

Parish Council Report for period up to 24 December 2018 Cllr Graham Bridgman (West Berkshire Council, Mortimer Ward) and Cllrs Carol Jackson-Doerge & Ian Morrin (West Berkshire Council, Burghfield Ward)

West Berkshire Council

Meetings

Council met on Thursday 6 December with a fairly packed agenda (the meeting started at 7:00 pm with the presentation of the Annual Community Awards and didn't finish until after 10:00 pm). The next scheduled meeting of Council is on 5 March.

As well as the Awards, detailed below, matters debated - and referred to elsewhere in this report - included the Greenham Business Park Local Development Order, Garden Waste charges, new gambling and licensing policies, a new members' protocol for social media, the adoption of the Sustainable Drainage Systems Supplementary Planning Document (SUDS SPD) and the rejection of a motion to have a public enquiry regarding the loss of a court case in relation to the London Road Industrial Estate.

Annual Community Awards

There are four awards recognising the valuable contribution local residents make to West Berkshire: the Pat Eastop Junior Citizen Award; the Volunteer of the Year; the Community Group of the Year; and the Lifetime Achievement Award.

Burghfield Santas - Joint Winners of Community Group of the Year

As Chairman of Council, Carol presented the awards and had great delight in making the presentation for joint Community Group of the Year to Burghfield Santas, individually nominated by Ben Twomey, Emma Shumsky and Kylie Duncan.

As the WBC media release said *"The group organise numerous fund raising events including a pub crawl, fun runs, Burghfest and the Burghfield Box-Kart bash. These activities have raised huge amounts of money for worthy causes (including £150k for the Thames Valley Air Ambulance) and instil a fantastic sense of community"*.

Other Awards

Pat Eastop Junior Citizen Award - Kieren Nailer (16) for his work with PALS (Partners for Active Leisure Service (West Berkshire)), a local charity supporting children and young people from aged five to 25 who have physical disabilities.

Volunteer of the Year Award - Janet Wood, who has been heavily involved with three local community groups: the Brownies, St Mary's Church Shaw and the Shaw-Cum-Donnington Village Hall.

Community Group of the Year – jointly with Santas - Pangbourne Dementia Friends who facilitate social interaction for those with or without dementia.

Lifetime Achievement Award - Graham Reeves, who is Treasurer and Co-ordinator of the Carebus Volunteer Group.

Greenham Business Park Local Development Order (LDO)

Although this is particular to the Greenham Business Park, it is the first LDO for the district and the concept of LDOs is important generally.

LDOs provide a streamlined planning process that Local Planning Authorities (LPAs) can adopt to boost development in their areas - the National Planning Policy Framework encourages LPAs to use LDOs to effectively grant advance planning permission in suitable locations, dealing with the key planning issues and setting out development parameters (for example maximum building height), but leaving considerable flexibility over exactly how and where new buildings can be developed within the agreed areas of the site.

The advantage of an LDO over the normal planning application process, or more traditional masterplan, is that it helps existing businesses and potential new investors commit to investing in a property - they know they can develop it to meet their needs within these broad parameters, and without the usual cost, time and potential risk involved in a full planning application. In the right circumstances LDOs can boost economic development.

Garden Waste charges

Petition

A petition to abandon the Green Waste collection charge resulted in a debate. Graham spoke in favour of retaining the charge and made the fairly fundamental point that if we remove it we will have to make a further £900k of savings.

New Resource and Waste Strategy

The Resource and Waste Strategy published by the Government this week challenges us all to manage resources more effectively and to reduce our impact on our environment. It is to be welcomed that the Strategy does not just put the responsibility for resource management on local authorities since they are just one element of a circular waste economy where everyone has a part to play. West Berkshire has a recycling rate of 51.8% (according to the new strategy, the national rate is 45%) and much of the remainder goes to produce energy from waste), but we can all do more.

Exactly how the new strategy will impact WBC is being reviewed.

New Gambling and Licensing Policies

Refreshed and updated policies were adopted, partly designed to keep differences between the West Berkshire, Bracknell and Wokingham policies to a minimum since the same officers (from the joint Public Protection partnership) have to administrate all three, so the closer they are aligned the easier that will be.

New Members' Protocol for Social Media

The existing protocol was replaced with one designed to expand its scope and bring it up to date (to the extent that anything regarding social media can be). We suggest that Parish Clerks might care to see if there is anything useful that could be borrowed from the new version.

Sustainable Drainage Systems Supplementary Planning Document (SUDS SPD)

The new SUDS SPD, that we know some parishes responded to the consultation regarding, has been adopted.

London Road Industrial Estate (LRIE)

Councillors may well have seen press reports that WBC was unsuccessful in defending an appeal brought by Faraday Development Ltd (Faraday) following its unsuccessful challenge to a development agreement between WBC and St Modwen Developments for the regeneration of the LRIE in Newbury.

WBC was originally challenged in the High Court on three grounds, all of which were rejected by Holgate J. Faraday appealed that decision to the Court of Appeal, but limited that appeal to one ground.

The Court of Appeal concluded that the agreement, although lawful at the point it was entered into, would fall within the scope of the public procurement regime in the future. On that limited basis, the Court determined that the agreement was ineffective (this was a somewhat technical legal point, as reflected by the fact that this issue had not previously been considered by the Courts, including the Court of Justice of the European Union or the Attorney General).

Importantly, having made a declaration that the agreement was ineffective, the Court of Appeal was obliged to impose an “effective, proportionate and dissuasive” penalty (Regulation 47N(4), Public Contracts Regulations 2006). The fact that the penalty imposed was £1.00 is reflective of this being a technical failure to comply with the obligations under the public procurement regime.

Further, the Court of Appeal only ordered the Council to pay Faraday’s costs in the Court of Appeal, not those in the High Court, and Faraday will have to bear their own costs relating to those proceedings.

It is important to emphasise that, in his leading judgment, Lindblom LJ made it clear that there was “*no evidence in this case, and indeed no suggestion, of the council having acted at any stage in bad faith, or with any motive to create a mistaken understanding of its objectives in entering into the development agreement or of the “economic and commercial reality” of the transaction*”.

At the meeting of the WBC Executive last Thursday (20 December) the Leader of Council, Graham Jones, said that he was asking the Chairman of the WBC Overview & Scrutiny Commission (Ian is a member) that the OSMC reviews the circumstances that led to the contract being awarded in the way it was.

Small Business Saturday

On Saturday 1 December Graham and Carol joined a small group of WBC Members and Officers, including, the Leader and Deputy Leader, on a tour organised by the WBC Economic Development Team to highlight the importance of small businesses to the local economy.

We began with a breakfast meeting with representatives of the Newbury BID (Business Improvement District) and some of the independent traders in the town at the new 137 Gin Distillery at The Newbury pub, then we visited the Jockey Club Estate in Lambourn to see the all-weather and traditional gallops, where many successful racehorses have been trained. Next was the West Berkshire Brewery in Yattendon for a tour, including the brewery’s successful packaging line which is one of only two such facilities in the country, packaging beers and ales for major retailers such as Marks and Spencer (when it was founded in 1995 the brewery employed 20 people, now it is 65). Finally, we visited the Theale Wellbeing Centre, where they were raising funds to support a leper colony in Delhi.

Budget

Local Government Finance Settlement

Details of the provisional 2019/20 local government finance settlement, originally due on 5 December, were not announced until 13 December and the full impact won't be known for a little time. However we do know that the headline increase is 2.8% and that in addition Berkshire has been successful again in bidding for the business rates pilot (something we weren't banking upon).

The numbers now need to be crunched to understand the full impact on next year's budget proposals (also subject to the consultation process referred to below).

Pressure on finances - Adult Social Care

Something that has been highlighted in the budget setting process, and particularly important to Graham with his portfolio responsibility for Adult Social Care, is that we are faced with a double whammy – increasing care costs in the market above the rate of inflation (due to some care packages being up for renewal after an number of years at a lower rate) and stark demographic changes – between March 2017 and March 2021 the total number of ASC clients (18+) in the district is predicted to rise by 12.4%, of which those 65+ are predicted to rise by 13.5%.

The long delayed, and recently deferred again, Government Green Paper on paying for social care cannot come soon enough.

West Berkshire Local Plan Review (LPR) to 2036

This is discussed below.

Waste Service – collection of Xmas Trees

WBC will be collecting Xmas trees for recycling regardless as to whether the resident has signed up to the Green Waste collection scheme or not.

West Berkshire Lottery

Further to the piece about this last month, we had about 50 good causes represented at a presentation recently, with extremely positive feedback.

To date there have been 14 approved applications, and we expect to get many more before the first lottery draw on 30 March. The website is live and local causes that could benefit are encouraged to visit the site where they can obtain more information and sign-up - <https://www.westberkshirelottery.co.uk/>. (There is a useful help section which includes “what is a good cause?”.)

Local Matters

Exercise Sparrowhawk

On Tuesday 27 November Graham joined Cllr Mike Warner (Chairman, Padworth PC) as an observer attending this exercise designed to test the emergency response to a scenario – a major fuel spillage at the

'Aldermaston' Petroleum Storage Depot (it is actually wholly within Padworth, but that message doesn't seem to have reached those that need to know!).

It was a very interesting morning and certainly useful – aside for testing liaison and command structures, the exercise highlighted a couple of issues that can now be nailed down (for example the discovery that the Depot had 'safe' radios for use near volatile gases) and also showed the usefulness of local knowledge (the emergency services immediately saw the need to warn farmers about livestock drinking from possibly contaminated watercourses, but hadn't appreciated until Mike pointed it out quite how many horses are grazing in the area).

AWE Burghfield and new Local Plan

Further to references in previous reports we finally managed to arrange the meeting at St Marys Church in Burghfield on Monday 10 December.

A good number of parish councillors joined the three of us for a presentation by John Steele (AWE's Planning & Estate Development Manager) about the long term plans for development of the Aldermaston and, in particular, Burghfield sites, which led to a discussion about the revised Detailed Emergency Planning Zone (DEPZ) (reported on in April) and its effect on the proposed settlement at Grazeley. This in turn brought Bryan Lyttle (WBC's Planning & Transport Policy Manager) into a discussion about the Grazeley project and in particular the proposal for a new railway station.

Following this there was a discussion about the draft Local Plan and the Local Plan Review, currently out to stage 2 consultation, and in particular the proposed changes to spatial areas. The mood of the meeting was to oppose the proposed combining of the Eastern Urban Area and the East Kennet Valley, and Bryan invited those interested to respond to the consultation.

Finally, Gary spoke to Graham and a small group of Stratfield Mortimer parish councillors about Mortimer Station and the Stratfield Mortimer NDP car park project (more below).

Burghfield and Mortimer Neighbourhood Action Group

There have been several discussions recently about how to get wider community engagement with the NAG.

Ian will be at the next meeting of the NAG on 16 January with the aim to agree the format for the first of a series of events - the idea is to host events at different locations across Burghfield & Mortimer, and discuss specific issues and agree action to address them within the community with the support of the Police and WBC where required.

More information will follow after the meeting.

Consultation on Police Funding

The Police and Crime Commissioner (PCC) for Thames Valley, Anthony Stansfeld, has launched a survey seeking the public view on an increase in the police element of the council tax.

In response to the exceptional operational demands on the police, particularly in areas such as Thames Valley, the Government is increasing the funding available to PCCs in England and Wales by up to £813 million. This is provided that all PCCs increase their council tax by £2 a month for a Band D household.

The survey and more background information can be found at: <https://www.thamesvalley-pcc.gov.uk/get-involved/consultations/council-tax-precept-consultation-2019/>.

Parishes

Stratfield Mortimer

Mortimer Station

We reported last month that Jeanette Clifford, the WBC Portfolio Holder for Highways and Transport, Environment and Countryside, had written to Great Western Railway to support a bid for Access for All Funding for the station.

As Bryan Lyttle told councillors at the Local Plan meeting mentioned above, Mortimer has been short-listed for funding because only one of its platforms is currently accessible (and there is a WBC s.106 contribution of £40k available, and possibly more from Community Infrastructure Levy funds). How this might tie into the plans for the additional car park waits to be seen.

Queen's Canopy

On 23 November, Rt Hon John Redwood MP planted two saplings supplied by the Queen's Commonwealth Canopy project on the Fairground with Graham, Carol, and Cllrs John Bull and Neil Kiley in attendance.

The Street/Station Road

The remedial work referenced last month was due to take place on 5 December but the weather got in the way! As soon as we have a fresh date Graham will post to Facebook.

Graham Bridgman, Carol Jackson-Doerge & Ian Morrin

24 December 2018