

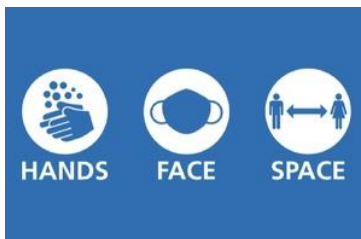


Parish Council Report for November 2020

Cllr Graham Bridgman (West Berkshire Council, Burghfield and Mortimer Ward)

West Berkshire Council

Covid-19/Christmas



Whilst there is disappointment that West Berkshire, with a relatively low (and reducing) transmission rate, has not returned to Tier 1 (medium), we must continue to be vigilant to ensure the infection rate continues to reduce. The decision on which tier each area goes into is based on an assessment of a number of factors, such as how quickly cases are rising or falling, case detection rates, the Cov+ rate per 100,000 of the population, the Cov+ rate per 100,000 of the 60 plus population, and the pressure on the NHS. WBC

continues to help lead the local response to coronavirus - not least in helping the residents and businesses who have been most affected.

We have recently been reminded what a difficult and fragile balance this is and we have seen some larger localised outbreaks (an outbreak is two cases or more) at two sites in the east of the district - Ikea and Little Heath School.

You will be aware of the Christmas arrangements across the UK, with provision for up to three households to form 'bubbles' for up to five days between 23 and 27 December. This will come as welcome news for many but consideration should still be carefully taken for individuals and households with high risk factors (so although there may be some small cause to celebrate with a drop of fizz there is to be no bursting of the bubbles!). Keep up to date at: <https://www.gov.uk/guidance/local-restriction-tiers-what-you-need-to-know>.

The Council is supporting the NHS, which will be creating high capacity centres for the roll out of both mass testing and the vaccination programme over the coming months. Currently we expect this to be at Newbury Racecourse and may be coming as soon as mid-December. More details will follow on this as it becomes clearer.

Covid Winter Grant Scheme

WBC has just announced a new Covid Winter Grant, making £279k available for families and individuals in need of financial support. It will help pay for food, utility bills and other essential items, and provide Free School Meal vouchers for eligible children during the Christmas and February half-term holidays. The scheme will run from 1 December until 31 March 2021.

We know some people have it tougher than others right now, and that Covid has had a devastating effect for some families. People who have already come to us for help have said they never dreamed they would be in the position of having to ask for help towards essential items but Covid had changed everything for them. The last thing we want is for people to be struggling in silence so if you know of residents who need help do please get in touch with our Community Support Hub on 01635 503579.

To identify those most in need for the Scheme, the Council will work closely with professionals, statutory partners, Parish Councils, Citizens Advice West Berkshire, Newbury Resource Centre and other community and voluntary groups. DWP Job Centre Plus will also be playing an active role to support those newly in financial hardship, such as through a recent job loss.

Local data

Various statistics, including information about daily reported cases, current weekly rate, etc for all Berkshire districts including WBC can be accessed from the Berkshire Public Health [website](#).

Community Support Hub

Our support hub can still be contacted on 01635 503579 if needed.

Local Outbreak Engagement Board

A reminder that the Local Outbreak Engagement Board meets on alternate weeks in private and in public. Each fortnight there is a meeting to regarding current activities relating to Covid-19 in and around our locality. As with all of our public meetings, the meeting can be viewed live or at a later date via the WBC YouTube channel. Further information about the Board can be found [here](#).

Test and Trace £500 Support Payment

Please see last month's report for more about this, but a reminder that anyone who meets the eligibility criteria and has been asked to self-isolate (on or after 28 September) will be entitled to make a claim once every 14 days, for each period of self-isolation required. All eligibility criteria must be met and supporting evidence provided. The scheme will run until 31 January 2021.

Council Meetings

A reminder that links to all agendas and public meeting papers are [here](#), and all WBC public meetings are broadcast live on YouTube and recorded so that they can be viewed at leisure - [West Berkshire Council YouTube Channel](#). Guidance for anyone attending a remote public meeting (eg a parish representative at a planning committee) is [here](#).

Executive

The Executive met on 19 November (a recording of the meeting can be viewed on the YouTube channel referenced above) and considered a number of papers including publication of the final draft of the London Road Industrial Area post public consultation and the closure of Walnut Close care home (more below).

The next meeting of the Executive is scheduled for 17 December, with a proposal to adopt a new Housing Allocations Policy amongst other matters.

Council

The next meeting of Council is on 3 December and papers will include the draft consultation of the district Minerals and Waste Local Plan and timetable for public meetings in 2021/22. There are also a number of responses to previous motions as well as new motions being brought. There is also a paper and proposal based on the recent (four-yearly) review of councillors' allowances by an independent panel. This will be the penultimate Council meeting of the fiscal year with the 2 March 2021 meeting seeing the setting of the Council budget for 2021/22.

The Local Economy



Saturday 5 December is Small Business Saturday - a chance for us to celebrate the local shops, businesses and services which we enjoy here in West Berkshire. There are many ways you can support our small businesses and not just by shopping with them. Leaving them a review, mentioning them on social media or buying a gift card to use later can make a big difference to them. You could even shop online with local business and donate to the Council's Christmas appeals!

Grants for businesses

Further grants are being made available to those businesses who have to close, as well as to some who are experiencing particular hardship as a result of the new restrictions.

Local Restriction Support Grant

The [Local Restrictions Support Grant](#) will support businesses that pay business rates on their premises, who have been forced to close.

Additional Restrictions Grant

The [Additional Restrictions Grant](#) is a discretionary grant administered by WBC to support businesses who have been affected by restrictions and who have not received other grant support, or require further assistance.

Please refer to the [Local Restriction Support Grant queries](#) page for more information.

Christmas

Giving Tree / Community Santa Christmas Appeals

In addition to the annual Giving Tree Appeal for victims of domestic abuse, this year the Council is running Community Santa to recognise those in our communities who have had a particularly difficult time, perhaps through isolation or bereavement.

Nominations have been sought through our A2 Dominion partners for Giving Tree and Community Groups, and Adult Social Care for Community Santa.

This year 'gift tags' can be selected electronically via our event website page and the parallel schemes will run until 11 December. Due to the lockdown we are only able to accept online deliveries during office hours to the Council Office at Market Street - more information is available on the WBC website at <https://info.westberks.gov.uk/Christmas>.



Christmas cards for care home residents



Care home residents love getting messages and cards through the post. During the first lockdown, local schools sent letters from the children which brought real joy and our homes welcome Christmas Cards from the public, particularly for residents who may not have loved ones to send letters to them.

People can send a card to our care home residents this year via any of our care homes: Birchwood in Newbury, Notrees in Kintbury, Willows Edge in Newbury or Walnut Close in Thatcham. Cards should be addressed to 'WBC Christmas Card Initiative' (we always quarantine envelopes to ensure that they are safe to handle when they are opened in our homes). Find the care home addresses here [Care Home Addresses](#) or visit our web page [Christmas Cards](#).

Education

WBC, Newbury College Academy Trust (NCAT) and Feltham Construction Ltd have confirmed the completion of the building work for the brand-new Highwood Copse Primary School.

Having identified a need for additional primary school provision in the area, WBC selected NCAT to run the school, which has been built on the College campus. NCAT and the Council have been working together to ensure the provision meets the needs of the local community and have thanked Feltham Construction Ltd for their work in creating such an outstanding building.

Find out more about Highwood Copse Primary School, which will be welcoming its first Reception class (aged 4-5) intake in September 2021 at www.highwoodcopse.co.uk.

Children and Family Services

A ground-breaking scheme to protect vulnerable children in West Berkshire is being hailed a success by an [independent evaluation](#) commissioned by the Department for Education.

Under the new 'Family Safeguarding Model', the number of children entering care has dropped by more than 40%. In the first year of the new model, 20 fewer children from West Berkshire went into care, a drop of 41%. In the second year, another 14 fewer children went into care, a drop of 29%.

The programme brings groups of professionals together under one roof to provide intensive support to parents whose problems with substance misuse, mental health and domestic abuse put their children at risk of harm. Based on the Family Safeguarding Model pioneered in Hertfordshire, teams of skilled professionals work together with families and with the support of a clinical psychologist to tackle the root causes of these issues.

Reports of missing young people within West Berkshire also dropped by 26% in the first year.

Kickstart

WBC has submitted an application to HMG on behalf of local businesses which could see up to 60 new jobs created for under 25s through the 'Kickstart' scheme - in order to apply directly businesses must offer 30 new roles, so where smaller local businesses cannot offer so many roles WBC is acting as a gateway organisation, to bring together a group of employers and support them to create new roles.

The placement will offer six months of high quality paid work experience, and the council has partnered with West Berkshire Training Consortium to offer CV writing, interview and other workplace skills to every candidate, which will maximise their chances of finding long term employment.

The Council is taking a lead role by creating 13 internal Kickstart placements across teams such as Planning, Children's Services, Legal and HR. It will also continue to support as many businesses as possible to utilise the scheme and looks to submitting further applications on an ongoing basis.

Adult Social Care

Care Homes

WBC is working hard to ensure that residents in their care homes can stay connected with their relatives and friends during the coronavirus pandemic, and recently revised their care home visiting protocol to take account of Lockdown 2 and the latest Government guidance.

All of the council's care homes now have a dedicated room to allow visits to take place, each situated near the entrance of the building and set up with screens to ensure that everyone can see each other face-to-face whilst distancing safely. You can see the revised protocol here: [Revised Care Home Visitor Protocol](#).

HMG has also recently announced a rollout of lateral flow testing kits to care homes to allow more face to face visiting, subject to negative tests – we await supplies and training.

Closure of Walnut Close Care Home

The proposal to close the Walnut Close care home in Thatcham was given the go ahead at the Council's Executive meeting on 19 November.

WBC has sufficient and suitable spaces at the Birchwood care home, just under two miles away, to accommodate all of the residents from Walnut Close in a more modern setting with enhanced facilities such as ensuite bathrooms.

All of the care staff from Walnut Close are being offered like roles at Birchwood, so that there will be a continuity of friendly faces when residents arrive in their new surroundings, and there is no anticipation that there will be any need for redundancies. Moreover, the intention is that a currently empty wing at Birchwood will be re-named Walnut, and staffed by current Walnut Close staff, so there should be a little home-from-home for the Walnut Close residents moving in.

No moves will take place until after Christmas.

West Berkshire Directory

A reminder that the directory – to be found [here](#) – contains a wealth of information about (eg) accessing support in local communities, help at home, leisure activities, financial guidance, care homes and voluntary organisations.

Transport and Countryside

WBC has been awarded £495k from the Department for Transport's Active Travel Fund, following the Council's bid to further develop a lasting, safe environment for walking and cycling. The grant is in addition to the £124k awarded in the first phase of allocations in July that went towards temporary active travel measures in response to the pandemic.

The latest Active Travel proposals for the next phase primarily consist of permanent measures to create and improve travel routes for cyclists and pedestrians on the A4 corridor within Newbury and Thatcham as well as a pilot School Zone/School Street Scheme in Calcot.

The proposals are designed to enhance the safety of pedestrians and cyclists; promote health and wellbeing; improve the environment, air quality and sustainability; and play a key role in Covid economic recovery plans. The proposed schemes have factored in resident feedback through previous community consultation. In addition, the Council will be launching a series of consultations starting in January 2021 so that residents can have their say on how each of the proposed Active Travel plans are implemented.

Other Matters

Thames Valley Police – Local Area Commander

Lindsay Finch, the acting LAC for West Berkshire, has decided not to apply for the permanent role which will be filled by Supt Zahid Aziz from 4 January 2021, with Lindsay reassuming her Deputy Commander role.

AWE

The MOD has triggered a successor arrangements clause in its agreement with AWE Management Limited such that AWE will revert to a direct Government ownership model as an arms-length body – with the transition anticipated to be completed by the end of June 2021.

Parish Matters

School Parking

This from a recent email from Jon Winstanley (the WBC Service Director, Environment) regarding parking near schools (happened to be in Burghfield but should be of interest more widely): *“Sadly this is a problem across the District and indeed across the Country which has no doubt been exacerbated under the current circumstances. It will come as no surprise that my Civil Enforcement colleagues’ presence is very much in demand at a great number of the 90 schools in West Berkshire. It is also unfortunate that the CEO team is not immune from the impacts of Covid, with the need for several staff to self-isolate having a further impact on our responsiveness.*

I will ask my CEO colleagues to ensure Burghfield Schools are visited, but I mention the above to set the expectation around our limitations in terms of frequency. I would also add that whilst Civil Enforcement is effective in controlling parking offenses whilst officers are present, parking problems can return soon after civil enforcement officers leave the area.

I will take this opportunity to clarify the legal powers of our Civil Enforcement Officers. CEOs do not have powers to direct vehicles to move on the highway nor to penalise speeding traffic, only the police have this power. No Waiting restrictions such as single and double yellow lines are also subject to a mandatory 5 minute observation period prior to us being able to issue a penalty charge notice. Also, if the vehicle is alighting passengers it is legal to stop on a single or double yellow line for a reasonable amount of time for the alighting to happen.”

Tree Preservation Orders

I have also recently looked into the law regarding appeals in respect of TPOs (this enquiry related to Mortimer) and thought that the following might be of interest:

This from [Naturenet](#):

“If you're wondering how you can get a TPO taken off a tree, or removed, or annulled [sic], or lifted or whatever, then read on carefully. You might be able to get what you want, but revoking the TPO is almost certainly not the way it is going to happen. Note for a start that the only way to completely remove a TPO is for the council to revoke it. Revoking a TPO is a tiresome business, as much work as making a new one, and it is very rare indeed. If it happens at all, the usual reason is if there has been some mistake in the making of the Order and a new one is needed to correct it. It is very, very unusual for councils to revoke TPOs because a landowner asks them to do so. And there's a reason for that. Lifting a TPO at the request of a landowner is rare because the law intentionally provides other far easier and simpler methods of achieving what the landowner wants. If you choose not to use those methods you will need to explain to your council why you will not. And you'd better have a good reason.”

This from [Gov.uk](#) (although referenced as relating to conservation areas, it appears to be a decent analysis of TPOs generally):

“Is there a right of appeal against made or confirmed Tree Preservation Orders?

The legislation provides no right of appeal to the Secretary of State against an authority either making or confirming an Order. There is, however, a right of appeal to the Secretary of State following an application to carry out work on trees protected by an Order that is refused, granted subject to conditions, or not determined.

Can the validity of a Tree Preservation Order be challenged?

The validity of an Order cannot be challenged in any legal proceedings except by way of application to the High Court on a point of law. The Town and Country Planning Act 1990 and the Civil Procedure Rules 1998 set out the application process.

Anyone considering challenging the validity of an Order in the High Court is advised to seek legal advice.”

Finally, and perhaps the best general overview, this from [Tree Preservation Orders: A Guide to the Law and Good Practice](#):

“High Court Challenge

3.45 The legislation provides no right of appeal to the Secretary of State against a TPO, either when made or confirmed. An appeal to the Secretary of State can be made, however, following an application to cut down or carry out work on trees protected by the TPO (for more details see Chapter 7 of this Guide).

3.46 The validity of a TPO cannot be challenged in any legal proceedings except by way of application to the High Court.⁴⁰ An application to the High Court may be made by any person who is 'aggrieved' by a TPO on the grounds:

- (1) that the TPO is not within the powers of the Act, or
- (2) that the requirements of the Act or Regulations have not been complied with in relation to the TPO.

To be 'aggrieved' applicants should be able to show that they have a sufficiently direct interest in the matter.

3.47 An application must be made within six weeks from the date of confirmation of the TPO. The High Court may quash the TPO or suspend its operation wholly or in part. Failure by the LPA to comply with the requirements of the Act or Regulations may not be sufficient for the Court to quash the TPO; the Court should also be satisfied that the interests of the applicant have been 'substantially prejudiced'

as a result; any would-be applicant may first wish to consider whether the LPA's decision would have been more favourable if made in accordance with the statutory requirements.

3.48 Anyone thinking about making an application to the High Court is advised to take legal advice on the procedures involved and the likely costs that might be incurred if the application failed.

... 40 See section 284 of the Act for the rule and section 288 for provisions about applying to the High Court.”

(The legislation referred to is s.284 and s.288, [Town and Country Planning Act 1990](#).)

A handwritten signature in black ink that reads "Graham Bridgman". The signature is written in a cursive style with a long horizontal stroke at the end.

Graham Bridgman
Council Member for Burghfield and Mortimer
Deputy Leader of Council and Executive Member for Adult Social Care

2 December 2020