

**MINUTES OF A MEETING OF THE FULL COUNCIL COMMITTEE HELD IN THE COUNCIL CHAMBER,
NEWBURY TOWN COUNCIL, MARKET PLACE, NEWBURY ON
WEDNESDAY 07 MAY 2025 AT 7:30 PM.**

PRESENT

Councillors Phil Barnett, Vera Barnett, Jo Day, Sam Dibas (19:32), Billy Drummond, Nigel Foot, David Harman, Roger Hunneman, Ian Jee, Pam Lusby-Taylor, David Marsh, Stephen Masters, Andy Moore (Town Mayor), Gary Norman, Sarah Slack, Meg Thomas, and Tony Vickers.

In Attendance

Toby Miles-Mallowan, Chief Executive Officer

1. APOLOGIES

Councillors Alistair Bounds, Chris Hood, Vaughan Miller and Elizabeth O’Keeffe.

2. DECLARATIONS OF INTEREST

The Chief Executive Officer declared that Councillors, Phil Barnett, Billy Drummond, Nigel Foot, David Marsh, Martha Vickers and Tony Vickers who 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.

Note further declarations were received on agenda item 24.

3. NOMINATION OF MAYOR ELECT FOR 2025/26 MUNICIPAL YEAR

PROPOSED: Councillor Phil Barnett

SECONDED: Councillor Gary Norman

That Councillor David Harman be nominated as candidate for Mayor Elect

4. ELECTION OF MAYOR FOR 2025/26 MUNICIPAL YEAR

Resolved that Councillor Harman is elected as Mayor for 2025/26

5. DECLARATION OF ACCEPTANCE AND MAYOR’S ANNOUNCEMENT

Received declaration of acceptance of office

6. NOMINATION OF DEPUTY MAYOR FOR THE 2025/26 MUNICIPAL YEAR

PROPOSED: Councillor Pam Lusby-Taylor

SECONDED: Councillor Tony Vickers

Received nomination for Councillor Sarah Slack

PROPOSED: Councillor David Marsh

SECONDED: Councillor Graham Storey

Received nomination for Councillor Steve Masters

7. ELECTION OF DEPUTY MAYOR

Councillor Sarah Slack **received** 14 votes in favour, 3 Against and 1 Abstention

Councillor Steve Masters **received** 3 Votes in favour, 12 against and 3 Abstentions

Resolved that Councillor Sarah Slack elected as Deputy Mayor for municipal year of 2025/26.

RESOLVED: That the minutes of the meeting of the Full Council Committee held on Monday 27th January 2025, be approved, and signed by the Town Mayor.

8. DECLARATION OF ACCEPTANCE OF OFFICE AND DEPUTY MAYORS ANNOUNCEMENTS

Declarations were **received**

9. MINUTES

PROPOSED: Councillor Andy Moore

SECONDED: Councillor Martha Vickers

The minutes from the 23 March 2025 full Council were **approved**. There were 3 abstentions.

10. QUESTIONS AND PETITIONS FROM MEMBERS OF THE PUBLIC

There were no questions or petitions **received**.

11. MEMBERS QUESTIONS AND PETITIONS

Four questions were **received** from members of staff. Appendix A for questions and full response

12. OUTGOING MAYORS REPORT

The outgoing Mayor's report was **received**.

13. CEO's REPORT

Report **received**

14. COMMITTEE MINUTES

Council **received** minutes for the following:

Planning & Highways	23 March and 23 April 2025.
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Policy and Resources	28 April 2025
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Civic Pride, Arts and Culture	17 February 2025
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15. THE MAYORS CHARITY FOR MUNICIPAL YEAR 2025/26

Proposed: Councillor David Harman

Seconded: Councillor Andy Moore

Resolved that Berkshire Youth is the charity that the Mayors Charity will be supporting for 2025/26

16. ELECTION OF LEADER AND DEPUTY LEADER OF THE COUNCIL FOR 2025/26

Proposed: Councillor Roger Hunneman

Seconded: Councillor Sarah Slack

Resolved that Councillor Gary Norman is the Leader of Newbury Town Council for 2025/26.

Proposed: Councillor Meg Thomas

Seconded: Councillor Vera Barnett

Resolved that Councillor Jo Day is the Deputy Leader of Newbury Town Council for 2025/26

17. COMMITTEES AND SUB COMMITTEES

Proposed: Councillor Gary Norman

Seconded: Councillor Jo Day

Committee and sub-committee structure **approved** for municipal year 2025/26

Proposed: Councillor Gary Norman

Seconded: Councillor David Harman

Membership of committees and subcommittees **Resolved** for 2025/26

18. COUNCILLOR SURGERY ROTA FOR 2025/26

An **amended** rota was presented by Councillor Gary Norman from that in the agenda.

Proposed: Gary Norman

Seconded: Billy Drummond

Agreed to adopt the amended rota for 2025/26 (appendix B)

19. INTERNAL AUDIT REPORT

Proposed: Councillor Steve Masters

Seconded: Councillor Billy Drummond

Council **approved** internal auditors third interim report for 2024/25

20. NEWBURY TOWN COUNCIL FOUR YEAR STRATEGY REVIEW

Council **received** an update on the year 1 review of the Council's four year strategy from 2024-2028.

21. DECLARATION OF MARKET POWERS

Proposed: Councillor David Marsh

Seconded: Councillor Martha Vickers

Resolved that Newbury Town Council made the declaration of market powers (appendix ...)

Councillor Tony Vickers requested that the CEO continue to liaise with West Berkshire District Council regarding the declaration.

22. FORWARD WORK PROGRAMME FOR FULL COUNCIL MEETINGS 2025/26

Council **noted** the forward work programme

23. EXCLUSION OF PRESS AND PUBLIC

Proposed: Councillor Gary Norman

Seconded: Councillor Phil Barnett

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 because publicity would be prejudicial to the public interest by reason of the confidential financial business to be transacted.

24. COMMUNITY GOVERNANCE REVIEW

Councillors Sam Dibas Declared that he is a Parish Councillor for Enborne Parish Council, Councillors Phil Barnett and Billy Drummond declared that they are Parish Councillors for Greenham Parish Council.

Proposed: Councillor Andy Moore

Seconded: Councillor Martha Vickers

Resolved to provide dispensation for Councillors Phil Barnett, Sam Dibas and Billy Drummond to participate in the agenda.

PROPOSED: Councillor Andy Moore

SECONDED: Councillor Nigel Foot

Against: Councillor Billy Drummond

Abstained: Councillor Phil Barnett and Councillor Sam Dibas

RESOLVED: for CEO to approach West Berks District Council to request community governance review.

THERE BEING NO OTHER BUSINESS THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 21:18 HRS

Signature: _____ Date: _____

Appendix A

Question from Councillor Phil Barnett Vickers

In view of the possibility of Government direct funding moving away from principal authorities to local level (as subjected in the white paper) "Can this Town Council make sure we are well prepared to bid for any monies available to fund specific proposals"?

Response from Newbury Town Council:

In light of the Government's White Paper indicating a possible shift in direct funding from principal authorities to more local levels, Newbury Town Council fully recognises the importance of being well-positioned to bid for any funding that becomes available.

We are committed to ensuring that the Council has the necessary structures, capacity, and strategic readiness to take full advantage of such opportunities. This includes developing well-evidenced, community-led proposals aligned with local priorities, which can demonstrate strong value and impact.

To strengthen our capability, we will initiate a Community Governance Review. This review will allow us to assess whether our current governance arrangements, including our boundaries, representation, and powers, are sufficient to meet the evolving needs of Newbury's residents. A more robust governance framework will not only improve democratic accountability but also build our organisational resilience and capacity to deliver more services at a local level.

Additionally, we will enhance our internal readiness by:

- Developing a pipeline of potential projects that align with government funding priorities.
- Building partnerships with local stakeholders, community groups, and service providers.
- Reviewing and strengthening our financial and project management systems to meet the requirements of direct government funding.
- Ensuring officers and councillors have the appropriate skills and training to manage increased responsibilities effectively.

By taking these proactive steps, Newbury Town Council aims to be in a strong position to secure and deliver funding that brings tangible benefits to our community.

Question from Councillor Tony Vickers

Is the Mayor aware of the proposal by the local body appropriately known by its acronym “NEWT”, which has secured a lease from Thames Water and significant grant funding to take responsibility for the wetland and scrubland area between Northcroft Park, the former Lambourn railway line, Hill Road and Speen Lane back gardens, to have managed access for the public including a new public footpath circuit? And would the Mayor agree that this Council should now work with West Berkshire District and Speen Parish Councils to help NEWT implement its plans?

Response from the Mayor of Newbury (or Newbury Town Council):

Thank you for your question regarding the proposal put forward by the local body known as NEWT (Nature Enhancement for West-Thatcham and Newbury Town).

We are aware that NEWT has made significant progress in its efforts to enhance and open up access to the wetland and scrubland area bounded by Northcroft Park, the former Lambourn railway line, Hill Road, and the back gardens along Speen Lane. Notably, the group has successfully secured a lease from Thames Water and obtained substantial grant funding to begin the transformation of this ecologically sensitive area into a publicly accessible space that maintains biodiversity while providing managed access, including a new footpath circuit for walkers.

NEWT’s initiative is an excellent example of community-led environmental stewardship. The plans include:

- Ecological management to protect and enhance habitats,
- Improved public access through designated footpaths,
- Educational signage and features to raise awareness of local wildlife and habitats,
- Collaboration with local volunteers and conservation groups.

The Council fully recognises the environmental and recreational value of this project and strongly supports the principle of providing access to nature in a responsible, sustainable way.

However, at this stage, Newbury Town Council is not in a financial position to contribute to the implementation of NEWT’s plan during the current financial year without altering or deferring projects already agreed in our budget. That said, we are very supportive of the project in principle, and we will review the possibility of providing practical and/or financial support as part of our 2025–26 budget considerations.

Furthermore, we agree that there is a clear opportunity for joint working and will seek to engage with West Berkshire Council and Speen Parish Council to explore how best we can collectively support the successful delivery of this valuable local initiative.

We commend NEWT for its vision, organisation, and achievement so far, and we look forward to the positive impact this project will have on both the local environment and the wellbeing of residents.

Question from Councillor Sam Dibas:

'can we get the survey results back to the town council and discuss what people have told us and how what we plan to do to monitor this and make sure we do the right thing to our residents?'

Response: requested that Councillor Sam Dibas confirm which survey was being discussed.

Clarification from Councillor Sam Dibas: *'the pedestrianisation consultation'*

Response: this was a West Berkshire District Council consultation and that Councillor Dibas would be best served to discuss this directly with Councillor Stuart Gourlay who is the portfolio holder for Highways

2nd question from Councillor Sam Dibas:

'I would like to pass a motion to investigate if we as NTC can take legal action against Thame Water for damaging our environment and health as they continue to pump raw sewage in our West Berkshire rivers.'

Response: As per Standing Orders, Motions must be received a week prior to any committee meeting of Newbury Town Council.

However I am able to comment on the proposal: Newbury Town Council has limited legal powers, but there are some specific legal and regulatory avenues by which we could take action or support action against Thames Water for discharging raw sewage into the Rivers Kennet and Lambourn. Here's an outline of the possible bases and mechanisms:

Public Nuisance (Common Law)

Newbury Town Council could potentially bring a claim for public nuisance, if the raw sewage pollution interferes with the public's rights or use of land (e.g., use of public footpaths, access to nature, or enjoyment of public spaces near the rivers).

- **Basis:** Unlawful interference with a public right, such as the right to clean waterways or public health.
- **Challenge:** Usually brought by individuals or the Attorney General. Newbury Town Council would likely need to prove it has **special damage** beyond that suffered by the general public, or seek consent to act on behalf of residents. At this time there is no evidence of their being any damage that interferes with a public right

Judicial Review (Environmental Law)

While not directly against Thames Water, NTC may consider judicial review of a regulator's failure to enforce environmental laws (e.g., the Environment Agency's lack of action).

- **Basis:** Unlawful inaction by a public body failing to regulate illegal discharges under environmental regulations.
- **Challenge:** This is complex, expensive, and must be initiated promptly. The Council would need legal standing.

Reporting and supporting prosecution under Environmental Permitting Regulations 2016

Under the Environmental Permitting (England and Wales) Regulations 2016, it is illegal to discharge pollutants into controlled waters without a permit, or in breach of that permit.

Basis: If Thames Water has breached its environmental permits, this is a criminal offence.

Action: Only the **Environment Agency** can bring prosecution, but NTC can:

- Collect and submit evidence, however we have no resources to do this
- Lobby for enforcement action,
- Support third-party legal efforts (e.g., by citizen or NGO lawsuits). We would need to identify a third part and support them to do this

Supporting a Private Prosecution

NTC could support residents or a group (e.g. Fish Legal, River Action, or a local angling association) to bring a private prosecution under environmental law.

- **Basis:** Breach of statutory duty or environmental permits.

- **Role:** Likely limited to financial or evidential support, as we lack the capacity to prosecute directly.

Representations to OFWAT and Environmental Regulators

While not a court action, the Council can:

- **Submit formal complaints** to OFWAT and the Environment Agency,
- Demand investigations or reviews under **Water Industry Act 1991**,
- Join or initiate **public pressure campaigns** to trigger regulatory response.

Conclusion

While Newbury Town Council cannot easily bring a case to court directly against Thames Water, it could potentially:

- **Support legal action** by affected individuals or groups,
- **Pressure regulators** to act or face judicial review,
- **Document and report violations** for enforcement,
- **Explore nuisance law** if specific harm to the community can be demonstrated.

However legal advice would be essential before proceeding with any action, furthermore NTC would have to reassess the budget before it could take any action.