

EXECUTIVE MINUTES OF THE MEETING HELD ON THURSDAY, 19 DECEMBER 2019

Councillors Present: Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Hilary Cole, Lynne Doherty, Rick Jones, Ross Mackinnon, Richard Somner and Howard Woollaston

Also Present: John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Sarah Clarke (Head of Legal and Strategic Support), Martin Dunscombe (Communications Manager), Tess Ethelston (Group Executive (Cons)), Joseph Holmes (Executive Director - Resources), Andy Sharp (Executive Director (People)), Jon Winstanley (Head of Transport and Countryside), Councillor Adrian Abbs, Rebecca Bird (HR Manager), Councillor Jeff Brooks, Stephen Chard (Principal Policy Officer), Councillor Carlyne Culver, Councillor Lee Dillon, Councillor Owen Jeffery, Councillor Alan Macro, Councillor David Marsh, Councillor Steve Masters and Councillor Tony Vickers

Apologies for inability to attend the meeting: Councillor Erik Pattenden

PART I

64. Declarations of Interest

Councillor Lee Dillon declared an interest in Agenda Item 3 by virtue of the fact that he worked for Sovereign Housing Association, but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate.

Councillor Steve Masters declared an interest in Agenda Item 3 by virtue of the fact that he was the Chair of Trustees for Eight Bells for Mental Health, but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate.

Councillor Carlyne Culver declared an interest in Agenda Item 5 by virtue of the fact that she had investments in Abundance (the private company proposed to administer the Community Investment Scheme), but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate.

Sarah Clarke (Monitoring Officer) reported that both Nick Carter (Chief Executive) and John Ashworth (Corporate Director – Place) had an interest in Agenda Item 6 by virtue of the fact that the proposals, if approved, would affect their salary scales. They would therefore be leaving the meeting during the course of consideration of the matter.

65. Preventing Homelessness and Rough Sleeping Strategy (EX3832)

The Executive considered a report (Agenda Item 3) concerning the Preventing Homelessness and Rough Sleeping Strategy.

Councillor Hilary Cole introduced the report by explaining that the Ministry of Housing, Communities and Local Government (MHCLG) required all councils to have a strategy adopted by 31 December 2019.

She was pleased to propose West Berkshire's Preventing Homelessness and Rough Sleeping Strategy for adoption. Councillor Cole gave thanks to partner agencies for their input. This was a good example of partnership working.

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Councillor Cole highlighted some key achievements in respect of delivering services for households who were homeless or threatened with homelessness:

- Assisted 68% of homelessness prevention duty cases in 2018/19 into long term accommodation.
- Utilised Discretionary Housing Payments (DHP) to support 33% of households to prevent homelessness.
- Assisted 25% of homelessness relief duty cases in 2018/19 into social housing.

Councillor Rick Jones seconded the proposed adoption of the Strategy. He commended the exemplary work of officers and Members to reduce homelessness in West Berkshire, most particularly over the past year. He also praised the work of the Homelessness Strategy Group in helping to make improvements.

Councillor Alan Macro was disappointed that prevention was not highlighted as a priority in its own right in the Strategy, as prevention work saved money in other areas. In response, Councillor Cole explained that the Housing Team provided an excellent service to people who were homeless or at risk of being homeless. The team had been restructured and a new manager was in place. Prevention work was key and formed the main thrust of the Council's work. Prevention was also a requirement of the Homelessness Reduction Act.

Councillor Macro next questioned what was being done to lobby Government for a change in policy. The Strategy highlighted concerns over areas including low Local Housing Allowance (LHA) rates and Government legislation on benefit incomes. Councillor Cole confirmed that the Council lobbied Government on a regular basis and held discussions with Members of Parliament. She added that the Council had a good working relationship with the MHCLG and were able to communicate points of concern. The Council had been successful in securing Government funding.

Councillor Macro followed this question by asking if lobbying would be resumed once the new Government had reshuffled. Councillor Cole confirmed that lobbying would continue.

Councillor Macro then queried plans to purchase temporary accommodation. Councillor Cole explained that the purchase of three further temporary units was in process. She added that the Council had been successful in placing people into temporary accommodation rather than bed and breakfast. She gave thanks to officers for this work.

Councillor Macro next highlighted the importance of bringing empty homes back into use to alleviate homelessness. It was therefore disappointing that there was no longer an Empty Homes Officer. Councillor Cole advised that the potential to reinstate the post was being looked into. She also made the point that properties could be empty for a number of reasons. Councillor Cole also added that as of April 2019, a higher rate of Council Tax (3 times higher) was set for empty homes.

Finally, Councillor Macro referred to the number of units available at Thomas Askew House. The report stated 26 units, but he was aware this was only 10. He was therefore concerned that other figures in the Strategy could be incorrect. Councillor Cole agreed to provide a written response to confirm the number of units at Thomas Askew House. She was however confident on the accuracy of the Strategy beyond this point of clarification.

Councillor Steve Masters was concerned that there was a gap between the required social/affordable housing stock and the reality. Opportunities should not be missed for affordable homes. Councillor Cole disputed that there was a gap and stated that affordable homes were being provided. She acknowledged that the Market Street development had a lower affordable housing provision but this was an exemption. This particular development would provide many other benefits including a bus station, multi-

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storey car park and a new approach to the train station. The housing units would all be available for rent and this would be more affordable than mortgages.

Councillor Cole added that work was ongoing to reinstate the Landlord Forum.

Councillor Owen Jeffery referred to paragraph 5.2 of the report, which stated that new legislation should be allowed to bed in before reviewing the Council's strategic approach to homelessness and rough sleeping. He questioned this approach and whether the Council should instead be responding more immediately to new legislation.

Councillor Cole advised that 12 individuals needed to be recruited to help implement the legislative requirements of the Homelessness Reduction Act, seven of whom had already been recruited. The Council had moved as swiftly as possible in this area and had worked unrelentingly to implement the legislative requirements.

Councillor Jeffery also referred to paragraph 5.6 (5) to point out that the percentages needed correcting.

Councillor Masters reiterated a question he asked at a previous Executive on the cost of employing Ridgeway Associates to undertake the consultation process. Councillor Cole did not have the sum to hand and would therefore provide it in writing. However, irrespective of this cost, the Council needed to adopt the Strategy by the end of the calendar year. There was not the available resource to conduct this internally and so consultants were employed. Doing so was not out of keeping with other areas of the Council's activity.

Councillor Carolyn Culver returned to the point already made that LHA rates were low. However, she queried how this compared with other local authorities. Councillor Cole responded by explaining that the LHA rate in West Berkshire was low compared to surrounding local authorities.

Councillor Culver also queried the amount by which the Council was subsidising private sector rents for eligible residents. Councillor Cole advised that this was covered within discretionary housing payments and was not a standalone figure.

RESOLVED that the Preventing Homelessness and Rough Sleeping Strategy be adopted, subject to a double check of the points raised at this meeting on percentages and numbers of housing units.

Other options considered: The option not to adopt a Preventing Homelessness and Rough Sleeping Strategy was dismissed as the adoption of a strategy before 31 December 2019 is a requirement of the Ministry of Housing, Communities and Local Government.

66. **Response to a Motion on reopening London Road Industrial Estate Football Ground (EX3844)**

The Executive considered a report (Agenda Item 4) which proposed a response to the Motion put to Council to reopen the London Road Industrial Estate (LRIE) football ground and to reinstate its facilities to their previous condition.

Councillor Rick Jones proposed the report's recommendations. This included the recommendation that the LRIE football ground would not be reopened. Councillor Jones explained that reopening the ground as a Step 5 facility would incur very significant costs. This was felt to be a poor investment when considering that the football ground site would form part of the wider LRIE redevelopment.

The provision of a high quality facility would be sought as soon as possible in line with the Playing Pitch Strategy.

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The report also recommended that the ground be opened as an informal area of grassland for general sports and recreation use, until such time as the ground was required as part of the LRIE redevelopment.

Councillor Jones added that the Newbury Community Football Group (NCFG) had seen the current condition of the football ground and he felt that they recognised its poor state. The Group had requested that some competitive football could still be played on the site and this would be investigated.

Councillor Lee Dillon gave thanks for the report. He recognised that refurbishment costs of the football ground would be high. However, he felt this was a result of the ground not being looked after properly. It had not been played on for three years and no action had been taken on the site. Councillor Dillon felt that the ground should have been decommissioned in a more sensitive manner.

Councillor Dillon continued by stating that the regeneration of the LRIE was needed. However, the Liberal Democrat Group would have sought an alternative home for the football club before they were evicted.

Councillor Jones stated that efforts had been made to find alternative provision. He reiterated the intention to provide a high quality facility as quickly as possible.

Councillor David Marsh referred to the regular attendance of members of the NCFG at Executive meetings. He felt that more should have been done to engage with the group and he questioned whether they had been consulted. Councillor Jones stated that he had engaged personally with the NCFG for many months, including meeting with them at the site. He sought to work positively with them.

The NCFG had not been consulted on the Playing Pitch Strategy as they were not a constituted sporting body.

Councillor Steve Masters welcomed the fact that the football ground would be opened in some form. He questioned whether the Council had prematurely closed the football ground. Councillor Jones advised that the important point to focus on was moving forward positively to resolve the issue and the solution would not come from one football ground. The Playing Pitch Strategy would cover all levels of football. He did however add that the ground was closed due to the Council's circumstances at that time, but unfortunately the redevelopment project had suffered delays.

Councillor Tony Vickers drew attention to the policy implications in the report, specifically the reference to Policy CS18 of the West Berkshire Core Strategy (2012). This stated that the loss of green infrastructure was only permitted in exceptional circumstances and if an exception was agreed then a replacement of equal or greater size and standard would be required. Councillor Vickers felt that the length of time this had taken was disgraceful.

Councillor Jones advised that alternative provision would be found as soon as possible.

RESOLVED that:

- The Council does not re-open the LRIE football ground.
- The Executive proceeds with plans to open the ground as an informal area of grassland for general sports and recreational use until such time as the ground is required as part of the LRIE redevelopment.
- The Executive approves a budget of £85,000 to appoint consultants to produce a new development brief and masterplan for the LRIE.
- In the New Year, consultants are appointed by competitive tender to review and plan the reprovision of football facilities elsewhere within Newbury.

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Other options considered:

- To allow the football ground to be re-occupied. The football ground and associated facilities occupies approximately 20% of the developable land on the LRIE and where all other land on the LRIE is protected employment land. In order to financially support regeneration of employment land and where such development is financially far more challenging than residential development, a quantum of land within the LRIE must be found in order to deliver residential development which will financially support regeneration of employment land. Unless financial cost of redevelopment is not a consideration, regeneration of the LRIE is not possible without inclusion of the football ground land. Further to this relocating football within Newbury to a new site capable of being offered on a long lease represents an opportunity to create a sustainable site, capable of fully expanding to Step 5 and where the cost of such expansion can attract external funding.
- To convert the former football pitch to a grass based multi-use games area (MUGA) with floodlighting and 4m high security fencing and hoarding similar to the existing degraded fencing at a cost of £130,000. This option will cost substantially more than conversion to a timber post and rail fenced area of simple grassland available for general public access and yet will achieve little more than the grassland timber post and rail option. During negotiations with Sport England over the Council's recently approved Play Pitch Strategy, it is clear the FA no longer has a long term interest in the former LRIE football ground now that sustainable football re-provision options, capable of reaching Step 6 or higher within Newbury, have been identified in the Play Pitch Strategy. As a result the £130,000 cost of conversion to a MUGA is seen as poor value and has been discounted as an option.

67. Community Investment Scheme (EX3860)

The Executive considered a report (Agenda Item 5) which set out the ability for the Council to take part in a pilot of local authorities to issue community "bonds" that provide funding for infrastructure.

Councillor Ross Mackinnon introduced the report and stated that this was an excellent scheme. In order to align with the Council's climate emergency and emerging Environment Strategy, it was proposed that the community bond be established as a "Climate Change Bond" to fund activities to help deliver the commitment to be carbon neutral by 2030.

The scheme would be administered by a private company on behalf of the Council. This could enable the Council to access borrowing rates at a cheaper rate than via the Public Works Loans Board. If successful, the pilot could be rolled out more widely, including to residents. This would enable residents to take a personal stake in the Environment Strategy.

Councillor Steve Ardagh-Walter seconded the report. Its proposals would strongly support the Environment Strategy.

Councillor Carolyn Culver welcomed the proposal. She did however have a number of queries. She firstly sought reassurance that the funding would be utilised within West Berkshire. Councillor Mackinnon expected the vast majority if not all funding to be used in West Berkshire to help deliver the Environment Strategy.

Councillor Culver noted that an external grant of up to £25,000 was anticipated. However, she questioned the certainty of this funding when considering that it was

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European Union (EU) funding. Councillor Mackinnon advised that to date, the grant was assured. He was not aware of any doubt over receipt of this funding.

Councillor Culver's next queried if there were examples of other successful projects run by Abundance (the private company referred to). Councillor Mackinnon explained that many local authorities had worked with Abundance.

In response to Councillor Culver's final question on this item, Councillor Mackinnon felt that the community bond would be an attractive investment that would achieve a positive rate of return.

Councillor Culver stated that she looked forward to hearing more. She raised the importance of publicising this to residents at the appropriate time.

Councillor Adrian Abbs also felt that this was a good initiative. He did however have concerns in relation to the timescales being worked to when the Council had committed to being carbon neutral by 2030, and whether the Council needed to be more ambitious. As this was only a pilot scheme it would take time before full implementation. Councillor Mackinnon felt that the Council was being suitably ambitious. He felt that the pilot would be a useful way to test the scheme in the first instance.

RESOLVED that:

- Approval be granted for the Council to take part in the pilot scheme for Community Bonds.
- A subsequent paper would come back to the Executive to approve or otherwise the issuing of Community Bonds.

Other options considered:

- Not progress with the pilot. This has been discounted as this is a rare opportunity to be part of a scheme such as this at its inception.
- Progress with other non-Public Works Loans Board (PWLB) borrowing. This option is being progressed simultaneously to ascertain the options for private sector and public sector borrowing, but will be on a similar timescale to the Community Bond. The Community Bond alone will not provide, in the pilot, all of the Council's borrowing requirement for the coming years.

68. Senior management posts of Chief Executive, Executive Director (Place), Service Director and Service Lead (EX3825)

(Nick Carter and John Ashworth left the meeting at 6.10pm).

The Executive considered a report (Agenda Item 6) which sought permission to increase the salary range for the post of Chief Executive in accordance with the external independent advice from South East Employers (SEE) from 1 April 2020.

The report proposed the establishment of the post of Executive Director (Place) on 1 April 2020. The Executive had already decided on the remuneration levels for the new posts of Executive Director (People) and Executive Director (Resources). Both of these posts had been filled. The Executive was now asked to approve the establishment and remuneration level for the post of Executive Director (Place) from 1 April 2020.

The report proposed the establishment of two levels of senior management posts of Service Director and Service Lead based on external independent advice received from SEE.

The new salary scales for the post of Chief Executive and Executive Director (Place) would take effect from 1 April 2020. The remuneration for the posts of Service Director

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and Service Lead would take effect on the first day of a new appointment if that was before 1 April 2020. The salary would then increase within the National Joint Council (NJC) 'cost of living' award on 1st April 2020.

Councillor Howard Woollaston felt that the Council had an outstanding senior management team who should be remunerated appropriately. He commended the report to the Executive. Councillor Lynne Doherty seconded the report. She raised the importance of future proofing the organisation for the years ahead.

Councillor Graham Bridgman felt it was important to reflect and act upon the independent advice given by SEE. The Chief Executive and Executive Directors needed to be paid at an appropriate level. In Councillor Bridgman's view, the Chief Executive was currently underpaid in comparison to the market. An increased salary would need to be offered to recruit a new Chief Executive in the future.

If the proposals were approved then the Council would still be in the lower quartile for senior officer pay across the Berkshire unitary authorities and beyond.

Councillor Jeff Brooks felt it would have been useful to include in the report a comparison of the salaries paid by the Council with the salaries of other areas. Councillor Doherty explained that this was contained in the original paper to the Executive in March 2019. However, she acknowledged that it would have been useful to repeat this information.

Councillor Carolyn Culver questioned if this was the right approach to take. She felt that it sent the wrong message as the gap to the lowest paid employees was growing. Percentage increases should apply to all staff. Councillor Doherty advised that all staff had received 2% increases in each of the last two financial years.

Councillor Culver then queried the inclusion of car allowances for some senior managers. Councillor Doherty explained that this was because this formed part of the original contract and terms for some officers. It was however removed for all new employees.

RESOLVED that:

- the current post holder be moved into the new salary scale for Chief Executive on 1st April 2020 at a scale point no less than his current salary;
- the current Corporate Director (Economy & Environment) is moved into the new role of Executive Director (Place) on 1st April 2020 on the salary scale proposed and at a spinal column point no less than the post holder's current salary;
- the posts of Service Director for Adult Social Care, Environment and Strategy & Governance be established and recruited to early in 2020;
- any Special Recruitment Payment to be applied to a Service Director post should be approved by the Head of Paid Service (Chief Executive) in conjunction with the Leader of the Council; and
- the final decision on pay structure for the Service Lead posts should be delegated to the Head of Paid Service.

Other options considered: None – the need for this report was approved by the Executive on 28 March 2019.

69. Revenue Financial Performance Report - Q2 of 2019/20 (EX3796)

(Nick Carter and John Ashworth returned to the meeting).

The Executive considered a report (Agenda Item 7) concerning the Council's Quarter Two revenue financial performance.

Councillor Ross Mackinnon introduced the report and commended the Council's strong financial management. The Quarter Two forecast was an overspend of £222k. This was

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0.2% of the Council's 2019/20 net revenue budget of £125m. £263k of costs had reserve provision against them which, if used, would lead to a year end forecast of a £41k underspend.

The small underspend was primarily due to Adult Social Care clients in some services tracking at a lower level than the modelled demand. However, demand led services in particular would continue to be closely monitored.

Councillor Graham Bridgman commented that the modelling was working, although there were fewer clients than modelled. Councillor Bridgman acknowledged that there had been a significant increase to the Council's Adult Social Care budget, but this report showed that financial management was on track.

Councillor Bridgman commended officers for their work in obtaining Continuing Healthcare funding to support the Council's budget for relevant clients with high cost care packages.

Councillor Owen Jeffery added his thanks to officers for rightly securing Continuing Healthcare funding.

Councillor Jeffery then queried whether the reduced demand and the resultant underspend could be related to a higher number of elderly clients sadly reaching the end of their life earlier than expected. Councillor Bridgman acknowledged the point. However, he did not believe this to be a particular issue. This was an area regularly monitored by officers.

Councillor Alan Macro referred to the increase in court costs for the recovery of Council Tax debt of £39k. The commentary explained that a report had yet to be written on the reasonableness of increasing the costs. Councillor Macro queried the reasons for this delay. He recalled raising this at a previous meeting.

Councillor Mackinnon explained that the £39k did not relate to a delayed report. Councillor Macro felt that the report could aid justification of increasing costs if it improved cost recovery. Councillor Lynne Doherty agreed to provide a written response on that point.

Councillor Jeff Brooks queried whether it would not be necessary in this financial year for the Resources Directorate budget to help balance the budget. In response, Nick Carter commented that he was no longer the Resources Director.

RESOLVED that the Quarter Two revenue financial performance report be noted.

Other options considered: None.

70. **Capital Programme Financial Performance Report - Q2 of 2019/20 (EX3800)**

The Executive considered a report (Agenda Item 8) concerning the Council's Quarter Two capital financial performance.

Councillor Ross Mackinnon raised the importance of funding and undertaking capital projects for the benefit of residents. For example, education projects and infrastructure improvements.

Councillor Dominic Boeck confirmed that much of the programme was devoted to improving school facilities.

Councillor Jeff Brooks queried the level of confidence that the capital funding allocation for 2019/20 would be spent as planned. Councillor Mackinnon was very hopeful that this would be the case.

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RESOLVED that the Quarter Two capital financial performance report be noted.

Other options considered: Not applicable.

71. Exclusion of Press and Public

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006. Rule 8.10.4 of the Constitution also refers.

72. Proposed Redundancies (EX3808)

(Paragraph 1 – information relating to an individual)

(Paragraph 2 – information identifying an individual)

The Executive considered an exempt report (Agenda Item 10) which sought approval to make the redundancy payments set out in the exempt report associated with savings to deliver the 2020/21 revenue budget.

RESOLVED that the recommendations in the exempt report be agreed.

Other options considered: Not applicable.

(The meeting commenced at 5.25pm and closed at 6.37pm)

CHAIRMAN

Date of Signature