

# Questions and Answers

## Council

Thursday 6 December 2018

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# **Council Meeting**

## **6 December 2018**

Questions and Answers



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

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(a) **Question submitted to the Portfolio Holder for Economic Development and Communications by Mr Peter Carline:**

*“What preparations are the council making for a no deal Brexit?”*

As Mr Carline was unable to attend the meeting a written response was sent on 7 December 2018 as follows:

**Response**

If you had been able to attend the response would have been split into two parts.

In the event that we end up with a no-deal, the Council would take note of the information provided by the Local Government Association. They have looked thoroughly into the impact regarding certain policies and funding, and there are some 36 pages currently issued detailing how the UK government will either guarantee funding or retain laws and regulations. As you can appreciate, the debate around this issue is still taking place, and the government is hopeful to have an agreed position with the EU. Councillor Chadley would be happy to forward the information provided from the LGA on to you. This information is still being updated, as more details become available.

The second part to the answer is that West Berkshire will not be complacent. There is a huge amount to be positive about in West Berkshire and we are confident that the district will continue to thrive in years to come, whatever the shape of Brexit. The diversity of company size across the district means that our economy is dynamic and resilient, employing people across a very large variety of sectors and enterprise sizes. Indeed, our economy continued to grow through the recent recession and did not falter where others did.

The District also benefits from being part of the Thames Valley turbo economy and work closely with the Thames Valley Berkshire Local Enterprise Partnership and our neighbouring authorities to deliver strategic infrastructure and to promote Berkshire as the best place to do business.

Our Economic Development Officer, Gabrielle Mancini, is working closely with the other Economic Development Officers across Berkshire to share good practice. The Council also regularly represent the views of local businesses to national government and will do all it can to ensure West Berkshire continues to punch above its weight as negotiations progress.

To conclude, I can assure you that we are not complacent. The Council will continue to work tirelessly with businesses, Government and other partners, as it always has done, to ensure West Berkshire reaps the rewards that Brexit brings and that we are very hopeful about the future.

**(b) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Mrs Debra Soweby on behalf of Mr Thomas Tunney**

*“Is it standard practice for the housing team to advise single parents struggling to pay their rent, to register as homeless, incur a CCJ when they get evicted and then relocated to Slough miles away from their jobs and schools?”*

**The Portfolio Holder for Planning, Housing and Waste answered:**

The main principles of the housing advice provided by the housing service is to prevent people from becoming homeless with efforts concentrated on households remaining in their current accommodation or assisted into alternative accommodation. Additional resources have been provided by the Council in order to assist with the new duties introduced by the Homelessness Reduction Act which came into force in April 2018. Therefore, it is not standard practice to encourage people to become homeless. The number of cases where homelessness was prevented or relieved in the first two quarters of this year was 164 under the Homelessness Prevention Act obligations.

**(c) Question submitted to the Leader of the Council by Mrs Debra Soweby on behalf of Mr Thomas Tunney:**

*“Why after Councillor Goodes was disqualified for non-attendance has there been no repayment of allowances paid to him?”*

**The Leader of the Council answered:**

Mr Goodes term as a councillor terminated in March of this year. On cessation, allowances stopped.

**Question submitted to the Portfolio Holder for Planning, Housing and Waste by Mrs Debra Soweby on behalf of Mr Thomas Tunney:**

*“What did the Council hope to achieve by issuing West Berkshire Homeless with an eviction notice on the portaloo’s deposited at one of the homeless camps?”*

**The Portfolio Holder for Planning, Housing and Waste answered:**

The portaloos were placed on Council land without consent. As a result of the portaloos being placed in the camp, the number of people sleeping rough has increased. The Council is working with the Homelessness Strategy Group (HSG) and partners to use funding provided by the Ministry of Housing, Communities and Local Government to tackle rough sleeping with the aim of meeting the Government target of having no rough sleepers by 2027 (as published in the Rough Sleeping Strategy 2018). The HSG has put together a winter plan which includes an extended winter cover for rough sleepers at Two Saints rather than just for nights with extreme temperatures. We are jointly working to move the rough sleepers to Two Saints and the portaloos will then be removed.

**(d) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Mrs Debra Soweby on behalf of Mr Thomas Tunney:**

*“If the SWEP accommodation is not sufficient, rather than spending money on emergency accommodation, would the Council consider using the equipment owned by WBH to provide shelter in the perfectly sized and equipped council chambers and shower facilities?”*

**The Portfolio Holder for Planning, Housing and Waste answered:**

The use of the Council chamber and shower facilities would not be practical for use as shelter for rough sleepers. The showers are in a secure area away from the Council chamber and the Council chamber itself is often used for evening meetings. Showering facilities are offered at Two Saints in accordance with the contract with the Council.

*Mrs Soweby reported that she was unable to hear the answers to questions b, c and d. The Chairman agreed that written supplementary questions would be accepted.*



**(f) Question submitted to the Portfolio Holder for Corporate Services including ICT by Carolyne Culver on behalf of Mr James Thomas:**

*“What steps is the Council taking to modernise IT service provisioning to save any of the circa £3m per annum it spends on Customer Services and ICT by embracing cloud-based software-as-a-service offerings for services like email and file storage?”*

**The Portfolio Holder for Corporate Services including ICT answered:**

The inhouse hardware on which our various ICT systems are currently hosted has not reached end-of-life, so from a value-for-money point of view it would be the wrong time to move everything to cloud-based systems.

We are considering cloud-based solutions where it makes operational and economic sense to do so, for example are moving one of our Highways systems to the cloud, are investigating a move to Office 365 and are considering moving our finance system to the cloud. Our schools information management system will also moving to the cloud in the next year or so.

Often when we have assessed the relative costs of inhouse hosted solutions vs cloud-hosted solutions, the inhouse solutions actually have a lower annual revenue cost.

The Council uses a number of specialist applications to support the various activities of a local authority e.g. Social Care, Planning, Highways, Education etc. Many of these specialist systems are currently not available as cloud-based or software as a service offerings.

**(g) Question submitted to the Portfolio Holder for Finance, Transformation and Property by Mr Steve Masters:**

*“Rather than investing £100m on speculative commercial property investment, should the Council instead be spending that on local housing stock in order to change the lives of and keep the much needed younger people in the area to stem the demographic time bomb?”*

**The Portfolio Holder for Finance, Transformation and Property answered:**

With regard to property investment; the acquisition of commercial property is strictly in accordance with the approved Property Investment Strategy and invests in commercial property with strong tenant covenants and long leases, to enable strong consistent income. Once fully invested, West Berkshire will enjoy net income of £2m per year, so over the next 4 years we are anticipating an additional £7 - £8m net income. This is a significant amount of money, and is essential in ensuring we set a balanced budget next year and in future years.

Securing this income is key to managing the overall council expenditure, which is allowing us to already address the second part of your question.

Barely a week goes by when Newbury, West Berkshire or the wider Berkshire area isn't singled out for being a great place to live and do business. Last week Newbury was recognised as being the 6th happiest place to live, although this isn't always reflected within this chamber. The week before that, Computer Weekly said that Berkshire is the best place outside of London to set up or run an IT or tech business. Berkshire, a historically rural county, is being called the Silicon Valley of the UK. This is fantastic and is testament to the hard work and talent of residents across the area who choose West Berkshire because it offers both high skilled jobs and a great lifestyle.

As you may know, we are currently in the process of refreshing our Economic Development Strategy in the next few months. Key to this will be our efforts to attract younger demographics to West Berkshire, so we are looking at how we can foster the creativity of our young people through the teaching of a wider range of qualifications, the provision of incubator space for start-ups, particularly in areas where retail space has been underused, and more comprehensive careers advice that works for all students, not just those who go to university.

We will also be looking closely at the barriers to young people choosing West Berkshire as a great place to live. This will require us to focus very closely on our leisure offering as well as the issues in affordable housing that you allude to you in your question. I can advise that work is currently underway to address the issues you raise.

In conclusion, the answer is not to do only one or the other, but to do both. In securing new income first we have ensured good solid foundations for implementing the second.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

**Mr Steve Masters asked the following supplementary question:**

*“Thank you for the party political broadcast there. Do you consider £2 million return a year an adequate return?”*

**The Portfolio Holder for Finance, Transformation and Property answered:**

Yes I do.

**(h) Question submitted to the Portfolio Holder for Highways and Transport, Environment and Countryside by Mr Steve Masters:**

*“Can the Council confirm, for the benefit of Speen residents, that the proposed improvements to the verges (grass-crete) on Burchell Road and Digby Road are indeed imminent and will be completed within this current financial year (2018/19)?”*

**The Portfolio Holder for Highways and Transport, Environment and Countryside answered:**

Thank you for your question.

It's possible that by now you know the answer, but should you not have been in Speen this week, I am delighted to confirm that work on these important improvements to verges in Burchell and Digby Road began on Monday and assuming all goes to plan will be completed by Christmas.

These are the sort of projects that make a genuine difference to our streets and I would like to thank the excellent ward member. Councillor Marcus Franks, who developed the original idea in conjunction with the community and brought his unrivalled local knowledge to the scheme.

And there's more to come, with the resurfacing of more than 1.5km of roads in the vicinity in Chaucer Crescent, Burchell Road, Talbot Close and Digby Road – part of this council's £3.6m three year Highway Improvement Programme. Again, preparatory work for this is underway as you might have seen.

I assume this means that all parties support this administration's investment in the roads of West Berkshire - part of our well balanced approach to transport in support of a thriving local economy and the wellbeing of all our residents.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

**Mr Steve Masters asked the following supplementary question:**

*“I welcome the progress with the works. The local community came to me and they were concerned.”*

**(i) Question submitted to the Portfolio Holder for Highways and Transport, Environment and Countryside by Mr Steve Masters:**

*“Can the Council liaise with the emergency services and Sovereign Housing in order to carry out a risk assessment and explore options to ensure that emergency vehicles have clear and safe access to Talbot Close to reassure residents some of whom are frail and vulnerable?”*

**The Portfolio Holder for Highways and Transport, Environment and Countryside answered:**

Thank you for your question.

It is important to us that our residents feel safe in their own homes and I have asked my officers to investigate the situation in Talbot Close, which I know well, I have friends there, and I have asked them to do that in liaison with the Emergency Services and Sovereign Housing.

You ask me to, in your question to explore ‘options’ - I assume by this you are suggesting/ making the case for parking restrictions. Parking restrictions are sometimes welcomed by residents but are not always popular. As far as I know most residents in that area try to park with consideration and care for neighbours but you’ve made your point.

By way of reassurance I would add that in the normal course of events if the Emergency Services have any concern about they contact us and we investigate. As far as I have been able to find out we have had no contact from the emergency services about Talbot Close, but to put everyone’s mind at rest we will investigate.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

**Mr Steve Masters asked the following supplementary question:**

*“The community asked previously and were told to ask the Fire Brigade and hadn’t had a response. You were wrong to assume that we were talking necessarily about direct parking restrictions. The community want to explore a number of options...”*

**The Chairman asked Mr Masters to ask a question and not make a statement.**

**The Portfolio Holder for Highways and Transport, Environment and Countryside said:**

Talk to us and be clear.

**(j) Question submitted to the Portfolio Holder for Health and Wellbeing, Leisure and Culture by Mr Steve Masters:**

*“With the current consultation underway for the latest round of proposed cuts to frontline services do council accept that several of the proposed cuts run contrary to and are likely to have a detrimental effect on the current priorities of the Health and Wellbeing Board?”*

**The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:**

Let me make this very clear. No-one wants to make reductions to services related to Public Health. However, the headlines around these proposals have been very misleading. Let me explain why.

A Public Health grant is awarded to the Council, which is largely spent, in agreement with our health partners, to commission services that address what we call the wider determinants of health, those which can improve general health, prevent long-term conditions and reduce the pressure on the National Health Service.

This grant has been, and is being reduced in real terms, year upon year, so we have no choice but to find ways of using that money in the most effective way that we can, to ensure that the grant achieves the best outcomes for our population.

The reductions being identified have been going through a detailed process of analysis that assessed local need, evidence of effectiveness of those services, value benchmarking and possibly better modes of delivery. Those selected for consultation are there because they cause the least impact generally and especially to the most vulnerable people. We believe, this is the most important point, in almost all cases, the same service, a similar service, or a more targeted service can be provided at lower cost. Although the headlines seem somewhat alarming, the reality is far less so, and we do not believe that the activities of the HWBB will be materially affected.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

**Mr Steve Masters asked the following supplementary question:**

*“At which meeting of the Health and Wellbeing Board were the proposed cuts discussed?”*

**The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:**

They were not a subject for the Health and Wellbeing Board.

**Mr Steve Masters asked**

*“So there was no consultation with the Health and Wellbeing Board of the potential?”*

**The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:**

The consultation is a public consultation and we have to remember ‘consultation’ means ‘consultation’. I assure members of the public that we will take the results of that seriously.

**(k) Question submitted to the Leader of the Council/ Portfolio Holder for Community Resilience and Partnerships by Mr Eric Pattenden:**

*“Would the Leader agree that not fulfilling your manifesto commitment to protect the neighbourhood wardens has increased the burden on policing at a time of rising crime?”*

**The Portfolio Holder for Community Resilience and Partnerships answered:**

The quick answer to your question is no, but I will elaborate.

Throughout the 13 years of the service the Wardens were never given ‘enforcement powers’ and therefore they fulfilled their role in collaboration with colleagues from partner agencies, including Thames Valley Police, and importantly in partnership with the communities in which they worked.

Your question would possibly be better posed to a representative of Thames Valley Police however in order to be able to give you a full response tonight I have consulted with the Local Police Area Deputy Commander, Chief Inspector Lindsey Finch.

She confirmed that during the last 12 to 18 months there has been an increase in crime, again both locally and nationally, however was extremely clear that it isn’t possible to equate an increase in local crime to the cessation of the Neighbourhood Warden Service.

She was very clear that it is certainly not the case that Police Officers are now doing work previously undertaken by Neighbourhood Wardens.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

**Mr Eric Pattenden asked the following supplementary question:**

*“I was also wondering about the preventative role which the Neighbourhood Wardens undertook and with that service no longer being provided what do you feel the impact of that has been?”*

**The Portfolio Holder for Community Resilience and Partnerships answered:**

I think a lot of that work has been picked up by the Building Communities Together Partnership supporting local community forums which have converted in many areas from Neighbourhood Action Groups. They carry out prevention work, keeping an eye on the area but also I’ve really encouraged the expansion on Neighbourhood Watch schemes which can also carry out this work.

**(I) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Mrs Martha Vickers:**

*“Can the portfolio holder explain why the showers and toilets at the unused council-owned football ground aren’t being utilised to help support homeless people?”*

**The Portfolio Holder for Planning, Housing and Waste answered:**

The football clubhouse and related structures were formally condition surveyed in August of this year. The survey report made a general point that buildings could not be re-occupied without immediate remedial works. Specifically, the survey pointed out that existing services in the buildings were such that hot water could not be delivered for the purposes of showering; this was in the context of teams washing post league matches. The Council has no further use for the buildings and as such will not be investing monies into the existing structures. It should be noted that Housing service has commissioned hostel services with showering facilities in Two Saints, Newtown Road, Newbury.

**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:**

*“Do you agree that following recent developments that it may be some time before plans for the area can go ahead and that as this is an Asset of Community Value, you should not be maintaining it, the Council, and using it for the homeless? I’m aware of the showers at Two Saints but it would be good to have another facility in the town as this is a long way for people to go.”*

**The Portfolio Holder for Planning, Housing and Waste answered:**

The short answer, Mrs Vickers, is no. I’ve just said that the building is of no use to us for further use and we are not spending council taxpayers’ money on restoring a building which we have no further use for.



**(m) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Mr Tony Vickers:**

*“What problems would the council envisage having to resolve if householders on benefits who wish to continue having their garden waste collected for free were given exemption from the charge?”*

**The Portfolio Holder for Planning, Housing and Waste answered:**

Prior to taking the decision to charge for the garden waste collection service, the Council consulted with residents regarding the proposal. This identified a number of potential issues, including a possible negative impact on poorer households.

It was identified that these potential impacts could be mitigated through supporting home composting and community involvement such as community composting, shared bins, and friends and family taking garden waste to Household Waste Recycling Centres.

The Council does not currently provide any concessions for waste services. Additional resources would be required to administer the concessions and any concessions would impact on the amount of income received for the service. This income is used to ensure the continuation of essential services to the most vulnerable in our community.

The impact of the decision to introduce garden waste collection charges is being monitored by the Council as set out in the action plan in the Equality Impact Assessment completed as part of the decision making process. At this stage, the mitigation is providing adequate protection.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

**Mr Tony Vickers asked the following supplementary question:**

*“What evidence do you have that the alternative mitigation that you outlined for the poorer households if being taken up or is effective at all?”*

**The Portfolio Holder for Planning, Housing and Waste answered:**

As I said it's being actively monitored, Mr Vickers. The garden waste collection scheme started in September as has proved to be incredibly successful and as far as we are aware we've had no issues with the mitigation. Nobody has come to us asking for us to review it.

**(n) Question submitted to the Portfolio Holder for Corporate Services by Ms Julie Wintrup:**

*“Will there be a full public independent inquiry into the how the council breached EU law by entering into an unlawful agreement with St Modwen Developments Ltd?”*

**The Portfolio Holder for Corporate Services answered:**

We do not consider it necessary to hold an independent inquiry into the circumstances that led to the Council entering into a development agreement with St Modwen Developments for the regeneration of Faraday Road. These circumstances have already been fully considered in separate proceedings in front of two different courts including the Court of Appeal and detailed judicial scrutiny of the process has therefore already taken place. I would refer anyone interested in the circumstances of the case to the 53 page judgement of his Honour, Judge Holgate issued on the 26 August 2016 following the hearing in the High Court, and to the 41 page judgement dated 14 November 2018. The Council was challenged in the High Court on three separate grounds. His Honour Judge Holgate rejected the claim and his judgement covered at length the legal basis for his conclusions. He found in favour of the Council on all three grounds. Faraday Development Ltd appealed against that decision, although the appeal was limited to only one of the three grounds that they had originally pursued in the High Court. The Court of Appeal concluded that the Agreement, though legal, would fall within the scope of the Public Procurement Regime in the future. On that basis the Court determined that the Agreement was ineffective on a technical point of law. That this is a very technical legal point is perhaps reflected by the fact that this issue has not previously been considered by the Courts including the Court of Justice of the European Union or the Attorney General.

Having made a declaration that the agreement was ineffective the Court of Appeal was obliged to impose a fine on the Council. The court is required to impose a penalty which is effective, proportionate and dissuasive and that's from Regulation 47(n.4) Public Contracts Regulations 2006. Having considered all the facts and the gravity of the breach, the Court imposed the penalty of just £1, reflecting the point that this was just a technical failure by the Council to comply with the obligations under the Public Procurement Regime.

In terms of the Council's conduct both leading to and during the litigation it is also of note that the Court of Appeal only ordered the Council pay Faraday Development Limited's costs in the Court of Appeal. The Council was not ordered to pay the costs of Faraday Developments Ltd's costs in the High Court, they will have to bear their own costs relating to those proceedings.

In terms of the need for a public independent inquiry, it may be worth again reflecting on the comments of Lord Justice Limbron in the Court of Appeal judgement paragraphs 69 and 70:

69. It was not unlawful for the council to put in place a contractual relationship with a developer, or with St Modwen in particular, to secure the regeneration of the industrial estate. Nor was it inherently unlawful for the council to seek to achieve, if it could, a lawful contractual relationship with St Modwen, or any other developer, that fell outside the reach of the public procurement regime. It was lawfully entitled to attempt to find such an arrangement, without at any stage intending the arrangement to be unlawful. This was not, without more, an “abuse of rights”. It is not the same thing as an authority, or an authority and a developer, attempting to gain advantage for itself, or themselves, by deliberately entering into an artificial arrangement in an effort to disguise the “economic and commercial reality” of the transaction. That would likely be an “abuse of rights”.

70. There is no evidence in this case, and indeed no suggestion, of the council having acted at any stage in bad faith, or with any motive to create a mistaken understanding of its objectives in entering into the development agreement or of the “economic and commercial reality” of the transaction. That “economic and commercial reality” is fully apparent in the terms of the development agreement. It is not disguised.

He goes on: “The development agreement may have been entered into in breach of the requirements of the public procurement legislation. But it was not a “sham” in the true sense of that concept.”

The Council has invested resource in the redevelopment of the London Road Industrial Estate and it remains committed to the principle of redevelopment of that area for the benefit of all that live and work in the District. The council was challenged in the Courts in respect of its proposals for securing that regeneration by Faraday Development Ltd and was obliged to respond to that challenge in order to protect the investment that it had already made for the benefit of all the residents of West Berkshire.

The Council has considered its position carefully following this and we have already determined that we will not be proceeding with an appeal. The Council will now be reviewing the options to secure the regeneration of the London Road Industrial Estate in Newbury.

**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?”*

**Ms Julie Wintrup asked the following supplementary question:**

*“Without an open inquiry, and given that the words ‘dodgy deal’ springs to a lot of peoples minds, and you have all signed up to the Nolan principles of public life that include integrity, honesty and openness, how can we the public hold the individuals that got this so wrong to account?”*

**The Portfolio Holder for Corporate Services answered:**

Dr Wintrup, I think I’ve explained at length and quoted a length from the judgement from the Court of Appeal and its quite clear that the legal opinion is that we did not act in bad faith, that it was not a sham, and that we have, in my opinion, adhered to the Nolan principles.

**(o) Question submitted to the Portfolio Holder for Corporate Services by Ms Julie Wintrup:**

*“How much has already been spent on defending the case brought by Faraday Development Limited including officer time and legal costs?”*

**The Portfolio Holder for Corporate Services answered:**

The Council has spent £363,545.66 to date on legal costs defending the legal challenges in the High Court and Court of Appeal.

**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?”*

**Ms Julie Wintrup asked the following supplementary question:**

*“That doesn’t include officer’s costs so when will we see the advice that was given to you that warned of the fiscal risks to the public purse?”*

**The Chairman stated:** The supplementary questions needs to arise out of your direct question that was asked and the response that you received.

**Ms Julie Wintrup asked:**

*“So what about officer costs?”*

**The Chairman stated:** We won’t be able to give you officer time costs because we don’t do time recording.

## MEMBER QUESTIONS

### (a) **Question submitted to the Portfolio Holder for Health and Wellbeing, Leisure and Culture by Councillor Alan Macro:**

*“Why is Newbury football club not being allowed to use the football ground until the replacement is available?”*

### **The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:**

Whilst the early stages of preparation for the regeneration around Faraday Road were in progress, the Council did allow NFC to use the ground. The original lease was due to expire in June of 2015, and the Council agreed to extend this until June of this year – 3 years.

However, in order to comply with the rules of the Football Association, a club competing in league football must have secure home ground facilities for a whole season, and must notify the FA of that home ground in the month of March preceding each season.

Therefore, because the timing of redevelopment work has been, and still is, uncertain, and because the club needs certainty, the Council could not extend the lease again, and the club are playing home fixtures this season at Brimpton.

This arrangement of course also allows the Council to respond quickly to commence regeneration work once a development partner can proceed.

**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:**

*“I think we all know that nothing is going to happen on that site for some considerable time, and I think we’ve known that for some considerable time in the past. So to have a modest extension to at least to cover the season, seems a very minimal thing to ask for.*

*So could I ask again, why wasn’t that considered, especially as I understand it, there is land owned by the Council at Faraday Road, that is up for a two year lease now, so why couldn’t that be offered to the football club?”*

### **The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:**

*What I should say, that the council has been and will continue to be in discussion with Newbury Football Club. We’ve had discussions aimed at establishing a plan for a new home ground of the club. We will also support the club to find a temporary home while that permanent solution is found.*

**(b) Question submitted to the Portfolio Holder for Health and Wellbeing, Leisure and Culture by Councillor Lee Dillon:**

*“Will you make provision for a grant of £50k in each of the next two years to the Corn Exchange so that the funding-reduction is easier to manage?”*

**The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:**

The short answer is no. We have had no direct request from the Corn Exchange for such funding, nor can the Council see any new reason why such additional grant would be justified. Councillor Dillon well knows that, when the Council is struggling to fund vital front-line services for those most in need, extracting £50K per year from those services would be irresponsible.

**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 Lee Dillon asked the following supplementary question:**

*“Thank you Councillor Jones for that answer. You say you haven’t been approached about any reduction. But I think when the corn exchange cuts were first announced they had a campaign which was ‘Lower and Slower’, so lower cuts and slower cuts.*

*I think there is a real risk that if their funding isn’t drawn down in a more manageable way, that some --- like the one that now operates the – bank side, will be at risk.*

*So do you accept that you were requested to draw it down to slower and lower?”*

**The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:**

In 2014 the Council made a 5-year service level agreement with the CE, with each year’s funding being tied to a specific benefit for our residents - for instance, assistance to education, help for disadvantaged and so on. In 2016 the Council decided not to renew the agreement when it expires in March 2019.

In 2017, the Council agreed to the Corn Exchange Trust’s request to grant them the freehold of the building and we have completed about £250K of essential maintenance, including a new lift and air conditioning system, in order to hand over the building in excellent condition.

The Council will have provided a total of £1, 232,000 over the 5 years, including a sum of £174K in this financial year. In all the Council has invested at least £2.5M over the last 10 years.

We understand that the Trust’s annual income is about £3.4M, so a contribution of £50K represents less than 1.5% of their annual turnover, and the Board of Trustees has had more than two and a half years to develop a business plan and plan for the consequences of the Council’s funding coming to an end. Having now the freehold of the building enables them to attract the sort of capital and other funding that the Council is not eligible to apply for, so this opens up new opportunities for the Trust.

They should, however, be congratulated for making such positive progress in developing the Corn Exchange as a vibrant, successful and important part of the cultural landscape, and an enjoyable venue for so many people.

They have done so while making themselves independent, at a time now when the rising cost of front line and statutory services continues to stretch local government resources to the limit.

**Lee Dillon commented:**

Earlier on we had a member of the public who went to ask a supplementary and was challenged to make sure the supplementary matched the original answer given, yet we don't have any challenge back to Members when they don't answer the actual question, which was do you accept that the Corn Exchange wanted lower and slower.

It wasn't an opportunity for the council to be able to say everything they were doing with the Corn Exchange, and wonderfully and I am glad they support the Corn Exchange but remember it was us who saved it in the first place.

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