

Questions and Answers

Council

Thursday, 9th September, 2021

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format or translation, please contact Stephen Chard on telephone (01635) 519462.



This page is intentionally left blank

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

Reference	Portfolio Holder(s)	Questioner	Officer(s)
a	Planning and Transport	Anthony King	Jon Winstanley
b	Environment and Waste	Louise Coulson	Jenny Graham/Jon Winstanley
c	Planning and Transport	Steven Beeson	Flo Churchill/Bryan Lyttle
d	Environment and Waste	Alison May	Jenny Graham/Jon Winstanley
e	Planning and Transport	Simon Pike	Flo Churchill/Bryan Lyttle
f	Planning and Transport	William Beard	Flo Churchill/Bryan Lyttle
g	Internal Governance, Leisure and Culture	Paul Morgan	Matt Pearce/June Graves
h	Finance and Economic Development	Alan Pearce	Bill Bagnell
i	Finance and Economic Development	Vaughan Miller	Bill Bagnell
j	Planning and Transport	Alan Pearce	Flo Churchill/Bryan Lyttle
k	Internal Governance, Leisure and Culture	Vaughan Miller	Matt Pearce
l	Leader of the Council	Vaughan Miller	Sue Halliwell

Member Questions

a	Finance and Economic Development	Carolyn Culver	Richard Turner
b	Internal Governance, Leisure and Culture	Steve Masters	Sarah Clarke/Shiraz Sheikh
c	Internal Governance, Leisure and Culture	Adrian Abbs	Matt Pearce/June Graves
d	Internal Governance, Leisure and Culture	Erik Pattenden	Matt Pearce
e	Internal Governance, Leisure and Culture	Jeff Brooks	Matt Pearce/Joseph Holmes
f	Internal Governance, Leisure and Culture	Alan Macro	Matt Pearce
g	Internal Governance, Leisure and Culture	Tony Vickers	Shiraz Sheikh/Clare Ockwell

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

h	Internal Governance, Leisure and Culture	Lee Dillon	Matt Pearce
i	Planning and Transport	Phil Barnett and Billy Drummond	Flo Churchill/Bryan Lyttle
j	Environment and Waste	Carolyne Culver	Jenny Graham/Jon Winstanley
k	Internal Governance, Leisure and Culture	Steve Masters	Sarah Clarke/Shiraz Sheikh
l	Internal Governance, Leisure and Culture	Adrian Abbs	Matt Pearce
m	Finance and Economic Development	Erik Pattenden	Bill Bagnell
n	Finance and Economic Development	Tony Vickers	Bill Bagnell
o	Finance and Economic Development	Adrian Abbs	Shiraz Sheikh/Matt Pearce/Paul Anstey
p	Internal Governance, Leisure and Culture	Adrian Abbs	Bill Bagnell/Andy Walker/Shannon Coleman-Slaughter
q	Internal Governance, Leisure and Culture	Adrian Abbs	Matt Pearce/Sarah Clarke



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

Item (A)	Council Meeting on 9/9/2021
Submitted to:	Jon Winstanley

(A) Question submitted to the Portfolio Holder for Planning and Transport by Anthony King:

“All the access roads to the Membury Industrial Estate are unclassified rural country roads. The nearest trunk road is a 12km round trip. The Estate is expanding and changing characteristics rapidly with open storage, container parks and major business expansions taking place. This is devastating for the local rural community, the environment and sustainability!

Does the council have an analysis of the forecast maximum and minimum two way vehicle movements from Membury Industrial Estate that will be seen up to the next planning horizon and whether the roads and the road junctions have capacity for this volume and the environmental impacts of these journeys and congestion caused?”

The Portfolio Holder for Planning and Transport answered:

Chairman thank you and thank you Mr. King for your question. The roads servicing the Membury Industrial Estate are classified with the north to south road through the site being a C class road and the B4000 being a B class road.

Particularly, regarding your question, this was considered by the Local Highway Authority (LHA) with the recent planning application 19/02979/OUTMAJ for Walker's Logistics. In response to the planning application dated March 4th 2020, it was stated that to our knowledge “there is no particular threshold or formula that would provide a limit for how much traffic the B4000 can accommodate, particularly as the Local Highway Authority is unaware of any significant traffic congestion in the area.

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?”*

Anthony King asked the following supplementary question:

Thank you very much for the answer. If there is no prospect of an analysis of the traffic, will the Council carry out a Master Plan of the Membury area including all of the impacts on employment, land use, traffic generations and an environmental impact statement up to the next planning horizon?

The Portfolio Holder for Planning and Transport answered:

Thank you Mr King. To my knowledge we don't have that in motion at the moment. I am aware that there is a meeting to be held with local residents, I think that's next week, and I am hoping to attend that if I can. I think the intention at that point is

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

that we will be able to discuss all of those matters with all residents that are attending the meeting and we've got senior Officers attending that as well. So I can't say yes to that at the moment but I'm happy for it to be picked up at that meeting if that's okay with you.



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

Item (B)	Council Meeting on 9/9/2021
Submitted to:	Jenny Graham/Jon Winstanley

(B) Question submitted to the Portfolio Holder for Environment and Waste by Louise Coulson: (written response)

“Do West Berkshire council have any biodiversity experts available to tackle the ever increasing use of the biodiversity metric which is now ever more commonly use to gain permission for sites with wild flora and fauna?”

The Portfolio Holder for Environment and Waste answered:

Yes, the Council has an ecologist and the Planning Policy Team has been working with the biodiversity metric since before DEFRA introduce metric 1 with regards to the preparation of the local plan review. Currently the Environment Bill allows for a two year period of transition following enactment for the requirement to use the metric although it is currently being encouraged.

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?”*

Louise Coulson asked the following supplementary question:

Submitted in advance:

“If not how do they plan to tackle issues where biodiversity metrics are applied due to opposition from the local community where the community wish to prospect plants and community spaces?”

The Portfolio Holder for Environment and Waste answered:

I believe my answer to question 1 answered your supplementary.

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

Item (C)	Council Meeting on 9/9/2021
Submitted to:	Flo Churchill/Bryan Lyttle

(C) Question submitted to the Portfolio Holder for Planning and Transport by Steven Beeson:

“It has been disclosed through a Freedom of Information request that the Thatcham Strategic Growth Study was solely funded by the developers promoting the site and that they were directly involved in agreeing the scope of the study with David Lock. As this document forms a major part of the planning process, preceding and influencing the HELAA process, why were all other promoters of other sites not given equal opportunity to both fund and contribute to the content of the David Lock reports and why was it not disclosed in the document that the developers promoting the site funded it and influenced its content? Does WBDC accept this could be interpreted as collusion and will WBDC Executive be referring this, along with my letter to Nick Carter detailing many further questions this raises to the Monitoring Officer?”

The Portfolio Holder for Planning and Transport answered:

Thank you Chairman and thank you Mr Beeson for your question.

The David Lock Thatcham Growth Study does not influence the Housing Employment Land Availability Assessment, it is a three part study looking at Thatcham in the past, present and the future. There are several points within your question so I'll just take them in turn.

No the Council does not accept it is collusion. The Planning Inspectorate in 2017 have already stated that the site was a sustainable location for development through consideration of the local plan process and by working in this way the Council and the Consortium have a common understanding of what could and could not be achieved if the development was to be allocated for development following the independent examination.

Your final point, yes your letter has been passed to the Monitoring Officer.

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?”*

Steven Beeson asked the following supplementary question:

Not at this stage thank you. I'll wait for the answers to the questions, thank you.

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

The Portfolio Holder for Planning and Transport answered:

Thank you.

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

Item (D)	Council Meeting on 9/9/2021
Submitted to:	Jenny Graham/Jon Winstanley

(D) Question submitted to the Portfolio Holder for Environment and Waste by Alison May:

“Will West Berkshire Council agree to fund and commission professional county wide surveys in order to determine the distribution of Trees, Hedgerows and Ponds throughout the county of West Berkshire?”

The Portfolio Holder for Environment and Waste answered:

Thank you Chairman and thank you for your question Ms May. There are currently no plans to undertake surveys covering the District of West Berkshire as the cost of doing this would be prohibitive.

However, we already hold tree and pond data based on aerial photography and we are developing more plans together with a partnership organisations across the district to consider our natural environment and relevant actions within our Environment Strategy. This group will help us to establish what the priority projects might be to deliver strategic objectives on board including an element of mapping work which may bring some of the diverse sources of data together.

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?”*

Alison May asked the following supplementary question:

Yes I do thank you. Thank you for your answer Steve, my question is how will West Berkshire Council demonstrate they are protecting and enhancing the county's entire existing natural environment in the absence of actual scientific baseline data? As I'm sure you can appreciate the absence of factual and accurate data sets provides an opportunity to skew the subsequent performance statistics, which in turn can mislead the good citizens of West Berkshire. Thank you.

The Portfolio Holder for Environment and Waste answered:

Yes so as my initial thoughts then Ms May are that absolutely as I've said and I acknowledge your point that we do not have universal data. We are very keen to enhance the biodiversity and the ecological quality of this District. And we are going to be very happy to be held accountable to our progress over the coming

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

years within the Delivery Plan on this. So I would encourage you to look out for more news as we and partners unveil stages of our developing plan. Thank you.



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

Item (E)	Council Meeting on 9/9/2021
Submitted to:	Flo Churchill/Bryan Lyttle

(E) Question submitted to the Portfolio Holder for Planning and Transport by Simon Pike:

"When does the Council intend to publish the update of its Infrastructure Delivery Plan that is promised on the Council website "in early 2021", given that this is stated to be a living document, it was last updated in 2016, was previously updated on a three year cycle, and the column in the Infrastructure Delivery Schedule for short term delivery ends in 2021?"

The Portfolio Holder for Planning and Transport answered:

Thank you chairman and thank you Mr Pike for your question.

The short answer is soon. It is due shortly. A final draft copy was sent to Departments for fact checking at the beginning of the summer with the comments due to be back in the early stage of September. Once we've received those and we're content with those the process will be continued. So the short answer is it's on its way.

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?"*

Simon Pike asked the following supplementary question:

Yeah, thank you. So I'm a bit surprised because the web page says that the IDP statement had been produced in December 20 last year; but pending that new delivery, the update of the Delivery Plan, in the current plan the completion of Thatcham Northern Distributor road is categorized as necessary in the medium term. That's 2022 to 2026 to enable development in North Thatcham. Is that the current policy of the Council? Thank you.

The Portfolio Holder for Planning and Transport answered:

I'm not going to comment on that without the work being finalized that you've asked about in your question I'm afraid.

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

Item (F)	Council Meeting on 9/9/2021
Submitted to:	Flo Churchill/Bryan Lyttle

(F) Question submitted to the Portfolio Holder for Planning and Transport by William Beard: (written response)

“What steps have West Berks taken to get planning guidance changed so that AONB status does not impede the take up of electric vehicles in a climate emergency?”

The Portfolio Holder for Planning and Transport answered:

Thank you for your question.

There is no planning guidance that impedes the take up of electric vehicles in the Area of Outstanding Natural Beauty to our knowledge.

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?”*

William Beard asked the following supplementary question:

“question”.

The Portfolio Holder for Planning and Transport answered:

* answer.

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

Item (G)	Council Meeting on 9/9/2021
Submitted to:	Matt Pearce/June Graves

(G) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Paul Morgan:

“With respect to the “Monks Lane sports hub” proposed development, please can you confirm when will the Council be undertaking a competitive tender process which is in line its procurement policy / strategy, that will be visible to the public, for all elements of the project?”

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

Thank you for your question Paul. The Council has utilised the UK Leisure Framework to appoint Alliance Leisure to undertake the development of the Monks Lane Sports Hub and this includes the completion of the tender process. It is anticipated that tenders will be returned on October 8. An Executive committee decision is planned for November 18 to consider the award of the contract.

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:

Monitoring Officer ruled question invalid as it was related to London Road.

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

N/A

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

Item (H)	Council Meeting on 9/9/2021
Submitted to:	Bill Bagnell

(H) Question submitted to the Portfolio Holder for Finance and Economic Development by Alan Pearce:

"Please would the council say if the residential properties adjacent to LR1E along the A4 corridor were included within the outline of the development contract they signed with St. Modwen Developments Ltd."

The Portfolio Holder for Finance and Economic Development answered:

Hi Mr Pearce, nice to see you and thanks for your question. Only properties within the Council's red line freehold ownership formed a specific part of the contract to which you'd refer. The properties you've referred to fall outside the redline.

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?"*

Alan Pearce asked the following supplementary question:

Yes I do, please may I have an un-redacted copy of that contract or even if there's any chance of having a copy even redacted if just for the outline.

The Portfolio Holder for Finance and Economic Development answered:

I will have to take advice and get back to you on that. Thank you.

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

Item (J)	Council Meeting on 9/9/2021
Submitted to:	Flo Churchill/Bryan Lyttle

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

“Please would the council give an update on when the public will be able to access on the council's website the following CVS files comprising of development agreements development contributions and development transactions and after what date the council will have submitted the URLs to the National Register of developer contributions?”

The Portfolio Holder for Planning and Transport answered:

Thank you Chairman and thank you for your question Mr Pearce.
Like other authorities we have been working closely with our software supplier to ensure compliance with the legislation and hope to be in a position that the CIL information will be available shortly. And certainly it's our ambition that this will be in time for December when the next cycle of information is due.

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?”*

Alan Pearce asked the following supplementary question:

No I don't, thank you.

The Portfolio Holder for Planning and Transport answered:

N/A

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

Item (K)	Council Meeting on 9/9/2021
Submitted to:	Matt Pearce

(K) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Vaughan Miller:

“Does the council state the planned activities and milestones with times that are needed in order for the proposed sports ground at Monks Lane to be delivered and operational by their own publicised date of March 2022?”

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

Thank you Chairman. The Council's ambition has always been to complete the development by March 2022. However, this timescale is influenced by the planning determination and the decision of Sport England which is a statutory consultee for the planning application. We continue to monitor progress with the planning app process and we'll review as necessary.

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?”*

Vaughan Miller asked the following supplementary question:

Yes I do. I was hoping to get some updates on the milestones for the Monks Lane development and because the question was asked earlier in the year, in which case milestones were given with dates. I was hoping to get that. Could you provide that as a written answer?

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

I can advise a written answer with pleasure.

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

Item (L)	Council Meeting on 9/9/2021
Submitted to:	Sue Halliwell

(L) Question submitted to the Portfolio Holder for Leader of the Council by Vaughan Miller:

“Can the council explain what plans it has in place to do its bit for the country by welcoming Afghan refugees to bring their skills and make their homes in West Berkshire.”

The Leader of the Council answered:

Thank you Mr Miller. I'm sure you all remember but the Council back in July of this year, all Members unanimously backed my call to offer resettlement to Afghan families. Since then the Council has offered 3 properties to the Afghan Locally Employed Staff Resettlement Scheme but is waiting to hear back from the Home Office on when they expect those arrivals.

The Council is working closely with partners including the NHS, the Police, the voluntary sector and others to bring forward the necessary arrangements and a multi-agency working group has been set up to support the families' safe arrival and settlement into the district.

The families will be offered privately rented furnished accommodation with a fixed tenancy, support with school admissions, access to health care, financial aid, English language teaching and employment and training assistance as well as any other help that they may need to settle in the community.

I'm sure you may also be aware Mr Miller, if you've been keeping up with the local press or our own news bulletins, that we're actually housing two bridging hotels. So over the course of the weekend we've had a number of arrivals which the Council staff here have been working tirelessly all weekend to make sure that they arrive safely and are supported while they're temporarily located within West Berkshire.

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?”*

Vaughan Miller asked the following supplementary question:

Yes I do thank you and its very encouraging and the work you're doing and the work the Officers are doing is terrific. So I would like to commend you on that. I

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

would however, just say that three families seems a low number; there may be reasons for that, but if you extrapolate that across the country we're hardly going to be able to support the 13 or 14 000 refugees who have just come or been extracted from Afghanistan, let alone the people coming in by boat or whatever.

The Leader of the Council answered:

So okay, thank you Mr Miller and I appreciate that three families may seem a small number to you but we have to look at the number of individuals within those particular families. I have to say that first of all, we're one of about 35 percent of local authorities up and down the country that have actually signed up and I would encourage all local authorities to have a look at that and make sure that they're signing up so that we can have an equal distribution across the country. And what I would also say is how we're doing this is, we're basing it on the accommodation that we have available here in West Berkshire which is exactly the same as what we did when we had our Syrian Resettlement Scheme. And there is actually a government portal that says if you have offers of support that you are able to submit, so if you have accommodation that you would like to put forward please put it on that portal. So while we're starting with three families if we have offers of more accommodation come through to us. Of course we will look at those, but it is very much based on the accommodation that we have available to house families. and I think you need to remember we're a small Unitary. There's lots of larger areas and I think we all need to do our bit and I'm really proud of what West Berkshire is doing here and three families of x amount of individuals is certainly the right direction to take, but we will do a rolling program as we did with the Syrians as the accommodation becomes available. Because I think you appreciate that we want to make sure that there's the opportunity within the private rent sector to enable that and I do know that there's support for those families to come here in that way. So it's a start it's a step in the right direction and something I'm immensely proud of West Berkshire for doing. Thank you.

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

Item (A)	Council Meeting on 9/9/2021
Submitted to:	Richard Turner

(A) Question submitted to the Portfolio Holder for Finance and Economic Development by Carlyne Culver:

“Does West Berkshire Council own property that it leases to tenants. Yes or no?”

The Portfolio Holder for Finance and Economic Development answered:

Thank you for your question Councillor Culver. The answer is yes.

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?”*

Carlyne Culver asked the following supplementary question:

Thank you for your brevity.

The Portfolio Holder for Finance and Economic Development answered:

N/A.

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

Item (B)	Council Meeting on 9/9/2021
Submitted to:	Sarah Clarke/Shiraz Sheikh

(B) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Steve Masters:

“How many letters since May 2019 have been issued to residents of West Berkshire threatening legal action for comments on social media or other media regarding a) The council itself and b) Elected members of the council? What process/policy is followed or used to initiate or proceed with such action and has legal action been taken on any members of the public subsequently?”

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

Thank you Chairman and thank you Councillor Masters. During the period referred to, the Council has issued two such letters. One of those resulted in the subsequent service of a Community Protection Notice under the Anti-Social Behaviour, Crime and Policing Act 2014, and there has been no further action relating to the second.

The process followed in such matters will depend upon the facts and the particular circumstances of the case. The Council continues to take steps to secure the removal of content that is defamatory or otherwise abusive to staff or where posts are being given rise to safeguarding concerns. And it is entirely right that it does so. In terms of Members, it is appropriate for action to be taken against any individual who publishes inappropriate content about any Councillor. Members should not be subjected to intimidation or abuse on social media, and a failure to address this appropriately will result in a less diverse cohort of Members. Particularly as women are statistically more likely to be subject to intimidation and abuse. Thank you.

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?”*

Steve Masters asked the following supplementary question:

Thank you Councillor Woollaston. Of the two, were they against the Council or individual elected Members?

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

I'm afraid I don't know Council Masters. I can find out and let you know.

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



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

Item (C)	Council Meeting on 9/9/2021
Submitted to:	Matt Pearce/June Graves

(C) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Adrian Abbs:

"Has the council yet undertaken a competitive tender process for the delivery of their now released plans for the Monks Lane Sports Hub project and when will the details be available?"

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

Thank you Councillor Abbs. The competitive tendering process is currently in progress and is being conducted by Alliance Leisure who have been appointed to do this work through the UK Leisure Framework Agreement. As mentioned in an answer to a previous question, tenders are due to be returned by October 8th. An executive decision is planned for November 18th to consider the award of the contract.

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?"*

Adrian Abbs asked the following supplementary question:

Yes thank you very much Councillor Woollaston. So does the portfolio holder not agree that given the executive stated aim of a new sports hub being completed by March 2022, something promised to Sport England and there's a major reason behind the withdrawal of the objection to the Faraday Road Football Club application, that not providing details to other Members, not involving Ward Members, in any of this process, given that the Monks Lane development will have a very large impact on the residents of my ward and the other Members that represent that ward. You know that by not doing so, by not involving people, by making us ask questions in the format that we're having to ask the questions i.e. in public like this, that we're failing the most basic scrutiny test and it drives conspiracy theories which we don't really need to drive. So would you agree with me on what I've said please?

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

I'm afraid I wouldn't Councillor Abbs. We undertook a very detailed consultation exercise which included a webinar which I took part in. Clearly the planning process is going through now which gives another opportunity for both Members and opponents to have their say. I think we've done the most we can.

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



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

Item (D)	Council Meeting on 9/9/2021
Submitted to:	Matt Pearce

(D) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Erik Pattenden:

“Will Monks Lane Newbury Sports Hub be completed within the proposed timescales?”

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

Thank you Councillor Pattenden. The Council's ambition has always been to complete the development by March 2022. However, this timescale will be influenced by the planning determination and the decision of Sport England which is a statutory consultee for this planning application. We continue to monitor progress with the planning process and we'll review if necessary.

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?”*

Erik Pattenden asked the following supplementary question:

I do thank you. You'll be aware as well that there's well-reported shortages of materials, haulage and staff affecting the building trade. Are these likely to affect your proposed timescales?

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

I'm afraid I can't say. I mean I am well aware of these shortages clearly, but it depends on whether the contractor we've selected can sort themselves out or not I suppose.

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

Item (E)	Council Meeting on 9/9/2021
Submitted to:	Matt Pearce/Joseph Holmes

(E) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Jeff Brooks:

"How much funding is the council allocating to the lifespan of the replacement pitch at Newbury Sports Hub?"

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

Thank you Councillor Brooks. The Council has allocated a sinking fund of £25k per annum to cover lifetime replacement but is keeping this figure under review in light of increasing inflationary costs.

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?"*

Jeff Brooks asked the following supplementary question:

That's helpful. Can you just remind me what the lifespan is considered to be please?

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

About 10 years.

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

Item (F)	Council Meeting on 9/9/2021
Submitted to:	Matt Pearce

(F) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Alan Macro:

"How long were WBC in negotiations with Sports England to get their approval for the Newbury Sports Hub?"

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

Thank you Councillor Macro. The Council has not completed any negotiations with Sport England as we do not require their approval for the Newbury Sports Hub. Sport England is a statutory consultee in relation to the Sport Hub development and make their decisions in according with the National Planning Policy Framework.

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?"*

Alan Macro asked the following supplementary question:

Does that mean there were no formal or informal discussions with Sport England about the hub?

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

We are always in discussion with Sport England about all matters sport. So yes of course we had discussions with them and about the playing pitch strategy as well.

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

Item (G)	Council Meeting on 9/9/2021
Submitted to:	Shiraz Sheikh/Clare Ockwell

(G) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Tony Vickers:

“What, if any, public concern about anomalous electoral arrangements, such as parish boundaries, has been expressed to this Council by any community group or local council in West Berkshire recently, apart from the situation in Sandford ward of Greenham where a year ago the Returning Officer was reminded that since 2019 five councillors of the parish council's 15, represent just 6 voters out of over 3000, because of the delay of 10 years in delivering new homes there?”

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

Thank you Councillor Vickers. The Council has received queries in respect of existing electoral arrangements in three parishes in addition to Greenham Parish.

Two queries related to the total number of Councillors representing the Parish Councils and the other relates to a Parish where there is no current Parish Council.

As I have previously confirmed to you, the Council is looking at the issue on district-wide basis. I can confirm that the project manager has now been appointed and has started work with the electoral services manager to review the community governance arrangements. As we discussed, I'm hopeful this work will be completed by the 2023 local elections; but if this rule is impractical, we would if possible, look at the Sandford ward as an individual case.

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?”*

Tony Vickers asked the following supplementary question:

Thank you. Chairman, yes I do. I'm grateful for that answer it's quite somewhat reassuring. I'm sure the monitoring officer is aware of paragraph 27 in the guidelines; but would you not agree that in this case referring to that paragraph whilst it is normal to undertake a review of the whole district. There are exceptional circumstances where serious anomalies can be addressed on an individual basis and that this is a serious enough anomaly to actually cause reputational damage if it's not addressed.

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

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

I understand where your thoughts are coming from Councillor Vickers. Just to repeat, we are reasonably confident that we can achieve this on a district-wide scale, but if not, then we will consider looking at the Sandford ward as an individual case. I'm not aware that the problems that there are this particular ward very much.

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

Item (H)	Council Meeting on 9/9/2021
Submitted to:	Matt Pearce

(H) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Lee Dillon:

"Can the Portfolio holder for leisure please ensure that Members of Kennet JAC are furnished with the budget papers and regular management accounts?"

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

Thank you Councillor Dillon. WBC has a single contract to operate the leisure centres. As such we get accounts for the full contract covering 7 leisure centres. The accounts up to June 30th 2019 can be supplied at the next meeting of the Kennet JAC. The receipt of accounts since then has been impacted by the Covid pandemic and we are awaiting for these accounts to be finalised subject to the completion of audits. I understand your colleague Councillor Jeremy Cottam who chairs the Kennet JAC is fully aware of this.

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?"*

Lee Dillon asked the following supplementary question:

Yeah, thank you for the answer. I think that would you agree that particularly bodies like this where we have a commercial organization running it in partnership with the Council that it's important that Members have full transparency of those documents in order to carry out their scrutiny process? And that the delay of budget papers which obviously triggered this question is not helpful to that process.

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

Absolutely accept that. But I think you have to appreciate, I'm sure you understand that leisure centres were particularly impacted by the virus.

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

Item (I)	Council Meeting on 9/9/2021
Submitted to:	Flo Churchill/Bryan Lyttle

(I) Question submitted to the Portfolio Holder for Planning and Transport by Phil Barnett and Billy Drummond:

"In view of impending legislation can this council seriously consider relaxing the present restrictive use of front gardens to allow more off street parking?"

The Portfolio Holder for Planning and Transport answered:

Thank you Councillors for your question. I think without seeing published legislation it's almost impossible to provide a comprehensive response. Policy regarding the use of front gardens for off street parking can be considered as part of the local plan review and transport plan review but it must also be balanced with the need for biodiversity and climate change. Front gardens provide a valuable resource in preventing surface water flooding, which is lost when front gardens are given over to parking.

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?"*

Phil Barnett and Billy Drummond asked the following supplementary question:

Thank you councillor Somner, as you quite rightly say, next year we will see government regulations regarding footpath parking and obviously it will be up to this Council to make a judgment whether to implement the regulations. But of course many local roads and cul-de-sacs will become very narrow if it is the case. Do you agree that the Council should encourage as much as possible, bearing in mind that the big concern will be access of emergency vehicles and our own refuse carts.

The Portfolio Holder for Planning and Transport answered:

Thank you council Barnett. I think it's difficult to support something which may be required by a resident and may not be desired or accepted or liked by the residents either side. You know it's not always something which is nice to look out of your front window and see cars parked outside. Let's put it that way, I think we need to look at that and I'm quite content that when the legislation comes forward we will discuss that in the Transport Advisory Group.

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

What I was saying Chairman is that we will discuss any legislation that comes out through the Transport Advisory Group. I think that's the sensible place to have an open conversation about it. I'm quite keen to see any legislation that comes out about verge parking and the issues that are created by that and of course paramount importance will be access for not only emergency vehicles but for our Viola trucks and the likes to get down streets. As well of course because if they can't get down there then all of our services become questioned.

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

Item (J)	Council Meeting on 9/9/2021
Submitted to:	Jenny Graham/Jon Winstanley

(J) Question submitted to the Portfolio Holder for Environment and Waste by Carolyne Culver:

“What proportion of parish councils have attended meetings of the Parish Climate Forum?”

The Portfolio Holder for Environment and Waste answered:

Thank you Chairman and thank you Councillor Culver for your question. 40% of Parish and Town Councils have attended the Parish Climate Forum since it was set up in May.

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?”*

Carolyne Culver asked the following supplementary question:

Thank you Councillor Ardagh-Walter. Yeah could you outline for me a bit more about how you are hoping to encourage more Parish Councils to get involved in this and can we involve Members of this chamber and encouraging their Parish Councils to take part? Thank you.

The Portfolio Holder for Environment and Waste answered:

Thank you Councillor Culver. So answering the second part of your question first, I'd be delighted if you and indeed other Members know of any Councils as in Parish or Town Councils who have not to date been happy to attend. It is worth pointing out that every single Parish has been contacted. Many are extremely small and the ask on Members of a small committee is understandably quite high when there are obviously other commitments. So again we'd be delighted to spread the word both to Parishes and the community groups where they're known. So please, the more the merrier. Thank you.

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

Item (K)	Council Meeting on 9/9/2021
Submitted to:	Sarah Clarke/Gabrielle

(K) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Steve Masters:

“How much officer time is spent reviewing social media outside of West Berkshire Council's own social media accounts?”

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

Thank you Councillor Masters. Officers would only review social media outside of the Council's own accounts in limited circumstances for example:

- Consumer Protection – The Public Protection Team have responsibility to enforce a range of consumer protection legislation which means that, where relevant, they will review social media accounts linked to a matter under investigation.
- Inappropriate content – If the Council receives a complaint about material posted on social media that relates to the business of the Council that will be reviewed as appropriate in accordance with the relevant complaints procedure.

I can confirm that the actual time spend undertaking such activities is very limited.

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?”*

Steve Masters asked the following supplementary question:

No thank you very much.

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

N/A.

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

Item (L)	Council Meeting on 9/9/2021
Submitted to:	Matt Pearce

(L) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Adrian Abbs:

“Is the new Sports Hub to be a net carbon zero project?”

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

Thank you Councillor Abbs. Net Zero Carbon focuses on two main sources of carbon, operational energy use and embodied carbon. The main principles of net carbon zero are to reduce construction impacts, reduce operational energy use, increase renewable energy supply, and finally consider offsetting any remaining carbon. Net Zero Carbon at present does not have a universal standard but rather several toolkits and bodies that assess a building's potential to be Net Zero Carbon over its lifetime. West Berkshire Council have chosen to adopt a more traditional industry standard of BREEAM on Newbury Sports Hub, along with most Local Authorities.

The building overall will achieve BREEAM very good and the operational energy use of the building will achieve the BREEAM excellent standard. I can confirm that environmental issues were confirmed to the design team as a crucial importance from the very start they are still working out the detailed design but expect to be not quite nets of carbon zero so we propose to achieve this through carbon offsetting.

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?”*

Adrian Abbs asked the following supplementary question:

Yeah I am just a little surprised at that because BREEAM excellent all round should have been our target. But the main issue I saw was in the planning and I'd like you to confirm that there is in fact no solar at all on this new facility?

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

Thank you. The original brief is to try and get to BREEAM excellent and the advice from the consultants it was almost impossible to achieve on this building, for a variety of reasons. In terms of the lack of solar, the issue is the orientation of the building, it goes north south and I'm informed by consultants that doesn't really meet the ideal standards for solar.

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

Item (M)	Council Meeting on 9/9/2021
Submitted to:	Bill Bagnell

(M) Question submitted to the Portfolio Holder for Finance and Economic Development by Erik Pattenden:

“Why is it that the council will not fully consider opposition views, Newbury Community Football Group views and the ward councillor's views to re-open the Faraday Road pitch for football?”

The Portfolio Holder for Finance and Economic Development answered:

Thank you Councillor Pattenden and thank you for your question. Now I have a lot of respect for Councillor Pattenden as I hope he knows but I completely reject the premise of this question. The suggestion that the Council has not fully considered alternative views is wholly wrong. We're fully aware of those views, but there's competing views and interest regarding what happens to that piece of land and the wider London Road Estate. Most notably the long-term economic interests of the residents of West Berkshire as a whole. It's a logical fallacy to assume, as I think he does here, that because the Council decides to proceed in a different direction to that wished by those mentioned that their views have not been considered. They have been. Now Councillor Pattenden mentions the community football group. Now for my part, I have in the past attempted to engage with that group in good faith, but the only outcome of that was to receive rather nasty abuse from that group's social media pages in both of me personally and also towards my Executive colleagues. It's not reasonable to expect Members or Officers of the Council to continue the discussions in that climate. That said, more recently, I know that Councillor Woollaston has met with representatives of the community football group and only this week had a very good and constructive meeting with Councillor Miller of Newbury Town Council and the community football group who we've previously heard from this evening. So I hope this heralds the beginning of a less hostile approach towards the Council. I'd be very happy if that was the case, but even then there can be no guarantee that the Council will in the future wholly satisfy the wishes of that group, the opposition, and indeed the Ward Members. That is simply the nature of decision-making when there are stakeholders whose interests and wishes are in conflict. But to return to my original statement, the Council will always consider differing view; but ultimately we'll make what we feel is the best decision which balances those demands in the best interests of West Berkshire as a district.

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?”*

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

Erik Pattenden asked the following supplementary question:

Thanks for your answer Councillor Mackinnon and the respect is mutual. But from the many questions put forward by opposition Councillors, the community football group and even Conservative Councillors in this chamber regarding the temporary or permanent reopening of Faraday road, the pitch there. Since the ground was closed three years ago can you see from our perspective how we feel the views of opposition Councillors, the NCFG, and the public are not being fully considered?

The Portfolio Holder for Finance and Economic Development answered:

I can understand why those whose views are ultimately not adopted by the Council might be frustrating; but I do think it's unfair and far too much of a stretch to say that the views are not considered.

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

Item (N)	Council Meeting on 9/9/2021
Submitted to:	Bill Bagnell

(N) Question submitted to the Portfolio Holder for Finance and Economic Development by Tony Vickers:

“What is the scope and geographic extent of the Environmental Impact Assessment (EIA) which I believe is being carried out for the Council's London Road Industrial Estate (LRIE) and will it be complete before, or as part of, an outline planning application that we now expect to be submitted sometime next year?”

The Portfolio Holder for Finance and Economic Development answered:

Thank you Chairman and thank you Councillor Vickers. The work being carried out now is estate wide, high level and covers the key areas of transport, flooding, drainage, contamination, noise, air quality and historical significance. This is part of an iterative process resulting in production of an Environmental Statement which must accompany any future planning application. Some aspects are likely to be more challenging – like flooding – and therefore requiring further studies going forward in order to seek different mitigation options. Other aspects might be found to be of little and no risk – like archaeology – and therefore may need no further work than that being carried out now. I can assure you that any outline application will not be considered without an appropriate Environmental Statement, itself the product of significant on-going work.

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?”*

Tony Vickers asked the following supplementary question:

Thank you. I'm somewhat pleased to hear that Councillor Mackinnon; but would it be possible for myself as the Shadow Planning spokesperson to have site of the terms of reference given to the consultant on this. So that would give me more reassurance. Is this a public document? I think it might not might have to wait till the planning application in normal circumstances but this isn't really a normal circumstance in that it is Council owned land.

The Portfolio Holder for Finance and Economic Development answered:

In principle, I'm happy to share with you as the planning spokesman any documents that my legal advisors and the Officers feel appropriate; but in principle I think if you'll allow me to discuss that further offline.

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



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

Item (O)	Council Meeting on 9/9/2021
Submitted to:	Shiraz Sheikh/Matt Pearce/Paul Anstey

(O) Question submitted to the Portfolio Holder for Finance and Economic Development by Adrian Abbs:

"Who will own the built asset should the sports hub go ahead given considerations leasehold and freehold."

The Portfolio Holder for Finance and Economic Development answered:

This question reads just a wee bit strangely but I'm assuming you're asking who will own the leasehold and freehold at the sports. And that the land deal was extensively detailed in the Executive report on the 29. But to remind you of those details, the Council will own the built assets for the duration of its leasehold interest which is 40 years. On termination of the lease the land and the fixed assets will revert to the landlord which at present is Newbury Rugby Club.

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?"*

Adrian Abbs asked the following supplementary question:

Yes thank you very much Councillor Mackinnon. Given that there are multi millions of pounds to be spent on the building of this facility, does Councillor Mackinnon believe that, or can he demonstrate rather, that there is actually better value in building this new asset and it's current location then handing it over to a third party rather than just building the same facility down at the Faraday road site?

The Portfolio Holder for Finance and Economic Development answered:

I think that's the dictionary definition of new information but I'll take advice on that one. It's an entirely different subject.

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

Item (P)	Council Meeting on 9/9/2021
Submitted to:	Bill Bagnell/Andy Walker/Shannon Coleman-Slaughter

(P) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Adrian Abbs:

“Was the Faraday Road Clubhouse insured at the time of the fire?”

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

Thank you Councillor Abbs, the simple answer is no. The building had no built asset value and insurance protection was limited to public liability in order to protect the Council from any personal accident and injury claim by persons injured while attempting to break into the property illegally.

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?”*

Adrian Abbs asked the following supplementary question:

Yes thank you very much for that answer. In a previous meeting, a similar question was answered in that it was self-insured. Could you please explain the difference between the two answers?

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

I'm afraid I'm not an insurance expert Councillor Abbs. A written version will be provided.

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

Item (Q)	Council Meeting on 9/9/2021
Submitted to:	Matt Pearce/Sarah Clarke

(Q) Question submitted to the Portfolio Holder for Internal Governance, Leisure and Culture by Adrian Abbs:

“Given Sports England preference for cross party meetings to ensure continuity of sport facility delivery, why does this council have conservatives and officer only meetings and not share minutes of these meetings with all parties?”

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

Thank you again Councillor Abbs. The Council has engaged extensively with the Community regarding the proposals for sports facilities in West Berkshire. The Council has also been in regular communications with Sport England regarding the same.

The playing pitch strategy was approved by Council in February 2020 after extensive public consultation. It provides for annual meetings between the Council and Sport England. The first lead was postponed because of Covid and is now taking now taking place next month. The Council has operational meetings with Officers in respect of delivering key schemes which are frequently part two and include commercially sensitive information. It would not be practical for all party Members to be invited to such meetings or appropriate for minutes to be circulated.

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?”*

Adrian Abbs asked the following supplementary question:

Yes can you confirm that the people you speak to at Sport England includes a gentleman called Bob Sharples, who I've also spoken with, who clearly indicates and has shown me information from Councillor Lynne Doherty basically giving assurances on various schedules etc.? And that he has stated a preference for cross-party representatives to be discussing with them. Not just those in control just in case there is a change in the future which we hope will happen.

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

That's never been passed across to us I am afraid.
