

**MINUTES OF A MEETING OF NEWBURY TOWN COUNCIL
HELD IN THE COUNCIL CHAMBER, TOWN HALL, MARKET PLACE, NEWBURY
ON MONDAY 22 JANUARY 2024 AT 7.30 PM.**

PRESENT

Councillors Alistair Bounds, Jo Day, Billy Drummond, Nigel Foot (Town Mayor), David Harmon, Chris Hood, Ian Jee, David Marsh, Steve Masters, Vaughan Miller, Andy Moore, Gary Norman, Elizabeth O’Keeffe, Sarah Slack, Martha Vickers, and Tony Vickers.

OFFICERS PRESENT

Tracy Predeth, Locum Chief Executive Officer
Liz Manship, Finance and Corporate Service Manager
Kym Heasman, Corporate Services Officer

At the start of the meeting, the Town Mayor informed the council of the sad passing of a former Town Council member Mr Ron Rookes, and read a short Eulogy received from Councillor Phil Barnett:

“I first got to know Ron soon after I was elected on to the Newbury District Council in 1991. He was regular attendee at my ward meetings which I held at the Turnpike Community Centre before the Riverside was established.

He became a good friend and put his name forward as a candidate in the 2003 Town elections and he was elected. He was very forthright and spoke his mind.

I lost contact with him for a few years until he moved to Audrey Needham Court in Queens Road. He was a regular passing my house, by then in an electric buggy and we would catch up about Council matters.

I know he hadn’t been well for a few years. My thoughts go out to his widow and family.”

The Town Mayor said that he knew all Members would agree with Councillor Barnett’s sentiments and would echo them. The Town Mayor then called for Members to stand for a minute’s silence.

51. APOLOGIES OF ABSENCE

Councillors Phil Barnett (observed via zoom), Vera Barnett (observed via zoom), Sam Dibas, Pam Lusby Taylor, and Meg Thomas.

52. DECLARATIONS OF INTEREST

The Corporate Services Officer declared that Councillors Billy Drummond, Nigel Foot, David Marsh, Tony Vickers & Martha Vickers are also Members of West Berkshire Council,

which is declared as a general interest on their behalf and a dispensation is in place to allow them to partake in discussions relating to West Berkshire Council business.

All members have a dispensation to discuss the budget and Town Council precept.

53. MINUTES

PROPOSED: Councillor Andy Moore

SECONDED: Councillor Billy Drummond

RESOLVED: That the minutes of a meeting of Newbury Town Council held on Monday 17 October 2023, be approved as a correct record, and signed by the Town Mayor.

54. QUESTIONS AND PETITIONS FROM MEMBERS OF THE PUBLIC

Questions have been received from three members of the public.

1. Question received from David Fenn:

“What is the increase in Council Tax from 2023/24 to 2024/2025 as a percentage?”

The Town Mayor responded with the following answer:

“It is a common misconception of the general public, to think that this Council, Newbury Town Council, sets residents Council Tax. That is not the case, Council Tax is levied by West Berkshire Council. Newbury Town Council sets what is known as the Precept and that forms a part of resident’s overall Council Tax collected by West Berkshire Council.

As a former member of this Council, I know that you will be familiar with that Mr Fenn and so I am assuming there might be a typographical error in your question and that you are referring to the Precept instead of ‘Council Tax’? Is that correct?

The GROSS percentage rise of the precept for the coming financial year for Newbury Town Council is 19.96%. This is the figure BEFORE the Tax Base changes are taken into account - and we do not have that information yet - but it is estimated that the precept will be reduced to 18.65% when this adjustment is taken into account.

Those increases equate to an increase in payment of 23p per week for a Band A house.”

“Referring back to your question regarding the increase in COUNCIL TAX, this would equate to a 1.2% increase in Council Tax payment for residents.”

2. Question received from Marian Fenn:

“How can Newbury Town Council justify such a large extra expenditure (several thousand pounds) on additional grass cutting when it promotes itself as being environmentally aware? I understand there is a plan to cut grass shorter around perimeters of football pitches, etc. Not only will this have an adverse impact on microorganisms, invertebrates, etc and the food chain but it is costing thousands in the time of a hard pushed budget and polluting the atmosphere with unnecessary

fumes. This does not seem to be in the interest of the environment nor in promoting/supporting a greening."

The Town Mayor responded with the following answer:

"Newbury Town Council prides itself on being leaders on environmental responsibility in the local area and have in the last 10 years planted over 600 trees with its partners or directly across Newbury Town Council land, installed 4 wildflower meadows and a micro wildflower meadow. Identified areas on our lands on 12 sites that are left to grow and cut once a year as habitat and is starting a process this year of moving away from summer and winter bedding planting and moving towards perennial planting. We also engage the local community in bulb plantings, bat box building and community litter picks and also recycling on average over 70% of the waste produced across Newbury Town Council land.

With this as a council we must seek to provide a balance to provide the best facilities we can to all users on our sites and we have identified that additional grass cutting and maintenance to our football pitches, additional cuts to allotments and to the areas within the recreation grounds that are not designated as wild or wildflower meadow. Would provide a better user experience for this demographic and that the council would not just be leaders in environmental responsibility in the area but also provide the best facilities for its residents.

The council has a clear aim to improve the service it provides to the football community, which includes hundreds of young people who are benefiting from improved mental and physical health and wellbeing through sport in Newbury. This has resulted in the council reopening the football pitch in Victoria Park, which has lain dormant for 10 years. The extra costs are therefore in keeping with the policy of maintaining the council's football pitches to the highest standards possible within reasonable financial limitations. This will involve more frequent cutting of the pitch areas on all three pitches. It also includes the higher maintenance needed to bring the pitches up to a higher standard than they have been previously."

Supplementary Question from Mrs Marion Fenn:

"What about around the Beach trees and not just the football pitches?"

Councillor Vaughan Miller Responded on behalf of the Town Mayor:

"There are no plans to expand around the current areas being cut and there are no plans to increase the other football pitches other than Wash Common."

3. Question 1 received from Mr Overend read by Town Mayor:

"Has the Council acting in its capacity as trustee of the Charity, met to consider the Agreement? I noticed that at the Council committee meeting on Monday evening not one councillor declared they were interested in the business to be conducted (that is to say the consideration of the Agreement), by virtue of the fact that the Council is a trustee of the Charity, a party to the Agreement which they were considering as councillors of the other party to the Agreement."

The Town Mayor responded with the following answer:

"I don't think merely because members are on a particular committee, they would need to declare any interest as they do not have a personal interest/gain in the outcome by virtue of being on that committee."

4. Question 2 received from Mr Overend read by Town Mayor:

"By the Agreement the Council, as trustee of the Charity, delegates all "functions, rights and powers" concerning the Agreement to one person, the "authorised officer" (see condition 3). How often will the Council, meeting in its capacity as trustee of the Charity, review the operation of this arrangement and the exercise of the powers delegated to the authorised officer?"

The authorised officer is stated as being the "clerk to the Trustee or such other person or persons as shall be appointed by the Trustee". Does the Council acting in its capacity as trustee of the Charity have a clerk, and if not, who is envisaged will fulfil this role?"

The Town Mayor responded with the following answer:

"I suspect the Clerk to the Council also administers/manages the Charity, but if not, they have authority to appoint another individual to do so."

5. Question 3 received from Mr Overend read by Town Mayor:

"The Agreement appears to contain no provision to encourage the Council to provide a mechanism whereby allotment holders can contact the authorised officer directly to raise grievances or concerns (for instance in relation to the performance of the services by the Council's subcontractors). Will these arrangements be specified separately and referred to somewhere in the allotment rules?"

As mentioned above, I welcome the Town Council's strategic plan to run "thriving allotments" and to maintain and run "high quality allotments". In my opinion the communication between the authorised officer and the allotment holders will need to be effective and clear for this to result, and I would suggest that the current communication arrangements may benefit from being reviewed and clarified. The one annual meeting with allotment holders referred to in the strategic plan will be insufficient to produce the desired result in my opinion."

The Town Mayor responded with the following answer:

“The tenancy agreements / allotment rules and regulations should set out a mechanism for any complaints rather than this agreement.”

6. Question 4 received from Mr Overend read by Town Mayor:

“There appear to be no objective criteria against which performance of certain aspects of the services can be judged. There is what I believe to be a general statement of intent: “The Council shall perform the Services efficiently, effectively and safely and in a manner totally consistent with the terms of this Memorandum of Agreement and to the entire satisfaction of the Authorised Officer”.

There is a reference to complying with legislation, and there is a general statement “Without prejudice to the generality of Condition 16.1 the Council shall in performing the Services seek to protect the natural flora and fauna and the historical heritage of the Land.”

There is, however, no reference to best or good practice. I would have thought that without some objective criteria, whether or not the agreement has been adhered to will be difficult to establish.”

The Town Mayor responded with the following answer:

“This can be added, but in my view leads to greater uncertainty / possible challenge as “best practice” then needs to be agreed up between the parties and defined in the agreement. As drafted it allows the Council to protect the natural environment as it sees most appropriate. In any event it is slightly hypothetical because the Council acting as Trustee is unlikely to make a complaint to the Council as the local authority for failing to adhere to the agreement.

A way forward might be to consult with the allotment users as to the best way to manage the natural environment on an ongoing basis.”

7. Question 5 received from Mr Overend read by Town Mayor:

“Finally, I would reiterate that as a matter of practicality, and as referred to above, in my opinion ensuring effective communication between the authorised officer and allotment holders will be essential in ensuring the delivery of thriving and high-quality allotments.”

The Town Mayor responded with the following answer:

“I agree, but that is not to purpose of this agreement. Exactly how the Council communicates with the allotment holders is a matter for them to consider and implement as they see fit to achieve the objective of operating the allotments effectively. This agreement is essentially a financial mechanism to allow the Council to financially support the Charity whilst adhering to the advice provided by the Council’s auditor.”

The Town Mayor thanked Mr Overend for his observations and Questions.

55. MEMBERS' QUESTIONS AND PETITIONS

There were no questions or petitions from members of the Council.

56. TOWN MAYOR'S REPORT

The Town Mayor's report was received and noted by the Council.

57. LEADER'S REPORT

The Leader's report was received and noted by the Council.

58. COMMITTEES

The Minutes of the following meetings were received:

Planning & Highways 24th October 2023
Planning & Highways 14th November 2023
Planning & Highways 5th December 2023
Civic Pride, Arts & Culture 27 November 2023
Community Services 11 December 2023
Policy & Resources 16 October 2023

59. STRATEGY 2024 TO 2028

Proposal: To Approve the review of the Council's Strategy 2024 to 2028, with the recommendation of the Policy & Resources Committee, resolved 15 January 2024.

PROPOSED: Councillor Vaughan Miller

SECONDED: Councillor Gary Norman

RESOLVED: to approve the review of the Strategy 2024 to 2028

60. 2024/2025 BUDGET AND PRECEPT

It was noted that the Policy & Resources Committee resolved on 15 January to adopt a budget for 2024/25 and recommends that the Council sets an overall budget expenditure of £2,428,667.

PROPOSED: Councillor Gary Norman

SECONDED: Councillor Jo Day

RESOLVED: to adopt the budget for Financial Year 2024/2025 and raise a precept of £1,526,953 for the year.

PROPOSED: Councillor Steve Masters

SECONDED: Councillor Gary Norman

RESOLVED: That a leaflet explaining to the public how the precept is to be used during 2024/2025 is produced, with that leaflet to be distributed to each household in Newbury, along with an Annual report from the Council and published on the Council's website.

61. EAR-MARKED RESERVES

Members received the proposed amendments to the Council's Ear-Marked Reserves, with the recommendation from the Policy & Resources Committee of 15 January.

PROPOSED: Councillor Gary Norman

SECONDED: Councillor Billy Drumond

RESOLVED: To approve the Council's Ear-Marked Reserves, with the recommendation from the Policy & Resources Committee of 15 January.

62. SCHEDULE OF MEETINGS FOR THE MUNICIPAL YEAR 2024-25

The schedule of meetings for 2024-25 was noted.

63. FINANCIAL REGULATIONS

The Members received the Financial Regulations as approved by the Policy and Resources Committee on 16 October 2023

PROPOSED: Councillor Roger Hunneman

SECONDED: Councillor Vaughan Miller

RESOLVED: The Committee noted and agreed to adopt the Financial Regulations as approved by the Policy & Resources Committee on 16 October 2023.

64. MEMORANDUM OF UNDERSTANDING – ALLOTMENT FOR LABOURING POOR

Proposal: To agree to sign the Memorandum of Understanding with the charity 'Allotment for Labouring Poor'.

PROPOSED: Councillor Nigel Foot

SECONDED: Councillor Vaughan Miller

RESOLVED: To sign the Memorandum of Understanding with the charity 'Allotment for Labouring Poor'.

65. TRANSFER OF ASSETS

Due to short timescales, it was agreed devolved responsibility to the CEO to discuss with WBD.

PROPOSED: Councillor David Harmon

SECONDED: Councillor Andy Moore

RESOLVED: To agree devolved responsibility to the CEO and produce a full report for consideration by Council or committee.

It is recorded that Councillor Tony Vickers abstained from the vote.

66. FORWARD WORK PROGRAMME FOR FULL COUNCIL MEETINGS

The Council noted the Forward Work Programme and the change of date to receive presentations from Community United, Newbury BID, Citizens Advice.

67. EXCLUSION OF PRESS AND PUBLIC

A motion to exclude the press and public was proposed and seconded.

PROPOSED: Councillor Nigel Foot

SECONDED: Councillor Steve Masters

RESOLVED: That under Section 1, Paragraph 2 of The Public Bodies (Admission to Meetings) Act 1960 the press and public be excluded from the meeting for the following items of business (agenda item 17) because publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

68. APPOINTMENT OF CHIEF EXECUTIVE OFFICER

PROPOSED: Councillor Elizabeth O’Keeffe

SECONDED: Councillor Steve Masters

RESOLVED: The Members agreed the appointment of the Chief Executive Officer. Starting salary SCP 50 and upon successful completion of 6 months’ probation salary increase to SCP 51.

THERE BEING NO FURTHER BUSINESS, THE TOWN MAYOR DECLARED THE MEETING CLOSED AT 21.14 PM

TOWN MAYOR: _____

DATE: _____