

Supplemental Items for Executive

Thursday 8th February 2024 at 5.00 pm
in Council Chamber, Council Offices
Market Street Newbury

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Sarah Clarke.

Sarah Clarke
Service Director (Strategy & Governance)
For further information about this/these item(s), or to inspect any background documents referred to in Part I reports, please contact Sadie Owen (Principal Democratic Services Officer) on 01635 519052 e-mail: sadie.owen1@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



Supplemental Items
Executive to be held on Thursday, 8 February 2024 *(continued)*

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.



Item 4:

Public Questions to be answered at the Executive meeting on 8 February 2024.

Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution.

A. Question submitted by William Beard to the Portfolio Holder for Climate Action, Recycling and Biodiversity:

"What reviews will the Council or Environment Agency be making on recent flood events in Northcroft Lane."

B. Question submitted by Simon Pike to the Portfolio Holder for Planning and Community Engagement:

"Does the Council have any record of discussions with the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board that had taken place on the specific subject of the proposed GP surgery in Policy SP17 of the draft Local Plan prior to the date of its submission for examination? By "record", I mean an agenda that indicates a clear intention to discuss; or minutes, contemporaneous notes or other documents describing the discussions that had taken place

- By "specifically", I mean an explicit reference to the health centre in Policy SP17, and not just a reference to North East Thatcham, the Local Plan in general, or a meeting with an unspecified purpose or agenda."

C. Question submitted by John Gotelee to the Portfolio Holder for Climate Action, Recycling and Biodiversity:

"The Northcroft stream has been artificially re routed in Northcroft. The flood defences at Goldwell Park have meant the stream starts at Bayer and then is culverted via the Thames Water Sewer through the town centre taking surface run off water from around 170 acres of urbanised areas of the town. It also takes water artificially diverted from the Kennet through the Victoria Park pond. What if any of the water exiting the Thames Water sewer can be considered natural flow?"

D. Question submitted by Alison May to the Portfolio Holder for Planning and Community Engagement:

"West Berkshire District Council is a determining planning authority for the District Council's: a) own development (Regulation 3) which includes new schools, school extensions, road development and other types of development, b) Mineral Extraction & associated development - such as quarries, sand & gravel processing sites etc, c) Waste proposals including landfill sites, waste transfer/recycling sites & scrap yards etc. The absence of clearly defined guidance relative to Regulation 3 applications, including associated Regulation 3 Monitoring & Enforcement procedures, continues to expose West Berkshire District citizens to unforeseen financial and other risks. Can the responsible Executive member provide an explanation why they have been remiss in implementing the necessary policies and procedures relative to Regulation 3 planning applications, and secondly, to agree to postpone the determination of all Regulation 3 planning applications until such a time they have taken the

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necessary steps to introduce relevant and robust Regulation 3 policies and procedures?"

E. Question submitted by Richard Garvie to the Leader of Council; Executive Portfolio Holder for Public Safety:

"Had the withdrawal of the Local Plan been allowed, land agents, developers and Council staff estimated that we could have seen between 5,000 and more than 8,000 housing units applied for in Thatcham (700 Newbury Gap, 400 to 1,200 at Henwick Park depending on version of project they went with, 2,500 Thatcham North East, 1,800 Thatcham East Extension on land between A4 and railway to East of Thatcham, upto 1,500 at Colthrop, plus 700 units in smaller / infill developments around Thatcham and possibly hundreds of flats rumoured for the Regency Park Hotel Site) and around 600 homes in Theale (existing 100 plus upto 500 at Pincents Hill. Based on staff estimates, how many housing units does the Leader of the Council believe could have been applied for in Thatcham and Theale if Withdrawal had been successful?"

F. Question submitted by James Davies to the Portfolio Holder for Children, Education and Young People's Services:

"As a parent who has children of primary school age, I would like to know what the council is doing about the appalling condition of the portacabins that children are being taught in at Falkland Primary School?"

G. Question submitted by Paul Morgan to the Portfolio Holder for Finance and Corporate Services:

"Can the Council please provide a complete list of all the individual projects that are included in the £64.8 million (or £69.5 million) capital expenditure programme for 23/24 and the £80.2 million capital expenditure for 2024/25. Can you also confirm how it is proposed to fund each individual project, for example: General Fund, reserves, Capital receipts, CIL/Section 106, External borrowing, Long term (PWL) etc."

H. Question submitted by Alan Pearce to the Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside:

"I noticed that an S.B.D Security System sign has been attached to the temporary harass fencing on the west side of the Faraday Road Football Ground. Can you please confirm when this temporary harass fencing will be removed so that full access can be provided to the public?"

I. Question submitted by John Gotelee to the Portfolio Holder for Economy and Regeneration:

"With respect to the regeneration of the LRIE are previous studies by Avison Young eg Their environmental study now being ignored?"

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J. Question submitted by Richard Garvie to the Leader of Council; Executive Portfolio Holder for Public Safety:

"Closing Willows Edge will be devastating to families and cutting or withdrawing other Adult Social Care services will be devastating. Given that the Leader of the Council told the Newbury News that he had found almost £280,000 to withdraw from the local plan review and that he had also identified approximately £1.6m to come up with a new local plan, can the Council consider delaying the closure of Willows Edge and any changes to Community Transport for Adult Social Care service users until 2025 and allow the community and other organizations to come together to propose an alternative solution to current service provision in West Berkshire?"

K. Question submitted by Paul Morgan to the Portfolio Holder for Finance and Corporate Services:

"There has been a lot of speculation / debate regarding the selling of assets in the Council's investment portfolio of £65.5 million (valuation @ 31 Dec 2022) which is split between commercial property portfolio of £52.3 million and general investment property of £13.1 million. Can the Council please confirm that it is considering the sale of assets (and is open to offers) in both its commercial property portfolio and the general investment property?"

L. Question submitted by Alan Pearce to the Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside:

"Cllr Tony Vickers in a letter in the Newbury Weekley News on 23/02/2023 made the following statement. 'If the Conservatives lose control of West Berkshire Council in May, on day one we intend to allow the Newbury Community Football Group to start to implement its planning consent to rebuild "equal or better" facilities at the Council's Faraday Road ground.' Please can the Council confirm that is still the case/ intention?"

M. Question submitted by John Gotelee to the Portfolio Holder for Economy and Regeneration:

"How will the implementation of schedule 3 (Flood and water management act 2010) affect plot by plot planning for the regeneration of the LRIE?"

N. Question submitted by Richard Garvie to the Portfolio Holder for Climate Action, Recycling and Biodiversity:

"Given that the Council are planning to remove rubbish and dog waste bins around the District and proposing to only mow grassy areas and verges twice per year, have the council conducted risk / impact assessments in relation to impact on public health with the removal of dog waste bins and in relation to road safety with the reduction in mowing?"

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O. Question submitted by Paul Morgan to the Portfolio Holder for Finance and Corporate Services:

"Can the Council please confirm how it plans to use any funds realised from any sale of assets (e.g. General fund, capital receipts, etc.)"

P. Question submitted by Alan Pearce to the Portfolio Holder for Finance and Corporate Services:

"A Newbury today article on the 12th of July 2021 stated the following; The council is proposing to shut its offices at West Street House and West Point House and move all staff into its Market Street offices. Asked whether the council could relocate to the London Road Industrial Estate, Mr Carter did not commit but said: "The council will need a new office at some point. Market Street is going to be very expensive to maintain" "There's a political commitment to remain in Newbury and the town centre. We have had many people come and talk to us about what they could offer. It could be anywhere in the town centre, that might take three-five years to happen." Please may I ask, is the disposal of West Street House now part of an overall plan for a new purpose-built Council Office built on the Faraday Road Football Ground next to the Canal?"

Q. Question submitted by Richard Garvie to the Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside:

"Following the scrapping of the Sports Hub which would have allowed Newbury FC to return to Newbury for the coming season in August, can the Council confirm that a spectator seating area, floodlights, adequate changing facilities, a bar plus food and drink facilities will be open at Faraday Road by August of this year?"

R. Question submitted by Richard Garvie to the Portfolio Holder for Highways, Housing and Sustainable Travel:

"Following recent flooding issues, can the Council assure residents that no cuts in funding will be made to flood prevention works, checking / clearing drains and gullies etc.?"

Item 12:

Member Questions to be answered at the Executive meeting on 8 February 2024.

Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.

A. Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside:

"Is the administration making best possible efforts to deliver a full replacement for the Faraday road football club within this election cycle? i.e a solution that was similar to the approved application from NCFG."

B. Question submitted by Councillor Howard Woollaston to the Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside:

"The first and only Stage 3 Review of the Playing Pitch Strategy was published in June 2022 which recognized a shortfall of 11 3G pitches, which has only been partially relieved by the new pitch at Denefield School and the one under construction at John O'Gaunt School in Hungerford. Since then, there have been further successes by both Men's and Women's national football and rugby teams and the Paris Olympic Games this year is likely to raise even greater enthusiasm for playing field games on pitches. Can the Portfolio holder confirm that the Stage 3 Review is a priority, whether the latest review has been completed and if so when it will be published?"

C. Question submitted by Councillor Ross Mackinnon to the Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside:

"Can you explain what you mean when you say that residents expecting services like emptying dog waste bins and grass cutting is a "sad aspect of life"?"

D. Question submitted by Councillor Dominic Boeck to the Acting Leader; Strategy, Communications, Governance and Transformation:

"Are you concerned that decisions you make as Acting Leader may not be proper under the constitution, and therefore subject to costly legal challenge?"

E. Question submitted by Councillor Richard Somner to the Portfolio Holder for Planning and Community Engagement:

"Your Local Plan withdrawal report says "There is also a risk that with the decision taken out of the Council's control, the quality and necessary infrastructure would be reduced." – is that a risk you were genuinely willing to take?"

F. Question submitted by Councillor Jo Stewart to the Portfolio Holder for Planning and Community Engagement:

"Your Local Plan withdrawal report says "Planning applications for sites proposed to be allocated in the Plan are highly likely to come forward as demonstrated by the North East Thatcham Consortia which has confirmed its intention to submit an application in mid 2024. Other developers have also confirmed that they are preparing to submit applications. As the current evidence base for the Local Plan Review supports these proposals in principle, it will be difficult for the Council to substantiate refusal against the principle of development. If allowed at appeal,

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the Council will have limited control over the development reducing the quality and infrastructure provision.” (Page 11). If you had been successful in withdrawing the Local Plan, does this mean the site would have likely been developed anyway with limited control?”

G. Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside:

“Which groups are the administration talking to about running the football ground at Faraday road in the near mid and long term.”

H. Question submitted by Councillor Howard Woollaston to the Portfolio Holder for Planning and Community Engagement:

“Do you agree with the line in your Local Plan withdrawal report that says: “Planning applications and appeals are highly likely to be submitted relating to unallocated sites which could be considered more favourable if the plan does not progress.” (Page 7)”

I. Question submitted by Councillor Ross Mackinnon to the Portfolio Holder for Planning and Community Engagement:

“Before publishing your manifesto commitment to ‘fix the Local Plan’, did you ask any planning officers or legal officers for advice on how this might be deliverable?”

J. Question submitted by Councillor Dominic Boeck to the Portfolio Holder for Planning and Community Engagement:

“Your Local Plan withdrawal report highlights that the Council would likely lose a lot of planning appeals which would incur significant costs “not including the potential for the award of costs against the Council for unreasonable behaviour” (Page 11). Do you condone that the Council would have acted with “unreasonable behaviour”?”

K. Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Climate Action, Recycling and Biodiversity:

“Why, after nearly 9 months, do we still not have an updated and simple to understand waste user journey available to the public. I asked for this when I took on the portfolio and was assured Veolia already had something when I met with them months ago.”

L. Question submitted by Councillor Ross Mackinnon to the Portfolio Holder for Climate Action, Recycling and Biodiversity:

“Do you think the standard of the Council's flood response justified your Executive colleague Cllr Lewis's public rebuke “Please can you extend the services and attention towards Purley too. WBC has a larger area than Newbury and Thatcham”?”

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M. Question submitted by Councillor Dominic Boeck to the Portfolio Holder for Children, Education and Young People's Services:

"In October 2023, officers wrote to Falkland Primary School to tell them that because of delays in council's financial approval process, the project to provide vital, new classrooms will be delayed indefinitely. This fully-funded project was due to start last summer. What have you done to put the teaching and wellbeing of the children of Falkland Primary School first?"

N. Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Climate Action, Recycling and Biodiversity:

"When will we see the first micro hydro proof of concept?"

O. Question submitted by Councillor Ross Mackinnon to the Portfolio Holder for Highways, Housing and Sustainable Travel:

"Given the recent flooding in the District, do you still think it sensible to propose a reduction in gully cleaning?"

P. Question submitted by Councillor Dominic Boeck to the Acting Leader; Strategy, Communications, Governance and Transformation:

"Falkland Primary School has been waiting five years for the replacement of their portacabins and for urgent repairs to their main buildings. What assurance will the Deputy Leader give that this work will be completed by May 2026, as your Capital Programme has it scheduled?"

Q. Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Highways, Housing and Sustainable Travel:

"Why have we not fixed the only two fast chargers in the Kennet parking garage opposite WBC market street offices?"

R. Question submitted by Councillor Ross Mackinnon to the Acting Leader; Strategy, Communications, Governance and Transformation:

"What is the constitutional basis for the Leader to take a sabbatical and for you to hold the title "Acting Leader"?"

S. Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Climate Action, Recycling and Biodiversity:

"Is the administration minimising, where they can, the cost per kWh on charging infrastructure WBC control? If it is minimising costs, what do they consider to be the break even cost."

T. Question submitted by Councillor Ross Mackinnon to the Leader of Council; Executive Portfolio Holder for Public Safety:

"Do you consider that you have been able to carry out the role of Leader for the last eight months?"

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U. Question submitted by Councillor Ross Mackinnon to the Portfolio Holder for Highways, Housing and Sustainable Travel:

“Residents reported a dangerous pothole on Common Hill near Bradfield on 16 January. By 19 January it had already caused 2 minor accidents and was not repaired despite residents being informed it had been. I contacted you and senior officers about it on the evening of 19 January. Despite chasing twice I did not receive even an acknowledgement of my communications until 24 January. Later on 24 January the hole was filled with a temporary repair, which had already begun to fail by 26 January. Can you explain why these failures occurred given your manifesto commitment to fix all potholes properly first time, and all dangerous potholes within 72 hours?”

V. Question submitted by Councillor Ross Mackinnon to the Leader of Council; Executive Portfolio Holder for Public Safety:

“Do you regret taking the position of Leader of the Council given your decision to leave after only 8 months in the role?”