to play at the ground, does not mean that there is any issue of sexism involved.

**(r) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Ms
Carolyn Culver:**

Question:

“What happens to the contents of the green recycling bag if it is contaminated with plastics that cannot be recycled - e.g. bottle tops, margarine tubs etc?”

The Portfolio Holder for Planning, Housing and Waste answered:

We would urge everyone to only put plastic bottles into their green recycling bag, the reasons for this have been explained many times.

If someone puts the wrong sort of plastic in their bag, the operative might refuse to collect it because the material is contaminated and you would be encouraged to re-sort your plastics. When the plastic is collected, it will be taken to the Materials Recovery Facility at Padworth where specialist equipment sorts out the different plastic bottle types ready to transport them on to reprocessors. Contamination from non-bottle plastics such as most tubs and trays, bottle tops, hard plastics such as plant pots or toys, cling film and polystyrene are removed during the process at Padworth and sent to an energy from waste facility for disposal.

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?”*

Ms Carolyn Culver asked:

“So what will the Council do to improve education amongst residents about what can and cannot be recycled?”

The Portfolio Holder for Planning, Housing and Waste answered:

Well Ms Culver, if you look at the information that accompanies bin tags, or is sent out during the course of the year with regard to collection dates, you will always see on the inside there is always a note to all residents explaining to them what can and cannot be recycled.

We additionally have an education facility at Padworth that schools use on a frequent basis and is always recognised that when kids go home from school and tell their parents what they should or shouldn't be doing about recycling, it does create some interest within the family.

Also, on our website there is a lot of information about what you can or cannot recycle. So I think we do a very good job to tell residents what we can or cannot recycle. But again as I said earlier we cannot be complacent, it is everybody's responsibility to encourage recycling wherever we can. Indeed one of our very dear late councillors, David Holtby from Hungerford, did go round to the home of one of his residents and went through his black bin and explained to them what they could or couldn't put in their recycling and reduced the contents of that black bin down quite considerably.

In actual fact you may be interested to know that in terms of percentages of the materials that could be recycled in our black bin is 7% for plastics but an amazing 34% for food. So it is not about plastic recycling that I would be thumping the tub tonight but encouraging residents to recycle their food by putting it in the green bin, which is taken away every other week.

(s) Question submitted to the Portfolio Holder for Corporate Services by Mr Peter Norman (asked on his behalf by Mr David Marsh):

Question:

“What actions are the Council taking in light of the Appeal Court ruling its development agreement with St Modwen being invalid due to not following the correct procurement process?”

The Portfolio Holder for Corporate Services answered:

Although disappointed by the outcome, the Council remains fully committed to securing the redevelopment of the London Road Industrial Estate for the benefit of all who live and work in the district.

The Council is currently reviewing its options to secure the regeneration of the London Road Industrial Estate in Newbury.

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?”*

Mr Marsh asked question (t) as a supplementary

(t) Question submitted to the Portfolio Holder for Corporate Services by Mr Peter Norman (asked on his behalf by Mr David Marsh):

Question:

“Will the Council publish all minutes of the meetings it had with St Modwen prior to signing of the agreement along with any legal advice it received?”

The Portfolio Holder for Corporate Services answered:

No. This information remains commercially sensitive to both parties even though the existing agreement has fallen away after the Court of Appeal’s decision. The Council will not disclose legally privileged material.

(c) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Ms Susan Millington:

Question:

“Now that so many people are concerned to reduce plastic pollution, and your neighbouring councils are collecting a wider range of plastics than in West Berkshire, can you please inform us about what efforts you are making to modify your present contract with Veolia so that a greater range of plastics can be collected and recycled?”

The Portfolio Holder for Planning, Housing and Waste answered:

I think I have probably covered some of your question in my previous answer. So the short answer is that West Berkshire Council does not currently have any plans to change plastic recycling collections as I mentioned in my previous answer.

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?”*

Ms Susan Millington asked:

“Given that your contract with Veolia is very long term and doesn’t expire for many years, presumably there is some flexibility to allow for changes in market conditions and government policies and so on, is this the case?”

The Portfolio Holder for Planning, Housing and Waste answered:

Absolutely the case, we are always in conversation with Veolia with regard to what plastics can or cannot be recycled. As you mentioned it is very much down to market conditions, and also the quality of the plastic that is recycled which is why we are very keen for our residents to sort their plastic at the kerbside because it is an established fact that kerbside recycling is cleaner than people shoving everything all into one bin and it being recycled at the plant.

So yes we are always in conversation with Veolia and if market conditions change then we will take advantage of it.

(h) Question submitted to the Portfolio Holder for Corporate Services by Ms Moz Bulbeck Reynolds:

Question:

“What additional support is the Council provisioning to give Council employees who are at the front line of managing the housing benefit roll over onto Universal Credit, to ensure they are fully supported to best assist clients affected?”

Ms Bulbeck Reynolds has been provided with the following written answer:

Universal Credit full service was rolled out in West Berks from 6th December 2017 when the Department of Work & Pensions merged 6 welfare benefits into 1 monthly universal credit payment.

For a year now the Council has been obliged to provide the following services;

- Assisted Digital Support (ADS) - assisting the claimant to make and maintain their claim for Universal Credit.
- Personal Budgeting Support (PBS) - assisting claimants with setting a monthly budget (in accordance with the frequency with which payments of Universal Credit are issued). Ensuring that debts and liabilities are identified and prioritised whilst identifying a claimant's disposable income.
- Service Centre referrals - general enquiries and notices received from UC service centre which ask the Local Authority for information or to take action.

Specialist relevant training has been given to all those members of Benefits staff who deal with Universal Credit claims and training packs have been produced to assist staff in dealing with the Universal Credit claim process. Staff also have regular 1 to 1's and team meetings with senior officers and managers where any issues can be discussed and, if relevant, shared in order to resolve a problem. Staff are also supported by their colleagues if required during any appointments with claimants when either making a claim or providing budgeting advice.

Members of benefits staff can provide advice and guidance to claimants on which Benefits apply.

The service has gained valuable experience the past year. As a result the following now occurs;

- There is a fortnightly teleconference between Benefit managers and DWP partnership managers, as well as escalation routes, contact details are provided so that the Officers can raise any type of query with the relevant DWP officer.
- A computer is now available within reception area of Market Street which is set up to allow online UC claiming.
- Systems are also available in Newbury library which facilitate online UC claims.
- A dedicated phone line is used and advertised so that customers can make ADS appointments with Benefit Officers. Voicemail messages can be left out of hours with a Benefit Officer contacting the claimant the following day to arrange appointment.

- The Benefits section have devised a number of processes which allow a UC claim to proceed. These include use of a mobile phone which is used solely to receive email codes on behalf of customers, allowing them to proceed with creating an email account and submitting their UC claim.
- The Benefits section have become experienced with the claim process and the areas in which this can 'stick'. Procedures are currently in place so that ID verification meetings are arranged as part of an ADS interview, rather than attempting to verify ID online.
- Procedures for ADS interviews now reflect known difficulties with online UC claiming. If a claimant is experiencing difficulties the experience of the Benefits staff will allow claimants to complete and submit their claim through the ADS process.

Customer Service Officers who deal with telephone and face to face enquiries are able to properly signpost claimants to the relevant office.

(k) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Dr Julie Wintrup (asked on her behalf by Mr Lee McDougall):

Question:

“Will the council supply details of all public consultation events and outcomes specific to the redevelopment of the London Road Industrial Estate regeneration project for the period between 2008 and 2018?”

The Portfolio Holder for Planning, Housing and Waste answered:

No specific public consultation on the Council’s proposals for the regeneration of the London Road Industrial Estate (LRIE) has or will take place until detailed redevelopment proposals are ready to be submitted to the Planning Authority.

It should be noted however, that the Council’s plans to redevelop the LRIE have been well known for many years both within the wider community and by LRIE occupants. This has been publicised via letter drops to the occupants and to the wider community by publishing updated versions of the Newbury Vision and presenting the LRIE update annually at the Newbury Vision Conference.

Details of the Council’s desire to secure a development partner for the project was also advertised in national trade press.

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?”*

Mr McDougall asked:

“Do you recognise that the Council needs to do more to communicate with the wider community at this stage than you did last time?”

The Portfolio Holder for Planning, Housing and Waste answered:

I think I have already said that no specific public consultation will take place until we have some firm proposals.

(n) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Mr Lee McDougall:

Question:

“Can Councillor Hilary Cole please advise on the amount of money the Council intends to spend on re-opening the football ground which the Chief Executive has promised the Council will do?”

The Portfolio Holder for Planning, Housing and Waste answered:

The estimated cost is £88,000 and this includes removal and replacement of the existing poor perimeter fencing, making fully secure the old clubhouse and ancillary buildings associated with the old football club and ancillary equipment such as goals, net, watering points etc.

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?”*

Mr McDougall commented that is excellent news and did not ask a supplementary question.

(p) Question submitted to the Portfolio Holder for Health and Wellbeing, Leisure and Culture by Mr Jack Harkness:

Question:

“Will the Council now permit the ladies teams to play cup matches at Faraday Road?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

As my colleague the Leader has said earlier, the football ground lease was between the Council and Newbury Football Club as the tenant, and no other formal arrangements were made with any other teams, so although there were some informal allocation arrangements between Newbury Football Club and other teams, the closure should have had no fundamental impact on other teams. The ladies teams, boys and girls and other teams that we are aware of, have other fixed playing grounds.

Irrespective, the Council made it clear that once the Newbury Football Club lease ended and before development begins, the Council would not grant other leases but would open the ground to the public as a multi-use games area. This does not preclude some training but no formal league or cup matches will be possible.

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?”*

Mr Jack Harkness asked:

“As Faraday Road is no longer going to be available as a football pitch, which was the only pitch in Newbury which is capable of games like the FA Cup and indeed supporting Newbury Football Club at the level they used to play at, what plans have the Council got to provide a pitch of equivalent standard of Faraday Road within the Newbury area?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

We are in conversations with Newbury Football Club and we are helping them to provide both a good temporary facility within the Newbury area, and also a longer term facility, and obviously those facilities will be of interest to other teams.

As I referred earlier, the leisure strategy that we are producing will be intended to provide the facilities that are required as far as it is within our possibility for the sporting clubs of the district.

(d) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Ms Susan Millington:

Question:

“When you are intending to provide recycling bins alongside the standard rubbish bins in public places in the local area?”

The Portfolio Holder for Planning, Housing and Waste answered:

We are already working with our contractor Veolia to review the provision of public recycling bins in town centres.

Although other authorities already provide recycling bins in public places they have found that contamination of recycling materials in these types of bins can be very high as people are not always prepared to separate the materials accordingly.

As I have already mentioned, we are continually working with Veolia to be able to collect more materials for recycling and we are committed to reviewing sustainable options for additional services.

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?”*

Ms Susan Millington asked:

“It is great to hear you are in consultation with Veolia to do that and in light of the Government Resource and Waste Strategy obviously people need to be encouraged and educated to do more recycling and this is part of that. What is the timescale, when can a decision be made about whether or not this is going to happen?”

The Portfolio Holder for Planning, Housing and Waste answered:

Well, as I say, I can't give you an exact time, but we are in discussion with Veolia so I would think it would be sometime within the next few months.

(q) Question submitted to the Portfolio Holder for Corporate Services by Mr Lee McDougall:

Question:

“Could you provide a detailed itemised list of all costs associated with the LRIE redevelopment incurred since 2010 to the present day?”

The Portfolio Holder for Corporate Services answered:

The costs incurred by the Council to date in relation to its proposed redevelopment of the London Road Industrial Estate are:

Costs associated with securing a development partner and entering into the agreement	£109,000.00
Legal Costs to date associated with the litigation brought by FDL (as we have publicised before)	£363,545.66

At this point I would just like to say that there has been considerable discussion at Council, publicity about this particular sum, and we were asked at full Council whether we would enter into, or trigger a public enquiry into this matter. I said at that time, that I didn't want to see us spend more money and spend more time in a very long drawn out enquiry. What I have done, is I have written to our Chairman of OSMC, our scrutiny body, to ask him whether he will consider including an internal review of the procurement procedure, and subsequent appeals as part of the OSMC forward plan. I haven't heard back from him yet, but I have every expectation that he will take on that challenge with alacrity.

Other expert costs	£50,811.42
Cost of land purchase, A339 widening and creation of road into LRIE. (Funding provided by LEP, S106 Monies & DfT Challenge Funding, so not all West Berkshire Council funds, rather community funds)	£5,141,824.00
TOTAL	£5,665,181.08

The vast bulk of these costs, of course, relate to the delivery of the new access into the London Road Industrial Estate. That access has been delivered and is already bringing benefits to residents and visitors to the town. Other work done previously will also still be relevant as the Council moves forward with the regeneration of the London Road Industrial Estate, and these are therefore not by any means wasted costs.

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?”*

Mr Lee McDougall asked:

“Do you not therefore think it was slightly deceptive to declare a figure of £363,000 publically?”

The Portfolio Holder for Corporate Services answered:

I don't think there was any deception whatsoever. The question relating to the figure that we quoted, as I've just said, was in respect of legal costs associated with litigation. That was the question asked that was the question answered.

(u) Question submitted to the Portfolio Holder for Corporate Services by Mr Peter Norman:

Question:

“What is the total amount spent on facilitating the St Modwen development agreement including the capital costs of the new road junction to the estate, the cost of officer’s time spent on the project and all legal fees spent in pursuing this development to date?”

Covered within the response to question (q).

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

(a) **Question submitted to the Portfolio Holder for Corporate Services by Councillor Jeff Brooks:**

Question:

"What is the estimated cost of officer time spent on the LRIE to date?"

The Portfolio Holder for Corporate Services answered:

Thank you for your question, Councillor Brooks.

This figure is not available as the Council does not operate time recording systems. We are able to make a pretty close estimate on the time that has been spent on London Road Industrial Estate, in respect of legal services. The estimate is 132 hours, so that is 3 and a half weeks, spread over three years.

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?"*

Councillor Jeff Brooks asked:

"I am surprised that the officers are not able to give an estimate of the amount of hours, across planning, across legal, across all the departments involved.

Let me tell you why I am surprised, for many years I can remember proposals, papers being brought saying this initiative will cost this much. I'll give a specific example in a moment. That wasn't money going outside of the Council that was officer time estimated for a particular initiative to be delivered.

I'll give you the perfect example. We put a proposal in to go back to the committee system, and Mr Day, Head of Strategic Support, said that will cost half a million pounds. That wasn't money going out, he wasn't having to hire more staff, he was estimating the number of hours and the cost of that initiative. This has been going on for years, ever since I went to Berkshire County Council, we would estimate the officer time and the cost of an initiative. Surely looking back, you should be able to do that on this mess you have got yourself into?"

Nick Carter, Chief Executive, answered:

I think in the context of costing out the cost of a formal meeting, we can probably do that. I can see why Andy Day has been able to say we going to have so many committee meetings a year, they cost so much as we know how much officer time is spent at them. They are very easily quantified.

We don't do time recording though, so we can't retrospectively go back and try and work out how much time we have spent on London Road. Some of the time spent on London Road would have been spent on delivering the road that's there etc etc.

So we just don't record that, yes we could give an estimate for the cost of a council meeting and that's what Andy Day did, but they are two separate things really.

(b) Question submitted to the Portfolio Holder for Corporate Services by Councillor Jeff Brooks:

Question:

“What are the estimated internal and external costs for re-procuring a London Road preferred partner?”

The Portfolio Holder for Corporate Services answered:

Depending upon how the Council wishes to proceed, and as I had mentioned earlier on in response to public questions we are considering the best way forward on the London Road Industrial Estate.

Depending on that, how we go forward, we estimate that the cost will be between roughly £35k and £50k.

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?”*

Councillor Jeff Brooks asked:

“I wouldn’t mind a break down on how you get to that?”

The Portfolio Holder for Corporate Services answered:

We don’t have a clearly agreed way forward. The question says very clearly, what are the estimated internal and external costs, an estimate and not a detailed breakdown.

The Leader of the Council commented:

I am sure that can be provided outside of the meeting.

(c) Question submitted to the Portfolio Holder for Health and Wellbeing, Leisure and Culture by Councillor Lee Dillon:

Question:

“Why did the council not consult on closing the football ground which has seen men’s, women’s and children’s football displaced across the district?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

The Faraday Road closure primarily effected the Newbury Football Club and has not caused, as far as we are aware, a massive displacement of many ladies and children’s football teams across the district as you have implied.

I think it is irresponsible to assume or imply that displacement has taken place. The Council consult the public when there is a genuine choice of options ahead of us and in the midst of an ongoing project of this magnitude, in the midst of, at the time, legal challenges and uncertain outcomes, it would have been really cynical and needless to have a public consultation when we couldn’t necessarily take any notice of the response.

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?”*

Councillor Lee Dillon asked:

“Thank you, so in your answer you said not consulting, we heard from Councillor Cole that no consultation has gone out yet.

So actually, if you had consulted then the people might have been behind you. At the moment you do not know the local population’s view on your grand scheme of London Road Industrial Estate and whether that is worth sacrificing a football club and there has been displacement across the district, as the men’s team is now playing in Yattendon, which is not Newbury, so I think the district was deliberately used there to show how far away they have to travel.

So do you not accept that if you had gone out to consultation on a range of options, you might be able to better deliver something that the people actually want, rather than what you think is right to impose on the town?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

I am afraid Councillor Dillon, that the whole rationale behind the London Road Industrial Estate, and whether we should have consulted or not is well outside of my experience and my remit.

(d) Question submitted to the Portfolio Holder for Finance, Transformation and Property by Councillor Lee Dillon:

Question:

“How much income has the council forgone since it evicted its tenants from the football ground?”

The Portfolio Holder for Finance, Transformation and Property answered:

I would like to remind you that the tenant was not evicted as you stated in your question, the lease came to an end and that is a significant difference

The annual rent at the expiry of the lease was £4800. Assuming that the lease had continued with the same level of rent, then the rent not received since the lease expired amounts to £2,000.

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?”*

Councillor Lee Dillon asked:

“I think they wanted to sign a new tenancy agreement, so I think eviction might not be the legal word, but in the spirit of it I think that they were evicted from the site. So forgive me for using that word in the original question.

Don't you agree that given the funding pressures of this Council all income streams should be welcomed and shouldn't be stopped unnecessarily?”

The Portfolio Holder for Finance, Transformation and Property answered:

On the amount we are talking, what we didn't want is to stop any development of London Road.

As you are well aware, from answers previously this evening, we are looking to see if we can bring forward plans within twelve months, so there is a reason for the lease stopping at that time.