

Questions and Answers

Council
Tuesday, 19th July, 2022

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

Public Questions to the Council

19 July 2022

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

Item (a)	Council Meeting on 19 July 2022
Submitted to:	Jon Winstanley

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

“At the next Full Council meeting, I would like to understand the logic of making major road changes for a 300 yard cycle lane, on the A4 between the Co-Op and Waitrose. The cost must have been triple that of extending the existing pathway and any excess could have been used to fill pot-holes. The project looks OTT for such a short cycle way. Poor value especially as a similar cycle path has been made on the opposite side of the road. At least the cheaper cycle path, links up with other cycle paths whereas the very expensive cycle lane disappears after Sandilands school. All the lane has achieved is 1. Expense 2. Narrowing of the traffic lane. 3 Making it more hazards for cyclist to use the roadway! This is at the expense of the numbers game to be able to show X number of cycle paths have been provided.”

The Portfolio Holder for Planning, Transport and Countryside answered:

The Council has provided a high quality cycle link, demonstrating our commitment to encouraging active travel in line with the aims of our environment strategy. The project been designed in accordance with the Department for Transport's latest cycle design guidance and subject to an independent safety audit. Indeed the money for this project was subject to a successful bid from the government's Active Travel grant and the money was only secured because it was designed to the Government's new standard, and could not have been spent on anything else other than this important active travel link.

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Item (b)	Council Meeting on 19 July 2022
Submitted to:	Katharine Makant

(c) Question submitted to the Portfolio Holder for Finance and Economic Development by Lee McDougall:

“Why does the Council believe “it would not be appropriate to fund the infrastructure and booking system necessary for the re- introduction of organised children’s football” at Faraday Road, when the investment requited would be under £10k for goals and a portaloo and allow organised children's football to be played for several years?”

The Portfolio Holder for Finance and Economic Development answered:

The Council believes it would not be appropriate to fund the re-introduction of organised children’s football on the playing field at Faraday Road because there are a number of other pitches available for children’s football in Newbury with the necessary infrastructure already in place. Instead, we are focussed on progressing our plans for a superb new Sports Hub at Monks Lane and a replacement grass pitch for Faraday Road at Manor Park and on growing the economic base of West Berkshire by bringing in investment and high quality jobs on the London Road Industrial Estate.

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

Item (c)	Council Meeting on 19 July 2022
Submitted to:	Paula Goodwin/Sarah Clarke

(b) Question submitted to the Portfolio Holder for Internal Governance and Strategic Partnerships by Paul Morgan:

“Can the Council please share with us the reason, justification, business case and financial sign off associated with the massive increase in spend on “Agency & Temporary Staff” that since January 2022 is now averaging at just under £1 Million per month. Thank-you”

The Portfolio Holder for Internal Governance and Strategic Partnerships answered:

During the last financial year the Council did spend £9.7m on agency workers. However, it should be noted that part of that spend was to help us deal with important national incidents such as COVID-19, support for Afghan and Ukrainian refugees. If we cannot find a permanent member of staff for a post and find ourselves having to employ an agency worker, the cost to the Council is not the cost of the agency worker but rather the cost of the agency worker less the salary that we would otherwise be paying to the permanent member of staff. Therefore, after taking all sources of funding into account and having deducted unspent salaries where posts are vacant, the actual marginal cost of agency staffing in the last financial year was just over £700k - somewhat different from the amounts alluded to in your question.

Paul Morgan asked the following supplementary question:

“The figures I got were from the website which shows that you are spending over a million pounds a month on agency staff - I didn't get the answer that I was expecting there. My supplementary question is about a company called Comensura which I'm sure you're aware of. You're spending about £1m a month starting from January of this year, and basically it's to do with procurement. Do you have the details of exactly what they're spending that on? I've looked at Comensura's accounts here and they have a £50m turnover, £8m of which is pure profit. My question is: are you aware of the profit margin that Comensura are making as an organisation in terms of their agencies spend with people like the Council, which is a 50% profit margin?”

The Chairman determined that this supplementary question was not relevant to the original question, and had introduced new material, so would therefore not be considered.

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Item (d)	Council Meeting on 19 July 2022
Submitted to:	Katharine Makant

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

“Considering the recently published London Road Industrial Estate Project Refresh report will the Council now review its decision to spend a huge amount of taxpayer’s money (upfront and ongoing) on building one small 3G facility at the rugby club, which the Council is now understood to be saying is not a replacement for the Faraday Road Stadium?”

The Portfolio Holder for Finance and Economic Development answered:

This question seems to be ‘considering that we've recently published a refresh report will we now change our minds’? The answer to that is obviously no.

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Item (e)	Council Meeting on 19 July 2022
Submitted to:	Katharine Makant

(d) Question submitted to the Portfolio Holder for Finance and Economic Development by Vaughan Miller:

“At the recent public webinar on Manor Park, it was stated there has been significant growth in football teams (from 344 to 382), with 59 teams having to play outside the West Berks District. All this since this council unnecessarily closed Faraday Road football ground in 2018. Yet the council is planning to spend hundreds of thousands of pounds to put a football pitch on Manor park field which will provide only 6 hours of organised sport per week. There are already plans approved to redevelop the Faraday Road Stadium with a 3G pitch at a cost to the council of around £600,000 that could provide over 50 hrs/week. Why does this council refuse to take the option that is obvious to everyone but itself and redevelop the Faraday Road Football Stadium and give the town the first class facility it deserves as part of your revised LRIE regeneration plans?”

The Portfolio Holder for Finance and Economic Development answered:

The answer to your question is jobs. Hundreds of high quality jobs that will be safeguarded and created by developing the Faraday Road site and the former depot site for high quality, green technology jobs by 2026.

Vaughan Miller asked the following supplementary question:

“My question was around Manor Park and the six hours per week that that would allow for football to meet the deficit that you have. 59 teams playing outside West Berkshire. You’ve got an extra 40 teams over the last few years playing. At the rate of 6 hours per week it’s going to take years and years to deliver or meet the shortfall. Why would you not consider having two 3G pitches - one at the rugby stadium and one at the Faraday Road stadium to be able to deliver against this deficit that you have in your playing pitch strategy?”

The Portfolio Holder for Finance and Economic Development answered:

Because the Faraday Road site is going to safeguard and create hundreds of high quality jobs for the economy of Newbury and West Berkshire over the years.

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Item (f)	Council Meeting on 19 July 2022
Submitted to:	Katharine Makant

(f) Question submitted to the Portfolio Holder for Finance and Economic Development by Vaughan Miller:

“In his recent letter to the NWN, council member Jeff Brooks, finance spokesman for the Liberal Democrats, demonstrated that the council could save AT LEAST £9.4 MILLION if it redeveloped the Faraday Road stadium rather than build the small stadium out of town at Monks Lane. In these straightened times when everyone is being advised to tighten their belts does the council insist on wasting public money on this expensive folly?”

The Portfolio Holder for Finance and Economic Development answered:

We don't accept this statement in your question. I see that you've come up with the £9.4m cost of the site. This seems to change with the weather, and of course it's added up over 40 years to give a misleading and scarily large figure. Why do we insist on developing Faraday Road? To create and safeguard hundreds of high-quality jobs for the economy of Newbury and West Berkshire.

Vaughan Miller asked the following supplementary question:

“Just a matter of a few months ago your justification was to build affordable housing. Now you've changed that to create offices despite the fact that COVID has changed the way of working. So you're going to invest in offices for supposed hundreds of jobs. This is more propaganda. Basically, the hundreds of jobs is just propaganda. It goes against the flow of the current trends. People are working from home, not going to offices (apart from maybe days like this). So yes, a few months ago it was houses, now its offices and jobs. What's going to be next? Who are we meant to believe?”

The Portfolio Holder for Finance and Economic Development answered:

Me, thank you Mr Miller.

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Item (g)	Council Meeting on 19 July 2022
Submitted to:	Katharine Makant

(g) Question submitted to the Portfolio Holder for Finance and Economic Development by Vaughan Miller:

“In a time when every family and business are making choices to get more value from the money they spend, does the council insist on spending around £4 to 5 Million on building one small stadium at the rugby club, when it could build a 3G pitch at the rugby club AND a BETTER stadium at Faraday Road for around £2 to £2.5 Million?”

The Portfolio Holder for Finance and Economic Development answered:

I see the cost has changed now to four to five million. It was £9.4m a second ago. We are developing the pitch at the Rugby Club and developing the site at Faraday Road to create and safeguard hundreds of high quality jobs for the economy of Newbury and West Berkshire and beyond. I don't know why you're against economic development and the creation of jobs, but my job as Economic Development Portfolio Holder is to take a much more rounded view.

Vaughan Miller asked the following supplementary question:

“You're clearly not into saving money. So the £9.4m figure before was from Council's published figures. It's actually probably going to be more, and so that's a number that's published by yourselves. The £4m - 5m is around the build costs, not the overall costs. So again, you can get two stadiums for the price of one if you were economically sensitive to the current climate. And again I'm afraid you may well have another folly on your hands if you're going to build offices that no one wants when we are getting offices that are being converted into flats all the time. How do you justify spending at least twice as much to build one stadium when you could have two for half the price of one?”

The Portfolio Holder for Finance and Economic Development answered:

The figures that you cite do not stand up to the remotest of scrutiny.

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

Item (A)	Council Meeting on 19/7/2022
Submitted to:	Paul Coe

(A) Question submitted to the Portfolio Holder for Adult Social Care by Alan Macro:

“Has the Council received any proposals from anyone to keep Notrees care home open?”

This question was withdrawn by Councillor Macro prior to the meeting.

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(B) Question submitted to the Portfolio Holder for Planning, Transport and Countryside by Adrian Abbs:

"Given the concerns of residents that verges are overgrown, will the Portfolio holder please demonstrate that the correct balance between encouraging biodiversity and ensuring the safety of pedestrians and road-users is being achieved?"

The Portfolio Holder for Planning, Transport and Countryside answered:

There is most definitely a balance to be had here. We are very excited to say about the Wildflower Verges project and the prospect of large swathes of our verges covered in beautiful and thriving foliage, but we do appreciate some parts of the network are essential to connect rights of way and safeguarding sight lines to ensure road safety is also of paramount importance.

I can assure you that colleagues in the Countryside and Road Safety teams are working together with BBOWT (who are leading the Wildflower Verge project) to ensure the correct balance it achieved.

Adrian Abbs asked the following supplementary question:

"I did ask for you to demonstrate the correct balance rather than were you trying for direct lines, but I'll skip by that for the moment if I may. The problem is, and the reason I asked the question with my Portfolio hat on, is because the natural thing would be to simply say biodiversity tops it all. It's actually not road traffic that is being reported to me as the issue which is why I was interested for you to demonstrate how we were taking the balance. It's actually the footpaths that are being basically overgrown next to the roads and therefore causing an issue for pedestrians. So I'll come to you afterwards Councillor Somner with a list of examples, but it ranges all over the district to be honest. What I would like to have seen is for you to demonstrate how we're doing that balance. I think it's not quite right at the moment and I am the environmental spokesman, so I'm in favour of the environment of course."

The Portfolio Holder for Planning, Transport and Countryside answered:

Yes, I did notice the 'demonstrate' in your question and short of taking pictures or taking you out, I wasn't quite sure how it was going to be best to do that if I'm perfectly honest with you. But I'm happy to carry on a conversation with you and then to receive your examples and we can go from there.

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Item (C)	Council Meeting on 19/7/2022
Submitted to:	Jon Winstanley

(C) Question submitted to the Portfolio Holder for Planning, Transport and Countryside by Martha Vickers:

“Can you explain why planned roadworks on a busy main road involving a 15km diversion with inadequate and confusing signage, such as happened recently on the A4 in Speen, has to be done during the day and without consulting all affected ward councillors and parish councils, whose local knowledge and social media networks can minimise the chaos and inconvenience that results if given sufficient time to broadcast the work?”

The Portfolio Holder for Planning, Transport and Countryside answered:

Work was carried out in off-peak hours during the day to minimise disruption. Night works were not appropriate due to the close proximity of residential properties. The diversion route, whilst I appreciate was long in length, was appropriate for the class of road. The diversion route was signed in accordance with DfT guidance and best practice. A Project Notification for the work was issued to stakeholders including Newbury Town Council and Speen Parish Council along with local Ward Members two weeks prior to the start of the work. Signs were also erected on site a week before the start to alert the travelling public.

Martha Vickers asked the following supplementary question:

“Thank you. You've actually partly answered it as my supplementary was going to be an assurance that you should and will consult Ward Members and relevant parish councils before any works, and about the signs as well. I'll just add that once this work is up and running, could you please monitor the signs? Both myself and my husband actually travelled that route during the works and we found it very, very difficult to follow the signs and other people are equally frustrated. So once signs are up can they please be monitored and hopefully any responses from the parishes and the Ward Members are taken into consideration.”

The Portfolio Holder for Planning, Transport and Countryside answered:

The standard template for the emails that go out is to make sure that local Ward Members and the relevant parish or town (or both) councils are included in that communication. With regards to the signage, I'm happy to pick that up with the team and make sure that we do whatever we can to make sure that nothing is being moved or changed and make sure it's still relevant. How we report that out, if there is

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an issue, I suspect it would be through the same means, but happy to take that conversation forward.

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Item (D)	Council Meeting on 19/7/2022
Submitted to:	Sarah Clarke

(D) Question submitted to the Portfolio Holder for Internal Governance and Strategic Partnerships by Steve Masters:

“Some 18 months on from the executive approving it (11th February 2021 - <http://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=117&MId=5691&Ver=4>), what progress has been made with the restructure in (what was called) strategic support?”

The Portfolio Holder for Internal Governance and Strategic Partnerships answered:

I am very pleased to say that the restructure of the area formerly known as Strategic Support has been fully implemented, and the new Department and Teams are operating very efficiently.

Steve Masters asked the following supplementary question:

“The proposal outlined a range of improvements with respect to information governance, including a new IT system, which was used partly to justify the redundancy of members of staff. What was the name of this system? How much did it cost, and when was it implemented?”

The Portfolio Holder for Internal Governance and Strategic Partnerships undertook to provide a written response to the supplementary question subsequent to the meeting.

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Item (E)	Council Meeting on 19/7/2022
Submitted to:	Paul Martindill/Sarah Clarke

(E) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Claire Rowles:

“Please could the Portfolio Holder for Leisure tell me when the Sports Hub is expected to be delivered and what implication the delay due to the Judicial Review has?”

The Portfolio Holder for Housing, Leisure and Culture answered:

I have to say that I am deeply frustrated that the superb facility that we are trying to provide at the Sports Hub has been consistently delayed by the activities of a handful of people who hang on to the wish to retain a Football Pitch at Faraday Road even though it would be at the expense of economic expansion and jobs in Newbury and West Berkshire.

The final delaying tactic encouraged by the parties opposite was to issue a Judicial Review that was thrown out by the High Court on all grounds with costs awarded to the Council. Sadly, the legal system allows the applicant to ask for an oral hearing which he has asked for so we are yet further delayed before we can award the construction contract hopefully to the end of this month but if not September as the courts adjourn in August.

Although the Council is confident that the Judicial Review will again be thrown out and further costs awarded, it has taken the financially responsible approach and stopped work on the sports hub until the claim for the JR has been determined. To date this has frozen the scheme for 2 months.

The implications are increased construction costs to the Council Taxpayer and a delay in the delivery of the Sports Hub which may have an impact on the ability for Newbury FC to use the Hub as their home for the 2023/4 season. I hope that the individual involved is proud of themselves.

Claire Rowles asked the following supplementary question:

“Are you able to quantify the financial cost and impact of the delay?”

The Portfolio Holder for Housing, Leisure and Culture answered:

Not totally. The construction programme will remain at 26 weeks but will be further delayed because the lead in time for provision of utilities such as power and water has now extended to 16 weeks.

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The exact cost implications for the Sports Hub cannot be determined because it is dependent on the date and decision of the High Court, which of course is at present unknown but will be significant given the current level of building cost inflation.



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Item (F)	Council Meeting on 19/7/2022
Submitted to:	Paul Coe

(F) Question submitted to the Portfolio Holder for Adult Social Care by Alan Macro:

“Why did the Council's consultation hub not allow some people to respond to the consultation on the proposed closure of the Notrees care home?”

The Portfolio Holder for Adult Social Care answered:

We are aware that there was a temporary issue with the search functionality on the Consultation Hub that means an article disappears from the search facility on the Hub on the last day of the consultation.

The article however was still available at the publicised url through other search engines. This impacted for one day and the issue has been raised with the providers as a matter of urgency.

Other routes of access to the survey were also available (e.g. hard copy) and a range of ways to contribute were widely publicised. But as I said, we have raised this with the supplier and they are treating it as a matter of urgency.

Alan Macro asked the following supplementary question:

“This seems to have been a known problem. Could you not have either (or both) posted a large informative on the website to say that this was happening and give an alternative, or alternatively to extend the consultation by one day?”

The Portfolio Holder for Adult Social Care answered:

It's very easy to look back and say what we should have done. But what we have done now, and the next consultation that is due to end in nine days is the taxi fare consultation, so I have requested that officers (just before) put out all of the information again including the publicised url so that people are not reliant on having to go through the consultation hub on the last day. So they have nine days still to continue with that. And I can assure you that I will also be pushing for the resolution of this issue with our digital team.

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Item (G)	Council Meeting on 19/7/2022
Submitted to:	Sarah Clarke/Shiraz Sheikh

(G) Question submitted to the Portfolio Holder for Internal Governance and Strategic Partnerships by Steve Masters:

“What progress has been made in hiring a legal professional to the post of information governance solicitor?”

The Portfolio Holder for Internal Governance and Strategic Partnerships answered:

I am delighted to confirm that we have a permanent Information Management Solicitor due to start with the Council in September.

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Item (H)	Council Meeting on 19/7/2022
Submitted to:	Sarah Clarke / Shiraz Sheikh

(H) Question submitted to the Portfolio Holder for Internal Governance and Strategic Partnerships by Steve Masters:

“Inefficient working practices in Information governance were offered as part of the rationale for the reorganisation of the workload and the redundancy of two members of staff; how many FOIs and SARs were received by the council in the last year, and has their response time, number of requests for review, and number of breaches and complaints improved as a result of the changes?”

The Portfolio Holder for Internal Governance and Strategic Partnerships answered:

During 2021, the Council received 1081 FOI requests, and 56% were answered on time. Whilst this was a reduction in response time from the previous year, this was due to vacancies in the team and I am pleased to confirm that the numbers have improved since then and are now approaching the same level as during 2020.

The Council received 95 Subject Access Requests during 2021/22 and over 70% of those were answered on time. There was a reduction in response times for Subject Access Requests although this is now improving. Furthermore due to an increase in the number of requests for children records which are dealt with in Children and Family Services, the Council has allocated further resource to that team to bring additional capacity and to improve the response time accordingly.

I'm also pleased to confirm that since the restructure the number of complaints referred to the Information Commissioners Office has dropped from 3 in 2020, to none in 2021 and one in 2022. This is reflective of the improved oversight now in place during the internal review process.

Steve Masters asked the following supplementary question:

“Do you have a ballpark figure on the number of temporary and agency staff used during the period and the cost therein?”

The Portfolio Holder for Internal Governance and Strategic Partnerships undertook to provide a written response to the supplementary question subsequent to the meeting.

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