

# DRAFT

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

## COUNCIL

### MINUTES OF THE MEETING HELD ON THURSDAY, 20 JULY 2023

**Councillors Present:** Adrian Abbs, Antony Amirtharaj, Phil Barnett, Dennis Benneyworth, Jeff Brooks, Nick Carter, Patrick Clark, Heather Codling, Martin Colston, Jeremy Cottam (Chairman), Iain Cottingham, Laura Coyle, Carlyne Culver, Paul Dick, Lee Dillon, Denise Gaines, Stuart Gourley, Clive Hooker, Owen Jeffery, Jane Langford, Janine Lewis, Ross Mackinnon, Alan Macro, David Marsh, Geoff Mayes (Via Zoom), Biyi Oloko, Justin Pemberton, Vicky Poole (Via Zoom), Christopher Read, Richard Somner, Stephanie Steevenson, Joanne Stewart, Louise Sturgess, Clive Taylor, Martha Vickers, Tony Vickers and Howard Woollaston

**Also Present:** Sarah Clarke (Service Director (Strategy and Governance), Stephen Chard (Democratic Services Manager), Paul Coe (Interim Executive Director People), Joesph Holmes (Executive Director Resources), (Nigel Lynn (Chief Executive), Eric Owens (Service Director Development and Regulation), Honorary Alderman Brian Bedwell, Honorary Alderman Graham Jones, Honorary Alderman Quentin Webb and David Cook (Principal Democratic Services Officer).

**Apologies for inability to attend the meeting:** Honorary Alderman Paul Bryant, Honorary Alderman Adrian Edwards, Honorary Alderman Anthony Stansfeld, Councillor Dominic Boeck, Councillor Billy Drummond, Councillor Nigel Foot, Councillor Paul Kander, Councillor Erik Pattenden and Councillor Matt Shakespeare.

## PART I

### 18. Chairman's Remarks

The Chairman reported that he and the Vice-Chairman had attended a number of events since the last Council meeting. He highlighted attending Newbury Library receiving the Library of Sanctuary Status, the launch of the Community Alcohol Partnership and a Citizenship Ceremony. He also mentioned visiting Thrive, an organisation that used gardening to bring about positive changes in the lives of people living with disabilities or ill health, or who were isolated, disadvantaged or vulnerable.

The Chairman also mentioned that the Vice-Chairman had attended events such as the getting to know the Royal Berkshire Fire and Rescue Service Day, the Newbury Street Pastors AGM and a supper party for the Reading Episcopal Area held by the Diocese of Oxford.

### 19. Presentations

The Chairman made presentations to the following Councillors and former Councillors celebrating their long service:

Tony Linden for being a Councillor for 35 years.

Councillor Jeff Brooks for being a Councillor for 25 years.

Councillor Phil Barnett for being a Councillor for 20 years.

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Councillor Billy Drummond for being a Councillor for 20 years. (Councillor Drummond had given his apologies and would be given his certificate outside the meeting).

### 20. Minutes

The Minutes of the meeting held on 25 May 2023 were approved as a true and correct record and signed by the Chairman.

### 21. Declarations of Interest

There were no declarations of interest received.

### 22. Petitions

There were no petitions received.

### 23. Public Questions

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

A question standing in the name of Ken Omor on the subject of road works in the area of Hambridge Road / Boundary Road and Kings Road received a written response from the Portfolio Holder for Highways, Housing and Sustainable Travel.

A question standing in the name of John Gotelee on the subject of the Faraday Road Football Pitch was answered by the Portfolio Holder for Planning and Community Engagement.

A question standing in the name of Miss Staniforth on the subject of the budget received a written response from the Portfolio Holder for Finance and Corporate Services.

A question standing in the name of Paula Saunderson on the subject of Flood Risk Management was answered by the Portfolio Holder for Highways, Housing and Sustainable Travel.

A question standing in the name of John Gotelee on the subject of the Faraday Road Football Pitch was answered by the Portfolio Holder for Planning and Community Engagement.

A question standing in the name of Paula Saunderson on the subject of Flood Risk Management was answered by the Portfolio Holder for Highways, Housing and Sustainable Travel.

A question standing in the name of John Gotelee on the subject of surface water drainage was answered by the Portfolio Holder for Planning and Community Engagement.

A question standing in the name of Paula Saunderson on the subject of the Local Plan Review was answered by the Portfolio Holder for Planning and Community Engagement.

A question standing in the name of Paula Saunderson on the subject of the predicted future population figures was answered by the Portfolio Holder for Planning and Community Engagement.

A question standing in the name of Paula Saunderson on the subject of Green / Blue infrastructure work was answered by the Portfolio Holder for Planning and Community Engagement.

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### 24. Membership of Committees

There had been no changes to the membership of Committees since the previous Council meeting.

### 25. Hedgehog Highways - Petition Response

Council considered a report regarding the response to a petition, received on 6 October 2022, regarding Hedgehog Highways (Agenda Item 9).

**MOTION:** Proposed by Councillor Tony Vickers and seconded by Councillor Owen Jeffery.

That the Council:

Recognise that the aims of the motion are already covered by policies in both the West Berkshire Local Plan and also the Local Plan Review 2039.

Investigate the possibility of a Hedgehog Positive Campaign to encourage all residents to adopt Hedgehog Highways.

Councillor T Vickers said that he had welcomed the initiative undertaken by Newbury Town Council that had been referred to in the petition. However, he could not support this petition as it was worded and he did not have the powers to change the wording of the petition tonight. He mentioned that he would have supported an alternative wording of the petition if this had been possible. Newbury Town Council had requested that new housing developments be required to provide hedgehog highways, but as the report detailed in section 5.13 any planning conditions must pass legal tests and be backed by evidence. There would be certain developments where it would not be relevant or possible to impose the proposed conditions such as industrial sites. There would also be certain major housing developments that would be unsuitable habitats for hedgehogs. He would have supported the petition if it could have been amended to suitable new developments having hedgehog highways. He pointed Council to the second recommendation in the report that encouraged existing homes in the district to have hedgehog friendly homes where possible by having holes in their boundaries. No sensible planning authority could accept the petition unamended, even though he applauded the sentiments behind it.

Councillor Richard Somner was glad to see in the report that the officer recommendations had been positively taken as they were the experts and did not block things for the sake of it. He mentioned that his garden had fences but also a gate that hedgehogs could pass through. Campaigning and education was the right way forward to get better outcomes.

Councillor Adrian Abbs said that this was a new Administration and they were open to listening. He recommended that petitioners come and speak to the Executive prior to submission to see if an acceptable outcome could be achieved.

Councillor Carolyne Culver mentioned that the petition had been presented to Council back in October 2022 but the petitioner could not attend tonight as they had such short notice that it was being considered. It was regrettable that it had taken so long to get the response before Council without any meaningful dialogue with the petitioner. She mentioned that the report said the environmental impact would be neutral but helping hedgehogs survive would be positive. The report also mentioned that positive action would be detrimental on other species, but the Council had policies to recommend boxes for barn owls. As a Member of a planning committee, she was frustrated that the Council did not have a policy that would help hedgehogs when policies were held for other animals.

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Councillor Culver explained that when the Environment Act was implemented, the Council had an obligation to work with local nature recovery networks and would have the Ecologist from Windsor and Maidenhead Council working with West Berkshire. She said that paragraph 5.18 of the report mentioned that one of the reasons for decline in the hedgehog population was obesity yet the Government's report did not mention obesity. It seemed that this was yet another report trying to find excuses not to do something positive. The report also said that some people may block the holes, but Councillor Culver felt it was right to be positive and accept that most would not. If Council adopted what the petition was asking, we would also be meeting one of the requirements in the Local Plan. The report also lacked detail in what an education campaign would be, over 1500 residents had signed the petition and wanted action.

Councillor David Marsh was disappointed in the Administration as the petition arose out of a proposal by the Liberal Democrat Newbury Town Council. There were many people in the chamber that voted for the proposals at Newbury Town Council. It seemed that the Administration was trying to find reasons not to do something that had previously been supported. He asked Council to agree in principle what the petition was asking for and find wording to put it into the Local Plan and planning policy.

Councillor Lee Dillon said that there had been numerous petitions brought to Council where Members agreed on most points but not all and the Monitoring Officer had advised that we could not amend a petition. Constitutionally, it was necessary to respond to the wording of the petition. He was sure that the Portfolio Holder would look at working up a policy on this issue. It was not possible to pick and choose which part of the petition to reply to.

Councillor Owen Jeffery said that the majority of the chamber supported the principle of the petition but as had been stated, Council could not pick which parts of the petition to support and the wording of the petition could not be changed.

In summary, Councillor T Vickers said that the Administration were not against hedgehog highways but could not support all that the petition asked. There was no reason why Council should not support the recommendations before them.

The Motion was put to the meeting and duly **RESOLVED**.

### 26. **Composition of the Joint Public Protection Committee**

Council considered the report (Agenda Item 10) that considered the recommendation from the Joint Public Protection Committee (JPPC), to each partner authority, that the membership of the Committee be increased to three Members from each authority.

**MOTION:** Proposed by Councillor Lee Dillon and seconded by Councillor Ross Mackinnon:

"That the Council:

Approves the amendments to Part 6.5 (Appendix Joint Public Protection Committee) of the Constitution to reflect the revised membership of the Committee as set out in paragraph 4.7 and paragraph 4.8.

Approves the amendments to Part 3.1 (JPPC) of the Constitution as set out in paragraph 4.6.

Delegates authority to the Monitoring Officer to make any additional minor amendments to the Constitution arising from this decision.

Appoints a Member contained in Appendix A to represent the Council on the Joint Public Protection Committee in line with the updated amendments to the Constitution and such

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appointment shall commence upon the Inter Authority Agreement being amended and approved by both Councils.

Councillor Lee Dillon said that it would come as no surprise to those who had attended Council meetings that he was recommending that the membership of the JPPC be politically balanced. He provided some background in how the partnership had evolved and said that as the partnership could make policy decisions it should be politically balanced. He proposed that if the recommendations were approved, that Councillor Howard Woollaston be appointed as the additional Council representative.

Councillor Ross Mackinnon said that the Leader had been consistent in his ambition to have an opposition representative on the JPPC and it was to his credit that he had brought the report forward. Members all had the same ambition to do the best for our residents, it was just that we may disagree how to achieve this. He said that Councillor Woollaston would be a great addition to the JPPC.

Councillor Dillon summed up by saying that it may have been a long time coming but he was happy to put forward the recommendations to Council. The Motion was put to the meeting and duly **RESOLVED**.

### 27. **Motions from Previous Meetings**

Members were asked to note the following responses to motions to Council:

Response to the Motion from Councillor Tony Vickers. On Public Funds for Public Access considered by the Executive on 23 March 2023.

Response to the Motion from Councillor Jeff Brooks. On assist the regeneration of the Newbury evening economy and provide support to hospitality businesses, including cafes, restaurants and pubs, considered by the Executive on 23 March 2023.

Response to the Motion from Councillor Jeff Brooks. On booking system at our two HWRCs considered by the Executive on 23 March 2023.

Response to the Motion from Councillor Adrian Abbs. On adopt telephone boxes for use as an Open Access Defibrillator location considered by the Executive on 23 March 2023.

Response to the Motion from Councillor Carlyne Culver. On declare an ecological emergency. Considered by the Executive on 23 March 2023.

Response to the Motion from Councillor Carlyne Culver. On response to COP26 in Glasgow. Considered by the Executive on 23 March 2023.

Response to the Motion from Councillor Adrian Abbs. On response to High Street Canopies. Considered by the Executive on 23 March 2023.

### 28. **Licensing Committee**

Council noted that since the last ordinary meeting of the Council, the Licensing Committee met on 25 May 2023 and 10 July 2023.

### 29. **Personnel Committee**

Council noted that since the last ordinary meeting of the Council, the Personnel Committee met on 25 May 2023 and 4 July 2023.

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### 30. Governance Committee

Council noted that since the last ordinary meeting of the Council, the Governance Committee met on 25 May 2023 and twice on 26 June 2023.

### 31. District Planning Committee

Council noted that, since its last ordinary meeting, the District Planning Committee met on 25 May 2023.

### 32. Scrutiny Commission

Council noted that since the last ordinary meeting of the Council, the Scrutiny Commission met on 25 May 2023, 20 June 2023 and 17 July 2023.

### 33. Health Scrutiny Committee

Council noted that since the last ordinary meeting of the Council, the Health Scrutiny Committee met on 25 May 2023 and 13 June 2023.

### 34. Health and Wellbeing Board

Council noted that since the last ordinary meeting of the Council, the Health and Wellbeing Board met on 28 June 2023 and 13 July 2023.

### 35. Joint Public Protection Committee

Council noted that since the last ordinary meeting of the Council, the Joint Public Protection Committee met on 12 June 2023.

### 36. Notices of Motion

The Council considered the under-mentioned Motion (Agenda item 20 refers) submitted in the name of Councillor Carlyne Culver.

The Chairman informed the Council that the motion would be referred to the Executive for consideration.

**MOTION:** As amended proposed by Councillor Carlyne Culver and seconded by Councillor Martha Vickers:

That the Council:

Recognises the precarious state of the natural world.

Recruit a new ecologist urgently, and ideally more than one, to ensure a.) planning applications are examined by a trained ecologist and b.) the Council has an appropriate expert who can liaise with Windsor and Maidenhead Council to fulfil the collective responsibility of local authorities in Berkshire to create a Local Nature Recovery Strategy.

Work with residents and campaign groups to encourage action for nature, by promoting initiatives like #NoMowMay, the planting of trees, the installation of bird boxes, the creation of hedgehog highways, and so on, using Council communication channels and public education opportunities.

Undertake the green infrastructure work promised under the current Local Plan 2012-2026 including mapping and categorisation of all public open spaces to form the basis of a current state assessment of all Council managed lands.

Councillor Culver addressed Council and thanked Councillor Adrian Abbs for enabling the discussion of the motion at Environment Advisory Group (EAG) prior to going to the

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Executive and that future meetings of EAG would be in public. She said that the UK was one of the nature depleted countries in the world. Local Authorities had declared Ecological Emergencies as well as Climate Emergencies, however the motion before Council today had to be amended as the ecological emergency had been discussed within the last 6 months. The original motion had been submitted 18 months ago but because of constant delays the motion had to be amended removing ecological emergency.

Councillor Culver went on to say that the Council had assisted wildlife by reducing verge cutting, planting wildflowers and supporting woodlands. These and other initiatives were welcome as we would be doomed if we lost our pollinators. Councils would soon be obliged to produce a Nature Recovery Strategy and the Council needed to recruit an ecologist as a matter of urgency to help support the planning process. We could all help improve the world be it small or large projects, we should not let the challenge before us stop our endeavours. We may not all be able to purchase new equipment but re wilding our gardens would cost nothing. Council needed a proper blue green infrastructure policy in the Local Plan.

Councillor Adrian Abbs said that unfortunately the motion came to him after the Council agenda had been published rather than beforehand when pre discussion could have been undertaken. He had offered that the issue goes to EAG prior to Executive and he had instructed officers to look at the issues.

### 37. **Members' Questions**

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

A question standing in the name of Councillor Woollaston on the subject of the pedestrianisation of Newbury Town Centre was answered by the Portfolio Holder for Highways, Housing and Sustainable Travel.

A question standing in the name of Councillor Mackinnon on the subject of the pedestrianisation of Newbury Town Centre was answered by the Portfolio Holder for Highways, Housing and Sustainable Travel.

A question standing in the name of Councillor Woollaston on the subject of the pedestrianisation of Newbury Town Centre was answered by the Portfolio Holder for Highways, Housing and Sustainable Travel.

A question standing in the name of Councillor Mackinnon on the subject of the Statutory Guidance on highway network management was answered by the Portfolio Holder for Highways, Housing and Sustainable Travel.

A question standing in the name of Councillor Woollaston on the subject of the pedestrianisation of Newbury Town Centre was answered by the Portfolio Holder for Highways, Housing and Sustainable Travel.

A question standing in the name of Councillor Mackinnon on the subject of the pedestrianisation of Newbury Town Centre was answered by the Portfolio Holder for Highways, Housing and Sustainable Travel.

A question standing in the name of Councillor Clark on the subject of the Local Plan Review was answered by the Portfolio Holder for Planning and Community Engagement.

*(The meeting commenced at 7.42pm and closed at 9.07pm)*

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**CHAIRMAN**

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**Date of Signature**

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