

Questions and Answers

Executive
Thursday, 15th July, 2021

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

Item (a)	Executive Meeting on 15 July 2021
Submitted to:	Jon Winstanley

(a) Question submitted to the Portfolio Holder for Planning and Transport by Councillor Phil Barnett:

“Councillors from various councils along with residents worked tirelessly over many years in securing GATSO cameras being placed at strategic positions along many roads in the district, now to find they are either rusted, unusable, or even have not been active for several years. Therefore can the executive member for Highways and the Environment identify whether: 1/ these will be updated or replaced? And, 2/ if they are to be removed, what speed monitoring would be undertaken? Finally, do the Thames Valley Police's mobile speed reduction team have the resources to do more monitoring (if required)?”

The Portfolio Holder for Planning and Transport answered:

Thank you for your question Councillor Barnett.

Some of the original speed camera date back to 1993, making them up to 28 years old, so it's only to be expected that some of them are in poor condition. It goes without saying that the technology used by these cameras has moved on over the years and the equipment inside them is now out of date. Although the cameras were owned by the Council, decisions as to how often they were loaded with film and deployed were made by the police, because only the police have the authority to enforce speed limits.

Some of the cameras have been updated and upgraded using digital technology and some have not. The decisions as to which cameras were upgraded were made by the police on the basis of the safety benefits at particular sites and also in view of whether the sites met certain technical criteria for using the new digital equipment.

The cameras that have been upgraded are now the property of the police and they remain responsible for deciding how intensively they are actively deployed. The cameras that have not been upgraded remain the responsibility of the Council and although they are no longer active, we have left most of them in place to act as a visual deterrent to speeding. Unfortunately, three of the Council's cameras were assessed as being unsafe as a result of collision damage, vandalism or age-related corrosion.

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These cameras were beyond economic repair and we had no choice but to remove them.

Prior to removal of these cameras, we carried out covert speed surveys. Similar surveys are in progress now to see whether driver behaviour has changed. At these sites, we will be installing new Speed Indicator Devices (SIDs) so that a visual deterrent to speeding remains in place. We will collect further speed data so we can evaluate how effective these are compared to the cameras that they replaced.

We have also agreed with Thames Valley Police that the sites where the speed cameras have been removed will be added to their list of mobile enforcement sites, so they will be periodically visited by the camera van. We can't dictate how often the sites will see active enforcement, as that is an operational decision for the police, but we do maintain a dialogue with them and tell them which sites we believe are higher priorities based on speed and accident data.

As for the remaining cameras, we would ultimately like to see them all upgraded and brought back into use but, as I've already mentioned, the decisions as to which sites are upgraded and in what order need to be made by the police.

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Item (b)	Executive Meeting on 15 July 2021
Submitted to:	Pete Campbell

(b) Question submitted to the Portfolio Holder for Children, Young People and Education by Councillor Martha Vickers:

“What is your response to the statement in the Children’s Commissioner’s fourth annual report on the state of Children’s mental health services in England 2020/21 that Berkshire West was found to be one of the 10 CCGs nationwide with the largest increase in average waiting times for referrals to CAMHS from 2017/18 – 2019/20?”

The Portfolio Holder for Children, Young People and Education answered:

Thank you Councillor Vickers; you’ve asked a really apposite question and I am pleased to respond to that. I was going to give you a long, detailed and comprehensive reply to your question about what we are doing to ensure and to address the emotional wellbeing and mental health of our children and young people in these difficult times. It would have been the sort of question that I know Councillor Dillon is particularly keen to hear from me. Before I go on I just want to point out that it’s the CCG that is responsible for the delivery of CAMHS. Our role is to ensure that our young people get the best that they can so we are very interested in the delivery of this service. Councillor Doherty mentioned earlier on that we attended a meeting recently with our head teachers that was intended to find out from them what they need in terms of recovery. I think the initial direction of that meeting was to find out from head teachers how the children can be supported in recovering the time that they’ve lost. I became very clear that our young children need more than that; a phrase that stuck with me, one of our head teachers said that “we’ve all heard about ling covid, but we’re facing long recovery”. What she was saying, in essence was, we really don’t yet know what the scope of the problem is that we’re dealing with. It was a really interesting meeting and thank you for inviting me Leader. As well as the Leader there were three head teachers and Laura Farris MP was there. She was particularly interested in our conversations. So it is becoming very clear that the challenges we’re facing are not really the challenges that appear in the report that Councillor Vickers referred to. That report was based on data pre-covid and things have changed very much since that time and in unexpected ways. For example, some of our most disadvantaged children have done very well in lockdown, which was a surprise to me; that was because they were able to go to school and they had much closer attention while they were in school, certainly that was true of the second and third lockdown, not so much the first lockdown because there was so much uncertainty and anxiety. So our PPG children did better, I’m being careful of talking in broad brush terms, this is true of some of the children and then equally some our children who one would have expected to deal very well and thrive very well in lockdown, let’s say some of the people who have advantages that our PPG children don’t have, some of them did poorly and that’s down to the fact

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that anxiety at home has built, people have either been furloughed or worse they've lost their jobs, and some of those people have not done as well. In overall terms of course, for everybody circumstances have changed really dramatically and I think that the effect of the pandemic on our children and young people is still emerging. What we need to do going forward is work closely with our partners, that is, our schools, the CCG, all the partners that are involved in supporting our children and young people. Listen to schools and young people and continue to build on what we already provide, which in the tier 1 and tier 2 services that we provide in West Berkshire. Tier 1 as an example is the excellent youth service which children can access without being referred, can access anonymously and the take-up for that has been excellent. Tier 2 services are the emotional health academy and the two mental health support teams that we now have; we had one and recently were granted funding for a second team. And last of all we need to work closely with our CCG and make sure that they improve the tier 3 services which include CAMHS. So if councillor Vickers is happy with that response then I will have sent to her the detailed one that I was going to read out so she can look at a different perspective. If Councillor Vickers has a supplementary question I will happily answer it.

The Portfolio Holder 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 Martha Vickers asked the following supplementary question:

“Acknowledging that this is really a CCG matter, would you acknowledge that when young people reach the stage that they are being referred to CAMHS that this is the most severe level of care and that it is crucial they are seen as soon as possible as we are talking about children at risk of suicide? And would you agree that this is probably an issue that needs consideration by our Health Scrutiny Committee?”

The Portfolio Holder for Children, Young People and Education answered:

I'm not sure I hold an opinion on that. I will send to you, Councillor Vickers, what we're already doing in partnership with the CCG. I think any services that we offer benefit from scrutiny but I don't think that Health Scrutiny would necessarily add anything transformative at this stage.

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Item (c)	Executive Meeting on 15 July 2021
Submitted to:	Sean Murphy

(c) Question submitted to the Portfolio Holder for Housing, Strategic Partnerships and Transformation by Councillor Lee Dillon:

“What relaxation of noise pollution is being considered in light of Covid restrictions?”

The Portfolio Holder Housing, Strategic Partnerships and Transformation answered:

“Thank you for this interesting question Councillor Dillon. I understand that it has arisen as a result of a query from a landlord who is trying to work out if they need to follow the requirements of their licence and therefore keep doors and windows closed to limit the potential for noise emanating from the premise or if they need to ensure that the premise is well ventilated to minimise the risk to customers and staff due to the Covid19 which we know to be transmissible through air borne particles.

The closure of windows and doors to reduce noise from a licensed premise is not a specific requirement in the Council's Licensing Policy. The policy recommends that “the Operating Schedule addresses detailed activities, depending on the nature of the event and the premises concerned” which includes “the prevention of disturbance to neighbouring residents by patrons arriving at, or leaving, licensed premises through noise or light pollution”. The Policy also states that “when issuing a licence, stricter noise control conditions are likely to be imposed on premises in residential areas.”

As Members will know ‘prevention of public nuisance’ and “public safety” are both licensing objectives laid down in the Licensing Act 2003.

It is not possible, nor would it be right to take a blanket approach to all premises as each will have its own individual circumstances to take into consideration. If there is a specific condition attached to a licence requiring windows and doors to be closed the landlord can submit an application to vary their licence should they feel the need to do so. The implications of a Covid pandemic are unlikely to have been factored in when these conditions were set. You will be aware that it is the responsibility of the landlord to ensure that their staff and patrons act in accordance with any conditions attached to a licence.

The Council appreciates that the conditions on some applications will contradict with the guidance issued in relation to ventilation of premises due to the Covid pandemic. Where possible a pragmatic approach will be adopted. It should however be noted

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that residents living in close proximity to a premise will have become accustomed to quieter times and any noise may seem more pronounced to them. As we have done throughout the pandemic we will seek to strike the right balance between the various protective measures”.

The Portfolio Holder 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:

“Is there an expedited process for you to be able to review and relaxation which a licensee may wish to undertake?”.

The Portfolio Holder for Housing, Strategic Partnerships and Transformation answered:

I don't know the answer to that so I will find out the answer and get trading standards to drop you a written email in response to that. But I can only praise our Trading Standards Public Protection Service for the pragmatic and sympathetic approach that they have taken to all businesses throughout this pandemic. They are to be congratulated on that, thank you.

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Item (d)	Executive Meeting on 15 July 2021
Submitted to:	Andy Walker, Ann McManners

(d) Question submitted to the Portfolio Holder for Finance and Economic Development by Councillor Steve Masters:

"How many residential properties do West berkshire Council own at present?"

The Portfolio Holder for Finance and Economic Development answered:

West Berkshire Council owns 75 residential properties at the present time.

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Item (e)	Executive Meeting on 15 July 2021
Submitted to:	Janet Weekes

(e) Question submitted to the Portfolio Holder for Housing, Strategic Partnerships and Transformation by Councillor Steve Masters:

“How many people are currently in West Berkshire Council owned properties on an emergency basis?”

The Portfolio Holder for Housing, Strategic Partnerships and Transformation answered:

There are no people in WBC owned properties on an emergency basis.

The Portfolio Holder 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 Steve Masters asked the following supplementary question:

“So no families are on short term emergency tenancies?”

The Portfolio Holder for Housing, Strategic Partnerships and Transformation answered:

As I have said, there are no people in WBC owned properties on an emergency basis.

Item (a)	Executive Meeting on 15 July 2021
Submitted to:	Bill Bagnell / Katherine Makant

(a) Question submitted to the Portfolio Holder for Planning and Transport by John Gotelee:

“Is the executive certain that planning permission will be obtained to allow the building of residential units on the Faraday Road Football pitch?”

The Portfolio Holder for Planning and Transport answered:

“Any application by the Council as landowner, including residential on the football pitch, will be determined on its own merits by the Local Planning Authority and where the Executive cannot presume any future decision by the LPA. Clearly the Council as landowner will not submit a planning application unless it has fully addressed all matters relevant to policy. If important matters remain unresolved, the Council as landowner will withhold submission until it is satisfied it has addressed all matters as far as possible and that the case for development can be presented as one of major community wide benefit.”

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Item (b)	Executive Meeting on 15 July 2021
Submitted to:	Katherine Goodchild

(b) Question submitted to the Portfolio Holder for Planning and Transport by Jackie Paynter:

“Do you agree with Hugo Haig from Lochailort Investments, that the 11-storey block of flats proposed for the New Eagle Quarter, provides “a sense of place” and “wayfinding through the town centre” and will “do no harm” or that it will significantly affect the character of our town and lead it in the wrong direction?”

The Portfolio Holder for Planning and Transport answered:

“The application referred to is a live planning application and as such it would be inappropriate to comment. At this stage the application is being assessed against national and local planning policies and consultation responses are being sought. When the assessment process is complete officers will make a judgement on the proposal as submitted.”

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Item (c)	Executive Meeting on 15 July 2021
Submitted to:	Paul Martindill

(c) Question submitted to the Portfolio Holder for Planning and Transport by Ian Hall:

“Given that the new sports ground/ football pitch is being dealt with by Delegated Officer Decisions and a firm has been appointed to oversee the management of construction, can the council please reveal the provisional cost of construction and the acquiring of land? is it true that the cost will be 5 million pounds? Where will the funds come from to pay for it?”

The Portfolio Holder for Planning and Transport answered:

“The land leasing agreement is confidential. It is not true that that cost will be £5M. The Council has set aside a capital budget to fund the project. To date that the Council has committed £126k for Alliance Leisure to progress the planning application and pre construction works.”

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Item (d)	Executive Meeting on 15 July 2021
Submitted to:	Bill Bagnell / Katherine Makant

(d) Question submitted to the Portfolio Holder for Planning and Transport by Paul Morgan:

“Can the Council please confirm exactly what services (e.g. remote monitoring, physical patrols, spot checks, alarms etc.) are being provided from the security contract that it has in place for the football ground at Faraday Road, who is the contractor providing this service and what the contract end date is for this service/contract?”

The Portfolio Holder for Planning and Transport answered:

“The Council’s security responsibilities at the old football ground are limited to public protection and not building and asset protection. The sole concern is to prevent unauthorised access during which individuals might be injured. Metal sheet security on the old clubhouse is provided by Maltaward who are on 24hr turn around to repair metal sheeting if vandalised. Maltaward look after other empty Council buildings. Maltaward will remain in place until existing structures can be demolished, subject to consent. In addition to Maltaward officers on rotation make random weekly visits to specifically ensure the old clubhouse is secure. This level of security is sufficient for public protection purposes and where alarms, CCTV and other measures relevant to asset protection are not appropriate here and would represent an unnecessary expense.”

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Item (e)	Executive Meeting on 15 July 2021
Submitted to:	Paul Hendry

(e) Question submitted to the Portfolio Holder for Environment and Waste by Jackie Paynter:

“In light of the fact that you declared a Climate Emergency following a petition I presented in 2019, are you going to roll out the successful wildflower verge project next year to more places than you have this year to encourage bio diversity?”

The Portfolio Holder for Environment and Waste answered:

The wildflower verges project was started by the previous administration ahead of the climate emergency declaration. I am very glad and I trust that you are too, that this is a three year project which is being delivered in partnership with the Berkshire, Bucks and Oxon Wildlife Trust and will provide the council with a body of evidence on the best verges in the district which support good populations of wildflowers or those verges that have the potential to develop wildflowers. You are no doubt well aware of the fairly visible trial stretches, particularly along the A4 We are planning to make changes to the ways in which we manage most of our verges on an ongoing basis. Initial results from this year are very encouraging and we do now intend to continue to promote wildflowers in verges across the district recording what we find as the project continues.

The Portfolio Holder 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?”*

Jackie Paynter asked the following supplementary question:

“Would you also consider letting other suitable areas grow naturally, without regular cutting? That would give the time freed up to keep other public paths clear, for instance, barn crescent, where there’s been some complaints about paths being overgrown.”

The Portfolio Holder for Environment and Waste answered:

Thank you Mrs Paynter. Again, I can say that all verges are looked at. It is a fairly complicated issue; as well as the ecological benefits, which obviously we all want, for a greater wildlife population and habitats for animals. We do have to consider safety and public access and so on and so forth. Where possible, we will make this change, it won't be possible in all places; it is certainly not a cost saving measure, just as much

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money is spent on the slower frequency cutting as the regular cutting regime but we will consider more.

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Item (f)	Executive Meeting on 15 July 2021
Submitted to:	Bill Bagnell / Katherine Makant

(f) Question submitted to the Portfolio Holder for Planning and Transport by Ian Hall:

“Are the councillors and council officials aware of the document issued by the Local Government Association on Probity In Planning and the requirement to balance the council's desire to be property developers and it's legal obligations in areas such as planning , flood relief or sports fields provision ?”

The Portfolio Holder for Planning and Transport answered:

“Councillors and officers involved in making planning decisions are fully aware of the 2019 updated guidance Local Government Association on Probity In Planning 2013. The Council is careful to clearly separate the roles of the Council as a landowner and as the Local Planning Authority. It should be noted the Council as landowner is entitled to reasonably bring forward devepolment proposals that it believes to be to the benefit of the public purse and the community as a whole and do so knowing the LPA will independently determine the application on its own merits and where the application will not succeed if proposals reducing elements of existing public benefit are not substantially outweighed by benefits to the wider community as a whole.”

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Item (g)	Executive Meeting on 15 July 2021
Submitted to:	Bill Bagnell / Katherine Makant

(g) Question submitted to the Portfolio Holder for Planning and Transport by Alan Pearce:

“Is the regeneration of the Faraday Plaza site on the London Road Industrial Estate not possible at present, as all the planning permission has expired?”

The Portfolio Holder for Planning and Transport answered:

“Determination of whether the Faraday Plaza consent has expired or not is a technical matter being evaluated by the LPA and where it is not appropriate to assume the outcome of that on-going process.”

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Item (h)	Executive Meeting on 15 July 2021
Submitted to:	Bill Bagnell / Katherine Makant

(h) Question submitted to the Portfolio Holder for Planning and Transport by Ian Hall:

“What measures are in force to ensure that the desire to act as property developers are balanced by an impartial decision making process?”

The Portfolio Holder for Planning and Transport answered:

“This matter is addressed in the previous question (f). To confirm – the single most important measure is having clear separation between the Council as landowner and the Council as local planning authority and where the LPA will independently determine any Council landowner application on its own merits.”

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Item (i)	Executive Meeting on 15 July 2021
Submitted to:	June Graves

(i) Question submitted to the Portfolio Holder for Finance and Economic Development by Paul Morgan:

“In terms of transparency and accountability is there a link where members of the public can view what tenders, with an estimated value of £10,000 or more, are or have been posted on In-tend portal?”

The Portfolio Holder for Finance and Economic Development answered:

All procurements with an estimated value of £10,000 or more must be procured in accordance with Part 11 of the Council Constitution, using the In-tend portal. That can be accessed via the In-tend website by members of the public which will show all of those tenders for the council.

The Portfolio Holder 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?”*

Paul Morgan asked the following supplementary question:

“I believe that the IN-tend website you refer to is only available for companies who want to take part in a tender not for the public to view it. If I am wrong could you provide details of how I access it?”

The Portfolio Holder for Finance and Economic Development answered:

As far as I am aware the public can log on at that link and view the tenders for the council. That is the information I have. If that is not the case then I'm sure we can correct that at a later date.

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Item (j)	Executive Meeting on 15 July 2021
Submitted to:	Ross McKinnon

(j) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Ian Hall:

“It is three years since the football ground was closed a) what income has been generated since then from this council asset ? b) what sporting activities have been allowed on it ?”

The Portfolio Holder for Internal Governance, Leisure and Culture answered:

“No income has been generated in the last three years and no sporting activity has taken place.

Two things should be noted:

- The previous annual income generated by last tenancy was very modest - £4,800 per annum.

- Reopening of the grass pitch area for whatever temporary future use is not appropriate until existing dilapidated structures are removed. The Council is seeking permission to demolish these structures after which it will implement works as soon as possible to reopen the area to public recreational sports use.”

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