

Questions and Answers

Executive
Thursday 14th March 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.

If you require this information in a different format or translation, please contact Sadie Owen on telephone (01635) 519052.



This page is intentionally left blank

Item (A)	Executive Meeting on 14 March 2024
-----------------	------------------------------------

(A) Question submitted to the Portfolio Holder for Planning and Community Engagement by Peter Tompkins:

“Can you advise what measures have been put in place to help planning officers avoid potential conflicts of interest? For example conflicts of interest may arise where officers have involvement across the various functions of providing pre-app advice, policy making, enforcement action and decision-making on applications.”

The Portfolio Holder for Planning and Community Engagement answered:

The rules in relation to Council Officers and potential interests, financial or personal are set out at Part 13.5.9 constitution.

There are no conflicts of interest for planning officers across the functions you list in your question as they are all aspects of delivering the Development Plan for West Berkshire. You can find out more about the Development Plan on our website at <https://www.westberks.gov.uk/current-development-plan>

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

Item (B)

Executive Meeting on 14 March 2024

(B) Question submitted to the Portfolio Holder for Economy and Regeneration by John Gotelee:

“With the LRIE regeneration once again at a standstill has the money spent on consultants been a waste of money?”

The Portfolio Holder for Economy and Regeneration answered:

Mr. Gotelee, thank you for your question.

No, it has not. The programme is under review to take account of the goals and priorities of the administration, and the work by previous consultants will feed into and inform future plans on the site.

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:

“Do you think the money has been well spent?”

The Portfolio Holder for Economy and Regeneration answered:

The work done by the previous consultants will feed in to the future plans for the site and help to inform those so there is a value to it.

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

Item (C)

Executive Meeting on 14 March 2024

(C) Question submitted to the Portfolio Holder for Leader of the Council by Richard Garvie:

“As Leader of the Council, how many times has Councillor Dillon met with Thames Water Management to discuss the many issues with sewage in rivers, drains and homes in the district?”

The Portfolio Holder for Leader of the Council answered:

Thank you for your question, Mr Garvie. I haven't met with Thames Water but Members of the Administration have. Councillors Denise Gaines and Stuart Gourley met with Thames Water in December and are meeting again with them tomorrow.

The items discussed at that time were the sewage treatment works in Thatcham and the pumping at London Road. We are continuing discussions tomorrow about Newport Road

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:

“As a Member of Parliament you would be expected to vote on party lines and there is not much you can do on a local issue. But as Leader of the Council you are effectively the most powerful politician in West Berkshire. What do you think you could achieve as an MP with Thames Water that you are unable to as a Council Leader.”

The Portfolio Holder for Leader of the Council answered:

I am not going to answer a hypothetical situation regarding running for a different position but am happy to answer any questions relating to West Berkshire Council.

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

Item (D)

Executive Meeting on 14 March 2024

(D) Question submitted to the Portfolio Holder for Economy and Regeneration by John Gotelee:

“With the realisation that there is a lack of infrastructure on the LRIE would it be true to say that there are no plans on the table that can realistically take the project forward?”

The Portfolio Holder for Economy and Regeneration answered:

Thank you for your question Mr. Gotelee.

This would not be true to say, we feel there is a clear direction for taking forward regeneration of Bond Riverside and the key sites that sit within 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?”*

John Gotelee asked the following supplementary question:

“Would it not be true to say that the London Road Industrial Estate regeneration which has been going on for nearly twenty years has fallen down every time on infrastructure and you just have not got the infrastructure there and I can't see that you can have a credible plan without infrastructure. Is that possible?”

The Portfolio Holder for Economy and Regeneration answered:

As I have said we have got a clear direction for the regeneration of Bond Riverside and that will be coming to Executive in May and we will be able to share more detail then.

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

Item (E)	Executive Meeting on 14 March 2024
-----------------	------------------------------------

(E) Question submitted to the Portfolio Holder for Leader of the Council by Richard Garvie:

“Given the situation surrounding the sabbatical, it is clear the Lib Dems intend to run the Council simply by having the elected Leader of the Council - Lee Dillon - not turn up. How many meetings is he allowed to miss before he must resign his seat on the Council?”

The Portfolio Holder for Leader of the Council answered:

The Local Government Act 1972 (section 85) states that when a Council Member fails to attend any meeting for six consecutive months from the date of their last attendance, they cease to be a member of the authority, unless the Council accepts a reason for the failure to attend before the six months period expires.

I remain appointed as Leader of Council, leading on public safety portfolio and most recently attended the Joint Public Protection Committee on Monday 11th March and am obviously present at today's meeting too.

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:

“Is there a reason why you would not step down as Leader of the Council and then be re-appointed following the general election. Would that not be a better course of action than this which seems like a very difficult situation for the Council and for the reputation of the Council. This just has not happened anywhere before for a Leader to step down and take a sabbatical”.

The Portfolio Holder for Leader of the Council answered:

It is not the first time that a sabbatical has been taken. I am aware of a Conservative Portfolio Holder in a senior position taking a sabbatical to go to lecture on history in America. My group are happy with how we have set these arrangements up. Good governance is being followed and we have taken officers advice that this is a legal route for us to be able to take and in Councillor Jeff Brooks we have an excellent Acting Leader who is delivering on the priorities for the residents of West Berkshire along with our manifesto commitments on which we were elected in May last year.

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

Item (F)	Executive Meeting on 14 March 2024
----------	------------------------------------

(F) Question submitted to the Portfolio Holder for Economy and Regeneration by John Gotelee:

“Regarding the 2023 Winter Groundwater monitoring on the LRIE carried out by Geo-Environmental. What has been done to address the excessively high pollution readings? What impact will this survey have on the viability of regenerating the LRIE?”

The Portfolio Holder for Economy and Regeneration answered:

Thank you for your question Mr. Gotelee.

Groundwater conditions are broadly commensurate with what would be expected on an industrial estate. The purpose of the monitoring was not to resolve any contamination but to identify it to be considered by any future proposed development. As and when proposals come forward for development on sites on Bond Riverside, they will be evaluated on their own merits including around sustainable drainage proposals, where this information may inform that process.

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:

“What does the Surface Water and Flooding Act 2010 say about passing pollution on to other people’s land?”

The Portfolio Holder for Economy and Regeneration answered:

I will come back to you on that Mr Gotelee.

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

Item (G)	Executive Meeting on 14 March 2024
-----------------	------------------------------------

(G) Question submitted to the Portfolio Holder for Deputy Leader; Strategy, Communications, Governance and Transformation by Richard Garvie:

“Does the Council feel Cllr Dillon is delivering value for money by collecting his Councillor allowance and Special Responsibility allowance but having not attended a meeting of the full council since December?”

The Portfolio Holder for Deputy Leader; Strategy, Communications, Governance and Transformation answered:

Yes.

This page is intentionally left blank

(A) Question submitted to the Portfolio Holder for Planning and Community Engagement by Councillor Ross Mackinnon:

“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 11/12). Who would you have blamed when the residents of Thatcham started asking questions about how this happened?”

The Portfolio Holder for Planning and Community Engagement answered:

Thank you for the question put by Cllr MacKinnon.

However, I don't think our residents in Thatcham or Newbury or anywhere else in the District are as interested in your string of hypothetical questions as they are in what will happen as the Inspector's Examination of the new Local Plan proceeds.

Before I give you a short answer to your question, let me explain why so many residents of Wash Common going to the polls today still blame the previous Administration for inflicting 15 years of blight on them so far – not one new home started since the last Local Plan allocated Sandleford Park.

As a direct result of Sandleford failing to progress we got North Newbury – as was predicted by the Lib Dems in 2010– delivered first, despite being rejected from the Plan. Your Leader at the time was a Ward member and did nothing to make the best of a bad job there.

Also, largely because there is nothing to show at Sandleford we still need the 1500 houses that were allocated to go there, all of which the current Plan said would be occupied by now. All this under a Conservative Council, aided by a disfunctional and unfair national planning system that gives all the power to landowners and major national developers, many of which are also major contributors to your Party.

Where are you putting those 1500 homes? North East Thatcham! I bet the voters there will show their disdain for you today.

The simple answer to your question about who would I have blamed when they started asking questions about how things turned out in Thatcham is – I simply don't know. It is far too early to say and not worth thinking about.

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

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

Councillor Dominic Boeck, on Behalf of Councillor Ross Mackinnon asked the following supplementary question:

“You gave a whole speech about how beastly the Tories are and then at the end of it all said that you do not know what the answer is. It seems a bit opportunistic Councillor Vickers. I am not going to ask you anything more as I do not want to provide you with a further opportunity to have a rant”.

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

Item (B)

Executive Meeting on 14 March 2024

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

"You will know from correspondence with parents of pupils at Falkland Primary that they are furious with the Administration for refusing to bring forward Capital funding for the refurbishment to 2024/25. You have said that "if the project can be completed in the coming year then it will be". Why then did you refuse to allocate Capital funding in the Budget to enable this?"

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

At the risk of repeating what was said at our recent Full Council meeting when our Budget for 2024/5 was approved, we have made available £250,000 in the coming year for the design of the project, and to get planning approval done. We will work as quickly as possible to get these buildings completed. All funds needed in this coming year are already in place, via CIL and Section 106 monies – as previously stated. Our Leader has personally assured you we will fast track this project, and the funds will be there. Any fury should perhaps be directed towards earlier administrations who didn't replace these buildings, say 10 years ago when it would have been apparent they were starting to become dilapidated.

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:

"Thank you for that answer. You know, because I have seen the correspondence, that parents and residents of Falkland are really disappointed that you did not support our amendment to bring forward in the capital programme the spend this year and next year. That would have sent a message to the residents and parents that you really mean business. You spoke at the beginning about honesty and respect and I completely agree with that but you are not being truthful with the residents of Falkland when you say in your bi-election documentation that 'the Lib Dems passed the budget with the necessary funds bought forward to enable the work to be expedited. You did not."

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

The Deputy Leader, Portfolio Holder for Strategy, Communications, Governance and Transformation commented:

You keep going on about the capital not being there, but you have heard tonight that we are actually £12.9m down on the capital spend to date in this year. The capital is sitting there Sir and can be vired quite easily so I am not sure why you are making a thing of it when we have provided assurances that if we can build it in time the money will be there. The money will be there, and you are trying to make a story out of a technicality frankly.

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

I have nothing to add. The money will be there, and we will move the project on as fast as we can.

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

Item (C)	Executive Meeting on 14 March 2024
----------	------------------------------------

(C) Question submitted to the Portfolio Holder for Children, Education and Young People's Services by Councillor David Marsh:

“What steps have been taken to ensure that the flat roof at Falkland Primary School will be able to withstand water damage of the kind that forced the school to close last month? Specifically, what works have been instructed and undertaken regarding repair and/or replacement of the roof?”

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

Officers have been working with the roof designer, the materials supplier and the installation contractor to investigate the problems and develop a specification of repairs. The waterproofing will be removed across the plant room roof entirely, reformed and then overlaid with a single layer of cap sheet to prevent any back laps in the felt from the gutter works. This work has commenced.

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

Item (D)	Executive Meeting on 14 March 2024
----------	------------------------------------

(D) Question submitted to the Portfolio Holder for Planning and Community Engagement by Councillor Ross Mackinnon:

“Do you agree with the line in your Local Plan withdrawal report that says: “Removal of a plan led system and the lack of policies in an up-to-date plan undermines the ability of the Council to manage development positively to secure quality development and infrastructure delivery.” (Page 7)”

The Portfolio Holder for Planning and Community Engagement answered:

Not really. As I illustrated in my answer to your last Question, an up-to-date Local Plan is of limited value. In my experience over 20 years on this Council and in academic work relating to Planning I've seen most new homes delivered on sites that were not allocated. In the least prosperous areas, where councils are eager to attract development, why not save the cost of Plan Making and just rely on the NPPF. It will still be a plan led system but just not a local plan.

For West Berkshire, where there is particularly high demand and therefore eye-wateringly high value greenfield land, developers and landowners make enormous profit from gaining planning consent. Yes, we'd like to be able to control development and that's why we do spend what we can afford on Plan Making. But it's an unenviable struggle with unequal resources.

Major developers can and do massively out-spend us during the Plan Making and then the Development Management processes to get their way – hence we lose appeals even when (as with Sandford) a site was allocated.

I'm relaxed about getting more houses. As long as they are affordable for those who need them – not just to buy but to maintain – and located, designed and built well, with all necessary infrastructure delivered on time.

Yes we need a plan led system and for us it must be a Local Plan. But the Local Plan is not a panacea and we shouldn't give up on managing development just because we don't have one. Not having one limits our ability to manage development but doesn't totally undermine it.

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

Item (E)	Executive Meeting on 14 March 2024
----------	------------------------------------

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

“You have said that the delays to the Falkland Primary refurbishment project were in part due to the lack of a project manager. Given your administration were willing to waste nearly £2million on a new local plan (a figure which does not include the costs of defending numerous appeals which your own local plan withdrawal report admitted were virtually certain), why is it that you were unwilling to recruit a project manager for this vital work at Falkland Primary?”

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

This feels like comparing apples with oranges – and I do not believe it would have been a waste of money to have corrected the wrongs in the Local Plan that you recklessly and hastily submitted.

The recruitment of necessary professionals to take this project forward was delayed by the long needed financial controls we had to put in place to assist this administration balance the in-year budget. Within eight weeks of coming in to power in May we were facing an £8m overspend. Therefore, it was not about the willingness of the authority but the availability of the financial resource at that time to secure the workforce.

I can confirm that a project manager has started this week and I understand more are being recruited.

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:

“Thank you for your reply and I am pleased to hear that a project manager has been recruited. I'd like to ask you to expand a little on the comment you made when you spoke about the reckless submission of the Plan, the Plan that was five years in the making, that was developed through cross-party negotiation and which as recently as December Councillor Vickers said in public that he saw no reason why it should not be brought forward. So would you please expand on the term 'recklessly'?”

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

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

As a representative of a Ward that is adjacent to the potential buildings in Thatcham, that was definitely reckless. Cold Ash, Hermitage and into Chieveley will be inundated by traffic and there are not the resources or infrastructure going in. So, I absolutely do say that it is reckless.



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

Item (F)	Executive Meeting on 14 March 2024
-----------------	------------------------------------

(F) Question submitted to the Portfolio Holder for Children, Education and Young People's Services by Councillor David Marsh:

"Will the water-damaged electrical equipment at Falkland Primary School be fully replaced, rather than simply allowed to "dry out"?"

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

The water damaged electrical equipment will be replaced. The main school distribution board within the plant room will be fitted into a water-resistant enclosure as part of the replacement works.

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

Item (G)

Executive Meeting on 14 March 2024

(G) Question submitted to the Portfolio Holder for Planning and Community Engagement by Councillor Ross Mackinnon:

“Do you agree with the line in your Local Plan withdrawal report that says: “Therefore, greater numbers [of houses] above the current LPR would need to be allocated [if the plan were to be withdrawn].” (Page 4)?”

The Portfolio Holder for Planning and Community Engagement answered:

Another hypothetical Question on the Local Plan – which we have not been allowed to withdraw, but which has yet to be found sound by the Inspector.

Hypothetically yes I could have agreed with you but I'd have been quite relaxed about it because it will have to happen anyway. The Plan Period is going to be longer because of a mis-calculation under your Administration a year ago. It will now plan forward to 2041 not 2039. So that will be 1,000 or more homes that will need to be in that Plan.

We will be starting to prepare another Local Plan as soon as this one is adopted. Meanwhile there are risks in the closing years of the current Plan and through into the first years of the one about to be examined – risks about whether the houses will be delivered at the rate expected and consequently about whether we will need to revise the numbers upwards.

But finally let us remind ourselves that the new Local Plan has not yet been found sound so it is all very hypothetical.

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

Item (H)	Executive Meeting on 14 March 2024
----------	------------------------------------

(H) Question submitted to the Portfolio Holder for Children, Education and Young People's Services by Councillor David Marsh:

“Can the council reassure Falkland Primary School that it will not be left out of pocket after the recent water and electrical damage, and that the council and/or its insurers will cover all the costs incurred, including the hiring of an emergency generator, as well as fully funding the repairs?”

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

The roof remedial works will be covered under the roof warranty. The works required as a result of the leak (including the hiring of the generator) will be covered by insurance.



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

Item (I)	Executive Meeting on 14 March 2024
-----------------	------------------------------------

(I) Question submitted to the Portfolio Holder for Deputy Leader; Strategy, Communications, Governance and Transformation by Councillor Ross Mackinnon:

“The absent Leader of the Council remains on the Executive with a tiny portfolio, yet residents of West Berkshire are expected to pay a full Executive Allowance in respect of his position. What would you say to residents who are doubtful that they are receiving value for money for this tenth Executive role?”

The Portfolio Holder for Deputy Leader; Strategy, Communications, Governance and Transformation answered:

What disappoints me about this is that Councillor Mackinnon considers that the Joint Public Protection Partnership and Public Safety, emergency planning, building communities together is a tiny portfolio. That suggests frankly that you do not take it very seriously. We do and I am very satisfied that the people of West Berkshire are receiving value for money from every Executive role.

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 on behalf of Councillor Ross Mackinnon asked the following supplementary question:

“We take the importance of Public Safety and that element of the portfolio very seriously. My colleague, Councillor Woollaston will speak at length about how much more he did when he had a portfolio alongside Public Safety. It is a small part of what the Council does and it does seem somewhat anomalous Councillor Dillon is drawing down £10,000 a year for what we consider to be a very small part of the Executive’s responsibilities.”

The Portfolio Holder for Deputy Leader; Strategy, Communications, Governance and Transformation answered:

That was a statement, and I am moving on.
