

# Questions and Answers

## Executive

Thursday, 17th October, 2013

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# **Executive Meeting**

## **17 October 2013**

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, Transport (Policy), Culture, Customer Services and Countryside by Mr Peter Norman:**

*“Sport England has now confirmed that they were unaware that the development of Sandleford would involve a change of use of land that is currently designated rugby playing field and that they will raise objections unless the development meets one of five exceptions. What lessons have the Council learned in ensuring that in future statutory consultees are consulted with properly?”*

**The Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside answered:**

As you will be aware from the response to your Executive question on 17 May 2012, Sports England have been consulted at every stage of the West Berkshire Core Strategy, however they have only responded once. This information is publicly available from the West Berkshire Core Strategy on-line consultation database. This publicly available information shows that the consultation material clearly identifies the boundaries of both Sandleford Park and Newbury Rugby Club. All of the information to enable Sports England to make informed comments was therefore in front of them at each stage of the Core Strategy process. Sports England will, of course, be a consultee in any future planning applications for Sandleford Park.

**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 Peter Norman asked the following supplementary question:**

*“Perhaps in your answer you can explain why Sport England were sent an email recently to the Council say that they were unaware of the kind of land that is currently playing field is going to be part of Sandleford development and indeed why following the public hearing does the council continue to use a map which fails to show the change of use?”*

**The Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside answered:**

All I can respond is that if Sport England were unaware of the information that had been presented to them that is really their fault; there is nothing we as an authority can do about it. It is not our job as an authority to remind people, consultees to look at all the information that they have been sent, and indeed you are quite right in saying, with regards to the examination in public of the letter from the chairman of Newbury Rugby Club to the inspectors saying, ‘on behalf of the management committee of the Newbury Rugby Football Club I confirm that the land which forms part of the proposed allocations will not adversely affect the operations of the Rugby Club. There will be no loss of any pitches subject to the final layout of the approved scheme. I am confident we would agree any landscaping to create a suitable buffer if that was required. We have worked closely with the Sandleford Park Partnership on all aspects of this proposal for residential development and confirm our unequivocal support to the proposed allocation’. (President of the Rugby Club)

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Now if you would like I will send you this information to the inspectorate it was available as a public document for Sport England and therefore I feel that Sport England have had every opportunity, we have been transparent and they have had every opportunity to respond and if they choose not to respond, as I say, that is clearly their problem not ours.

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**(b) Question submitted to the Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside by Mr Peter Norman:**

*“In looking at alternative access points to Sandford can the Council assure us that in response to the overwhelming views expressed during the SPD consultation that Warren Road will not be made all vehicular access?”*

**The Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside answered:**

The Council is aware of the concerns raised through the consultation process. Such an access cannot be ruled out, as it will reduce traffic to and from the development considerably through the A343 Andover Road / Monks Lane / Essex Street and fronting Park House School. The opportunities for additional accesses will be explored further as part of any formal planning application for the site. Any planning application would have to be accompanied by a full Transport Assessment and Travel Plan which would assess the impact of the development onto the surrounding highways network and evaluate the necessary mitigation measures. Any accesses, including an access onto Warren Road, will be subject to detailed design of which safety will be a primary objective as well as mitigating the impact of additional traffic.

**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 Peter Norman asked the following supplementary question:**

*“Given what you said why in the master plan was the option to have an access to the A339 taken off the table and so not evaluated when Councillor Law has recently said it was a favoured access point all along, this seems rather strange”.*

**The Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside answered:**

The role of the examination was to assess whether the site is deliverable within the land controlled by the land owner. This work showed that the site is deliverable with two accesses onto Monks Lane and this remains the case. However it's reasonable to continue to seek better solutions in highways terms during the planning process and this involves the access off the A339 and we will continue to explore all options available whilst seeking to address the concerns raised through the consultations to date.

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**(c) Question submitted to the Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside by Mr Peter Norman:**

*“When will the Council make the full report commissioned on London Road available to the general public or if not the full report a substantive part of its recommendations?”*

**The Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside answered:**

In September 2012 a summary of the London Road Industrial Estate Strategic Feasibility Study was made public. Due to commercial sensitivities the full study will not be available to the public until after the Council has entered into contract with its chosen development partner during the course of 2014. The full Strategic Feasibility Study has been made available to the final three development partner candidates, but only after they had signed non disclosure agreements.

The Executive in January of this year approved the Opportunity Document for the London Road Estate, and that is in the public domain, and does give an indication of the ways the site could be laid out.

**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 Peter Norman asked the following supplementary question:**

*“Given what you have just told me whether or not the Council intends to give the people of Newbury a chance to have their say in the development of London Road which is crucial to the town centre”.*

**The Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside answered:**

They will obviously be a consultation on any plans which the Council and development partners will put forward.

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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, Transport (Operations), Emergency Planning and Newbury Vision by Councillor Keith Woodhams:**

*"The Newbury & Thatcham Advertiser dated Tuesday 24 September 2013, reported in an article on page 2, 'Speed limit signs useless because of council blunder'. (Kintbury) Can the Portfolio Holder for Highways & Transport tell me why yet another road in the district has had its speed limit / road dimensions changed by this council, without the correct Traffic Regulation Order (TRO) being applied?"*

**The Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision answered:**

Speed limit signs display the maximum speed at which drivers should drive to ensure the safety of users of the road in question. They act as a visual statement to encourage compliance by drivers. Most drivers observe speed limits when they see the signs so it was incorrect for the Newbury & Thatcham Advertiser to say in its article that the speed limit signs at Kintbury were useless.

What is the case is that unfortunately the Police could not prosecute the minority of drivers who abused the speed limit within the zone because it was discovered that although the speed limit signs had been correctly located on the road, their position was incorrectly dimensioned in the Traffic Regulation Order (TRO). They brought this to the Council's attention and the TRO was re-advertised with the correct dimensions. The revised TRO was sent to the Police on 25 July 2013 and they have been able to enforce this speed limit zone since that date.

The road dimensions have not been changed by the Council and the signs were not erected in the wrong location. It is unfortunate that a mistake was made when the measurement defining the position of the signs was recorded in the TRO but the purpose of the introduction of the 20 mph zone was to seek to improve road safety for all road users.

**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 Keith Woodhams asked the following supplementary question:**

*"Is the Executive Member for Highways & Transport aware that if a speed limit all automations on the road are changed without the correct TRO being applied, the speed limit is not legal and motorists who are caught speeding by the Police and fined could challenge the fining court potentially wasting both the Police and the court's time?"*

**The Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision answered:**

Yes.

**(b) Question submitted to the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision by Councillor Keith Woodhams:**

*“Can the Portfolio Holder for Highways & Transport tell me how many insurance claims covering damage to vehicles due to poor road surfaces in the district are outstanding, and what period of time do they cover?”*

**The Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision answered:**

Over the period of the present insurance year which runs from 01 November the Council has received 425 claims relating to damage to vehicles on the Council’s highways. Of these the Council has cleared 324 cases. A further 30 have been referred by the Council to the Council’s Highways Term contractor (in these cases the Council feels that Volkars are liable, either due to a failed repair or a failure to act on an instruction from the Council to repair). 71 cases remain outstanding with the Council. Of these 5 were received by the Council between February and April 2013, all of these have been passed to the Council’s Highways Terms Contractor.

**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 Keith Woodhams asked the following supplementary question:**

*According to the Audit Commission Revenue Outturn RO2 - spend on maintenance of principle roads per head and expressed as £’s per head of the total resident population - this Council spends around £3.99 compared with over £8 on average by other Councils in 2011/12 and is the fourth worst spending authority out of 55 similar unitary councils in 2011/12. So my question is why doesn’t the Executive Member spend more on resurfacing our roads to a higher standard instead of wasting huge amounts of taxpayers money on insurance claims?*

**The Leader of the Council answered:**

Clearly that is not related to the first question, it introduces information that we are not aware of and have not seen. Could you write in and we will give you a written answer on that.

Councillor Keith Woodhams said perhaps you could tell me where it doesn’t relate to the original question as well.

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