



Meeting of West Berkshire District Council

Thursday 12 September 2019

Summons and Agenda



WestBerkshire
C O U N C I L

To: All Members of the Council

You are requested to attend a meeting of
WEST BERKSHIRE DISTRICT COUNCIL
to be held in the
**COUNCIL OFFICES, MARKET STREET,
NEWBURY**
on
Thursday 12 September 2019
at 7.00pm

Sarah Clarke.

Sarah Clarke
Head of Legal and Strategic Support
West Berkshire District Council

Date of despatch of Agenda: Wednesday 4 September 2019

AGENDA

1. **APOLOGIES FOR ABSENCE**

To receive apologies for inability to attend the meeting (if any).

2. **CHAIRMAN'S REMARKS**

The Chairman to report on functions attended since the last meeting and other matters of interest to Members.

3. **MINUTES**

The Chairman to sign as a correct record the Minutes of the Council meeting held on 2 July 2019. **(Pages 9 - 16)**



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4. DECLARATIONS OF INTEREST

To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).

5. PETITIONS

Councillors may present any petition which they have received. These will normally be referred to the appropriate body without discussion.

6. PUBLIC QUESTIONS

Members of the Executive to answer the following question submitted by a member of the public in accordance with the Council's Constitution:

- (a) **Question to be answered by the Executive Member for Economic Development and Planning submitted by Mr Lee McDougall:**

"Who will foot the bill for the Councils own estimates of costs of £1m (excluding land) to build a replacement step 5 facility to replace the community football ground in Faraday Road (should the Council eventually obtain planning permission to build flats on the site of the community football ground)?"

7. MEMBERSHIP OF COMMITTEES

The Council to agree any changes to the membership of Committees.

8. LICENSING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Licensing Committee has not met.

9. PERSONNEL COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Personnel Committee has not met.

10. GOVERNANCE AND ETHICS COMMITTEE

The Council is asked to note that since the last meeting of Council, the Governance and Ethics Committee met on 29 July 2019. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

11. DISTRICT PLANNING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the District Planning Committee met on 21 August 2019. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

12. OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

The Council is asked to note that since the last meeting of the Council, the Overview and Scrutiny Management Commission met on 9 July 2019. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

13. JOINT PUBLIC PROTECTION COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Joint Public Protection Committee has not met.

14. RESPONSE TO THE CONSULTATION AND MOTION ON HEATHROW EXPANSION (C3804)

The purpose of the report is to:

- (i) respond to the motion submitted to the Council meeting on 2nd July 2019 relating to the expansion of Heathrow Airport, and
- (ii) set out a draft response to the current consultation on Heathrow expansion which is open from 18th June to 13th September 2019. **(Pages 17 - 52)**

15. NOTICES OF MOTION

- (a) **The following Motion has been submitted in the name of Councillor Lynne Doherty:**

“This Council notes that 96% of councils across England do not have a formal Parental Leave Policy in place for elected members and considers that the lack of such a Policy may deter new or prospective parents, and particularly women, in standing for election in the first place and, if they are elected, could be a barrier to their fulfilling their role.

Local Government is the cornerstone of our democracy; delivering services that people rely on and serving our communities. There is at present no right to parental leave for those in elected public office, but we should do all we can to encourage as wide as possible a range of candidates to stand for election. Improved provision for new parents should contribute towards increasing the diversity of experience, age and background of local authority councillors. It should also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

An issue with introducing a Parental Leave Policy for Members is that a Member taking parental leave in accordance with the policy could find themselves in breach of s85(1), Local Government Act 1972 (“if a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some good reason approved by the Authority before the expiry of

that period, cease to be a member of the Authority”).

It is therefore proposed that this Council agrees the following resolution with the intention of (a) introducing a Parental Leave Policy for Members in due course, (b) delegating to the Personnel Committee the ownership of the new policy, and (c) suspending the effect of s85(1) whilst a Member is taking parental leave.

This Council resolves that (a) the Personnel Committee shall be delegated with (i) the agreement and adoption of a Parental Leave Policy for Members and (ii) any subsequent amendments to it, (b) if a Member takes parental leave in accordance with the Policy once adopted the period of such parental leave (“the Period”) shall be treated as a good reason for the Member failing to attend any meeting or meetings during the Period for the purposes of section 85(1) of the Local Government Act 1972, and (c) the Monitoring Officer is authorised to approve such absences during the Period and to make any consequent amendments to the Council’s Constitution necessary.”

(b) The following Motion has been submitted in the name of Councillor Lee Dillon:

“This Council notes:

- The majority of West Berkshire Residents voted to remain in the referendum in 2016.
- That West Berkshire is projected to see a drop in GVA (Gross Value Added) of -2.3% in the event of a no deal Brexit*
- That additional resources from Central Government to plan for a no deal Brexit locally have not been made available
- That a shrinking economy leads to lower tax revenues putting more strain on already underfunded public services.
- That on 12th August 2019 our local MP, Richard Benyon, put his name to a letter to the Prime Minister urging him to avoid a no deal Brexit.

This Council therefore:

- (1) Wishes to formally add its voice to those calling for a confirmatory referendum on the final Brexit outcome to be held while we remain members of the EU. The options in this referendum should be to leave the EU with whatever the Government’s specific plan is, or to remain in the EU on our current terms.
- (2) Will write to our 3 local MPs:
 - (a) note that we share Richard Benton MP’s alarm at the ‘Red Lines the Prime Minister has drawn’ which appear to make no deal the most

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- likely Brexit outcome
 - (b) to express our concern about the expected negative economic impact of a no deal Brexit on West Berkshire
 - (c) urge them to do all they can to prevent a no deal Brexit
 - (d) urge them to join West Berkshire Council in supporting a confirmatory referendum to ensure explicit public support for the final course of action.
- (3) Will write to the Chancellor of the Duchy of Lancaster (No Deal Planning) to request additional resources to enable us to carry out a detailed impact study on our local economy in order to:
- (a) understand the full impact of a no deal Brexit on services run solely by West Berkshire Council.
 - (b) prepare a plan to mitigate/deal with the identified impacts”.

- (c) **The following Motion has been submitted in the name of Councillor Alan Macro:**

“Selection of Development Sites for the New Local Plan

This council notes that sites to be allocated for development in past local plan documents have been selected by a task group meeting in private and, although the local plan documents were approved for submission and adoption by full Council, it proved not possible to change which sites were included. The decisions on which sites should be included in the local plan documents were therefore effectively taken behind closed doors.

Council therefore resolves that, in the interests of transparency and democracy, development sites to be included in the submitted new Local Plan should be selected in public. Local members, parish councils, the public and site promoters should have speaking rights similar to those at planning committees.”

- (d) **The following Motion has been submitted in the name of Councillor Alan Macro:**

“CO2 Emissions and Water Usage

This council notes that it has declared a climate emergency and adopted a policy of achieving carbon neutrality by 2030. Given that private dwellings account for around 20% of carbon dioxide emissions, it is essential for measures to be urgently taken to reduce the emissions from new dwellings and extensions to be reduced by the maximum possible. This council also notes concerns by the Environment Agency and others about the effect of water abstraction on our watercourses and, particularly, on our chalk streams. Thames Water is classified as being under serious stress.

This council therefore resolves to draw up and adopt a Supplementary Planning

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Document within six months requiring new dwellings and extensions to be built to standards requiring carbon dioxide emissions and water consumption to be minimised to the maximum extent consistent with government guidance.”

(e) **The following Motion has been submitted in the name of Councillor Lee Dillon:**

“Re-open the Faraday Road Football Club Ground to its previous condition

This Council notes:

- It served an eviction notice on the tenants of the Faraday Road Football site resulting in the site being vacant since June 2017
- That the Council was obligated to secure the site in its Development Agreement with St Modwen Developments Limited relating to the planned redevelopment of London Road Estate (LRE)
- That the Chief Executive of West Berkshire Council confirmed at a Newbury Vision meeting on that it would be 3 years before any works would be carried out on the site
- That the Council has foregone an income stream in rent since it evicted the tenants of the football club
- That the Executive of West Berkshire Council agreed on in December to allocate £88,000 secure the site following the eviction.
- That the Council allowed the removal of the football stand despite it being part of an Asset of Community Value (reg. number) and part of a protected local Sports Facility Cultural Facility registered by the Council in the Core Strategy
- That according to the Councils own planning policies Area Delivery Plan Policy 2 (ADPP2) and Core Strategy Policy 18 (CS18) the Ground is protected as a facility for organised football. In regard ADPP2 the Ground is identified on the CS proposals map as a cultural facility “sports stadium” and labelled on the Map as “Football Ground”. *“Existing community facilities will be protected and, where appropriate, enhanced. These include leisure and cultural facilities, which contribute to the attraction of the town for both residents and visitors.* In regard CS18 (with added emphasis) *“The District’s green infrastructure will be protected and enhanced **Developments resulting in the loss of green infrastructure or harm to its use or enjoyment by the public will not be permitted. Where exceptionally it is agreed that an area of green infrastructure can be lost a new one of equal or greater size and standard will be required to be provided in an accessible location close by.**”* And supporting text para 5.124: *“For the purposes of this Core Strategy, green infrastructure is defined as: **Outdoor sports facilities (with natural or artificial surfaces, either publicly or privately owned) – including sports pitches,.....**”* and para 5.129 *“Sporting provision ranges from established sports clubs with good facilities such as **Newbury Town, Thatcham Town and Hungerford Town Football Clubs.....**”*



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- That following the Court of Appeal declaring in November 2018 the Development Agreement with St Modwen “ineffective” the Council it has decided to reappraise LRE and is currently creating a development brief for the Estate.
- That the Councils Overview and Scrutiny Commission is currently undertaking a review of events that led to the decision by the Court of Appeal.

Therefore Council resolves:

- To commission a report into the costs associated with re-opening the existing football ground to include the reinstatement of the stand.
- To proceed with formal agreement on a development brief for LIRE only after the conclusion of the Overview and Scrutiny Commission investigation into the previous actions relating to the project so that any recommendations and required changes to process and authorisations can be taken into consideration and actioned.”

16. **MEMBERS' QUESTIONS**

Members of the Executive to answer the following questions submitted by Councillors in accordance with the [Council's Constitution](#):

- (a) **Question to be answered by the Executive Member for Transport and Countryside submitted by Councillor Phil Barnett:**

“Now the new bus station in Newbury is fully operational what incentives are being offered by West Berkshire Council to the charter coach companies to break their journey and stop off in the town?”

- (b) **Question to be answered by the Executive Member for Transport and Countryside submitted by Councillor Phil Barnett:**

“Whilst welcoming the pot hole repair programme taking place at present, is the Executive Member for Highways expecting all recognised pot holes on classified roads to be filled in before the winter sets in?”

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