

# Questions and Answers

**Executive**  
**Thursday 8th February 2024**

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.

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<b>Item (A)</b>	Executive Meeting on 8 February 2024
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**(A) Question submitted to the Portfolio Holder for Climate Action, Recycling and Biodiversity by William Beard:**

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

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

Mr Beard, thank you for your question. The Council has a duty under section 19 of the Flood and Water Management Act 2010 to investigate incidents of flooding where properties have flooded internally. All locations in the District where there are reports of internal property flooding will be investigated. The Environment Agency also have a duty to complete a Section 18 equivalent. Both of these processes will be underway shortly.

I would also like to take this opportunity to urge anyone who has been affected by internal or external flooding to their property to report to the council to ensure its captured in the investigations, and to also ensure that where possible residents can be included to apply for central government recovery grants once the threshold set by central government is hit.

It's easy to report to the council, the team are dropping leaflets out to flood affected areas in the coming weeks pointing towards a short online survey: [www.eu.surveymonkey.com/r/flooding-Jan-2024-residents](http://www.eu.surveymonkey.com/r/flooding-Jan-2024-residents), and hard copies can be obtained by calling customer services on 01635 551111

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

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Item (B)	Executive Meeting on 8 February 2024
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**(B) Question submitted to the Portfolio Holder for Planning and Community Engagement by Simon Pike:**

*“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.”*

**The Portfolio Holder for Planning and Community Engagement answered:**

There are records that meetings took place with Council Officers and the ICB (formerly CCG) prior to submission of the Local Plan for examination. However, as confirmed last year in response to your Freedom of Information Request there are no agendas or notes/minutes from the meetings held and therefore I can't confirm what was discussed specifically at these meetings.

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

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Item (C)

Executive Meeting on 8 February 2024

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

*“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 ?”*

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

Mr Gotelee, thank you for your question. The flow from the Thames Water sewer can be considered natural flow as much any flow from any surface water sewer can be.

**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:**

*“If it is natural flow, you know as well as I do that I have the Kennet is to the South of me, the Enborne to the North of me, both rivers breaching banks and ours moved by about three inches and never got anywhere near breaching the bank. If that's natural flow, then why not?”*

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

Unfortunately, I am not a technical expert so will not be able to tell you but thank you for bringing it to our attention. A written answer will be provided.

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

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Item (D)

Executive Meeting on 8 February 2024

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

*“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 necessary steps to introduce relevant and robust Regulation 3 policies and procedures?”*

**The Portfolio Holder for Planning and Community Engagement answered:**

We are not aware of any case in which the Local Planning Authority has not administered Regulation 3 planning applications correctly in accordance with the requirements of legislation, nor any reason to postpone determination of such applications.

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

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**Item (E)**

Executive Meeting on 8 February 2024

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

*“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 Pincent's 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?”*

**The Acting Leader of Council; Executive Portfolio Holder for Strategy, Communications, Governance and Transformation answered:**

Officers quite rightly highlighted a number of potential risks in association with withdrawal of the Local Plan and this was given full consideration.

This Administration are firmly of the view that an alternative spatial strategy will be hugely beneficial for the district and felt that this should be pursued. However, the Secretary of State has directed us to continue to examination and that is what will happen.

**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 Garvie asked the following supplementary question:**

*“In Thatcham withdrawal would have potentially led to up to 8,000 new houses and then a further 500 homes which would have flown in the face of commitments made at the local election. My concern is that I've been told by members of the Administration that a deal is close at Colthrop on the flood plain and at the Kennet Centre in Newbury.*

*Are we potentially risking any arguments against Thatcham North East by pledging to build thousands of houses on the flood zone at Thatcham station?”*

**The Acting Leader of Council; Executive Portfolio Holder for Strategy, Communications, Governance and Transformation answered:**

You started by claiming that it was a fact that we would get 8,000 houses, that is your fact Mr Garvie, it is not a fact that I recognise. Infrastructure has been a worry to us

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

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however many houses are built in Thatcham. Frankly decades ago it didn't have the infrastructure until we started to provide it in the 90's. We don't want that to happen again.

I'm not sure that is a direct answer to your question, but I think we are agreeing to an extent, except for your point about the many thousands of houses that you seem to think we would get instead of the Plan.

In terms of Colthrop I am aware that potential developers have come forward but that will make its way through the planning application process if they put an application in.

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

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Item (F)

Executive Meeting on 8 February 2024

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

*“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?”*

**The Portfolio Holder for Children, Education and Young People's Services answered:**

Thank you for your question, Mr Davies. This is an important issue for us and I need to give you background to what has been happening and where we are now.

The Council undertook a Feasibility Study during the 2020/21 financial year. The Feasibility Study was signed off at a Project Board on 1 February 2021. This was during the Covid pandemic, and we didn't come out of Covid until May 2022 after over 2 years of intensive work on keeping things going in our schools during Covid.

We then, unfortunately had some staff sickness over the Summer Term of 2022, which delayed things further.

The project brief was fully reviewed (usual practice following a feasibility study) and signed off by the school and issued to the Property Department on 6 February 2023.

Following the issuing of the Project Brief documentation to Property on 6 February 2023, the team sat down with the allocated Project Officer and their manager to go through the project on the 7 March. This is normal procedure following the issuing of a project brief. The Project Officer then commenced the development of a strategy, for submission to Procurement Board, for the procurement of the architect. The Project Officer then developed the Invitation to Tender (ITT) documentation and went out to tender at the beginning of June. Tenders were returned mid-July and the tender analysis process completed by the end of July.

The capital works review commenced towards the end of June and the project was paused in August pending the outcome of the review.

The project will be started in this coming financial year 24/25 this will be the design phase, with the build expecting to start in the next financial year. I will assure people here and to the school, the Teachers and the parents that I will be keeping a close eye on this and getting regular updates – it is important that we achieve the new build as quickly as we can.

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

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Item (G)	Executive Meeting on 8 February 2024
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### **(G) Question submitted to the Portfolio Holder for Finance and Corporate Services by Paul Morgan:**

*“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.”*

#### **The Portfolio Holder for Finance and Corporate Services answered:**

A detailed listing of the capital programme for financial year 23/24 totalling £69.5 million can be provided. The listing provided confirmed provisional planned financing of all projects. It should be noted final financing of projects is determined at the financial year outturn; provisional financing is included in the list supplied.

The £80.2 million programme for 2024/25 was a programme approved by the previous administration and is superseded by a revised 2024/25 capital programme which will be shortly going through the formal budget approval process with public papers released for review. The revised capital programme which is included within the budget papers details line by line proposed projects and provisional funding.

**The Portfolio Holder asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

#### **Paul Morgan asked the following supplementary question:**

*“I did go through Appendix A and it was very useful. If you take the Newbury Sports Hub on the latest budget, it says £2.3m. On the 2023/24 budget it was £4.125m.*

*Of the £4.125m in the budget, £1.8 m was going to be spent in this financial year, re-profiling £2.3m which goes into next year's budget. I guess some of the £1.8m has been spent on the Faraday Road football ground. Is it a case of use it or lose it or does that balance of £1.5m go into the next year's budget?”*

#### **The Portfolio Holder for Finance and Corporate Services answered:**

We deal with any underspends or overspends at year end and will make adjustments accordingly then.

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

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**Item (H)**

Executive Meeting on 8 February 2024

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

*"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?"*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

Work at the site is now complete and the fencing will be removed imminently.

**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:**

*"It's looking quite scruffy down there and I gather approximately £155,000 has been spent on fences at each end, with some fencing around the portacabin.*

*Why has the fencing not been finished and what are your plans for the site by the car park and why is there no fencing there?"*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

The fencing at the moment is to protect the buildings on the other side to make sure that there are no stray balls. The rest of the spend at Faraday Road will come in the next phase of the consultation.

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

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<b>Item (I)</b>	Executive Meeting on 8 February 2024
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**(I) Question submitted to the Portfolio Holder for Economy and Regeneration by John Gotelee:**

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

**The Portfolio Holder for Economy and Regeneration answered:**

Thank you for your question Mr. Gotelee. The Avison Young Environmental Appraisal was commissioned to inform the previous development brief for Bond Riverside (LRIE), which was for the Council or a partner to comprehensively redevelop the site as a whole. Now that a site-by-site approach is being taken, the specific advice regarding undertaking a comprehensive redevelopment is less relevant, however the findings of the study are still being considered and will help inform decisions going forward.

**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:**

*“As an avid reader of the Bond Riverside updates we haven't had once since October. What is actually happening at the moment?”*

**The Portfolio Holder for Economy and Regeneration answered:**

I'll take that away, discuss with Officers and then come back to you. Thank you for raising.

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

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Item (J)	Executive Meeting on 8 February 2024
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**(J) Question submitted to the Leader of Council; Executive Portfolio Holder for Public Safety by Richard Garvie:**

*“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?”*

**The Acting Leader of Council; Executive Portfolio Holder for Strategy, Communications, Governance and Transformation answered:**

We have consulted on these matters, and I would want to note a few things. Whilst there were strong objections to the closure of Willows Edge, there was a very balanced response to the option of handing it over to an independent provider. On that basis, we will now pursue that option – to identify an alternative provider to take over Willows Edge – over the coming months. During the consultation process we were pleased to note that there was interest expressed by some independent providers in taking over the running of the service and so we feel this is a very viable option.

On the wider point, we have made very good progress in terms of managing the council's financial position but we are by no means out of the woods and so we do still need to adopt a range of measures. Further delay, when the challenge is so significant, would not be a responsible position to take.

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

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Item (K)

Executive Meeting on 8 February 2024

### **(K) Question submitted to the Portfolio Holder for Finance and Corporate Services by Paul Morgan:**

*“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?”*

#### **The Portfolio Holder for Finance and Corporate Services answered:**

The Council is considering the sale of assets across its investment portfolio and has already brought some assets for disposal. and will likely do so in the next financial year. Any sales will be completed in a measured way and assessed on their own merits.

**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:**

*“The £13.1m which is directly owned property, which is not funded by borrowing, clearly is something that is quite attractive if you sold those assets. Are you open to offers on any of the LRIE plots of land?”*

#### **The Acting Leader of Council; Executive Portfolio Holder for Strategy, Communications, Governance and Transformation answered:**

Any disposal of any land on Bond Riverside will be part of a plan and strategy which we are looking at afresh. Bond Riverside and Faraday Road estate has been a vexed issue for many years, so we are not going to rush it, as we have a shot at it now to get it right.

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

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Item (L)

Executive Meeting on 8 February 2024

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

*“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?”*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

A grass pitch has been re-established at Faraday Rd and is now open for bookings.

The Executive are undertaking a Stage E review and with that the Playing Pitch Strategy is going to have a comprehensive approach to playing pitches and will look to the wider part of the district, to the four corners, the quiet corners of Purley, Streatley, East Isley and Lambourn. The potential for any further development at Faraday Road is going to be considered as a whole as a part of that Strategy when we receive it.

**The Portfolio Holder asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

**Alan Pearce asked the following supplementary question:**

*“I ask this question because members of the public presume that a new football stadium is going to be rebuilt, with a fully functioning stadium at Faraday Road. Can you just confirm please that the Council has no plan to rebuild a fully functioning football stadium at Faraday Road?”*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

I can’t confirm; I can’t deny, as it will be part of the Playing Pitch Strategy when we get the Stage E review. We have a whole district to look at, but I will say, ‘wouldn’t it be wonderful?’

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

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Item (M)	Executive Meeting on 8 February 2024
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**(M) Question submitted to the Portfolio Holder for Economy and Regeneration by John Gotelee:**

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

**The Portfolio Holder for Economy and Regeneration answered:**

Thank you for your question Mr. Gotelee.

Flood and drainage matters will be taken into account as part of consideration of any planning applications which may be submitted, informed by the relevant and current sections of the Flood and Water Management 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?”*

**John Gotelee asked the following supplementary question:**

*“Schedule 3 basically makes SuDS and other conditions mandatory. If you operate piece by piece, you will inevitably still have a strategy of flooding other people’s land as is currently the case. How can this be?”*

**The Portfolio Holder for Economy and Regeneration answered:**

That is something for me to take away as I am not a technical expert. I will come back to you with a written response.

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

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Item (N)	Executive Meeting on 8 February 2024
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**(N) Question submitted to the Portfolio Holder for Climate Action, Recycling and Biodiversity by Richard Garvie:**

*“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?”*

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

Mr Garvie, thank you for your question. Yes, the impact of a reduction in dog waste and litter bins, and verge maintenance was assessed whilst preparing the proposal for public consultation. With regards to dog waste and litter bins, following consultation we have decided not to take this saving and, as reflected in our manifesto, we intend to make an offer to the Parish and Town Councils as they may wish to assist in this provision to provide more multi-use bins for both litter and dog-waste.

With regards to verges, any reduction in cutting frequency would ensure critical sight lines are not affected.

**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 Garvie asked the following supplementary question:**

*“Again, these questions were submitted long before the budget papers were announced. My concern with the verges is that I notice that there is still a provision within the budget for next year for the grass verges. Can you please confirm that you will at least prioritise those smaller roads in the rural areas that are going to be more dangerous, for example Snake Lane between Stockcross and Woodspeen which is single track most of the way. Can we make sure that we are not going to see an increase of accidents on those roads, and do you have a list of hotspots for residents to find out where your priorities are?”*

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

Public safety will absolutely be prioritised, and site lines maintained where they are needed. I would also advise that if residents do see overgrown grass and issues, that they use the [‘Report a Problem’](#) page on the Council website so that the Highways and Countryside Teams can prioritise those areas. Alternatively, phone through to Customer Services if they don't have web access.

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

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Item (O)

Executive Meeting on 8 February 2024

### **(O) Question submitted to the Portfolio Holder for Finance and Corporate Services by Paul Morgan:**

*“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.)”*

#### **The Portfolio Holder for Finance and Corporate Services answered:**

The Council is proposing to utilise the sale of any funds released for three main areas:

- 1) the replacement of Council borrowing in the future to reduce forecast capital financing costs;
- 2) To fund activity through the existing flexible use of capital receipts; and
- 3) To increase the General Fund and/or fund other activities pending the Government's review of options for the future use of capital receipts and any other uses as may be deemed suitable from time to time.

**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, if you sold an asset could you use that to balance the books, or does it have to go back into capital?”*

#### **The Portfolio Holder for Finance and Corporate Services answered:**

At the moment we can flexibly use capital receipts to fund transformation. So, we have the ability to effectively move revenue transformation costs into capital. We are awaiting the response from the Government from the consultation which is due the middle of this month which will give us a greater understanding of whether further receipts can be used to offset against revenue overspend. However, we do believe that this will have to be done in a very measured way to make sure that we are not effectively storing up a problem for the future.

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

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Item (P)	Executive Meeting on 8 February 2024
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**(P) Question submitted to the Portfolio Holder for Finance and Corporate Services by Alan Pearce:**

*“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?”*

**The Portfolio Holder for Finance and Corporate Services answered:**

The sale of West Street House has always been part of the office accommodation project, Timelord 2. Considerations about any future office locations for the Council will be considered in due course.

**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:**

*“So, Faraday Road is a possibility is it for new council offices?”*

**The Portfolio Holder for Finance and Corporate Services answered:**

At the moment we have made no decision. There is a project looking at the long-term future of Market Street but until we have the results of that feasibility study no decision will be made.

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

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Item (Q)	Executive Meeting on 8 February 2024
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**(Q) Question submitted to the Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside by Richard Garvie:**

*“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?”*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

Faraday Road is going to be a part of a bigger picture. When we get the Stage E review back then we will be looking at the Playing Pitch Strategy and looking at all the priorities and developing ideas further from there.

**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 Garvie asked the following supplementary question:**

*“It was great to see that you went to Dorking Wanderers the other week. It’s been previously mentioned in Council and Executive meetings that the Sports Hub did not conform and would restrict Newbury FC from progressing in the football leagues. For Newbury to reach the level of Dorking’s team it would take twenty years. Have you considered building a ‘Lego stadium’ - for example, with temporary facilities purchased as and when required that could then be moved or relocated as and when needed but would allow Newbury to return to Faraday Road this season?”*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

We have to look at the Playing Pitch Strategy as a whole. The idea of visiting somewhere like Dorking is to learn from their story. We want to have something in West Berkshire that we can have a successful football team playing at but we do have to review everything as a whole.

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

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Item (R)

Executive Meeting on 8 February 2024

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

*“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.?”*

**The Portfolio Holder for Highways, Housing and Sustainable Travel answered:**

Mr Garvie, thank you for your question. I can confirm that there is no proposal to reduce capital spend on flood alleviation of drainage work. The Council, however, recently consulted on a range of revenue savings proposals due to the significant financial challenges and the incredibly difficult decisions the Council is facing to set a balanced budget. A reduction in gully cleaning was one of these proposals.

The budget papers have now been released and it will become apparent to all that there is no reduction in the funding for clearing the drains and gullies.

**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 Garvie asked the following supplementary question:**

*“Could the Council consider shortening the number of working days to ask questions? A lot of my questions today are almost ‘past their sell by date’, due to having to submit them almost ten working days in advance. Could you consider reducing to five working days?”*

**The Acting Leader of Council; Executive Portfolio Holder for Strategy, Communications, Governance and Transformation answered:**

Your supplementary question should really relate to your original question, but I will allow for some latitude.

Please email me. I am not making any promises, but a Constitution Review Task Group is being set up which can look at this sort of issue.

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

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Item (A)	Executive Meeting on 8 February 2024
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**(A) Question submitted to the Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside by Councillor Adrian Abbs:**

*“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.”*

Cllr Adrian Abbs commented that no response was required as the matter had been dealt with earlier in the meeting.

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

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**Item (B)**

Executive Meeting on 8 February 2024

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

*"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?"*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

The Stage E review of the Playing Pitch Strategy is very much a priority. A consultant has been procured to carry out the review and the initial meeting has taken place. Once the review is completed, the Action Plan with an updated list of priorities will be published.

**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 Howard Woollaston asked the following supplementary question:**

*"I don't think you have actually answered the question. I asked if you could confirm when the review would be completed and published?"*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

It has only just gone out for procurement, and we do not have any dates back yet. As soon as we know anything we can let you know.

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

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Item (C)

Executive Meeting on 8 February 2024

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

*“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”?”*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

This is a reference that the consultation draws a large response and attention from the public, about poo bins and grass verge cutting. The most important thing we do as a Council and as Councillors is to keep people safe and well and protected; vulnerable people are the top priority and that is non-negotiable”.

As we spend enormous amounts of time and money managing the social care budgets and which we are putting an extra £12.4M in to in the coming budget year subject to the budget being approved later this month, we must necessarily look carefully at every area of expenditure.

We see that the issue around dog waste bins is important to people and the response to the consultation reflected that – more people have dogs and want to walk them and clear their waste than people who are in need of social care – that is good to see. I am delighted that we have been able to avoid reducing dog waste and litter provision.

With hindsight I accept that my social media comment was showing my own emotions. I'm actually passionate that we have a fair and balanced approach to all services including funding allocation which officers and Members work very hard to at so I thank you for bringing that to our attention.

**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 Ross Mackinnon asked the following supplementary question:**

*“I just wondered if you could explain what you meant by residents' expectation of these services as being a 'sad aspect of life'?”*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

This goes back to my own emotions that we had a big response to the dog poo bins and not as big a response to the Adult Care aspects. We are trying to make sure that we can provide a service for everybody, and I thought it was unusual to see such a big response to the dog poo bins than there was to the Care Homes for example.

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

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**Item (D)**

Executive Meeting on 8 February 2024

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

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

**The Acting Leader; Strategy, Communications, Governance and Transformation answered:**

No. My position is entirely lawful and proper under the Constitution, so I have no concerns about decisions being subject to challenge on that basis.

**The Portfolio Holder asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

**Councillor Dominic Boeck asked the following supplementary question:**

*“I rather suspect that the opinion you have received on this question hangs on the interpretation of the word ‘unable’. I believe the advice that you have been given is that Councillor Dillon has been unable to deliver his duties as Leader.*

*I fully respect your interpretation but am absolutely certain that others may not, which could lead you to a challenge in the future. Why are you so certain first of all about your interpretation of the meaning ‘unable’ and secondly that you won’t face a challenge?”*

**The Acting Leader; Strategy, Communications, Governance and Transformation answered:**

I take advice on this from the Monitoring Officer and that is the advice I have been given.

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

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Item (E)	Executive Meeting on 8 February 2024
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**(E) Question submitted to the Portfolio Holder for Planning and Community Engagement by Councillor Richard Somner:**

*“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?”*

**The Portfolio Holder for Planning and Community Engagement answered:**

Yes.

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

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<b>Item (F)</b>	Executive Meeting on 8 February 2024
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**(F) Question submitted to the Portfolio Holder for Planning and Community Engagement by Councillor Jo Stewart:**

*“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, 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?”*

**The Portfolio Holder for Planning and Community Engagement answered:**

Yes, but as we saw when the current Local Plan was adopted in 2012 it didn't stop the preferred site being refused permission and resulting in this Council losing its five years housing land supply protection from development with “limited control” in North Newbury, as we predicted. So, a Local Plan is not the “be all and end all” in development control and all housing sites that come forward through the planning system with a valid application will need to be considered on their merits. Let us not pre-judge the outcome of the Examination of the newly emerging Plan.

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

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**Item (G)**

Executive Meeting on 8 February 2024

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

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

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

A Community Forum was held in August 2023 and future options for the management of pitch were raised and informal meetings have been held to update the Newbury Community Football Group to hear about aspirations for the site. We are working with officers to consider options regarding the running of the football ground and will be undertaking discussions by invitation late in the Spring.

**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 Adrian Abbs asked the following supplementary question:**

*“You mentioned Newbury Community Football Group there and the fact that you are going to talk to others, so does that mean that Newbury Community Football Club are not interested in running the ground? Why are we suddenly going out when I thought we already had someone?”*

**The Portfolio Holder for Public Health, Culture, Leisure, Sport and Countryside answered:**

We are looking at the whole Strategy. Faraday Road is one of many pitches and is part of the Playing Pitch Strategy.

**Councillor Adrian Abbs commented:**

If you could answer the question about Faraday Road and who is running that when it is completed, that is all the question was.

**The Acting Leader; Strategy, Communications, Governance and Transformation** suggested taking the question offline and to clarify matters via email.

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

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<b>Item (H)</b>	Executive Meeting on 8 February 2024
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**(H) Question submitted to the Portfolio Holder for Planning and Community Engagement by Councillor Howard Woollaston:**

*“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)”*

**The Portfolio Holder for Planning and Community Engagement answered:**

Yes. But equally they might still not be considered unfavourably, with a Local Plan Review that has not been withdrawn. This is now a hypothetical matter and doesn't merit a more full answer.\* answer.

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

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<b>Item (I)</b>	Executive Meeting on 8 February 2024
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**(I) Question submitted to the Portfolio Holder for Planning and Community Engagement by Councillor Ross Mackinnon:**

*“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?”*

**The Portfolio Holder for Planning and Community Engagement answered:**

Yes. Advice we received before the elections and after is privileged, as I understand it. However, advice from officers did result in the inclusion of the phrase “by all available means” in our manifesto, in recognition of the limits placed by central Government on Local Planning Authorities to implement pledges made in a manifesto.

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

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<b>Item (J)</b>	Executive Meeting on 8 February 2024
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**(J) Question submitted to the Portfolio Holder for Planning and Community Engagement by Councillor Dominic Boeck:**

*“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?”*”

**The Portfolio Holder for Planning and Community Engagement answered:**

As you will recall Cllr Boeck, the Conservatives selected one large site – namely Sandleford – for the last Local Plan – but look what happened. You in effect handed control over delivery of homes to the landowning consortium and the two developers couldn't agree among themselves. It was a bad decision and resulted in North Newbury – rejected by you and preferred by us – going to an Appeal which you lost. We were told to expect 200 homes a year from 2016. Ten years later and it is likely we won't have a single home occupied on Sandleford.

So, we're not taking lessons from Members opposite on how to manage Plan Making. Furthermore, all questions relating to withdrawal are now hypothetical and don't merit detailed answers. We move forward.

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

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Item (K)	Executive Meeting on 8 February 2024
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**(K) Question submitted to the Portfolio Holder for Climate Action, Recycling and Biodiversity by Councillor Adrian Abbs:**

*“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.”*

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

Thank you for this question. The Waste team are aware of the importance of updating the waste journey. The team has been occupied with various urgent tasks such as launching another garden waste subscription season, completing budget proposals – which required extensive data reviews by the team – and undertaking relevant public consultations. The team has also been helping flooding-affected residents with waste collection services have had to be rearranged.

We have been liaising with Corporate Comms colleagues and utilising the pause on this item to review how we can take your original proposal and link it with other educational media in a holistic fashion. It is anticipated that the waste journey document will be completed in the coming weeks with a video of what happens to our waste, with a tour of the Padworth facility following that.

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

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Item (L)	Executive Meeting on 8 February 2024
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**(L) Question submitted to the Portfolio Holder for Climate Action, Recycling and Biodiversity by Councillor Ross Mackinnon:**

*“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”?”*

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

The Council has worked tirelessly all hours of the week and weekends, with council colleagues, and members, supporting their communities across the whole District, east to west, north to south, responding to the recent flood events.

Teams across the council are continuing to work hard in conjunction with other authorities as some areas move from response to recovery.

**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 Ross Mackinnon asked the following supplementary question:**

*“Should I take that as a ‘no’ then, and that you were happy with the Council's response over in the East of the District? I think that for a member of the Executive to publicly criticise the Council is a big deal. Are you happy that she was perhaps mistaken?”*

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

I'm happy that the Council has worked tirelessly across all areas of the district to provide a response to the flood in conjunction with other authorities such as the Environment Agency and Thames Water. I would take the opportunity to highlight that there is a current survey open for feedback that has been shared with flood wardens, ward members and parish and town councils to feedback on lessons learned. So, if you could make sure that is shared with your residents then we should be able to capture some really good feedback.

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

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Item (M)

Executive Meeting on 8 February 2024

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

*"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?"*

**The Portfolio Holder for Children, Education and Young People's Services answered:**

Thank you for your Question, Cllr Boeck. I can assure you that it has not been delayed indefinitely and I will repeat what I said to Mr Davies earlier:

The project will be started in this coming financial year 24/25 and this will be the design phase, with the build expecting to start in the next financial year. I will assure people here and to the school, the Teachers and the parents that I will be keeping a close eye on this and getting regular updates – it is important to achieve the new build as quickly as we can.

**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 Dominic Boeck asked the following supplementary question:**

*"I'm encouraged by your response to Mr Davies' question and to Councillor Marsh and am really pleased to hear that you are specifically able to prioritise the work that has been long outstanding at Falkland. My question is though why did it happen this way and what did you do to prioritise the needs of our children in schools?"*

**The Portfolio Holder for Children, Education and Young People's Services answered:**

I have reviewed the Capital programme with Mr Lewis and with AnnMarie Dodds about what schools need prioritisation. I have been to visit the school in the last couple of weeks to assure them that the project has not been cancelled.

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

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Item (N)	Executive Meeting on 8 February 2024
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**(N) Question submitted to the Portfolio Holder for Climate Action, Recycling and Biodiversity by Councillor Adrian Abbs:**

*“When will we see the first micro hydro proof of concept?”*

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

Thank you for your question.

Officers are currently engaging with technical advisors to progress a feasibility study. It is anticipated that results of the study will be available during Quarter 2 2024/25. We will update you if there are significant developments in this matter.

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

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<b>Item (O)</b>	Executive Meeting on 8 February 2024
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**(O) Question submitted to the Portfolio Holder for Highways, Housing and Sustainable Travel by Councillor Ross Mackinnon:**

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

**The Portfolio Holder for Highways, Housing, and Sustainable Travel answered:**

Councillor Mackinnon, thank you for your question. The Council is in a very difficult position financially and many of the recently consulted upon savings have not been put forward lightly. We are going to have to take some very difficult decisions in order to set a balanced budget. We will, however, take on board the results of the recent consultation and listen to our residents when making those decisions at the end of the 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?”*

**Councillor Ross Mackinnon asked the following supplementary question:**

*“In hindsight do you wish that you hadn't proposed this as a potential saving given the serious flooding that we have had?”*

**The Portfolio Holder for Highways, Housing and Sustainable Travel answered:**

It was only a reduction in the gully clearing, but everything is wonderful in hindsight Councillor Mackinnon.

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

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Item (P)	Executive Meeting on 8 February 2024
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**(P) Question submitted to the Acting Leader; Strategy, Communications, Governance and Transformation by Councillor Dominic Boeck:**

*“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?”*

**The Acting Leader; Strategy, Communications, Governance and Transformation answered:**

Thank you for your question, Cllr Boeck. I will provide assurance that this is an important capital project, and you will have heard the timescales that we are working to from Cllr Codling in your earlier question and her answer to Mr Davies's question.

There isn't much I am able to add. It was perfectly reasonable Councillor Boeck, and I probably recall in 2005 the Conservative administration who had just come into being did the same, to undertake a review of the Capital Programme. It is perfectly reasonable; it was your capital programme and we wanted to look through it and make sure it was robust and that is why there was a slight delay. But you have had assurances this evening that we are watching this and prioritising it and telling the school that we are going about this as quickly as we can.

**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 Dominic Boeck asked the following supplementary question:**

*“I'll go back to the point that I made to Councillor Codling that you should right at the start have prioritised this. It appears as though you are responding to pressure and you Councillor Brooks, Deputy Leader, have just the same degree of responsibility as Councillor Codling as every other Member of the Council to put children first. I want your re-assurance that you always will put children first.”*

**The Acting Leader; Strategy, Communications, Governance and Transformation answered:**

Councillor Boeck, I didn't really want to go into this, but you were the Portfolio Holder for Children's Services for several years. This project first came into being in 2021 and we are now in 2024. You had plenty of time to get some real revolution behind this project. We have had nine months. I think there is a context there Sir, that you seem not to be appreciating.

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

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Item (Q)	Executive Meeting on 8 February 2024
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**(Q) Question submitted to the Portfolio Holder for Highways, Housing and Sustainable Travel by Councillor Adrian Abbs:**

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

**The Portfolio Holder for Highways, Housing and Sustainable Travel answered:**

Thank you for this question. We are aware that the double socket EV charger in the Kennet Centre Car Park is not currently operational and apologise for any inconvenience this may be causing for residents and visitors. After several repairs, this BP Pulse charge point has now come to the end of its operational life. After considering options for the replacement of this charge point, we have opted to include it in the new contract for the delivery of off-street charge points. I am pleased to say that the Council now has a signed contract with SWARCO who will be focusing on delivering charge points in car parks and other community locations. This contract will run for 4 years. Including the replacement of the Kennet Centre Car Park charge point in this contract rather than conducting a separate procurement exercise has resulted in effective use of officer time and will ultimately provide a better service to our customers by keeping the number of charge point operators to a minimum.

Unfortunately, at this particular point in time I can't provide you with a date that it will start.

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

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<b>Item (R)</b>	Executive Meeting on 8 February 2024
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**(R) Question submitted to the Acting Leader; Strategy, Communications, Governance and Transformation by Councillor Ross Mackinnon:**

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

**The Acting Leader; Strategy, Communications, Governance and Transformation answered:**

The Leader recently indicated that he would be taking a step back from his Leadership duties due to time constraints, and although we have stated that he is taking a sabbatical, we have also made clear that he will continue to undertake all his duties as a councillor, and as a Member of this Executive albeit with a reduced Portfolio.

Under paragraph 3.3.2 of Part 5 of the Constitution, it states that the Deputy Leader “shall act in the Leader’s place if for any reason the Leader is unable to act”. I am therefore Acting Leader because the Leader has indicated that he is unable to act.

**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 Ross Mackinnon asked the following supplementary question:**

*“You cited the Constitution there and in the preceding section of the Constitution relating to the Leader it states that ‘the Leader can only leave office if he is removed by a resolution of Council, if he loses a local election and is no longer entitled to act, or if he resigns’.*

*None of those things have happened so constitutionally Councillor Dillon remains the Leader of the Council. Unnecessary confusion has been introduced here about who remains the Leader and who is not. You acting as Leader, do you have the authority to act as Leader when ‘the Leader’ Councillor Dillon remains in place?*

*There has recently been a change in the Executive and the Constitution requires the Leader to give written notification to the Chief Executive about such a change. My supplementary question is can you confirm that Councillor Dillon gave that written notification. I hope the answer was yes, because if that wasn’t given then the validity of that Executive appointment could be called into question as could any individual decisions made by an Executive Member who has been appointed in such a way.*

*It would seem to me more preferable if the Leader had resigned because that is clear and everyone knows where they are.”*

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

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### **The Acting Leader; Strategy, Communications, Governance and Transformation answered:**

I am going to ask the Monitoring Officer to take this. I think it would be up to the Liberal Democrat Group to decide who their Leader is rather than the opposition.

### **The Monitoring Officer commented:**

You are correct that Councillor Dillon remains the elected Leader of West Berkshire Council and Councillor Dillon did indeed confirm the recent changes to the membership of the Executive.

However Councillor Dillon has given, in effect, his apologies tonight and in accordance with the Constitution and indeed the Local Government Act 2000, Councillor Brooks is here in place as the Acting Leader because of his statutory appointment as the Deputy Leader of this Council.

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

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Item (S)	Executive Meeting on 8 February 2024
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**(S) Question submitted to the Portfolio Holder for Climate Action, Recycling and Biodiversity by Councillor Adrian Abbs:**

*“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.”*

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

Thanks for your question. The Council-controlled electric vehicle charging infrastructure contracts within the district are competitively procured, in line with existing public contract regulations and applicable Council guidance.

The arrangements with the charge point operators will vary between contracts mainly due to what funding is being used and any conditions of that funding. However, delivering value for money for the end user is an objective across any contract for the delivery of our charge points.

Benchmarking was carried out to ensure that our rates are set competitively and, where possible, deliver best value for money for our customers. Our rates are set annually through the Council's fees and charges setting process.

Whilst we are unable to comment on break even costs, the Council needs to (as a minimum) cover the cost of the electricity and generate a contribution to the ongoing maintenance of the charge points.

**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 Adrian Abbs asked the following supplementary question:**

*“The reason for the question is to tease out that whenever we do a vision of things that we control that we make sure we take all aspects into account; the size, the location, the cost so that we are encouraging as many clean air areas as possible.”*

**The Portfolio Holder for Climate Action, Recycling and Biodiversity answered:**

Absolutely, I also think there is an area to look at with central Government with regards to the different VAT rates paid between on street and off-street parking and I think there is a part to play there around minimising that impact to give people the opportunity to do the right thing.

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

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Item (T)	Executive Meeting on 8 February 2024
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**(T) Question submitted to the Leader of Council; Executive Portfolio Holder for Public Safety by Councillor Ross Mackinnon:**

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

**The Leader of Council; Executive Portfolio Holder for Public Safety answered:**

Yes, I do.

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

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<b>Item (U)</b>	Executive Meeting on 8 February 2024
<b>Submitted to:</b>	<b>Jon Winstanley</b>

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

*“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?”*

**The Portfolio Holder for Highways, Housing and Sustainable Travel answered:**

Cllr Mackinnon, thank you for your question.

I am aware our contractor attended site within our response times to make this safe, but found that it was not possible as there was water running through the defect from a nearby BT chamber. Under these circumstances it would not be practical to try to fix the defect as it would fail.

Signing and guarding was erected around the pothole whilst a solution was found to prevent the flowing water. A repair was implemented as soon as the water was diverted away from the defect.

I am sure you appreciate that this type of issue has been all too common on the highway network recently due to widespread flooding and this has been a particularly challenging time for highways officers and our contractor.

**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 Ross Mackinnon asked the following supplementary question:**

*“I had to wait 5 days for a reply, and I chased twice in that time, and heard nothing until the morning of the 24 January. Do you think that is good enough Councillor Gaines?”*

**The Portfolio Holder for Highways, Housing and Sustainable Travel answered:**

As I said it was through the most challenging period of the flooding, so whilst it probably isn't acceptable, the pothole was made safe with guards fixed around it and was fixed as soon as possible.

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

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Item (V)	Executive Meeting on 8 February 2024
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**(V) Question submitted to the Leader of Council; Executive Portfolio Holder for Public Safety by Councillor Ross Mackinnon:**

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

**The Leader of Council; Executive Portfolio Holder for Public Safety answered:**

No, I don't.

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