

Executive Meeting 13/10/18

Question submitted to the Portfolio Holder for Economic Development and Communication by Mr Paul Morgan: Question:

“What evidence did WBC take into account and what consultation took place to support the decision as outlined in the June press release relating to Newbury Football Club?”

The Portfolio Holder for Economic Development and Communication answered:

Thank you Mr Morgan for your question.

Back in 2003, the Council initially publicly consulted on plans to redevelop the London Road Industrial Estate. This contributed to the production of the Newbury Vision 2026. Within that the London Road Industrial Estate was established as an employment area.

This scheme was then refreshed in 2013, I believe on the 24 June that year, for further consultation with multiple different organisations, residents and businesses on the London Road Industrial Estate, again the intention to move football out of the London Road Industrial Estate to enable the regeneration of the area in regards to employment space was further considered and consulted on. So through these processes; businesses, organisations and residents were engaged, not just in the sense of the consultation, but also in public drop in workshops.

Further, I also stress, in your role as the Chairman of the Newbury and Community Football Group, representing the groups that you do, including Newbury Football Club, we have kept you informed as to our plans and as they have progressed.

The Chairman 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?”*

Mr Morgan commented: *My question is relating to the press release on why you decided to change it into a multi-use 5 a side pitch.*

A discussion then ensued on the content of the actual question submitted by Mr Morgan.

Mr Morgan presented the Leader of the Council with a copy of the wording of his original question.

The Leader of the Council asked (Stephen Chard, Clerk to the meeting): Are you able to confirm whether that was the question that was submitted?

Stephen Chard confirmed: I think the advice to Mr Morgan was that he couldn't include a statement in the question, so with the agreement of yourself (Mr Morgan) that would be the wording of the question on the agenda. The supporting information in the submission was provided in the briefing note. That would have been the advice.

The Leader of the Council: Can I suggest, as I think you obviously want to make sure this question is answered publically, that I get Councillor Fredrickson to answer this question outside of the meeting, publicly, in writing, in the next few days and you can ask your supplementary question. We can put any correspondence in the public domain.

Mr Morgan commented: I have to accept that, but it's a very important question, and you haven't answered the question so I am very disappointed but I accept what you're saying. I will look forward to your response and I will ask a supplementary question in due course.

The Leader of the Council: I want to get you a comprehensive answer and not an off the cuff answer, which this would be, so let's get you a comprehensive answer as quickly as we can.

On 30 October 2018, the Portfolio Holder for Economic Development and Communication provided the following response:

Dear Mr Morgan,

Thank you for your question and following clarification. Whilst the decision to turn the Faraday Road site into a multi purpose games area did not require public consultation (the change does not require planning permission), we still engaged both Newbury FC and the Thames Valley Football League when considering expanding the use of the site to cater for both football and other sports.

In this discussion with Newbury FC, the club stated that NCFG (the group I believe you Chair), does not represent them in any way. If true, this is at odds with how you have represented your group to this Council. Can I then recommend that you edit your website, as it currently lists Newbury FC as a member.

As agreed at the Executive meeting, we will add this response to the public minutes.

On 1 November 2018, Mr Morgan provided the following response:

Dear Councillor Fredrickson,

Is the email that you sent to me on 30th October your response to the question that you did not answer at the Executive Meeting on Thursday 18th October 2018?

If it is, I must remind you, that you have not answered my question, which is:

“What evidence did WBC take into account and what consultation took place to support the decision as outlined in the press release” *(the details of the press release was confirmed to have been provided to you and all Councillors at the Exec Meeting in your briefing packs and it is detailed in my email to Executivecycle on 5th October 2018 and fully acknowledged by Moira Fraser on the same day)* I notice that the press release is no longer on your website – is there any specific reason why it has been removed?
<https://info.westberks.gov.uk/article/35379>

I genuinely find it difficult to understand why it is taking you so long to respond to my question especially as the press release in question is attributable directly to you. Again I request that you actually provide a response to my question as written.

You also say in your email response of 30th October “As agreed at the Executive meeting, we will add this response to the public minutes”

This was not the agreed action at the meeting. The action that was agreed is:

1. You did not answer my question in an open and public forum, and consequently you were requested to provide me with a response that did actually answer the question that I asked.
2. As my question was not answered by yourself at the meeting, it was agreed that a follow-up meeting would be arranged where you can provide me with a verbal response (as should have been done at the Executive meeting). I would then have the opportunity of asking you a supplementary question, depending of course on your response. It is this response that should be recorded and issued as part of the public minutes.

I have copied the leader of the Council to ensure that I receive the response as agreed at the meeting. I look forward to hearing your answer at a meeting that can be arranged within the next 5 days. Please note that I will be away on annual leave from 7th November and if a meeting cannot be arranged before then I nominate John Stewart and / or Lee McDougall (both copied on this email) to stand in for me.

In response to other points made in your email to me of 30th October 2018, please see below

NCFG was formed, in late 2015, as a direct response to West Berkshire Council's "vision" to demolish the town's main football ground and stadium as part of a larger land redevelopment in the London Road Estate area **without** any commitment to provide a replacement. It was Newbury Football Club who asked other football organisations (who had also used the ground) for help to protect the ground, as a consequence NCFG was formed.

Newbury FC were a founding member of NCFG and have been an active participant for the past 3 years. We have not been advised directly by Newbury FC that they no longer want to be part of NCFG, but we will of course write to them to clarify the position.

NCFG has a broad base of members that represents over 500 players and volunteers in and around the Newbury area. NCFG is a sum of its parts and is not / should not be confused with solely Newbury FC.

NCFG have close ties with and an ongoing dialogue with Sport England and the Football Association regarding existing and future needs / requirements to support our national game and the wider and every increasing health and well-being agenda

Certain members of WBC continue to deliberately conflate Newbury Football Club with Newbury Community Football Group, which we have pointed out in both our stage 1 and

stage 2 complaint against the Council. It seems that you are still deliberately doing this. For the avoidance of doubt NCFG was formed to protect and enhance the facility for the **WHOLE** community. It is equally important to us that ladies' football, youth football, veterans' football and of course senior men's football teams have a first-class facility that can be used and enjoyed for organised matches and training throughout the year.

NCFG believe that a town of the size and stature of Newbury needs to retain and develop a first-class football facility (a dedicated and well-maintained playing surface, floodlights, spectator seating area, changing facilities and a club house all of which is protected by perimeter fencing) that can be the home venue for teams that can compete in the National League System and is also

freely available to the whole football community for organised training sessions and matches. The importance of the Faraday Road ground for the local community well established and well proven and the Faraday Road Football Stadium and Clubhouse Ground he is listed as an **ASSET OF COMMUNITY VALUE**. NCFG has and always will be pleased to enter into discussions with all parties regarding the provision of football facilities in Newbury

On 6 November 2018, the Portfolio Holder for Economic Development and Communication provided the following response:

Dear Mr Morgan,

I hope this email finds you well. I can confirm that the email I sent to you on 30 October is my response to your supplementary questioning, where you have specified that the decision you are referring to is that to develop a MUGA. I hope that the press release you quote, my further answer and the response to your Section 2 complaint provide a clear overview of the Council's process.

As for the other actions you list, these were demands you made. The minuted agreed actions from the meeting were to provide a written response to your question once you had clarified how the question was to be understood and to see this added to the minutes. Both of which I am happy to do.

You are also very much entitled to ask a supplementary and any further questions you may wish to ask at future meetings of the Executive.

As a final note - I fully and completely understand that you do not support the Council's plans for the Faraday Road site. However, through working with Newbury FC, the Council is exploring providing new football facilities in Northcroft. If you do support developing football facilities in Newbury, I hope you see that as good news and an

exciting prospect. If so, I hope that could one day lead to a genuine collaboration with your group - for the good of everyone playing football in Newbury.

Question submitted to the Portfolio Holder for Highways and Transport, Environment and Countryside by Mr Lee McDougall:

Question:

“West Berks Council is one of the only Local Authorities to not have a Playing Pitch Strategy (PPS) in place, I understand that at Sport England's request a draft PPS is now being written. Can you advise when the public will be able to read the report and advise if WBC committed to adhering to any recommendations the PPS makes, including the retention of existing sporting facilities?”

The Portfolio Holder for Economic Development and Communications answered (in the absence of the Portfolio Holder for Highways and Transport, Environment and Countryside):

Thank you for your question Mr McDougall. The West Berkshire Council Playing Field Pitch Strategy (PPS) is being drawn up in collaboration with Sport England who are part funding. By the end of October, West Berkshire Council and Sport England will have signed off what is referred to as Stage C of the PPS, the supply and demand assessment phase, which requires detailed input from all major sports. Once Stage C is signed off, consultants will then draw up recommendations for managing supply in the future. The recommendations phase of the document will again be reviewed and approved by all parties and once this is completed, the finished PPS report will be approved and adopted by the Council and published on the Council website. This is likely to be in early January.

The Chairman 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?”*

Mr McDougall commented:

“Wasn't sure if you answered the second part of the question, would you adhere to the recommendations?”

The Portfolio Holder for Economic Development and Communications answered:

I will wait to see what is recommended.

Mr McDougall asked:

“So if the PPS recommends that Newbury football ground shouldn't be turned into a multi- purpose turn up and play pitch, would you reopen the ground to its intended purpose?”

The Portfolio Holder for Economic Development and Communications answered:

I want to see what the recommendations are first Mr McDougall.

Mr McDougall asked:

“If it was recommended, would you support it?”

The Portfolio Holder for Economic Development and Communications answered:

I would want to see what is recommended, obviously a consideration if this happens.

Executive Meeting 20/12/18

Question submitted to the Portfolio Holder for Health and Wellbeing, Leisure and Culture by Mr John Stewart:

“Now that any redevelopment of the London Road Estate is not going to happen for some years, when will the council re-open the Faraday Road football stadium fit-for-purpose so that teams in the Newbury community can once again play their league matches?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

Depending upon how the Council decides to proceed, the commencement of development could be as little as only 12 months away. The old football ground has always been an integral part of any regeneration based on the expert advice that the Council received right at the beginning of the project.

In that scenario it makes no sporting or commercial sense to reopen the stadium as before. The infrastructure now is most suitable for a multi-use games area for the public, which is the Council's intention for the facility in the interim period.

The Chairman 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?”*

Mr John Stewart asked:

“What advantage is there to the sporting people of Newbury who aspire to play at a football ground of decent quality. What advantage is there to not having a football ground in the town for the foreseeable future?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

As you know, the Council is intending to produce a long term leisure strategy which will encompass football and all other sports throughout the district, and it is the Council's intention to provide good facilities for men's, ladies and children's football, and all other sports. And not only in Newbury but right across the district. That leisure strategy will be produced over the intervening period, and will be published and consulted upon.

Question submitted to the Portfolio Holder for Corporate Services by Mr Paul Morgan (asked on his behalf by Mr John Stewart):

Question:

“Given that the football stand is an Asset of Community Value (ACV), will the Council provide the necessary legal documentation, such as a bill of transfer to a 3rd party, to show that it has complied with the ACV requirements?”

The Portfolio Holder for Corporate Services answered:

The demolition of the stand does not automatically amount to a disposal under the ACV legislation.

Further, as the outgoing tenant gave the stand to Hungerford by way of a gift the legislation restricting the disposal of assets of community value was not triggered. The stand was part of the tenant's assets and therefore the Council does not hold any legal documentation about the gifting of the stand.

The Chairman 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?”*

Mr Paul Morgan asked:

“When did the stand become Newbury Football Club’s asset, given that it was built in about 1993, and belonged to Newbury Town Football Club prior to Newbury FC taking over. When did it become Newbury FC’s asset?”

The Portfolio Holder for Corporate Services answered:

I am afraid I don’t have any information on assets owned by Newbury Town Football Club.

(m) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Mr Lee McDougall:

Question:

“Given that there has not been a section 80 Notice of Demolition issued, despite Gary Rayner confirming in writing that one was required, will the Council be reinstating the stand until the necessary approvals are in place?”

The Portfolio Holder for Planning, Housing and Waste answered:

Correct procedure was followed. On 15th November Wokingham Building Control confirmed that a Demolition Notice was not required and removal of the stand will continue.

The Chairman 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?”*

Mr Lee McDougall asked:

“Does that mean then that your Head of Development was incorrect in the information and advice he given to the Council via email?”

The Portfolio Holder for Planning, Housing and Waste answered:

I would say he was not incorrect, I think he was erring on the side of caution. However, having actually looked at the procedure, the correct procedure was followed because the Demolition Notice was not required but it is better to err on the side of caution rather than to say something and then be accused of giving false information.

(o) Question submitted to the Leader of the Council by Mr Jack Harkness: Question:

“Does the Council’s failure to consult the Newbury Ladies football team about the closure of the Faraday Road Football Stadium demonstrate a sexist mindset within the Council?”

The Leader of the Council answered:

The short answer is no.

The Chairman 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?”*

Mr Jack Harkness asked:

“In view of the fact that you are saying no, for a number of years the Council drove Newbury Football Club out of Faraday Road driving them down and down and down. Why suddenly, just a few months ago, did the Council start negotiating with Newbury Football Club about a replacement ground?”

The Leader of the Council answered:

Thank you. Firstly I would refute the accusation that was made within that comment and question.

The correspondence over the end date of the football ground lease was between the Council as the landlord and the football club as the tenant. The Council has no other tenancy or access arrangements with other entities and thus the inability of the ladies football team to play at the ground, along with any other entities that the old tenant allowed to play at the ground, does not mean that there is any issue of sexism involved.

Question submitted to the Portfolio Holder for Planning, Housing and Waste by Dr Julie Wintrup (asked on her behalf by Mr Lee McDougall):

Question:

“Will the council supply details of all public consultation events and outcomes specific to the redevelopment of the London Road Industrial Estate regeneration project for the period between 2008 and 2018?”

The Portfolio Holder for Planning, Housing and Waste answered:

No specific public consultation on the Council’s proposals for the regeneration of the London Road Industrial Estate (LRIE) has or will take place until detailed redevelopment proposals are ready to be submitted to the Planning Authority.

It should be noted however, that the Council’s plans to redevelop the LRIE have been well known for many years both within the wider community and by LRIE occupants. This has been publicised via letter drops to the occupants and to the wider community by publishing updated versions of the Newbury Vision and presenting the LRIE update annually at the Newbury Vision Conference.

Details of the Council’s desire to secure a development partner for the project was also advertised in national trade press.

The Chairman 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?”*

Mr McDougall asked:

“Do you recognise that the Council needs to do more to communicate with the wider community at this stage than you did last time?”

The Portfolio Holder for Planning, Housing and Waste answered:

I think I have already said that no specific public consultation will take place until we have some firm proposals.

(n) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Mr Lee McDougall:

Question:

“Can Councillor Hilary Cole please advise on the amount of money the Council intends to spend on re-opening the football ground which the Chief Executive has promised the Council will do?”

The Portfolio Holder for Planning, Housing and Waste answered:

The estimated cost is £88,000 and this includes removal and replacement of the existing poor perimeter fencing, making fully secure the old clubhouse and ancillary buildings associated with the old football club and ancillary equipment such as goals, net, watering points etc.

The Chairman 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?”*

Mr McDougall commented that is excellent news and did not ask a supplementary question.

Question submitted to the Portfolio Holder for Health and Wellbeing, Leisure and Culture by Mr Jack Harkness:

Question:

“Will the Council now permit the ladies teams to play cup matches at Faraday Road?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

As my colleague the Leader has said earlier, the football ground lease was between the Council and Newbury Football Club as the tenant, and no other formal arrangements were made with any other teams, so although there were some informal allocation arrangements between Newbury Football Club and other teams, the closure should have had no fundamental impact on other teams. The ladies teams, boys and girls and other teams that we are aware of, have other fixed playing grounds.

Irrespective, the Council made it clear that once the Newbury Football Club lease ended and before development begins, the Council would not grant other leases but would open the ground to the public as a multi-use games area. This does not preclude some training but no formal league or cup matches will be possible.

The Chairman 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?”*

Mr Jack Harkness asked:

“As Faraday Road is no longer going to be available as a football pitch, which was the only pitch in Newbury which is capable of games like the FA Cup and indeed supporting Newbury Football Club at the level they used to play at, what plans have the Council got to provide a pitch of equivalent standard of Faraday Road within the Newbury area?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

We are in conversations with Newbury Football Club and we are helping them to provide both a good temporary facility within the Newbury area, and also a longer term facility, and obviously those facilities will be of interest to other teams.

As I referred earlier, the leisure strategy that we are producing will be intended to provide the facilities that are required as far as it is within our possibility for the sporting clubs of the district.

Question submitted to the Portfolio Holder for Corporate Services by Mr Lee McDougall:

Question:

“Could you provide a detailed itemised list of all costs associated with the LRIE redevelopment incurred since 2010 to the present day?”

The Portfolio Holder for Corporate Services answered:

The costs incurred by the Council to date in relation to its proposed redevelopment of the London Road Industrial Estate are:

At this point I would just like to say that there has been considerable discussion at Council, publicity about this particular sum, and we were asked at full Council whether we would enter into, or trigger a public enquiry into this matter. I said at that time, that I didn't want to see us spend more money and spend more time in a very long drawn out enquiry. What I have done, is I have written to our Chairman of OSMC, our scrutiny body, to ask him whether he will consider including an internal review of the procurement procedure, and subsequent appeals as part of the OSMC forward plan. I haven't heard back from him yet, but I have every expectation that he will take on that challenge with alacrity.

Costs associated with securing a development partner and entering into the agreement	£109,000.00
Legal Costs to date associated with the litigation brought by FDL (as we have publicised before)	£363,545.66
Other expert costs	£50,811.42
Cost of land purchase, A339 widening and creation of road into LRIE. (Funding provided by LEP, S106 Monies & DfT Challenge Funding, so not all West Berkshire Council funds, rather community funds)	£5,141,824.00
TOTAL	£5,665,181.08

The vast bulk of these costs, of course, relate to the delivery of the new access into the London Road Industrial Estate. That access has been delivered and is already bringing benefits to residents and visitors to the town. Other work done previously will also still be relevant as the Council moves forward with the regeneration of the London Road Industrial Estate, and these are therefore not by any means wasted costs.

The Chairman 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?”*

Mr Lee McDougall asked:

“Do you not therefore think it was slightly deceptive to declare a figure of £363,000 publically?”

The Portfolio Holder for Corporate Services answered:

I don't think there was any deception whatsoever. The question relating to the figure that we quoted, as I've just said, was in respect of legal costs associated with litigation. That was the question asked that was the question answered.

Executive Meeting 17/01/19

Question submitted to the Portfolio Holder for Health and Wellbeing, Culture and Leisure by Mr Lee McDougall:

“Why is the Council spending £88k to turn Newbury Football Ground from a venue that consultation has shown previously met the needs of the community (organised team football) into a facility that the community have not requested or been consulted on (turn-up and play any sport)?”

Mr McDougall was not present at the meeting and had asked Mr Morgan to ask the question on his behalf, however as he had not arrived by the point this question was put, Mr McDougall received the following written response:

The Council wants the site to be available for wider public use until the site is required for redevelopment. Continued sports use of the site requires the grounds to be safe and secure. The high barrier fencing needs to be replaced and the old clubhouse and ancillary buildings also need to be made robustly secure. The quoted figure is an estimate which will cover those works, along with mobile goal posts and installation of an electronic booking system for wider general public sports use.

(e) Question submitted to the Portfolio Holder for Corporate Services by Mr Lee McDougall:

“Can Councillor Boeck outline the table of events that could lead to the Newbury Football Ground being ready for development in December 2019, as he stated, given it is a protected green space within WBC’s own Core Strategy - The time table should include the procurement process for a developer, consultation with the public, Planning Application and a subsequent appeal and all relevant buoying regulation approvals”

Mr McDougall received the following written response.

Should the Council wish to proceed again with a development partner on the London Road Industrial Estate, including the football ground, it is possible within in a relatively short period of time for the Council to procure a new development partner and for that partner to have submitted an outline planning application on the Estate where the Council is the freeholder. Guidance within the National Planning Policy Framework allows local authorities to propose development. The successful determination of any such proposal will be dependent on the strength of evidence within an application demonstrating that immediate public loss is outweighed by a greater public benefit. In terms of consultation, the Council’s plans to redevelop the London Road Industrial Estate, including the football ground, have been publicly known for some time. Public consultation on any design proposals to be submitted to Planning will form a part of the standard planning process.

Question submitted to the Portfolio Holder for Health and Wellbeing, Culture and Leisure by Mr John Stewart:

“The large spectator stand at Newbury’s main football ground in Faraday Road has been there for 25 years, so when the council states that it has always been a tenant fixture, how did it pass through 2 defunct tenants to the last tenant when none of these clubs co-existed while the council owned the property all that time?”

The Portfolio Holder for Health and Wellbeing, Culture and Leisure answered:

Evidence of ultimate ownership of the stand is unclear, though the Council has always treated it as a tenant’s fixture. All of the ground’s tenants, throughout its history, maintained the stand and had responsibility for it. The Council has had no use of the stand. NFC, as the last tenant, prior to vacating the premises, agreed unilaterally to pass the stand to Hungerford Town Football Club.

The Council was not involved in that process beyond ensuring that the removal complied with planning and building control, but welcomed the stand continuing to be for community use, i.e. recycled rather than simply demolished. The removal also avoids the need for the Council to expend monies arranging removal of the stand and is therefore of benefit to council tax payers.

The Chairman 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?”*

There was no supplementary question.

(n) Question submitted to the Portfolio Holder for Health and Wellbeing, Culture and Leisure by Mr Jason Braidwood, asked on his behalf by Mr Jack Harkness:

“In October’s Executive meeting, Councillor Fredrickson stated that the Playing Pitch Strategy would be approved and adopted by the Council and published on the Council website in early January. Can you provide a progress and status update please including confirmation that the recommendations will be adhered to by the Council?”

The Portfolio Holder for Health and Wellbeing, Culture and Leisure answered:

We have, it’s true, experienced some delay in developing the Playing Pitch Strategy which was originally aiming for a January timeline. That is because the supply and demand assessments from the partner National Governing Bodies of Sport were not received in time for the previously stated January timeline.

This assessment process follows the Playing Pitch Strategy Guidance published by Sport England, and included consultation with local sports organisations.

Sign off for the supply and demand assessment was received from the four sports bodies not until at the end of 2018 and an update document circulated on January 4th this year.

A meeting took place on January 9th between officers of the Council, Sport England and the consultants to review the anticipated timetable to developing recommendations. We now believe that the draft recommendations will be submitted by the end of February 2019, these will then require sign off from all of the partners, I’ll explain who they are in a second, involved with the aim of completing the process by March 31st 2019, the document will then be submitted for approval and adoption by Members of the Council.

The last stage of the strategy, Stage E, is the ongoing monitoring and review – this we will do at least on an annual basis. Football will be represented in the process by the Football Association, through the Berks and Bucks FA (as the representative body for football in this area) – they will bring to the table any changes in requirements they identify within their sport.

Partners that were involved in the process are:

- • Sport England
- • The Football Association (FA) – through the Berks and Bucks FA.
- • The Football Foundation
- • The Rugby Football Union (RFU)
- • English and Wales Cricket Board (ECB)
- • England Hockey (EH)

The Chairman 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?”*

Jack Harkness asked the following supplementary question:

“The supplementary really is the last part of the question, whether the Council will actually confirm the recommendations of the report will be adhered to”.

The Portfolio Holder for Health and Wellbeing, Culture and Leisure answered:

We are a key signatory of the report and we won't sign a report we are not going to follow so we will look at the recommendations, we will look at our ability to fulfil them and that will obviously go for approval.

Question submitted to the Portfolio Holder for Corporate Services by Mr Paul Morgan:

“Following the Appeal Court ruling with respect to the legal challenge against the Development Agreement (DA) between West Berkshire Council and St Modwen Developments Limited who in the Council will be responsible to ensure that the necessary governance is put in place to ensure that “the unlawful direct award of contracts” cannot and will not happen in the future?”

The Portfolio Holder for Corporate Services answered:

The Council has robust governance in place to ensure that its processes and procedures are appropriate and lawful.

If you would like further details relating to the actual processes, I would refer you to the Council's Constitution which is readily available and accessible via our website, and in particular Part 11 which deals with the Contract Rules of Procedure.

The Council's Constitution is regularly reviewed and is done so in accordance with guidance issued by the Chartered Institute of Public Finance (CIPFA).

The Council also undertakes an annual review of the effectiveness of its governance framework the details of which are published, and these systems are also subject to both internal and external audit.

The Council's Audit Manager reported to the Governance and Ethics Committee in July 2018 that reasonable assurance could be provided that the Council's governance, risk management and control framework was robust.

The Council's Internal Audit Service was subject to an independent external review in 2018, which was undertaken by CIPFA. This confirmed that the Council's Internal Audit Service 'generally conforms' to the Public Sector Internal Audit Standards and the CIPFA Local Government Application Note. It should be noted that in this context that 'generally conforms', is the best standard of conformity that is awarded on such inspections.

In respect of the external audit, the Local Audit and Accountability Act 2014 requires that our auditors be satisfied that the Council has “made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.” The overall criterion for assessing this, as stated by KPMG in the Audit Plan for 2017-2018, is that: **“In all significant respects, the audited body had proper arrangements to ensure it took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people.”**

In August 2018, KPMG issued the annual audit letter with **“an unqualified conclusion on the Authority's arrangements to secure value for money (VFM conclusion) for 2017/18 on 31 July 2018. This means we are satisfied that during the year the Authority had appropriate arrangements for securing economy, efficiency and effectiveness in the use of its resources.”**

Full details of the annual audit report, the external review of internal audit and the external auditor's letter have been published in full, and details can be found on the Council's website. For assistance, I confirm that these matters were considered by Governance and Ethics Committee at its meetings on the 23rd April, 30th July and the 26th November 2018.

The Chairman 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?”*

Mr Paul Morgan asked the following supplementary question:

“Have you learnt any lessons at all and how will you make sure this doesn't happen again?”

The Portfolio Holder for Corporate Services answered:

The question was clearly what governance is in place to ensure that similar events won't happen again in future. The governance we have in place will ensure that and we have regular annual reviews of our governance to ensure that we are dealing with all our letting of contracts effectively."

(q) Question submitted to the Portfolio Holder for Health and Wellbeing, Leisure and Culture by Mr Paul Morgan:

"Would it not make sense to allow Newbury Community Football Group (NCFG), a legally recognised Community Interest Company (CIC) to run Newbury Football Ground on behalf of the community as a bookable facility for organised football teams for the community to hire at no cost to the public purse and as a not for profit operation, until the outcome and timing of either planning applications is determined?"

Mr Morgan received the following written response:

Any individual or organisation is free to make an application on land not in its ownership. Any such application will be determined at Planning on its own merits. In this instance the applicant has submitted a scheme to Planning knowing that the Council as land owner has clear intentions to develop the land for its own purposes, subject to planning.

Reference future management of the grounds until they are needed for redevelopment, the Council has made it clear it will not be entering into any new 3rd party occupation agreements. By managing the grounds, the Council will retain maximum freedom of action to incorporate the area into any redevelopment as and when such development comes forward, again subject to Planning

Executive Meeting 14/02/19

Question submitted to the Portfolio Holder for Economic Development and Communications by Mr Lee McDougall:

“As Councillor Fredrickson committed publicly in June 2018 that West Berks Council would re- open the Community Football Ground in Faraday Road in September 2018 can the Council explain why this vital community asset is still closed to the public and when it intends to make it available”

Answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture on behalf of the Portfolio Holder for Economic Development and Communications:

In August 2018 the Council received a condition report on the old football ground and its associated buildings and structures. The report highlighted a number of issues, the result of which was that the premises could not be immediately reoccupied for health and safety reasons. As a result before the ground can be used again, remedial works need to be carried out to improve the security generally and specifically make the buildings on site secure and inaccessible. As previously stated the ground will reopen for general public access as a multi- use games area based on the existing grassed pitch. The aim is to complete by the Spring all works required prior to reopening again in the Spring.

The Chairman 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?”*

Mr Lee McDougall asked:

“So given that there was a fully functioning ground with a tenant that was paying rent that was used by the community, including children’s football, and the ground was only closed as part of the unlawful property deal with St Modwen, do you now regret the decision to evict the tenant and block the community from using the ground?”

The Leader of the Council commented:

I have just received professional advice from the Deputy Monitoring Officer that the supplementary question bears no relation to the original question and therefore will not be answered.

Council Meeting 05/03/19

Question submitted to the Portfolio Holder for Health and Wellbeing, Leisure and Culture and Countryside by Mr Paul Morgan:

“Would the Council agree that the adoption of the Playing Pitch Strategy, when finalised, would be a good example of how the Council is adhering to the objectives and spirit of their own Consultation Policy, which states that West Berkshire Council (WBC) is committed to making sure decisions are evidence-based, taking into account the views and experiences of residents and service users?”

The Portfolio Holder for Health and Wellbeing, Leisure and Culture answered:

Thank you for your question and comments which are kindly complimentary to the Council's work. However, I should point out that the process followed for the Playing Pitch Strategy development was not that of the Council per se, but was the approved methodology of Sport England for the development of a Playing Pitch Strategy.

You are right, the Sport England recommendations do tally well with the Council's own standards and the Playing Pitch Strategy will, when completed, guide the Council into providing, as far as available resources allow, the right quantity and the right quality of playing surfaces and in the right places.

The Chairman 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?”*

Mr Morgan asked:

“So are you following your own consultation strategy? The consultation strategy says and I'll read it to you: West Berkshire Council is committed to making sure decisions are evidence-based, taking into account the views and experiences of residents and service users.

Now the Playing Pitch Strategy consultation is with all of the users of the various pitches throughout the area, plus Sport England, plus the FA which to my mind is a very broad consultation policy. So my question is, bearing in mind your own policy, will you follow the recommendations of that Playing Pitch Strategy?”

The Portfolio Holder for Highways and Transport, Environment and Countryside answered:

The Council is a signatory to that Playing Pitch Strategy and we have worked, as you say, and consulted with a wide number of people. I said in my answer, in as far as available resources allow, the right quantity and the right quality of playing surfaces will be sought. However, the Council will not sign up to something that it is not committed to deliver.

“Would the Council agree that the adoption of the Playing Pitch Strategy, when finalised, would be a good example of how the Council is adhering to the objectives and spirit of their own Consultation Policy, which states that West Berkshire Council (WBC) is committed to making sure decisions are evidence-based, taking into account the views and experiences of residents and service users?”

Executive Meeting 29/03/19

Question submitted to the Portfolio Holder for Economic Development and Communications by Mr Paul Morgan (asked on his behalf by Mr Jack Harkness):

“Can the Council please share the business case and the associated up front and ongoing running costs for next 3 years, associated with its latest proposal for the Faraday Football ground? (that was announced last week)”

The Portfolio Holder for Economic Development and Communications answered:

Thank you Mr Harkness. We are more than happy to provide that information, we'll have to have a final check with Legal to make sure we can, but I am very happy to provide that.

The Chairman 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?”*

Mr Harkness asked:

“On that basis, that implies that you have a plan to keep the ground in some usable state for three years, can you answer why the multi-use games area is more preferable to using it as it currently is, effectively at no cost to the Council?”

The Portfolio Holder for Economic Development and Communications answered:

I have to just go back on a point there, happy to share the business case details as I've said, that's in your original question. But in regards to the wider ambitions of the Council and that site, I think we've discussed those many times before, but only the business case/three year point was in your original question.

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(s) Question submitted to the Portfolio Holder for Planning, Housing and Waste by Mr Lee McDougall:

“Why does the Council's Positioning Statement on LRIE, not disclose the fact that to meet the Government's National Policy Framework (NPPF) it must replace the football ground”

The Portfolio Holder for Planning, Housing and Waste answered:

Thank you for your question Mr McDougall. The registration of the football ground as an asset of community value does not preclude it from being incorporated within potential redevelopment proposals. The Council is entirely aware of current national planning guidance which allows Councils, subject to replacement and / or wider community benefit arguments at planning submission stage, for such facilities to be lost.

The football club does not have its own Core Strategy policy as it is covered by policy CS 18 Green Infrastructure. It is however mentioned by name in paragraph 5.129 of the Core Strategy.

The Chairman 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?”*

Mr McDougall asked:

“The question wasn’t about the asset of community value. The point is that Sport England have said that, as part of the NPPF, to remove that ground it would need to be replaced by an equivalent or better facility and is such a substantial costly activity. The question is why that wasn’t highlighted in your Positioning Statement?”

The Portfolio Holder for Planning, Housing and Waste answered:

As I have just answered, the Council is entirely aware of current national planning policy guidance which allows Councils, subject to replacement and/or wider community benefit arguments at planning submission stage, for such facilities to be lost.

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(u) Question submitted to the Portfolio Holder for Economic Development and Communications by Mr John Stewart:

“Will the new football facility that forms part of the investment in Northcroft Leisure be of better or equivalent quality of Faraday Road as per Sport Englands' mandatory requirements, should the Faraday Road Football Ground be given Planning Permission for a change of use?”

The Portfolio Holder for Economic Development and Communications answered:

Thank you Mr Stewart that is certainly the ambition. However, I can’t be led on any matter that may be related to a planning application and I certainly wouldn’t want to pre-empt that.

We continue to work with Sport England, the Football Association, Newbury Community Football Group and Newbury FC, who are here tonight and we thank them for that engagement. We will continue to work with all of those groups as we continue developing those plans.

The Chairman 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?”*

Mr Stewart asked:

“What is the next stage of that development for Northcroft, do you have any dates, what are the next steps?”

The Portfolio Holder for Economic Development and Communications answered:

There was a public announcement, I believe last week, that set out those steps. Further details will come as a planning application is developed. Our officer lead is Paul Anstey, who I think you have met previously and gave an update, and we will continue to engage you as those plans are developed.

Question submitted to the Portfolio Holder for Economic Development and Communications by Mr Lee McDougall:

“Will the newly planned, bookable 5-a-side pitches at Faraday Road re-open and make available the existing toilets, changing room, stands and floodlights when it re-opens the facility to the public?”

The Portfolio Holder for Planning, Housing and Waste answered:

The existing clubhouse, changing rooms and toilets were part of a condition survey carried out in July 2018, where surveyors stated buildings could not be immediately reoccupied without the remedial works. Whilst work will then be done to make sure the site can be opened, in regards to those buildings it is not viable to refurbish those

buildings given the expected short lifespan of the site. In regards to the stands and floodlights, I note that these points have been discussed many times in the Council Chamber in regards to our interpretation of the ownership of both the stands and floodlights. I won't repeat that again, but happy to provide the most up to date information that we have on that condition survey to you.

The Chairman 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?”*

Mr McDougall asked:

“I guess the question is around the toilets and changing rooms, whether they can be used for children's football? So, if you say you are not going to open them, are you going to open the ground without any toilets or changing rooms?”

The Portfolio Holder for Planning, Housing and Waste answered:

We would look to open the ground, but as for refurbishing those particular points the money would be so extensive that it wouldn't justify it. As for what we can do to enable people to effectively utilise it, there are other services nearby.

Mr McDougall commented:

“Children can't play sports on a Council facility without toilets being available.”

The Portfolio Holder for Planning, Housing and Waste answered:

The question is could we refurbish those ones, we can't, as for what else we can do to enable people to utilise it, we will certainly look at that.

Executive Meeting 30/05/19

Question submitted to the Portfolio Holder for Public Health and Community Wellbeing by Mr Paul Morgan:

“What is the business case and associated up front and ongoing running costs associated with the latest new suggestion proposed by the Council for the Community Football Ground in Faraday Road?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

In terms of the business case, the use of the old football ground as a Multi-use Games Area (MUGA) is not an attempt to find a more commercially beneficial use but a way of making this asset available for continued public use until the land is required for possible redevelopment and to make that use available by not again entering into a new lease.

You asked about the upfront costs, the capital costs budgeted for that are £88,000. The final amount is subject to procurement, but it is expected to be close to that number.

The previous lease arrangement earned the Council an income of £4,500 per annum. As and when redevelopment might come forward, the Council needs to retain freedom of action which would not be well served by entering into another agreement similar to the previous lease which expired in June 2018 and which the Council has made clear many times it would not renew.

The Chairman 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?”*

Mr Morgan asked:

“Are you saying that £88,000, which you quoted about six months ago, is the upfront cost for your plans?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

The final amount is still subject to procurement, but we expect it to be close to that number.

Question submitted to the Portfolio Holder for Transport and Countryside by Mr Jason Braidwood:

“What quality controls will the Council put in its own Planning Application submission process to avoid a repeat of a recent application that Sport England stated was “extremely poor and lacks detail?”

The Portfolio Holder for Transport and Countryside answered:

As with all constructive criticism and feedback, Officers will take the comments of Sport England on board and will learn from it. However, it should be noted the application content needed to make a Planning Application a valid one is prescribed by legislation. It is not unusual for further information and clarity to be sought and provided, after first submission and during the application process, and particularly in response to specialist interests identified by consultees.

It is also considered that the time and effort Officers spent preparing plans and documents for what is, and I emphasise is, for temporary use of this land was entirely proportionate.

The Chairman 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?”*

Mr Braidwood asked:

“When do you envisage the next application?”

The Portfolio Holder for Transport and Countryside answered:

I don't have an answer to that, I am happy to take that up with officers, and try to confirm it later and come back to you in writing.

Question submitted to the Portfolio Holder for Public Health and Community Wellbeing by Mr Jack Harkness:

“What consultation took place and what evidence of need does the Council have to justify their latest plans announced in March 2019 of a MUGA at the community football ground in Faraday Road?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

As I said in response to the earlier question, the MUGA installation is seen as providing a temporary access to a facility whilst the London Road regeneration process takes place.

The proposal, as was mentioned, does go through planning which does involve a statutory consultation process.

The Chairman 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?”*

Mr Harkness asked:

“So you are saying that you haven't done any consultation so far – why not?”

The Portfolio Holder for Planning, Housing and Waste answered:

This question has been asked and answered many times before. The Council has, in the light of the London Road Industrial Estate situation, taken the decision that the MUGA is the best way of making that access available to the public.

Question submitted to the Portfolio Holder for Public Health and Community Wellbeing by Mr Lee McDougall:

“In the light of the recent election results and the influx of so many new Councillors does the Council not agree that it is now time to come together and engage with the wider Football Community of Newbury (together with Sport England and the Berks & Bucks FA) to provide a permanent solution for the ongoing issue of the re-instatement or re-provision of the Community Football Ground at Faraday Road - a solution that is genuinely supported and needed by the Community?”

As Mr McDougall was unable to attend the meeting he received the following written response from the Portfolio Holder for Public Health and Community Wellbeing:

The Council has been in discussions with Newbury FC, Sport England and the Football Association, through the Berks and Bucks FA, in relation to the Football Ground on Faraday Road and potential re-provision.

As you know, and has been widely publicised over many years, the Council maintains its intention to regenerate the London Road Industrial Estate. This position is understood by Sport England and Berks & Bucks FA and the parties are in dialogue about an alternative long term provision elsewhere in Newbury.

However, your point is noted, and we do intend to engage widely with sports and social clubs and organisations over the next few months, not only with regards to this specific provision, but to enable the Council to generate a long-term sports and leisure strategy for the whole district. We expect that to include a 'needs assessment' of quantity and quality of football provision, from which we can work on the provision, from all sources. We hope that we can include your organisation in those discussions.

Question submitted to the Portfolio Holder for Public Health and Community Wellbeing by Mr John Stewart:

“Regarding the delayed change of use of Newbury’s main football ground at Faraday Road, please can the Council confirm what costs it incurred from the removal of the spectator stand, fencing, gates and floodlighting and whether any other parties benefitted financially from this?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

Hungerford Town Football Club removed the stand at their own cost. Some fencing was disposed of which was in a state of disrepair and was considered unsafe. The Council has not removed any floodlighting units, and as far as we are aware they are still at the ground.

The only cost incurred by the Council was to make the site safe and secure.

The Chairman 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?”*

Mr Stewart asked:

“When do you envisage the site opening?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

I can’t answer the question directly in terms of a specific date, we are obviously trying to open it as fast as we can.

We are currently going through a planning process which will be quickly followed by a procurement process.

Question submitted to the Portfolio Holder for Public Health and Community Wellbeing by Mr Paul Morgan:

“What is the current status of the Playing Pitch Strategy and when will it be available for the general public to view?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

The Playing Pitch Strategy is awaiting final amendments and sign off from the partners involved in the development of the Strategy. Discussions are continuing to finalise this as quickly as possible and it is anticipated that the process for formal adoption of the Strategy will be able to commence by the middle of the summer.

The Chairman 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?”*

Mr Morgan asked:

“So to confirm you will adopt the recommendations in the Strategy?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

This is a joint document, produced and signed by the Council as well as its partners and I did actually cover this question a few meetings ago, when I said the Council will not adopt a Strategy it is not prepared to sign up to. So, yes, we will sign up to the Strategy when it is agreed.

Executive Meeting 25/07/19

Question submitted to the Portfolio Holder Economic Development and Planning by Mr Lee McDougall: *“In the event that the Council does eventually obtain planning permission to build flats on the Newbury Football Ground at Faraday Road can the Council confirm how much budget it thinks it will need to provide a replacement facility that is of equivalent or better quality (FA ground grading F – step 5 of the FA National League System)?”*

The Portfolio Holder for Economic Development and Planning answered:

Should one day a club emerge that is offered promotion and sponsored through to Tier 5, the budget allowance, excluding land, would need to be approximately £1M for all required elements based on a grass surface pitch. It should be borne in mind however that this amount is an estimate and has not been checked by a quantity surveyor. It is based on Council experience of other construction projects.

The Chairman 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?”*

Mr Lee McDougall asked: *“Given therefore that at the Operations Board meeting that you held on the 4th October, which you attended, and at which a report on the future use of Faraday Road Sports Pitch was presented and this clarified that the clubhouse alone would cost a million pound, are you absolutely sure you’ve got your sums correct?”*

The Portfolio Holder for Economic Development and Planning answered:

Those are the figures I have been provided with. As far as I am aware yes it is correct, because it covers levelling, seeding of the new pitch, clubhouse, changing rooms, showers, stand seating and flood lighting.

Question submitted to the Portfolio Holder for Economic Development and Planning by Mr Lee McDougall: *“Please could you confirm what representatives of the children and women users of the Community Football Ground have been invited to join the Membership of the London Road Steering Group /Project Board?”*

The Portfolio Holder for Economic Development and Planning answered:

The London Road Project Board is an internal group comprising Members and Officers of the Council. All stakeholders will be consulted on plans that are yet to be prepared and that will take place either later this year or the early part of next year.

The Chairman 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?”*

Mr Lee McDougall asked: *“Are you able confirm who is on the steering group?”*

The Portfolio Holder for Economic Development and Planning answered:

I will send you a written response to confirm that point.

Question submitted to the Portfolio Holder for Economic Development and Planning by Mr Lee McDougall: *“Could you please confirm how the London Road Steering Group /Project Board intends to consult with the public about the potential impact to the community football ground to ensure all views are captured?”*

The Portfolio Holder for Economic Development and Planning answered:

The Council will shortly commission consultants to prepare a new development brief for the regeneration of the London Road site. That draft brief will be subject to local consultation. We have yet to decide how this is best done but all those wishing to comment will be invited to do so. As stated in response to the earlier question this is likely to take place towards the end of this year or the early part of next year.

The Chairman 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?”*

Mr Lee McDougall asked: *“Given that by the Council’s prior admissions the consultation in relation to the LRIE objectives were insufficient during the period which led up to the unlawful agreement with St Modwen, could you give me your personal assurance that you will consult all service users of the community football ground, which includes the children’s football teams?”*

The Portfolio Holder for Economic Development and Planning answered:

It will be a consultation which the community will be able to respond to. It will be in line with all the Council’s consultations, it will be online for people to look at and respond and it will be the usual six week consultation period.

Question submitted to the Portfolio Holder for Economic Development and Planning by Mr Lee McDougall: *“Can you please confirm the terms of reference of the recently set up London Road Steering Group /Project Board which met on the 12 July 2019?”*

The Portfolio Holder for Economic Development and Planning answered:

The Project Board will essentially oversee the regeneration of the London Road site given the Council’s role as landlord for much of the area. The Project Board will report to the Executive as necessary.

The first part of the regeneration project is to prepare a development brief which will seek to assess the options open to the Council for the redevelopment of the site both in terms of what is delivered and how. It is expected that this will be completed early next year following public consultation.

Future activity will be determined by what the Executive decides to do following consideration of the brief. It is likely that the Project Board will oversee whatever programme of work is agreed.

The Chairman 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?”*

Mr Lee McDougall asked:

“So given this is the second time round and the previous steering group’s work resulted in an unlawful agreement with St Modwen, what can you do to ensure you won’t make the same mistakes this time?”

The Portfolio Holder for Economic Development and Planning answered:

All I can say Mr McDougall is that lessons have been learnt. The group is a cross party group with the Liberal Democrats sitting on it and we will ensure that we will get it right this time. Although I have to say that we were not in breach of anything because there was no (construction*) agreement signed.

* post the meeting, clarification has been sought on the type of agreement referred to. The above note therefore confirms, for completeness, that the reference made by Councillor Cole was to a construction agreement.

Executive Meeting 05/09/19

(a) Question submitted to the Portfolio Holder for Public Health and Community Wellbeing by Mr Vaughan Miller:

“Are there any areas of disagreement between Sports England, The FA & WBC preventing publication of the Playing Pitch Strategy, which was commissioned in June 2017?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

The short answer to your question is no and yes. However, I am sure you want more of an explanation than that, and I know my colleagues in the room are eager for more information.

The Council and the sports body partners are very close to an agreement on the final text of the Playing Pitch Strategy which would then enable all parties to sign off the document, and I have said many times in the past few months that the Council will not sign anything that it does not fully intend to implement.

The Strategy includes a detailed analysis of playing services for all field sports across the district, pointing out areas where West Berkshire Council and other owners need to plan improvements and plan extra capacity where needed.

Overall, there are enough playing pitches in West Berkshire, but there are issues of open access and there is a shortage of 3g pitch capacity both of which the Council has pledged to address in its upcoming Leisure Strategy.

The one remaining item of discussion focuses only on football and the future development of football facilities, covering the need to ensure local access, quality of surface and adequate ancillary facilities to support our football clubs' ambitions and capability to operate within the lead structures for all ages.

Specifically, we are close to an agreement on the availability and timing for what is known as a Step 5 facility. No club requires this at the moment but we know that the Strategy must include the capability to provide that if and when needed. There is no justification for that investment right now, but we are in the process of agreeing how that capability could be provided in the future. Sport England are supportive of our approach.

The Chairman 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?”*

Mr Vaughan Miller asked:

“What is causing the delay?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

The process has been much longer than we anticipated. What caused the delay in the first few months of the process was we were simply not getting the responses from all the sports bodies that we were consulting with, and that took a long time to get back and to collate.

We believe we are very close in terms of being able to publish the Strategy. The recent delay has been discussions specifically between ourselves, the local FA for Berks and Bucks and Sport England to get the final text exactly right. Everyone wants the wording to be very precise, as always with published documents, and that is now holding up the process, but we are very close.

Council Meeting 12/09/19

Question submitted to the Portfolio Holder for Public Health and Community Wellbeing by Mr Lee McDougall:

“Who will foot the bill for the Councils own estimates of costs of £1m (excluding land) to build a replacement step 5 facility to replace the community football ground in Faraday Road (should the Council eventually obtain planning permission to build flats on the site of the community football ground)?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

Good evening Mr McDougall.

As I said last week, in an answer to a question from Mr Miller, the Council will leave the analysis of need set out in the playing pitch strategy, which is to be covered shortly, to work out the demand for playing surfaces and ancillary facilities for all field sports and for all ages.

We are aware of trends in football, for instance male football is declining in popularity slightly, whilst junior football, ladies football and even walking football are similarly increasing.

As we develop our upcoming leisure strategy, we are conscious that there are gaps in provision, there are issues with access and there is a shortage of 3g pitches, for both matches and for winter training.

We will endeavour with partners, the sporting bodies, town and parish councils and the sports clubs themselves, to ensure that provision meets demand and that must concentrate on future requirements, not to try and recreate the past.

As we prove local demand and follow the agreed strategy we expect the Council and the partners will access grant funding from national governing bodies and together we are confident that if and when a step 5 facility is needed, it must be made financially sustainable.

The Chairman 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?”*

Mr Lee McDougall asked:

“Are you aware there is a current planning application, that’s been running for 18months, from Newbury Community Football Group to redevelop the existing football ground, which has full funding commitment from Sports England. And why that would be your preference to utilise that existing funding that’s been consistent?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

I am aware of the planning application but not the details.

Executive Meeting 17/10/19

Question submitted to the Portfolio Holder for Public Health and Community Wellbeing by Mr Paul Morgan:

“Can the Council please confirm that they will provide written confirmation regarding the availability of a Step 5 ground in Newbury to ensure that NCFG’s application to enter an Under 23 team and an Academy U18 team into the Hellenic Football League (which is Step 5 league) for next season (2020/2021) is successful?”

The Portfolio Holder for Public Health and Community Wellbeing answered:

Unfortunately the Council cannot confirm the availability of a fully functional Step 5 football facility in that timescale. We do welcome the news that new U23 and academy U18 teams are being formed in Newbury as we were not aware that the Newbury Community Football Group ran teams directly. We were also not aware that any teams in Newbury are currently playing at that level or approaching that level. However, we would be very willing to meet with club officials to understand the details and what their plans are for a sustainable future at that level and what the Council can do to help.

Longer term, as I have said to you and your colleagues in our meetings outside of the Chamber, the Council will endeavour to improve the current situation for high quality teams and either provide or influence the provision of surfaces and facilities for all relevant levels of play.

The Chairman 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?”*

Mr Morgan asked the following supplementary question: *“You are aware of course that it’s a Catch-22 situation. The Step 5 ground already exists, so it’s not the fact that you need to provide a new one because it already exists. You cannot apply for a league unless you’ve got a Step 5 ground, you know that and most of the people in the Council know that. Conversations have been held with the Berks and Bucks FA and they have said Newbury FC is at the top of their league so they want a ground to play the next step up, so the demand is there it’s always been there. The ground should not have been closed. My question is who in this Council is looking at the question of whether this ground should be opened without further delay. Which one of you Council Members is in charge of this important question?”*

The Portfolio Holder for Public Health and Community Wellbeing answered:

The question of the ground being reopened is one related to the London Road Industrial Estate project which is a different remit from my own. The ground, as I would have said in answer to a later question, is not in a fit state to be reopened as a level 5. If it was reopened as it stands today it would not qualify as a level 5 ground and would require huge amounts of investment to get it to that level again so we’re not in a position to do that. The London Road Estate is not available to us to develop as a leisure facility.

(c) Question submitted to the Portfolio Holder for Public Health and Community Wellbeing by Mr Jack

Harkness: *“Is the Council aware that Newbury Ladies FC is currently in a promotion position in the Southern Region Womens Football League and that if promotion is achieved to the FA Womens National League they would have to play outside Newbury as Faraday Road Community Football Ground has been closed by the Council and no other pitch is available that meets the appropriate ground grading requirements?”*

The Portfolio Holder for Public Health and Community Wellbeing answered:

We are pleased to hear that the Newbury Ladies Football Club are doing well and hope that they do gain promotion from the Southern Region Premier Division into the FA Women’s National League, which we understand is at a level which would require a ground equivalent to a Category G. This is based on the observations published on the FA’s website.

At this stage we are not able to provide a Category G facility in Newbury but we would be very keen to assist in the process of representation to the governing body of Women’s football for any transitional arrangements that may need negotiation. It would be very helpful to meet with the club officials to understand what their plans are for a

sustainable future at this level. It should be noted, as I said in the previous question, that simply reopening the ground would not be a solution because it would not qualify for the Step 5 requirements as it stands at the moment.

The Chairman 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?”*

Mr Harkness asked the following supplementary question: *“Well I had a supplementary but you’ve effectively answered it by saying that you’re not in a position to reopen Faraday Road. I would just ask a quick question, so effectively, in terms of timescales, if we continue to stay in the position we are currently in and we are offered promotion then are you aware that we have to have all the provisions for next season in place by the end of February?”*

The Portfolio Holder for Public Health and Community Wellbeing answered:

I am conscious of the timescales and we are working as hard as we can to see what we can do to provide some help. I think realistically for the next season the best that the Council can do is to help to negotiate the right facility in the area. It clearly won't be Faraday Road.

(d) Question submitted to the Portfolio Holder for Public Health and Community Wellbeing by Mr Jason Braidwood: *“Can the Council advise what it is doing to address the chronic shortage of children’s football training venues in Newbury?”*

The Portfolio Holder for Public Health and Community Wellbeing answered:

Thank you for your question, you raise an important point. The Council is aware that more football training venues are needed for children, this has been studied in partnership with Sport England and the Berks/Bucks FA and will be considered in detail through the Playing Pitch Strategy. The Council will be setting out its actions for dealing with the shortage once the Strategy is published and will use all of its available policies and powers to try and improve accessibility to such important local facilities. We do not accept that Faraday Road has made the situation worse as we are not aware that Faraday Road was ever a regular training ground for children’s training.

The Chairman 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?”*

Mr Braidwood asked the following supplementary question: *“What advice would you suggest to give to me that I can give to over 300 kids that do not get the chance to use any of these facilities?”*

The Portfolio Holder for Public Health and Community Wellbeing answered:

I understand what you’re saying, I think that’s exaggerating the situation. I know that you have an academy with a lot of children who are already training. I know that there’s pressure on those training facilities. We know through the Playing Pitch Strategy that there are enough pitches numerically in the area but they’re not necessarily the right configuration or quality or the access may be difficult and what we want to do is to work on those aspects as soon as we can, but our concentration at the moment is to get the Playing Pitch Strategy published and put an action plan against that as fast as we can.

Question submitted to the Portfolio Holder for Public Health and Wellbeing by Mr Lee McDougall: *“How can the Council expect us to believe it is serious about it’s Health and Wellbeing Strategy (2017-2020) and specifically the declared Aim and Objective to “Support residents to be more physically active, achieve a healthy weight and eat a healthy diet”, when it unnecessarily closed the Community Football Ground a year ago?”*

The Portfolio Holder for Public Health and Community Wellbeing answered:

There are several parts to the answer to your question, so hopefully you’ll bear with me.

First, we cannot accept there’s a direct link between the general health and wellbeing of the residents of Newbury and the status of one adult football pitch. That is not to say that we don’t recognise the contribution and the

importance of playing football, or any of the many other forms of physical activity which contribute to the overall mix of public health initiatives. As landowner of the Faraday Road Football Ground the Council does not verify the claim of the football group that it was frequently and regularly used by the wider community and it was not called the Community Football Ground.

We view the use beyond that of Newbury Football Club itself as infrequent, for special occasions only and with relatively limited access. We assisted Newbury Football Club with alternative arrangements for which they have told us that they are satisfied.

There are plans to partially reopen the site for true broad community use which will increase the accessibility to the public.

The Council remains clear that it will look for all opportunities to increase the number of pitches across the Newbury area and beyond, remember we are responsible for the whole District not just Newbury. That will include working closely with other organisations who have pitches and looking for new pieces of land that may offer viable long term facilities.

Finally, to answer the import of your question fully, the Council provides and commissions a wide range of public health services which includes leisure facilities, recreational sites and open green spaces and also contracts supporting vulnerable people. We will continue to look for ways to protect and expand the reach of these services whilst being conscious of the constraints of our budgets.

The Chairman 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?”*

Mr McDougall asked the following supplementary question:

“Do you mind if I just clarify a factual correction first? You say that the ground wasn’t used by the wider community, that is just incorrect. My son played there right up until you closed the ground: U6s, U16s, U17s, U18s. If you look at the Asset of Community Value application there are 10 pages of community use going back over 30 years so please don’t try and position this as just a men’s club. As part of the lease with the Council they had to sublet it to the community so that is an incorrect statement that you need to clarify before you say that in public again.

In relation to my supplementary question, you have a facility for football, which is the largest participation sport in England; 11 million play, 3.5 million children play on a regular basis. The FA report shows that youth participation in football drops from about 52% ages 13 to 15 to just 26% when you get to 17 to 18 so therefore my question is do you not see that the Council is exacerbating the reduction in participation in sport by the youth of Newbury by taking away the only venue that’s suitable for competitive youth football? “

The Portfolio Holder for Public Health and Community Wellbeing answered:

I understand the point you’re trying to make but as I’ve said the Council is creating a Leisure Strategy. The Strategy is to try and provide playing surfaces, playing facilities for all levels of field sports, football and other, across the District and not solely concentrate our efforts on the one particular venue (the Community Football Group seems to have only one agenda). I would welcome working with the Community Football Group on working out how our Leisure Strategy can satisfy the demands of the real community right across the District.