

Questions and Answers

Executive
Thursday 23rd March, 2023

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 Sadie Owen on telephone (01635) 519052.



This page is intentionally left blank

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

Item (A)	Executive Meeting on 23 March 2023
-----------------	------------------------------------

**(A) Question submitted to the Portfolio Holder for Internal
Governance and Strategic Partnerships by Ian Hall:**

“Is it appropriate for a councillor who now lives outside England but within a country in the United Kingdom to be allowed to have a say in what happens in West Berkshire?”

The Portfolio Holder for Internal Governance and Strategic Partnerships answered:

Thank you for your question.

The Local Government Act 1972 sets out the relevant criteria for an individual to be elected as a councillor and I can confirm that this statutory framework does not prohibit Members of this Council from living outside of West Berkshire.

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

Item (B)	Executive Meeting on 23 March 2023
Submitted to:	Sarah Clarke

(B) Question submitted to the Portfolio Holder for Internal Governance and Strategic Partnerships by John Gotelee:

“If a conservative councillor failed in his duty to do case work or answer emails as in the case of one of Clayhills councillors would he / she be sacked and a by election called?”

The Portfolio Holder for Internal Governance and Strategic Partnerships answered:

Councillors, once elected, will only be removed from office as a member of a local authority in limited circumstances. They are not employees, and cannot therefore be ‘sacked’.

West Berkshire Council has however, in accordance with the provisions of the Localism Act 2011, adopted a Code of Conduct for its councillors, and also, a process by which complaints about councillors can be considered. If you have concerns about a Members conduct, I would invite you to engage with that process, details of which are available on the Council’s website.

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?”*

John Gotelee asked the following supplementary question:

“Thanks you for your answer. I think that you will agree that Clayhill has been let down by one of its councillors. One was very good, one has let us down. I notice that of the two new candidates, one is on your WhatsApp group that has been engaging in quite disgusting behaviour. Does that mean that standards are slipping or is it just Clayhill that you don’t like?”

The Leader: suggested that the question did not correspond with the initial question.

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

Item (C)

Executive Meeting on 23 March 2023

(C) Question submitted to the Leader of the Council by Richard Almond:

“Can you tell us how the Household Support Fund that West Berkshire Council has been given by the Government has been spent here to help people in need of financial support and, following the announcement of more funding to come, how will this be used?”

The Portfolio Holder for Leader of the Council answered:

Since the fund was launched in October 2021 the Council have successfully enabled £1.9M to be provided to support the most vulnerable in our community.

In this there have been over 4,200 applications approved. These individual claims have been used to fund utility costs, clothing, household appliances among other items.

The fund has also been used to deliver over 23,000 free school meals during the holiday period.

The Council has also made direct payments to charitable organisations Greenham Trust, Age Concern and Age UK in order to increase delivery to the elderly population.

The funding awarded for 2023/24 will continue the delivery model which has proved so successful including the commitment to continue funding free school meal vouchers during school holidays.

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?”*

Richard Almond asked the following supplementary question:

“Is there any indication as to what further may be expected, and if any more does come will it be got out as promptly as possible to those in the most acute need?”

The Portfolio Holder for Leader of the Council answered:

Thank you Mr Almond for that supplementary. I'm very pleased to say that West Berkshire Council acted very swiftly throughout this process and I am sure that you will have seen the Cost of Living Support Hub that was put into place last September,

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

I believe, to help the funding go out. I have already alluded to a commitment to continue with the free school meals vouchers, in fact I've seen recent announcements around continuing the HAF, which is the holiday, activities and food programmes, for these coming holidays. We are also looking at how we help the elderly, particularly because we know that they are some of our most vulnerable in our communities. Myself, and Councillor Woollaston have been having conversations with our housing teams to look at how we can make sure that we are getting to those most vulnerable in difficulty with housing. We are currently working on our plan. There are lots of things in process and I can assure you that we will be looking to act as swiftly as we possibly can to ensure that our most vulnerable get the most support.

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

Item (D)

Executive Meeting on 23 March 2023

(D) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Paul Morgan:

“Can you please provide a full breakdown of what Capital (upfront) costs and Revenue (ongoing) costs has been spent (and allocated) on the Playing Pitch Strategy (PPS) to date, i.e., in the financial years 2020 to 2023 and what further funds has been allocated for the PPS for Capital (upfront) costs and Revenue (ongoing) costs (please provide a year-by-year breakdown) for the next 10 financial years, i.e. 2023/24 to 2032/33.”

The Portfolio Holder for Housing, Leisure and Culture answered:

To date, funding has been used to support the delivery of the Playing Pitch Strategy projects, which are:

- 2021 £126,000 Newbury Sports Hub
- 2022 £12,600 Feasibility study at Manor Park and Holybrook Linear Park
- 2022 £150,000 – 3G pitch at Denefield School
- 2022/22023 £75,000 – allocated for 3G pitch at John O’Gaunt School, Hungerford
- 2023/2024/2025 £230,000 – New grass pitches at Goosecroft Recreation Ground Purley on Thames (Funding allocated from the UK Prosperity Fund)

All are capital allocations except the feasibility studies.

West Berkshire Council has completed a Stage E review of the PPS in partnership with Sport England and 4 National Governing Bodies of Sport, which has encompassed updating the demand and supply data for sports pitches. This will inform future priorities and expenditure of the PPS.

I am sorry but asking for figures for the next 10 years is just not feasible. The Council operates a 4-year Medium Term Financial Strategy which has approximately £4 Million allocated to the Playing pitch Strategy over the next two years to be reviewed thereafter.

In terms of revenue costs, I explained at Full Council last week that until the new Leisure Management Contractor is appointed, which I hope will be approved at this meeting, I am not in a position to provide detailed figures but rest assured that they will be published by June when the contract is scheduled to commence.

What I can confirm is that the proposed Leisure Management Contractor, if appointed, will take full financial responsibility for the previously anticipated subsidy after Year 1.

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

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:

“Thank you for all the information. I'm concerned about the lack of budget moving forward. We heard at the last Executive meeting that you said that you had allocated £4.026m in the Medium Term Financial Strategy, which is in your budget. Are you aware that the Monks Lane Sports Hub takes 100% of the budget Councillor Woollaston, I am sure that you are? My supplementary question is this, you mention Schedule E of the Playing Pitch Strategy. I've requested a Freedom of Information. Why is that information not available when it's been presented to the Corporate Board last September? Why is that information not available to the public? It went last September and I have seen the minutes for it.”

The Portfolio Holder for Housing, Leisure and Culture answered:

That report is going to the Operations Board in May and will be released after that. It was delayed due to the Judicial Review on the Sports Hub.

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

Item (E)	Executive Meeting on 23 March 2023
----------	------------------------------------

(E) Question submitted to the Portfolio Holder for Planning, Transport and Countryside by Paula Saunderson:

“Some Councils are considering or are involved in banking land to provide credits for developers to off-set the needs of the Nutrient Neutrality Directive and Biodiversity Net Gains which cannot be achieved on-site, so is WBC involved in such provision locally from their own or other lands?”

The Portfolio Holder for Planning, Transport and Countryside answered:

Thank you for your question.

Yes, the Council is investigating the opportunity for local land to be used for nutrient neutrality mitigation and new habitat creation for offsite Biodiversity Net Gain. The details of any scheme will be published in due course and will be presented to Executive or Council for approval. There is a need to avoid inflating agricultural land values to ensure that these mitigation schemes are financially viable.

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

Item (F)

Executive Meeting on 23 March 2023

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

“It appears the construction of the Monks Lane Sports Hub has been delayed. The number one priority of the Playing Pitch Strategy is the ‘Relocation of the single sized adult grass pitch at Faraday Road’ and ‘This site will be available before any construction work starts at Faraday Road’. The EX4219 London Road Industrial Project Refresh is proposing to have the ‘Playing field site redeveloped for employment use’ by 2026. It appears the only potential replacement for Faraday Road is Monks Lane, and currently there’s been no public consultation regarding moving Faraday Road to Monks Lane. Would now be a good time to carry out that public consultation?”

The Portfolio Holder for Finance and Economic Development answered:

Thank you for your question.

I’m delighted that His Honour Judge Jarman KC recently determined that the Council had acted lawfully when it granted planning permission for the new Sports Hub at Monks Lane. In response to your question, there is no requirement for the Council as landowner to consult the public on a replacement for the Faraday Road playing field.

The location of a replacement will be determined by the Council as Local Planning Authority alongside the planning application for redevelopment of the playing field site, expected to be submitted by the end of 2024. There will be consultation as part of the planning application process.

You can follow progress on the delivery of Bond Riverside (LRIE) on our website at <https://businesswestberks.co.uk/lrie-updates>

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

Item (G)

Executive Meeting on 23 March 2023

(G) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Simon Pike:

“What is the cost to the Council of providing temporary accommodation for the residents of the Four Houses Corner Gypsy and Traveller site while it is being refurbished?”

The Portfolio Holder for Housing, Leisure and Culture answered:

Thank you for your question.

The cost of providing temporary accommodation for residents who have been displaced is £3,500 per month.

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:

“I was expecting the total cost to the Council of the provision. That number you quoted x the total number of months x the total number of houses needed. If you can't provide that I would be grateful for that in writing”.

The Portfolio Holder for Housing, Leisure and Culture provided the following written response:

The cost of the displaced households is £3,500 per calendar month or £42,000 per annum. The last resident vacated FHC in February 2021 so there have been 2 years costs for all households (£84,000) since the site has been empty.

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

Item (H)

Executive Meeting on 23 March 2023

(H) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Lee McDougall:

“Has the Council subsidised (such a reduced rates for pitch hire) or contributed financially to any senior men's or women's football team since June 2018 and does it plan to in the future?”

The Portfolio Holder for Housing, Leisure and Culture answered:

Newbury Town FC were allocated a pitch at Henwick Worthy for the season 2019/20 which allowed them to be promoted to a step 7 club. The charges for that season only were covered by West Berkshire Council. There are no plans to subsidise or contribute in the future, but will take matters on a case by case 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?”*

Lee McDougall asked the following supplementary question:

“Given the level of subsidy that you are going to provide to rugby teams with the Monks Lane development why won't you do anything as substantial as that for football teams in the area?”

The Portfolio Holder for Housing, Leisure and Culture answered:

We are looking to provide you with a brand new Sports Hub, Sir.

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

Item (l)	Executive Meeting on 23 March 2023
----------	------------------------------------

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

“York House has huge potential for local charities to provide and enhance their services. Why has the council decided to auction off this vital asset?”

The Portfolio Holder for Finance and Economic Development answered:

York House became vacant in May 2018.

In the period leading up to the Executive Decision to dispose of the freehold of York House on 3rd November 2022, opportunity over this circa four year period was offered to all council operational services through expressions of interest.

A number of proposals were brought forward by council services but none were viable to progress.

Additionally a number of external opportunities were explored following interest, but were withdrawn by the interested parties as not viable.

There was a report approved by the Executive in November 2022, and subsequently called-in and scrutinised by the Overview & Scrutiny Management Commission later in November where the item was discussed at length and the decision was not referred back to the Executive.

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

Item (J)

Executive Meeting on 23 March 2023

(J) Question submitted to the Portfolio Holder for Adult Social Care by Denise Gaines:

“Can I ask the executive member for Adult Social Care “what progress has been made into the review of the future of the Notrees care home?””

The Portfolio Holder for Adult Social Care answered:

We are still looking at viable options for Notrees but it is contingent on working together with Sovereign Housing as there is a shared interest in the site. They have advised that they need to focus on their priorities for year end and will open up conversations with us in the new financial year.

In the meantime we are of course making sure the property remains in good order and trying to keep occupancy high.

We are also preparing some Communication work to share insights into how we are managing these sorts of assets.

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

Item (K)	Executive Meeting on 23 March 2023
----------	------------------------------------

(K) Question submitted to the Portfolio Holder for Finance and Economic Development by Tom Kirby:

“If you pedestrianise Thatcham Broadway, you will kill the weekly market. What compensation are you going to give already struggling traders if you pedestrianise the Broadway?”

The Portfolio Holder for Finance and Economic Development answered:

Thank you for your question.

The draft Thatcham Town Centre Strategy seeks to enhance the existing market by creating a dedicated space for markets and events, making car parking less confusing and encouraging visitors to visit the whole town centre.

The Strategy was developed on the basis of consultation with local residents and businesses and engagement with stakeholders including Thatcham Town Council.

The report makes it clear that delivery of the proposed projects is subject to prioritisation, working up in detail, availability of funding, stakeholder agreement, further engagement and, where necessary, statutory public consultation.

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

Item (L)	Executive Meeting on 23 March 2023
----------	------------------------------------

(L) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by John Stewart:

“Regarding Executive Thursday 23 March Agenda Item 15 (Newbury Sports Hub - revised costs and seeking permission to sign Development Management Agreement- EX4332), as the purpose of the EX4332 report is to provide an update on revised capital costs, why has the £35K per annum sinking fund and the £250K lease premium to the rugby club not been included?”

The Portfolio Holder for Housing, Leisure and Culture answered:

The report is updating on revised capital costs, the cost relating to a sinking fund and lease premium have not changed.

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

Item (M)	Executive Meeting on 23 March 2023
----------	------------------------------------

(M) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Ian Hall:

“As football matches and rugby matches will be played on separate days, why do the tax payers of West Berkshire have to pay for the construction of what will surely be to be a duplication of social facilities post match, when these are already at the Rugby Club?”

The Portfolio Holder for Housing, Leisure and Culture answered:

Only the first team rugby fixtures will be scheduled for alternative match days.

The rugby club has several teams and some of these will play at the Rugby Club on the same day as Football club home matches.

Football teams require the secondary income from drinks and catering to sustain their viability. The separated social facilities enable football clubs to capture this income, and this would be much more complicated if not impossible if rugby club and football clubs were jointly using the same social areas.

Additionally, the inclusion of the Sports Hub in the new Leisure Management Contract, will provide the new leisure operator with the opportunity of exploring wider use of the club-house facilities for community activities.

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

Item (N)	Executive Meeting on 23 March 2023
----------	------------------------------------

(N) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Paul Morgan:

“My question relates to Item 15 on the Agenda (Newbury Sports Hub - revised costs and seeking permission to sign Development Management Agreement- EX4332). Section 4.5 of the report states that “the Sports Hub has been included within the new Leisure Management Contract”. Can the Council please confirm what elements this will cover, e.g., personnel costs, utility costs (gas, electricity, water etc.); management costs / profit ; equipment maintenance / replacement, insurance, security etc as well as premises costs (rental to Newbury Rugby Club) and WBC Revenue support?”

The Portfolio Holder for Housing, Leisure and Culture answered:

All the elements listed above in your question are contained within the new contract except for building insurance and the sinking fund for the pitch replacement every 10 years, which remains with the Council. Equipment is being supplied within the capital cost budget allocated from 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:

“So to be clear, all of the costs identified such as personnel and utility costs, management costs, profit, the subsidy revenue support from the Council is that all included within the maintenance contract? Can we have visibility of the ongoing costs?”

The Portfolio Holder for Housing, Leisure and Culture answered:

Yes Mr Morgan, and yes, but not until the contract is awarded.



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

Item (O)	Executive Meeting on 23 March 2023
----------	------------------------------------

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

“Qu. Re Town Centre Strategies: The REPORT to Exec states its PURPOSE as Overview, Context and outlining the NEXT STEPS for delivery of the Strategies and seeking endorsement to take the NEXT STEPS forward, however RECOMMENDATIONS then state that Exec should ENDORSE the 2 Draft Strategies AND Take Forward Delivery of the Strategies, therefore is this Committee Session actually to ENDORSE the Draft Strategies AND the included Action Plans without the proposals going back to Residents for Comment, bearing in mind that the Next Steps are not actually summarised in the Report?”

The Portfolio Holder for Finance and Economic Development answered:

Thank you for your question.

The report states in its purpose (para 1.1) *“This report also outlines the next steps for delivery of the Strategies and seeks endorsement to take them [i.e. the Strategies] forward.”* The recommendation set out in para 2.1 is that Executive endorse the Strategies and seek to take forward their delivery in partnership with key stakeholders.

In response to your question about going back to residents for comment, the Strategies were developed on the basis of consultation with residents, businesses and visitors and engagement with stakeholders.

The report makes it clear that delivery of projects is subject to prioritisation, availability of funding, stakeholder agreement, further engagement and, where necessary, statutory public consultation.

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

Item (P)	Executive Meeting on 23 March 2023
----------	------------------------------------

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

“The Executive decision EX3978 of 17th of December 2020 approved the commissioning of a Supplementary Planning Document (SPD) for the London Road Industrial Estate. Two years have elapsed, please would the Council give an update on the progress of the SPD and the exact area contained within the outline, or if there’s been a delay, give the reason why?”

The Portfolio Holder for Finance and Economic Development answered:

Thank-you for your question to which I am responding on behalf of the Council as landowner.

The revised delivery strategy for LRIE, now renamed Bond Riverside, is set out in the report approved by Executive on 9 June 2022 (reference EX 4219), and we are moving forward at pace with the Place-shaping Strategy and leaseholder engagement. As stated in Executive Report EX4219, the intention is to develop the Place-making Strategy into an SPD for adoption by end 2024. This will be subject to the statutory planning process and determination by the Council as Local Planning Authority.

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

Item (Q)	Executive Meeting on 23 March 2023
-----------------	------------------------------------

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

“How many representations did the Council receive on the Regulation 19 consultation on the draft Local Plan?”

The Portfolio Holder for Planning, Transport and Countryside answered:

Thank you for your question.

Approximately 700 representations have been received. This figure is approximate because some respondents have requested that their names are withheld but anonymous comments cannot be accepted. The relevant people have been contacted again to explain the situation and have been asked if they wish to withdraw their comments or add their information.

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:

“That number is almost the same as were the number of representations received for Regulation 18. How come the time taken to process them is so substantially different?”

The Portfolio Holder for Planning, Transport and Countryside answered:

I'm not sure that it is the same. I thought Regulation 18 response was higher than that in all honesty. We've managed to allocate resources from across the Place Directorate to deal with that.

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

Item (R)

Executive Meeting on 23 March 2023

(R) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Lee McDougall:

“Reports from a local children football team suggest that in poor weather children's matches at Henwick are cancelled to save the pitch for mens Sunday League football, who still play. As mens football pitch hire rates are double those charged for children's football, is the Council sacrificing local children's access to sports facilities for financial gain?”

The Portfolio Holder for Housing, Leisure and Culture answered:

Decisions on cancellations of football matches at West Berkshire Football facilities are made on the day by site staff, and occasionally with the referee in attendance. It is not practice to cancel matches on one day in order to support football matches on another day regardless of the age groups involved. Very occasionally staff will prioritise Cup games as these have to be played on a specific day over league games which can be more easily reprogrammed. The issue is where grass pitches are at risk of falling into an unplayable condition. The artificial pitch at the Sports Hub will of course go some way to overcome this problem.

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 McDougall asked the following supplementary question:

“Just to point out, that does happen so you may not be aware of it. Girls' football matches were cancelled and then mens' matches played the same day. Given that there is now a big backlog of girls'/childrens' football games could they not use Faraday Road to catch upon the backlog?”

The Portfolio Holder for Housing, Leisure and Culture answered:

I will provide a written response, as I'm afraid that I don't know the answer.

The Portfolio Holder for Housing, Leisure and Culture provided the following written response:

The short response is no, as there is no football infrastructure (lines, goals, fencing, etc.) at that location. The former football pitch is open for temporary recreational use by the public until such time as it is redeveloped in line with the refreshed delivery strategy for LRIE, now renamed Bond Riverside. There are other pitches available nearby which have all the necessary infrastructure for children's football

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

Item (S)	Executive Meeting on 23 March 2023
----------	------------------------------------

(S) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Vaughan Miller:

"In ref. to agenda item 15 (EX4332): The Lib Dems have publicly stated that, should they win control of the council in May, they would cancel the Sports Hub and allow the redevelopment of the Faraday Road Stadium by the applicants of the planning application that was passed by this Planning Authority in 2021. Therefore, why would you not consider pausing the decision to push through the £4MILLION+ spend for the development of the Sports Hub until after the election?"

The Portfolio Holder for Housing, Leisure and Culture answered:

Any delay risks incurring further increased capital costs. A further factor is that the site will need to be ready by March 2024 to enable local football teams to register the Newbury Sports Hub as their home and to play home matches there in the 2024/2025 season.

This administration fully expects to remain in control of this Council as the electorate will see through the lack of policies and the promises being made by the parties opposite which are clearly not affordable.

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:

"It would seem to me that you are risking further unnecessary spend of taxpayers' money and by doing so you are recklessly and in a fiscally irresponsible way acting. Your administration has lost its sense of public service. Just a few weeks to pause, then if you do win go ahead, but if you don't win then you are not risking further loss to taxpayers money, because we will be cancelling it".

The Portfolio Holder for Housing, Leisure and Culture answered:

You are entitled to your opinion obviously. The key point there though is the March 2024 date which we need to hit in order to enable local football teams to register, and if we don't get on with it now, I am afraid we won't be able to achieve that.

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

Item (T)	Executive Meeting on 23 March 2023
----------	------------------------------------

(T) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Paul Morgan:

“My question relates to Item 15 on the Agenda (Newbury Sports Hub - revised costs and seeking permission to sign Development Management Agreement- EX4332). The report states that the overall costs and contingency excludes VAT. Will the Council have to pay 20% on top of all eventual costs or will it be exempt from VAT?”

The Portfolio Holder for Housing, Leisure and Culture answered:

I am informed by the finance team that for most capital project, including this one, the Council can recover all of the VAT it incurs as it is exempt.

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

Item (U)

Executive Meeting on 23 March 2023

(U) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Alan Pearce:

“Question in relation to Item 15 on the agenda. EX 4332 (5.14) states that “The current budget requirement reflects an increase of £527,000 as a result of the Judicial Review application and subsequent appeals”. Please can the Council confirm that this statement is misleading as £345K of the increase in costs is due to 29 planning conditions and not the Judicial Review?”

The Portfolio Holder for Housing, Leisure and Culture answered:

The statement is not misleading. The delay caused by the Judicial Review has resulted in substantial inflationary costs attached to the construction of the Artificial Grass Pitch, Pavilion and car park and increased energy 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?”*

Alan Pearce asked the following supplementary question:

“Things do seem to be misleading in this Monks Lane Sports Hub on the finances. Is it not time that some consultation with the public was done with regard to moving Faraday Road to Monks Lane?”

The Portfolio Holder for Housing, Leisure and Culture answered:

We've already concluded a substantial consultation with the public about the proposals.

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

Item (V)

Executive Meeting on 23 March 2023

(V) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Simon Pike:

“What is the Council's assessment of the 'impact upon the lives of people with protected characteristics' resulting from the delay in completion of the refurbishment of the Four Houses Corner Gypsy and Traveller site?”

The Portfolio Holder for Housing, Leisure and Culture answered:

Thank you for your question.

As part of the project to refurbish the Four Houses Corner site, due regard has been given to how decisions and activities might affect people with protected characteristics. Overall, it has been assessed that the refurbishment of the site will deliver improvements and have a positive impact on the lives of people with protected characteristics. The Council has put in place support for those with protected characteristics and it will continue to have due regard to its duties under the Equality Act 2010.

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:

“My question was the impact of the delay not the overall impact. So I would be grateful if you could clarify that? A witness at the planning inquiry for the gypsy site at Lawrences Lane planning commented that the delay was causing serious distress to people used to living on a site rather than in housing.”

The Portfolio Holder for Housing, Leisure and Culture answered:

There have been delays to the project however the Council are committed to completing the re-development of the site and to ensuring an on-going engagement with residents and the wider community. As part of the project to refurbish Four Houses Corner site an Equalities Impact Assessment will be undertaken to ensure that the requirements of the residents are acknowledged. There have been delays with the project however the Council is totally committed and we hope to be submitting a planning application in the near future.

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

Item (W)

Executive Meeting on 23 March 2023

(W) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Lee McDougall:

“Re 6.1 of the Newbury Sports Hub Report: Will the Council retract this factually incorrect statement, a site clearly has been identified with sufficient space to develop a ground to step 4, as it granted 2 planning permissions for a football stadium and 3G pitch in the centre of Newbury (RG14 2AD). Namely 20/01966/COMIND "Renewal and expansion of the existing football pitch to form a new 3G main pitch and a smaller 3G training / practice pitch", approved on 21/11/21 and 20/01530/OUT "permission for replacement of clubhouse and new spectator stand on the 25/11/21", both applications clearly state the ability to go Step 4 standard and higher.”

The Portfolio Holder for Housing, Leisure and Culture answered:

We acknowledge that the planning application 20/01966 was approved by West Berkshire Council, with the potential for the Faraday stadium site to achieve the Step 4 ground grading. However, as you are well aware the Council as landowner has exciting alternative plans for the development of the Faraday Road Site, to provide a significant boost to the local economy.

As such, the site cannot be said to have been identified as a Step 4 football ground other than by third parties.

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 McDougall asked the following supplementary question:

“It's really misleading do you not think? Surely you should say a site has been identified but the landlord, the Council, will not release it. It is very deceptive to the public to say that no other site has been identified. It's deliberately misleading and quite frankly you should be ashamed of yourselves.”

The Portfolio Holder for Housing, Leisure and Culture answered:

You are entitled to your view Sir, I disagree.

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

Item (X)

Executive Meeting on 23 March 2023

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

“How many Council Officers are assigned to the review of the representations on the Regulation 19 consultation, and when is this review expected to be to have been completed?”

The Portfolio Holder for Planning, Transport and Countryside answered:

Thank you for your question.

The appropriate number of Council Officers have been assigned to the processing of the Regulation 19 Consultation. Up to 24 officers have been reviewing the representations including officers from the wider Planning and Regulation Team who have been supporting the Planning Policy Team.

The review of representations has been completed and all eligible submissions published on the Local Plan Review Consultation software Objective.

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:

“So that is not the end of the review as my understanding is that the Director of Place still needs to decide whether the Plan is ready for submission, and I noted that your statement at the beginning of the meeting pre-judged that by making it as a fact that it would proceed to examination. When is the Director of Place expected to complete that review before the possible submission of the Plan?”

The Portfolio Holder for Planning, Transport and Countryside answered:

Final reviews are ongoing, the submission is imminent. I have a draft of that proposed submission in front of me at the moment, and it will be within the next week, possibly 10 days.



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

Item (Y)	Executive Meeting on 23 March 2023
----------	------------------------------------

(Y) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Simon Pike:

“What are the reasons for the delay in completion of the refurbishment of the Four Houses Corner Gypsy and Traveller site?”

The Portfolio Holder for Housing, Leisure and Culture answered:

After the lifting of lock-down the project was reviewed to ensure affordability and proposals were reasonably aligned.

Due to the general increases in development costs post Covid a revised options appraisal was required to be undertaken to review the costs and design implications for the project going forward. That process has now been completed and the budgets have been approved for delivery in 2023/24.

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:

“If the delay was in the starting of the work, prior to the planning application, why were the residents moved off site before any work was started?”

The Portfolio Holder for Housing, Leisure and Culture answered:

Because there was significant remediation of the site required.

This page is intentionally left blank

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

Item (A)

Executive Meeting on 23 March 2023

(A) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Councillor Adrian Abbs:

“Given the High Court Judgement where the Council Established that Monks Lane Sports Hub is not a replacement but a standalone – How will the council now fulfil its obligation to provide a replacement for Faraday road as the LRIE and Faraday Road football ground are redeveloped?”

The Portfolio Holder for Housing, Leisure and Culture answered:

You clearly either haven't read the judgment of His Honour Judge Jarman, or if you have done so, you haven't understood this Council's position at all.

Judge Jarman explicitly accepted the council's stated position that (and I quote from the judgment):

“the future intentions of the authority as the owner of the football stadium, were not relevant to the planning merits of the application for the permission. The claimant's [that's Mr Pearce of course] case does not respect the separation between the authority's decision making as owner on the one hand and as local planning authority on the other.

*“The purpose of the application was to provide a facility which **could, in future,** mitigate against any future loss of the football stadium and so comply with the top priority of the strategy. It is a different matter to consider what the proposed development would comprise for the purposes of applying local and national planning policy.”*

So, the Council remains committed to exploring options for the provision of a replacement for the Faraday Road playing field as set out in the Playing Pitch Strategy. But, whilst the exact location of the replacement will be determined by the Council as Local Planning Authority alongside a planning application for redevelopment of the playing field site, and as His Honour Judge Jarman acknowledged, Monks Lane may feature as a partial or full element of that replacement.

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

Item (B)

Executive Meeting on 23 March 2023

(B) Question submitted to the Portfolio Holder for Housing, Leisure and Culture by Councillor Lee Dillon:

“Given the delay because of the confusion in planning, has the Council refreshed its business plan for Monk’s Lane?”

The Portfolio Holder for Housing, Leisure and Culture answered:

I have to say you may be confused but I am totally clear on the planning position. The Council is in the process of reviewing the business plan but wishes to use the expertise and input of the proposed Leisure Contract Operator. The Sports Hub was included as a core leisure facility in the tender documents for the new Leisure Management contract due to commence this summer. As part of the process six major leisure operators, each with experience of operating facilities similar to the proposed Sports Hub submitted bids. Each operator included their outline business case for the next ten years as part of their submission.

These submissions have undergone a full evaluation and the outcome will be presented to Executive for approval this evening. However, as part of the procurement process, the bids themselves are regarded as commercially sensitive. I hope to be able to release full information after the award of the contract. What I can say is that five out of the six bids were far more optimistic financially than was assumed by the Council on its initial assumptions and the 6th has already been informed that they have been unsuccessful.

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:

“The word ‘confused’ came from the Judge’s remarks, where he said there clearly was some confusion around the planning.”

The Portfolio Holder for Housing, Leisure and Culture answered:

Apologies for the misunderstanding.

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

Item (C)	Executive Meeting on 23 March 2023
----------	------------------------------------

(C) Question submitted to the Portfolio Holder for Internal Governance and Strategic Partnerships by Councillor Adrian Abbs:

“Given that the Lib Dems have committed, should they take power, to appointing an opposition party Member as Chair of the Oversight and Scrutiny Management Commission and that the current Chairman indicated in his closing speech that in certain scenarios (for example, call-ins), OSMC should be chaired by a Councillor from an Opposition Group, would the current Conservative Executive be willing to also commit to the same?”

The Portfolio Holder for Internal Governance and Strategic Partnerships answered:

Thank you for your question.

For clarification, Cllr Law did not state during OSMC that certain meetings of that body should be chaired by a councillor from an Opposition Group. What he reflected was that where an item is called in to OSMC from the Executive, it might be preferable to hold a special meeting to consider the item and that **those** meetings should be chaired by an **Independent** Person.

I am not clear why you are suggesting that a Member from an Opposition Group, which has called in an item from Executive, would be any better placed to act as Chairman of OSMC than a Member of the Administration.

In terms of commitments from the Executive on this matter, it will be for Council to determine at its annual meeting, which Members will be appointed to OSMC, and for Members of that Commission, once appointed, to select the Chairman. This is not a matter for the Executive.

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

Item (D)	Executive Meeting on 23 March 2023
----------	------------------------------------

(D) Question submitted to the Portfolio Holder for Internal Governance and Strategic Partnerships by Councillor Adrian Abbs:

“The Lib Dems have previously requested of the portfolio holder that the Advisory Groups (for example, EAG) be open to the public by default and only closed when confidential information needs to be shared. Would the current administration agree that doing so might improve the public’s faith in the council as a whole and lead to better transparency in decision making?”

The Portfolio Holder for Internal Governance and Strategic Partnerships answered:

Thank you for your question and the simple answer to this is no.

The Advisory Groups provide an important safe space for the development of policies and proposals. These Groups have no authority to make decisions and any significant decisions considered in an Advisory Group, will be determined by members at a public meeting of Council or Executive.

It should be noted that there is a strict statutory regime which ensures that unless exempt, significant decisions of the Council are taken in public. The Council must give advance notice of proposed executive decisions on a forward plan, and will publish reports with details of the proposals in advance of any decision. Therefore, contrary to the suggestion in your question, decisions of the Council are taken in an open and transparent manner.

Finally, I'd also like to refer you to our Residents' Survey, which confirmed that overall, a high level of residents are satisfied with the local area and how the council runs things.
