

Questions and Answers

Council

Thursday, 18th September, 2014

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Council Meeting

18 September 2014

Questions and Answers



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

(a) Question to be answered by the Portfolio Holder for Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support submitted by Mrs Martha Vickers:

“As a volunteer for Loose Ends, Newbury’s local charity which provides meals and support for the homeless and needy adults, I’m aware that the numbers attending the sessions appears to be increasing. Emergency accommodation such as Two Saints is at capacity because those ready to move on are unable to do so. This means that those in urgent need have nowhere to go but our streets. What is this Council doing to increase its provision of appropriate move on accommodation for the single homeless?”

The Portfolio Holder for Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support answered:

First, Councillor Vickers, I’d like to thank you for being one of the many fine volunteers we have in West Berkshire – and for a most worthy charity.

There is not a correlation between availability at Two Saints and street homelessness and, as you know, not everybody attending Loose Ends is street homeless. Nor do I accept that those in priority need, who are willing to engage, have nowhere to go but our streets.

Two Saints is a direct access supported hostel that caters for predominantly single homeless households. Whilst there is a waiting list for Two Saints, there is also a turnover of accommodation at the hostel and both the Council and Two Saints prioritise those in the most urgent need for vacancies as they arrive.

In respect of move-on accommodation, there is a Service Level Agreement in place between Two Saints, Sovereign and the Council’s Housing Service, which allows a number of general needs units to be offered to residents who are ready to move on. In addition, the Council has recently provided financial support to enable the delivery of 10 new homes adjacent to Two Saints which will be used as move-on accommodation. These 10 new units at Two Saints will formally be opened by Richard Benyon MP later this year.

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?”*

Mrs Martha Vickers asked the following supplementary question:

“I think I’d just like to first go back to my question about the increase in the numbers. I understand that people coming to Loose Ends are not all homeless, I do understand that and I think I state that all needy individuals are not necessarily homeless, but I’d just like to stress that the outreach worker for Two Saints, who supports the single homeless on our streets, has actually said that during the summer they normally see a lull in the number of applications to Two Saints, but this has not been the case this year and he in fact in desperation has been questioning whether the Council has any unused properties that can be used for the homeless. I’m just stressing that the numbers are increasing and while I thank you for listening to me so

far, I'm just stressing that there is even more that needs to be done because these people are on our streets and they do have nowhere to go".

The Portfolio Holder for Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support answered:

Thank you. I'm still not quite sure I know what the question is, but I will acknowledge that we do monitor carefully the number of people who are street homeless or who wish to engage with our Housing Service and I am aware there has been a recent rise which is, you're quite right, contrary to the normal summer pattern.

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

(a) Question to be answered by the Leader of Council submitted by Councillor Alan Law:

"Following the Monitoring Officer's recent note to all Members explaining the unofficial status of task groups such as Planning Policy Task Group and Adult Social Care Efficiency Board, and his confirmation that no regulations or formal guidance addresses the management of task groups, can the Leader of Council therefore tell me what decision making process was used to determine that all task groups are held in confidence and who is responsible for deciding a specific task group's terms of reference?"

The Leader of the Council answered:

The status of Task Groups or Working Parties has been the subject of case law in the past. The challenge was that the meetings were considered unlawful because they were not open to the public. The Court took the view that the critical factor was the manifest intention of the Council which had properly intended the body to be a working party or a task group.

The Courts recognised that Local Authorities often seek to set up working parties or task groups as a way of considering matters in private without the need to give public notice and so be able to exclude the press and the public.

The custom and practice within this Council and something which has been adopted by both Groups following this case law. Task Groups have always been regarded as confidential meetings. This is so that discussions are not inhibited by the press and the public being present. The role of Task Groups is to develop policy and make recommendations to a formal decision making body of the Council.

In relation to the Planning Policy Task Group terms of reference, these were approved by the Planning and Development Committee at its meeting on 10 March 2004.

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 Alan Law asked the following supplementary question:

“Thank you very much Leader for that very comprehensive answer. It’s interesting that the legal case laws that the officers have researched to justify the position, the latest one is 1991 which of course pre-dates the Freedom of Information Act. So my question is, and I’m really thinking especially in the circumstances here, where a Member holds one opinion in private during a Task Group meeting but then supports an opposite opinion in public without explaining to the public why he or she has changed their opinion. My question is, do you agree with the example given by, for example, the Planning Inspector at public hearings and with the Freedom of Information legislation, that on many of the matters discussed at Task Groups there is a greater, and I stress greater, public interest to be considered and hence a need for transparency which supersedes the inherent confidentiality of these meetings?”

The Portfolio Holder for Leader of the Council answered:

I think there is a challenge between the work that needs to be done in private and the level of protection by the Council and by officers and Members and by the ultimate decisions that are made and how they are made, so I do recognise the difficulty between Members sitting in one meeting, voting in a particular way and then in public pretending they voted in a different way or claiming a different position.

I personally feel we need to find a resolution which goes some way towards providing the environment to have a public discussion, but makes it more transparent what decision has been arrived at at the end of the meeting. I don’t think there is necessarily a conflict between the two and that the aim is to protect the individuals in their discussions and to allow free discussion and I think parties that are particularly attached to named votes should probably be comfortable with the idea that their ultimate position should be a transparent one.

Councillor Alan Law said: *“Thank you Chairman. I really appreciate the answer to that supplementary. I’m sure a Freedom of Information request for recent planning policy minutes will be made in due course.”*

(b) Question to be answered by the Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services, Countryside submitted by Councillor Alan Macro:

“What has the Council done to ensure that all residents of West Berkshire were aware of the consultation on the Housing Site Allocations Development Plan Document and the deadline for responses to be received?”

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

In January and February of this year, the planning policy team held a series of meetings across the district with those Town and Parish Councils which are included in the Core Strategy settlement hierarchy. The Ward Members were invited to attend these sessions. At these meetings the Town and Parish Councils were informed of the process which the Preferred Options Housing Site Allocations DPD would follow. All of the sites in any particular ward were discussed at length, and the views of the Town and Parish Councillors, and Ward Members were taken into account. I believe Councillor Macro that you attended such an event when sites in Theale were being discussed. Following these meetings, several parish councils, including my own in Chieveley, held their own public meetings and consultations with their residents, in preparation for this consultation, and I’ve brought with me examples tonight of the notice of

consultation for Chieveley Parish Council which was held on Saturday, 1 February and also the report subsequently produced and published in March 2014 by Chieveley Parish Council in response to the survey on housing needs in Chieveley, and that's just an example and I know Lambourn have done something similar.

In April 2014 Planning Policy published Issue 2 of the Local Plan Newsletter which was sent electronically to over 1,300 individual people and organisations on the planning database. 138 hard copies were sent to individuals without email addresses, Parish Councils, Ward Members and local libraries alerting them to the consultation being scheduled to begin on 25 July for seven weeks.

Parish and Town Councils were again notified in a letter of 3 July that the Preferred Options Draft of the Housing Site Allocations DPD would be reported to full Council on 22 July and that papers would be in the public domain approximately seven days before the meeting. A brief article was enclosed for use on parish websites and newsletters. All Parish Planning groups were sent information, and an article was also sent to 22 West Berkshire community newsletter editors.

Following Council decision to go out to consultation all 1,387 contacts on the database were sent a new email advising them of the consultation. 137 letters were sent to individuals without electronic communications, 84 to Parish and Town Councils and 3,000 to individual properties and businesses within 100 metres of a potential site. Parish and Town Councils were also sent posters for display on their notice boards.

A press release was issued which resulted in responses from BBC Berkshire, BBC local Radio, Jack FM as well as articles in the Newbury Weekly News and Reading Chronicle. An interview was recorded for Radio Breeze.

In addition the consultation was given "top billing" on the Council web site, had a "tweet" posted on the Councils' twitter account which has 4,813 followers.

I also understand that Facebook pages have also been set up by individual interest groups, which I believe are attracting many comments and followers.

As a result of this consultation strategy the level of response to planning policy has set a new record and this includes a number of petitions received from residents in Tilehurst, which Councillor Webster has already mentioned, Thatcham and Newbury and Cold Ash.

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 Alan Macro asked the following supplementary question:

"Quite a lot of that publicity was actually not by this Council, but it was by Parish and Town Councils and by action groups". Would you not agree that the very least you could do, or the Council could do rather, was to issue a press release in the week before the end of the consultation?"

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

Councillor Macro, words fail me – a press release. I think I should also remind all Members on both sides that it is incumbent on them as Ward Members to co-operate and communicate with their Parish Councils and their residents about what is happening in West Berkshire Council. That is what we are all elected for.

Councillor Macro said: *“That sounds like a criticism. I did actually have a leaflet delivered to every household.”*

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

I'm not criticising you personally Councillor Macro, I'm saying it is incumbent on every Member to inform their residents and their Parishes and I think that is what we've done and I think that the response that we've had has been absolutely phenomenal and I would thank all residents for their contribution.

(c) Question to be answered by the Portfolio Holder for Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support submitted by Councillor Alan Macro:

“Please could the Executive Member for Housing give me the latest status on the affordable homes provided in the Parkway development?”

The Portfolio Holder for Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support answered:

In many ways, I am saddened to have to answer this question in the way that I will. Parkway is an excellent commercial and residential development within Newbury. In 2009, the Council invested £900,000 into the Parkway development to help fund 37 affordable homes. The contractual trigger for Standard Life to deliver these affordable homes for 37 households in West Berkshire was met in March this year. The process for delivering the homes is for Standard Life to appoint a Registered Provider for Social Housing who then works with the Council's Housing Service to allocate them in the normal way. Standard Life were very late in making a commitment to this process and that has caused a significant delay.

In May this year Standard Life wrote to the Leader of the Council saying negotiations with a Registered Provider were well underway and would be complete in June. Richard Benyon, our local MP, was given a similar message when he visited Parkway.

At the end of June, I was very disappointed that a Registered Provider had still not been appointed. In early July, the Council decided to take action to encourage Standard Life to complete a contract with a Registered Provider. The freehold of Parkway is still held by West Berkshire Council and our approval is required for any private sector residential purchase to be completed. We have withheld this approval meaning no new private sector residential purchases have been completed since July. We told Standard Life this was what we were doing and that it will continue until a Registered Provider is appointed. We appreciate this will cause significant difficulty and distress to people wishing to complete purchases at Parkway and I wish it was not necessary. I also wish that they had been informed by Standard Life of the delay before those people made a commitment to purchase.

But we have been put into this position by Standard Life not delivering the affordable homes to a Registered Provider. We have a responsibility to the Council Tax payer who part funded Parkway and to the 37 families and households who should have been occupying the affordable homes for six months now.

As of today, no firm date has been given by Standard Life to appoint a Registered Provider. We will continue to encourage Standard Life to engage with a Registered Provider and to formally appoint one as soon as is 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?”*

Councillor Alan Macro asked the following supplementary question:

“Thank you for that comprehensive answer. My only supplementary really is, is there anything else that we can do to bring an end to this stand-off situation?”

The Portfolio Holder for Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support answered:

I'm a little legally constrained, so I'll get you a written answer on that one if I may.

(d) Question to be answered by the Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services, Countryside submitted by Councillor Tony Vickers:

“The construction of a new link road through Sterling Cables site will allow Mill Lane and Kings Road to become safe for cycling commuters from west Newbury who work in the Hambridge Road area - but it won't make the rest of their journey any safer. What is this Council planning to do to ensure safe cycle access for the many employees in this, the largest employment area in the District, whose journeys to work from the residential areas to the west of the town are too long to walk but who would like to be able to bike?”

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

Thank you for your question Councillor Vickers – it's most timely.

The issue of how cyclists are provided for and how cycling can be made more attractive in West Berkshire is already on the work plan for the Transport Policy team and has been discussed with Members.

I recently visited Copenhagen, and was impressed with the provision made for cyclists, in a city where 50% of the population cycles to work, I want us to look at how we cater for cyclists and encourage more cycling in West Berkshire. I know we are not Copenhagen, and we have to change a mind-set which is wedded to the car, but we need to try!

To this end, Transport Policy are in the process of establishing a Cycling Working Group which it is hoped will encompass a wide range of interested parties including for example: the Council's Cycling Champion, Spokes, interested local residents, the Public Health team, and other relevant officers.

The exact terms of reference for the group has yet to be agreed, but it is envisaged as time limited work (until March 2016) and will cover a wide range of cycling-related issues including:

- Looking at how cycling can be made safer in the whole of the District
- Assessing the suitability of existing infrastructure for residents, workers in the district and tourists
- Examining how cyclists needs can be best catered for as part of new highway schemes and in new developments
- How Road Safety education and training can help to make other road users more aware of cyclists, and to help cyclists ride more safely
- How we can provide more dedicated cycling lanes and reduce conflicts between pedestrians and cyclists.

Furthermore, this will be discussed at the next meeting of the Cycle Forum where members of the group will be asked to identify safer cycling routes and any gaps in the existing cycling network, particularly in the Newbury and Thatcham areas and I would welcome your involvement in the Cycle Working Group.

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 Tony Vickers asked the following supplementary question:

“Yes. You haven’t actually dealt with the city area, which is under the, if you like, broken links or missing links in the cycle network and I will be at the Cycle Forum next week. My supplementary Councillor Cole, is would you like to accompany me, by bike, on that particular journey in my constituency between Northcroft Ward and the industrial estate? I think it would help deal with the specific issues that I was pointing to on this particular route that my constituents take.”

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

Thank you Councillor Vickers. I must decline your kind invitation for a cycle ride. I am happy to accompany you on foot.

I’ll tell you a small short story: Living in Sheffield as a child I had a bicycle, but we lived on a very steep hill. My first bike ride down the hill, I forgot to apply the brakes, crashed into the wall at the bottom of the hill and was never allowed on a bike after that!

(e) Question to be answered by the Leader of the Council submitted by Councillor Keith Woodhams:

“What is the Leader of Council doing to promote the use of Smartphone Apps, such as Fix My Street, to make it easier and quicker for members of the public to report problems such as the recent BT works in London Road, so that West Berkshire Council can take urgent action to return the road network to normality as soon as possible?”

The Leader of the Council answered:

Well first, I wouldn't recognise that we aren't taking urgent action to return the road network after its been damaged in what ever way, so I don't think I'd agree with the second part of your question.

The Council's new website gives people the same ability to report problems on roads as the Fix my Street application actually does and the same as many similar third party applications, so promoting the use of independent applications such as Fix my Street would be a little bit superfluous and a questionable use of Council money. The homepage of our website gives people a clear and easy way to report problems and our new website uses 'responsive design' which means the pages work well on smartphones. Another issue with the Fix my Street app is that it doesn't always work on some of the older smartphones that people in the country have to use sometimes. So the website is a more accessible portal for a wider group.

That said, four years ago we did work with Fix my Street and were one of the earliest adopters of international standard "Open311" which apparently means that any reports relating to West Berkshire via Fix my Street are forwarded to our back office anyway and I'm not really seeing what the problem is that needs to be fixed by this.

It does not make sense for the Council to spend money on promoting apps such as Fix my Street or the very many similar third party applications that exist, when our own digital reporting system perfectly adequately does the job.

Furthermore, the government's Local Government Digital Service recommends councils do not create their own apps but develop their own website services further so they are adequate for the task.

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 did not have a supplementary question.

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