

DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

EXECUTIVE

MINUTES OF THE MEETING HELD ON THURSDAY, 5 SEPTEMBER 2019

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

Also Present: Paul Anstey (Head of Public Protection and Culture), John Ashworth (Corporate Director - Environment), Sarah Clarke (Head of Legal and Strategic Support), Tess Ethelston (Group Executive (Cons)), Kevin Griffin (Head of ICT & Corporate Support), Olivia Lewis (Group Executive (Lib Dem)), Andy Sharp (Executive Director (People)), Councillor Adrian Abbs, Councillor Peter Argyle, Rebecca Bird (HR Officer), Stephen Chard (Principal Policy Officer), Councillor Carolyne Culver, Councillor Lee Dillon, Councillor Royce Longton, Councillor Steve Masters, Councillor Erik Pattenden, Councillor Martha Vickers and Councillor Tony Vickers

Apologies for inability to attend the meeting: Councillor Jeff Brooks and Councillor David Marsh

PART I

31. Minutes

The Minutes of the meeting held on 25 July 2019 were approved as a true and correct record and signed by the Leader.

32. Declarations of Interest

Councillor Richard Somner declared an interest in Agenda Item 9 by virtue of the fact that he was a Member of Holybrook Parish Council, 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 and vote on the matter.

Councillor Jeff Cant declared an interest in Agenda Item 15 by virtue of the fact that he lived in close proximity to Love Lane, 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 and vote on the matter.

Councillor Lynne Doherty declared an interest in Agenda Item 15 by virtue of the fact that she was Ward Member for the area, 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 and vote on the matter.

Councillor Steve Masters declared an interest in Agenda Item 15 by virtue of the fact that he was Ward Member for the area, 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.

During discussion of the item, Councillor Lee Dillon declared an interest in Agenda Item 7 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.

33. Public Questions

A full transcription of the public and Member question and answer sessions is available from the following link: [Transcription of Q&As](#).

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(a) **Question submitted by Mr Vaughan Miller to the Portfolio Holder for Public Health and Community Wellbeing**

A question standing in the name of Mr Vaughan Miller on the subject of the publication of the Playing Pitch Strategy was answered by the Portfolio Holder for Public Health and Community Wellbeing.

(b) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Transport and Countryside**

A question standing in the name of Mr Thomas Tunney on the subject of disabled access to the Nature Discovery Centre was answered by the Portfolio Holder for Transport and Countryside.

(c) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Internal Governance**

A question standing in the name of Mr Thomas Tunney asking whether it was in the public interest to release details of any minor offences committed by elected councillors was answered by the Portfolio Holder for Internal Governance.

(d) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Economic Development and Planning**

A question standing in the name of Mr Thomas Tunney on the subject of whether or not the Council had sufficient beds for SWEP provision without having to require spaces from West Berkshire Homeless was answered by the Portfolio Holder for Economic Development and Planning.

34. **Petitions**

Mrs Jackie Paynter presented a petition containing 797 signatures which opposed plans to expand Heathrow Airport. The petition stated the view that the expansion of Heathrow Airport was incompatible with the urgent task of tackling climate change and pollution. The petition called upon West Berkshire Council to make a contribution to the public consultation expressing its opposition to expansion.

Councillor Lynne Doherty explained to Mrs Paynter that at the Council meeting on 12 September 2019, a report would be considered regarding Heathrow expansion. The petition would be considered and responded to as appropriate as part of the debate at the Council meeting.

35. **2019/20 Revenue Financial Performance Report - Quarter One (EX3795)**

(Councillor Lee Dillon joined the meeting at 5.20pm).

The Executive considered a report (Agenda Item 6) which outlined the Quarter One revenue financial performance. Councillor Jeff Cant presented the report. He commented that officers were very adept at managing the Council's budget in the face of many constraints.

The Quarter One forecast was an overspend of £620k, of which £210k was provided for in service risk reserves and risk management provision. If this was used then the forecast would reduce to a £410k overspend. This was 0.3% of the Council's 2019/20 net revenue budget of £125m. Councillor Cant reported that this was a small variance. Spend against the budget would be carefully tracked throughout the year.

Councillor Cant also commented that announcements in relation to additional government funding for local government, in particular education, would hopefully assist the Council with its finances moving forward.

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In response to the above point, Councillor Lee Dillon agreed that an increase in funding would be welcomed. However, he added that local government had been subjected to significant cuts since 2010 and the cumulative impact of this needed to be reflected upon alongside considering how much of the additional funding could actually be considered as an increase. Local government needed to be properly funded.

Councillor Cant agreed that local government funding needed to be at the right level, in particular for schools and care for the elderly.

Councillor Alan Macro referred to the savings and income generation programme, in particular the 'red' income target of £39k for the increase in summons (court) costs recovery of council tax debt. He noted that a report had yet to be written on this matter and queried if this delay was the reason why this target was reporting 'red'. Councillor Cant agreed to provide a response in writing once he had consulted the Section 151 Officer.

RESOLVED to note the report.

Other options considered: None.

36. **2019/20 Capital Programme Financial Performance Report - Quarter One (EX3799)**

The Executive considered a report (Agenda Item 7) which outlined the Quarter One capital financial performance.

In presenting the report, Councillor Jeff Cant drew attention to the progress being made with commercial property investment. The Council had achieved some success from investing in sound commercial property opportunities that had become available in recent years. However, these opportunities had been reducing.

The Council was therefore taking a prudent approach by reviewing the Property Investment Strategy and how funding was best invested. Until this review was completed, forecasting was based on the likelihood that the Commercial Property budget of £35 million would not be spent in year. This would result in budgeted revenue returns not being achieved and ways to offset this were being looked at.

Councillor Erik Pattenden noted that there was a £1.8 million underspend forecast in Education Services, much of which related to delays in The Willink expansion. He questioned the impact this was having on The Willink's students. Councillor Dominic Boeck confirmed that the delay to this project had no impact on students.

Councillor Alan Macro queried some of the underspends reported in Development and Planning. He firstly asked why the purchase of temporary accommodation had not completed. Councillor Hilary Cole explained the importance of ensuring that this accommodation was suitable for homeless families. Homes would need to be in close proximity to schools and accessible via public transport. Two properties remained to be purchased, nine had already been purchased. It was very important to have these properties to avoid the use of bed and breakfast facilities.

Councillor Cole added that the Council was in the process of purchasing more properties for the Housing First scheme.

Councillor Macro then queried the £559k underspend against the Disabled Facilities Grant (DFG). This was a demand led budget and Councillor Macro asked if enough was being done to promote awareness of this fund. Councillor Cole advised that the DFG was well advertised and eligible residents were signposted to it. It was a successful scheme and people were encouraged to come forward to apply for funds. The DFG was administered by a well-managed team who processed applications in a timely manner.

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Councillor Graham Bridgman added to this response by explaining that the total DFG budget was contributed to by Council funding. The DFG was being spent subject to suitable applications coming through and the underspend meant that the Council's financial contribution to the fund could reduce.

Councillor Lee Dillon suggested that future versions of the budget papers should show information separately for the DFG, i.e. DFG and Council funding. Councillor Cant agreed that this change would be made.

Councillor Dillon referred back to the points made on temporary accommodation and agreed that the provision needed to be suitable. He then asked if the Council had considered developing its own site rather than seeking to purchase a purpose built property.

Councillor Cole advised that all options would be considered. However, the Council was limited by the land it owned and could therefore develop. She did however highlight the Council's Joint Venture with Sovereign Housing Association for the provision of affordable housing.

Councillor Steve Masters questioned whether all options would be considered. He had previously made a suggestion that an investment pot could be created to fund a mix of accommodation that could form part of the property portfolio. He had given the Kennet Centre as an example at that time. Councillor Masters had been told this was 'too risky' but he queried whether a risk assessment had been conducted as he felt this could be commercially viable.

Councillor Lynne Doherty explained that a proposal of this type fell outside of the remit of the current Property Investment Strategy. She added that the Kennet Centre was a retail space.

Councillor Dominic Boeck made the point that the Property Investment Strategy did not permit investment in speculative prospects and the Kennet Centre would fall within that. It could become a consideration post the review of the Strategy but it currently fell outside of its remit.

Councillor Masters commented that property investment was speculative. Councillor Doherty responded by advising that investment opportunities would only be pursued if they adhered to the Strategy.

RESOLVED to note the report.

Other options considered: Not applicable.

37. **Treasury Management Annual Report 2018-19 (EX3806)**

The Executive considered a report (Agenda Item 8) which informed the Executive of the treasury management activity, including short and long term borrowing, and the performance of the Council's investments for the 2018/19 financial year.

Councillor Jeff Cant reported that net interest of £687k was earned on short term investments in 2018/19. He congratulated the officers on this achievement. Councillor Cant was confident that this very efficient team would continue this good work into the future.

Councillor Lee Dillon was aware that the Treasury Management Strategy permitted investments for up to two years in the hope of achieving a greater level of return. He questioned how much of the £687k came from one year investments and how much from two years. Councillor Cant agreed to provide a written response to this point.

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(Post meeting note: all the investment income in 2018/19 was earned from investments for no more than one year).

Councillor Dillon noted from the report that the Council's long term capital financing debt with the Public Works Loan Board (PWLB) was just over £200 million. He asked Councillor Cant for his view on whether this was a manageable debt. Councillor Cant explained that the Council's borrowing was governed externally by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the level of debt was subject to an annual audit. The external view from this was that the Council's borrowing and investment was both effective and efficient, and adhered to the necessary guidance.

RESOLVED to note the report.

Other options considered: Not applicable.

38. **Devolution: garage adjacent to Beansheaf Community Centre, Calcot (EX3756)**

The Executive considered a report (Agenda Item 9) which sought authority to devolve the freehold interest in The Garage at Beansheaf Community Centre in Calcot from West Berkshire Council to Holybrook Parish Council for a nominal consideration. Councillor Jeff Cant proposed acceptance of the recommendation to devolve the freehold interest.

Councillor Alan Macro clarified the point made in paragraph 5.1 of the summary report by explaining that the ownership of the Beansheaf Community Centre transferred from Theale Parish Council to Holybrook Parish Council in 2018. He then advised that the Community Centre had previously operated as a successful drop in centre for some time and Councillor Macro queried if this use could be returned to by Holybrook Parish Council.

Councillor Cant advised that the use of the premises would be restricted to uses ancillary to Beansheaf Community Centre. Councillor Richard Somner added that efforts had been made for many years to engage young people in the area, but this had proven difficult to sustain due to fluctuating membership. However, Holybrook Parish Council would be happy to provide a facility for young people if the need were to arise. The possibility of doing so at the Community Centre was not precluded.

RESOLVED that the freehold interest in The Garage at Beansheaf Community Centre be transferred to Holybrook Parish Council for a peppercorn.

Other options considered: Retain The Garage and continue leasing to Holybrook Parish Council at nil rent.

39. **Reducing rough sleeping in West Berkshire: A plan to ensure no-one has the need to sleep rough (EX3724)**

The Executive considered a report (Agenda Item 10) which proposed the adoption of the plan which set out how the Council intended to address rough sleeping.

Councillor Hilary Cole felt that the plan outlined a positive step forward. The Council would work closely with partners in the voluntary sector to deliver the plan to reduce rough sleeping. A detailed action plan was provided in the Executive papers.

The plan would form part of the Homelessness Strategy and work to deliver the Strategy was overseen by the Homelessness Strategy Group formed with partners.

Government funding had been and would continue to be used to implement a range of different interventions. The use of this funding was closely monitored by the Ministry of Housing, Communities and Local Government.

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The Housing First scheme was one such intervention. This had been successful in housing rough sleepers and a further three properties were due to be completed in early 2020. This was generally available to single people, but it was the intention to widen this provision to couples.

Councillor Cole took the opportunity to praise the MEAM (Making Every Adult Matter) approach and the support this gave to rough sleepers

In terms of numbers, the number of rough sleepers had reduced from the 20 reported in the autumn of 2017 to a current figure of eight.

Councillor Lynne Doherty gave her support to the plan. She was aware, as a Member of the Health and Wellbeing Board, of the positive partnership working already in place in this area of work which would continue moving forwards.

Councillor Steve Masters queried how the consultation planned with rough sleepers would be undertaken by Ridgeway Associates. Councillor Cole advised that the decision had been taken to bring in external expertise for the consultation from Ridgeway Associates who were a well regarded organisation in this field. The brief for Ridgeway would include an emphasis on the importance of involving key stakeholders and partners in the consultation, i.e. Loose Ends and the Soup Kitchen. Work to reduce rough sleeping was a partnership effort and needed to be owned by partners. Ridgeway Associates would also consult with rough sleepers to gain their input.

Councillor Masters questioned the cost of employing Ridgeway Associates. Councillor Cole explained that it was funded via a budget pressure and would provide the actual sum in a written response.

Councillor Alan Macro had questions relating to the action plan. He noted target dates in the action plan of September and October 2019 and sought assurance that these targets would be met.

A risk against delivery of many of the actions was given as staff resources with the mitigation measure of delegation to other staff. Councillor Macro sought assurance that this would not impact on delivery of other services.

Finally, Councillor Macro questioned if the Council was lobbying the Government for continued grant funding from 2020/21 onwards.

Councillor Cole responded to Councillor Macro's questions. She gave an assurance that targets would be met. They had been agreed with the Government and needed to be met to secure funding.

The recruitment of additional staff would help to manage the workload and ensure adequate resources were in place. The structure of the Housing Team was under review as part of this.

The Council had been regularly lobbying the Government for funding. Councillor Lynne Doherty added that continued funding had been confirmed by Government, but the amount remained unclear. Councillor Lee Dillon was concerned as inadequate funding could impact on the delivery of the plan. In response to this, Councillor Cole explained that the work would continue regardless of the level of grant due to its importance.

RESOLVED to adopt the plan titled – 'Reducing rough sleeping in West Berkshire: A plan to ensure no-one has the need to sleep rough'

Other options considered: The option not to adopt a rough sleeping plan was dismissed as the adoption of a plan is a requirement of the Ministry of Housing, Communities and Local Government in connection with the Rough Sleeper Initiative and Rapid Rehousing Pathway funding awarded to the Council for 2018/19 and 2019/20.

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40. Protection of Land - Unauthorised Encampments (EX3655)

The Executive considered a report (Agenda Item 11) which outlined the various options available to the Council in order to fulfil the objectives of the Motion submitted to Council on 13 September 2018:

“The Council resolves that an assessment of the susceptibility of each of its green areas in towns and villages to unauthorised encampments be urgently carried out. The assessment should assess each site on its vulnerability to incursions and the likely impact on nearby homes. The assessment to be used to prioritise a programme to improve the security of the sites against future incursions.”

Councillor Richard Somner presented the report which sought to provide a balanced assessment and options for the protection of open spaces and the action that could be taken to prevent unauthorised encampments. The Council had a duty alongside this to consider the housing needs of gypsy and traveller families.

Much time had been taken to fully consider the available options with Thames Valley Police and parish councils. Their involvement had been essential and would be moving forward with the chosen option.

Councillor Somner recommended acceptance of the third option to implement a compromised solution that would consist of a desk top study, in partnership with the police, to establish the most vulnerable areas, the most ‘popular’ stopping locations, and other areas identified by parishes. Security measures would only be implemented where appropriate and against agreed criteria. The criteria would be developed as part of this process.

Councillor Graham Bridgman noted the points made in paragraph 1.6 of the supporting information on the difficulties associated with larger groups of gypsies and travellers. However, he made the point that these issues could still materialise with smaller groups.

Councillor Bridgman also drew attention to the Joint Protocol established between the Council and Thames Valley Police which provided guidance on managing unauthorised encampments. He highlighted that the 2014 Protocol was published on the website and this needed to be updated to the 2018 Protocol that was referenced within the agenda paperwork.

Councillor Somner noted both of Councillor Bridgman’s points which he would action as necessary.

Councillor Alan Macro felt that the best option was the compromise in proposed option three which he hoped would result in a positive outcome. Councillor Macro was however disappointed at the time taken since the Motion was submitted. There had been incursions on town and parish council land since that time. He was hopeful that progress would be made without further delay.

RESOLVED that:

- The options set out in this report and the potential implications in terms of both staff time and budget be noted.
- Option 3 be implemented:

‘Implement a compromise solution: Carry out a desk top study, in partnership with the police, to establish the most vulnerable areas, the most ‘popular’ stopping locations, and other areas identified by parishes. Implement security measures ONLY where appropriate and against agreed criteria. Criteria to be developed as part of this process.’

Other options considered: None.

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41. **Interim report on progress since declaring a Climate Emergency (information item)**

The Executive considered a report for information (Agenda Item 12) which summarised the actions that had been taken since the Council formally made a Climate Emergency Declaration on 2 July 2019, committing the Council to a carbon neutral district by 2030. This interim report was provided in line with the resolution made at the Council meeting.

Councillor Steve Ardagh-Walter explained that suitable governance arrangements to ensure delivery had been embedded. This included meetings being held of the Environment Board and Environment Advisory Group.

Work was ongoing for the delivery of an Environment Strategy, largely through the above groups. Councillor Ardagh-Walter gave thanks for the comments received on that to date which would be incorporated where appropriate. Public consultation would take place on the Strategy in the autumn. This would coincide with the Climate Conference being held on 28 October 2019. Free tickets would be available for the conference from 16 September 2019. Further details would be shared as and when they became available.

It was the aim to finalise the Strategy by December 2019/January 2020.

Councillor Ardagh-Walter also drew attention to the number of projects, many of which were already in operation, listed in the report. He concluded his presentation of the report by acknowledging that work to achieve a carbon neutral district by 2030 needed to be well advanced by the time the Council Strategy 2019-2023 reached its conclusion.

Councillor Lynne Doherty gave thanks for the work undertaken thus far and the progress made in a relatively short timeframe. It was very important to have the governance structures in place.

Councillor Steve Masters was aware that Newbury Town Council and Thatcham Town Council were looking to commission a full audit of its carbon emissions. He queried if West Berkshire Council would be involved in that and, if so, whether the delivery of the audit had been discussed.

Councillor Ardagh-Walter was aware of discussions held at Thatcham Town Council. West Berkshire Council would also be looking at a relatively light touch approach to an audit alongside a much more detailed piece of work that adhered to the Government guidance for information on carbon emissions. Councillor Ardagh-Walter made it clear that work to produce this detailed information would be balanced with the ongoing work listed in the report to ensure projects were not delayed.

Councillor Carolyne Culver queried when an itinerary for the conference would be available. Councillor Ardagh-Walter explained that it was the intention to provide that as soon as detail on the speakers to be attending had been confirmed.

Councillor Adrian Abbs commented that the cross-party Environment Advisory Group had only met once to date and was therefore concerned at the ability to be involved. The Advisory Group should be able to assist, i.e. with the shaping of the Climate Conference agenda.

Councillor Ardagh-Walter agreed with this point. It was the aim to hold regular meetings of the Advisory Group to enable relevant Members and Officers to take work forward. There had been a slight delay to doing so over the summer holiday period.

Councillor Lee Dillon added that the Advisory Group should have been more closely involved in the itinerary for the conference. He noted that the conference was scheduled for a Monday, but he felt that a Saturday would have been preferable to encourage

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greater attendance from members of the public. The scheduling was something the Advisory Group should have discussed.

In response, Councillor Doherty explained that this date had been chosen so that young people could attend during half term week and this was based on the feedback of young people themselves. Saturdays were not necessary suitable for many people. She had also asked Councillor Ardagh-Walter to ensure that information provided for and at the conference was made publicly available.

Councillor Abbs queried why meetings of the Environment Agency Group, or at the very least its outputs, were not made public. Councillor Doherty stated that advisory groups were formed to support Portfolio Holders. They provided a safe environment for Members and Officers to work together and develop ideas. These meetings were therefore held in private. As already explained, there was no meeting held over the summer holiday period but a meeting was arranged for 11 September 2019. Councillor Doherty did not feel that outputs from Advisory Groups meetings should be made public. However, the public would be consulted ahead of agreeing future plans, for example the delivery of the Environment Strategy.

RESOLVED to note the report.

Other options considered: not applicable.

42. **Members' Questions**

A full transcription of the public and Member question and answer sessions is available from the following link: [Transcription of Q&As](#).

(a) **Question submitted by Councillor Carolyne Culver to the Portfolio Holder for Internal Governance**

A question standing in the name of Councillor Carolyne Culver on the subject of when environmental impact assessments would apply to all projects was answered by the Portfolio Holder for Internal Governance.

(b) **Question submitted by Councillor Carolyne Culver to the Portfolio Holder for Economic Development and Planning**

A question standing in the name of Councillor Carolyne Culver querying the timescale for recruiting an in-house ecologist was answered by the Portfolio Holder for Economic Development and Planning.

(c) **Question submitted by Councillor Carolyne Culver to the Portfolio Holder for Environment**

A question standing in the name of Councillor Carolyne Culver asking what was the Council's initial reaction to the results of the 'Consultation on consistency in household and business recycling collections in England: analysis of responses' when it was published in July was answered by the Portfolio Holder for Environment.

(d) **Question submitted by Councillor Martha Vickers to the Portfolio Holder for Transport and Countryside**

A question standing in the name of Councillor Martha Vickers on the subject of whether the Council would reconsider introducing free parking in the Wharf car park in Newbury on Thursdays to increase town centre footfall on market day was answered by the Portfolio Holder for Transport and Countryside.

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43. Exclusion of Press and Public

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned items of business on the grounds that they involve the likely disclosure of exempt information as contained in Paragraphs 1, 2, 3 and 5 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.

44. Land on Love Lane (EX3787)

(Paragraph 3 – information relating to financial/business affairs of a particular person)
(Paragraph 5 – information relating to legal privilege)

The Executive considered an exempt report (Agenda Item 15) concerning the transfer of an asset.

RESOLVED that the recommendations in the exempt report be agreed.

Other options considered: as outlined in the exempt report.

45. Staffing implications due to a proposed Contact Centre Management Restructure (EX3818)

(Paragraph 1 – information relating to an individual)
(Paragraph 2 – information identifying an individual)

The Executive considered an exempt report (Agenda Item 16) concerning the staffing implications that were likely to result from the proposed management restructure of the Council's Contact Centre.

RESOLVED that the recommendation in the exempt report be agreed.

Other options considered: as outlined in the exempt report.

(The meeting commenced at 5.00pm and closed at 6.36pm)

CHAIRMAN

Date of Signature