

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## EXECUTIVE

### MINUTES OF THE MEETING HELD ON THURSDAY, 6 JULY 2023

**Councillors Present:** Lee Dillon (Chairman), Adrian Abbs, Jeff Brooks, Heather Codling, Martin Colston, Iain Cottingham, Janine Lewis and Tony Vickers

**Also Present:** ,

**Apologies for inability to attend the meeting:** Councillor Denise Gaines, Councillor Alan Macro and Joseph Holmes

**Councillor(s) Absent:**

#### PART I

##### 1. Apologies for Absence

Apologies were received from Councillors Denise Gaines and Alan Macro, and from Richard Somner and Jo Stewart.

##### 2. Minutes

The Minutes of the meeting held on 8 June 2023 were approved as a true and correct record and signed by the Leader.

##### 3. Declarations of Interest

There were no declarations of interest received.

##### 4. Public Questions

A full transcription of the public and Member question and answer sessions is available from the following link: [Transcription of Q&As](#).

##### 5. Petitions

There were no petitions presented to the Executive.

##### 6. Petition response - Charging (EX4328)

Councillor Jeff Brooks introduced and proposed a report (Agenda Item 6), which provided a response to a petition presented to Council on 1 December 2022 requesting that 'WBC ensure that it charges the correct amounts of money due to it for any and all services for which it levies charges and will reimburse any resident or service user who has been charged in error or has been charged where no charge should have been levied.'

Councillor Brooks apologised to the petitioner for the length of time it had taken to provide a response and commented that the constitution would be amended to include a four month timeframe for responding to petitions.

Councillor Ross Mackinnon queried how recommendation 2.3 within the report differed from the practice of the previous administration. Councillor Brooks acknowledged that he had not looked but was content with the statement as to how the current administration would act.

Councillor Iain Cottingham seconded the recommendations within the report.

**RESOLVED that:** Executive

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- Note the petition and resolve to continue to ensure that the Council complies with the intent of its policy framework in income collection.
- Aims for the Council to provide the best possible customer experience, and recently published its Customer Charter, which details the service levels it aspires to provide. It also explains what recourse is available to individuals or businesses who feel these have not been met. This would include those individuals or businesses who believe that they have been charged incorrectly or have been charged where no charge should have been levied. It is not the Council's intention, nor will it be policy, to issue and collect charges that are incorrect or are not chargeable if appropriate procedures and form completion have been properly undertaken.

### 7. **Save the ReadiBus Petition (EX4340)**

Councillor Lee Dillon introduced and proposed a report (Agenda Item 7), which provided a response to a petition presented to Council on 12 January 2023 requesting that the Council 'review their decision on funding the ReadiBus service; making sure that this important community service remains available for those who need it, when they need it, for the long term'.

Councillor Dominic Boeck suggested that a confidentiality clause was standard in contract templates and acted to safeguard both parties. Councillor Dillon responded that it was no longer a standard clause given the recommendation within the report, but acknowledged that there may be a need to include such a clause in the case of a commercial contract.

In response to a query from Councillor Ross Mackinnon, Councillor Dillon confirmed that the clause would also be removed from the thirteen other community transport operator contracts within West Berkshire.

Councillor David Marsh commented that he strongly supported the recommendations within the report and the previous report.

Councillor Martin Colston seconded the recommendations within the report.

**RESOLVED that:** Executive

- Note the request detailed within the petition, and approve the removal of the confidentiality clause from the service level agreement (SLA) with community transport operators.

### 8. **Early Years Childcare Sufficiency Report 2022 (EX4405)**

Councillor Heather Codling introduced and proposed a report (Agenda Item 8), which demonstrated the childcare sufficiency within West Berkshire.

Councillor Dominic Boeck thanked Councillor Codling for presenting the report and commended the work of officers in the early years setting, particularly during the challenging time during the Covid pandemic.

Councillor Carolyne Culver noted that the report would be useful evidence for the Scrutiny Commission due to the forthcoming requirement from September 2026 to review wraparound care.

Councillor Culver noted that page 44 of the Agenda pack referred to Victoria Ward which did not exist in West Berkshire, and further listed West Ilsley rather than Ridgeway as part of the Downlands Ward. It was agreed that the relevant amendments would be made to the report.

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Councillor David Marsh queried whether there were any steps that the Council could take to encourage and attract more staff to the sector. Councillor Codling responded that she would be working with officers to address the issue.

Councillor Adrian Abbs seconded the recommendations within the report.

### **Resolved that:**

- The Early Years Childcare Sufficiency Assessment 2022 was reviewed by the Executive Committee to inform elected members on how we are meeting our duty to secure sufficient childcare.
- Executive recommend the report is actively promoted on the Council's websites to make it accessible to parents/carers and other interested parties.

### **9. Contracts for Award under Delegated Authority from Executive (EX4407)**

Councillor Jeff Brooks introduced and proposed a report (Agenda Item 9), that provided details of forthcoming supply, service and works contract awards that would have a contract value in excess of £2.5m and as such would require approval from the Executive during the next quarter. Councillor Brooks noted that the Berkshire Community Equipment Service was a particularly large contract as it covered the whole of Berkshire.

Councillor Adrian Abbs noted the two environmental contracts which would provide further electric vehicle charging points within Council car parks, and rooftop solar panels on Council buildings.

Councillor Heather Codling highlighted the Kennet Valley Expansion Project which would provide an additional twelve spaces for Primary aged SEMH/ASD pupils.

In response to a query from Councillor David Marsh, Councillor Abbs confirmed that the Electric Vehicle charging points would be within dedicated bays for electric vehicles.

### **Recommendation** (Vote to be taken in Part II):

- Executive to delegate authority to an individual (Service Director, Head of Service or Executive Director) to proceed with the award of the contracts in table [4.11] in consultation with the portfolio holder following the completion of the appropriate tender process and Procurement Board approval of a Contract Award report.

### **10. Call-In of Executive Decision EX4332: Newbury Sports Hub - revised costs and seeking permission to sign Development Management Agreement (EX4332)**

Councillor Janine Lewis introduced and proposed a report (Agenda Item 9), relating to a Call-In of a previous Executive Decision concerning Newbury Sports Hub.

Councillor Carlyne Culver as Chair of Scrutiny Commission commented that neither herself nor Councillor Lewis had seen the report prior to its publication. Councillor Culver stated that her comments should in no way be seen as a criticism of the author of the paper, but noted that the recommendation that the Council undertake a new value for money review had not been agreed by Scrutiny Commission at its meeting on 20 June 2023. Councillor Culver suggested that the report implied that Scrutiny Commission agreed that the Sports Hub project should proceed, whereas minutes from the meeting reflected that no value for money review had been agreed.

Councillor Culver further noted that the 'Implications and Impact Assessment' section of the report did not reflect the comments made at Scrutiny Commission. Councillor Culver requested that Executive take note of the Scrutiny Commission's recommendations when

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making any future decision on the project. Councillor Lee Dillon agreed that due attention would be paid to the Scrutiny Commission's proposals.

Councillor Howard Woollaston suggested that Newbury Football Club would now have at least three to four years without a viable pitch to play on, when they could have had a pitch the following year had the project proceeded.

Councillor David Marsh suggested that the statement within the 'Property implication' section of the report that 'An alternative option would involve construction of a facility on an alternative site, which has not yet been identified' was incorrect as the Executive had identified an alternative site.

Councillor Dillon explained that the report was part of due process and that a report outlining the Executive's fully phased plan for the Faraday Road site would be returning to a future Executive meeting.

Councillor Ross Mackinnon expressed doubt that a better facility than that proposed at the Sports Hub could be provided at Faraday Road.

**Resolved that:** Executive

Reconsiders its original decision of 23 March 2023 in respect of 'Newbury Sports Hub - revised costs and seeking permission to sign Development Management Agreement (EX4332)', with particular consideration given to the following aspects:

- costs incurred;
- the Council should conduct a new value for money review taking into account:
  - business plan based on increased costs;
  - penalty fees associated with not proceeding with the original scheme as planned;
  - any implications for the new Leisure Contract; and
  - the need to revisit the Playing Pitch Strategy should the Sports Hub not be progressed.

### 11. Members' Questions

Councillor Lee Dillon clarified that the Executive were members of the Liberal Democrats and not the Liberal party, and consequently any questions referring to Liberal policy in the future would not be answered.

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#).

### 12. Exclusion of Press and Public

**RESOLVED that:** members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraph 6 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006. Rule 8.10.4 of the Constitution also refers.

### 13. Contracts for Award under Delegated Authority from Executive (EX4407)

*(Paragraph 6 - information relating to proposed action to be taken by the Local Authority)*

The Executive considered a report (Agenda Item 12), concerning details of forthcoming supply, service and works contract awards that would have a contract value in excess of £2.5m and as such would require approval from the Executive during the next quarter.

**RESOLVED that:** the recommendations in the exempt report be agreed.

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**Other options considered:** the approval of a consolidated contract award report is considered the most efficient way of meeting the governance requirements of the Constitution, therefore no alternative proposals are being made.

*(The meeting commenced at 5.00 pm and closed at 6.40 pm)*

**CHAIRMAN** .....

**Date of Signature** .....