

# Meeting of West Berkshire District Council

**Thursday, 10th December, 2015**

***Summons and Agenda***

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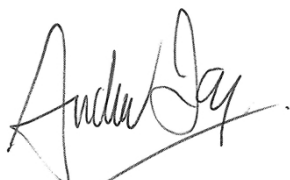
WestBerkshire  
C O U N C I L

To: All Members of the Council

*You are requested to attend a meeting of*  
**WEST BERKSHIRE DISTRICT COUNCIL**  
*to be held in the*  
**COUNCIL OFFICES, MARKET STREET,  
NEWBURY**

on

**Thursday, 10th December, 2015**  
**at 7.00 pm**



Andy Day  
Head of Strategic Support  
West Berkshire District Council

Date of despatch of Agenda: Wednesday, 2 December 2015

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## **AGENDA**

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1. **APOLOGIES FOR ABSENCE**

To receive apologies for inability to attend the meeting (if any).

2. **CHAIRMAN'S REMARKS**

The Chairman to report on functions attended since the last meeting and other matters of interest to Members.

3. **PRESENTATION OF THE WEST BERKSHIRE COMMUNITY CHAMPION AWARDS (C2898)**

The Chairman will present the following Community Champion awards for 2015:

- Pat Eastop Junior Citizen of the Year Award;
- Volunteer of the Year;
- Community Group of the Year Award;
- Lifetime Achievement Award.



## **Agenda - Council to be held on Thursday, 10 December 2015 (continued)**

### **4. MINUTES**

The Chairman to sign as a correct record the Minutes of the Extraordinary Council meeting held on 17<sup>th</sup> September 2015, the Council meeting held on 17<sup>th</sup> September 2015 and the Extraordinary Council meeting held on 5<sup>th</sup> November 2015.

### **5. DECLARATIONS OF INTEREST**

To remind Members of the need to record the existence and nature of any Personal, Disclosable Pecuniary or other interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).

### **6. PETITIONS**

Councillors may present any petition which they have received. These will normally be referred to the appropriate body without discussion.

### **7. MEMBERSHIP OF COMMITTEES**

The Monitoring Officer to advise of any changes to the membership of Committees since the previous Council meeting.

### **8. LICENSING COMMITTEE**

The Council is asked to note that since the last meeting of the Council, the Licensing Committee met on 22 September and 10 November 2015. Copies of the Minutes of these meetings can be obtained from Strategic Support or via the [Council's website](#).

### **9. PERSONNEL COMMITTEE**

The Council is asked to note that since the last meeting of the Council, the Personnel Committee met on 5 October 2015. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

### **10. GOVERNANCE AND ETHICS COMMITTEE**

The Council is asked to note that since the last meeting of Council, the Governance and Ethics Committee met on 23 November 2015. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

### **11. DISTRICT PLANNING COMMITTEE**

The Council is asked to note that since the last meeting of the Council, the District Planning Committee has not met. Copies of Minutes of this Committee can be obtained from Strategic Support or via the [Council's website](#).

### **12. OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION**

The Council is asked to note that since the last meeting of the Council, the Overview and Scrutiny Management Commission met on 15 September and 1 December 2015. Copies of the Minutes of these meetings can be obtained from Strategic Support or via the [Council's website](#).



**Agenda - Council to be held on Thursday, 10 December 2015 (continued)**

**13. COUNCIL TAX SUPPORT SCHEME 2016/17 (C2931)**

For Council to consider and make a decision on proposals to change the Council Tax Support Scheme from 1<sup>st</sup> April 2016.

**14. COUNCIL TAX DISCOUNT ON VACANT PROPERTY (C3064)**

To consider changes to Council Tax discounts in the light of the Council's funding pressures.

**15. A339/FLEMING ROAD JUNCTION COMPULSORY PURCHASE ORDER (C3061)**

To obtain authority from full Council to purchase private land by agreement or by using compulsory purchase powers under the Town and Country Planning Act 1990, the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981 to enable the new junction to be built from the A339 onto Fleming Road (the Scheme)(Appendix C) and to appropriate the land within the Scheme for planning purposes.

**16. CHANGES TO THE CONSTITUTION (C3011)**

To review and if appropriate amend Part 11 (Contract Rules of Procedure) following a request from the Procurement Board to do so.

**17. ACTIVITY TEAM WEST BERKSHIRE FEES AND CHARGES 2016/17 (C2932)**

To consider the fees and charges for the 2016/17 Activity Team West Berkshire programme in order to enable the service to competitively advertise and promote activities and maximise advanced books and income.

**18. LEISURE CENTRE FEES AND CHARGES 2016 (C2933)**

To implement the contractual requirement for an annual price review for 2016 for the leisure contractor to come into effect from 1<sup>st</sup> January 2016.

**19. GAMBLING ACT 2005 (C3050)**

To determine a Statement of Licensing Policy on Gambling.

**20. PROPOSED MEMBER DEVELOPMENT PROGRAMME 2016/17 (C2930)**

To agree the proposed Member Development Programme for 2016/17.

**21. NOTICES OF MOTION**

- (a) **The following Motion has been submitted in the name of Councillor Billy Drummond:**

## **Agenda - Council to be held on Thursday, 10 December 2015 (continued)**

*“That this Council notes that:*

*Conflicts in the Middle East have created the largest refugee crisis in generations.*

*Thousands of people have died while seeking sanctuary from the violence this year alone trying to cross the Mediterranean sea; many of them were children.*

*The United Kingdom has played a leading role as one of the world’s top international donors, supporting refugees in Syria and the surrounding area.*

*The UN estimates there are over 320,000 people though who live in urgent need of resettlement. Survivors of torture or sexual violence, the very elderly or disabled, there are people who cannot survive in UN refugee camps near in countries surrounding Syria.*

*The UK has a long and important tradition of offering sanctuary to those who need protection. 100,000 Huguenots, 10,000 Jewish Kindertransport children spared the Nazi concentration camps, 160,000 Poles following the Second World War many of whom had served in the Battle of Britain, the Vietnamese Boat People, the 28,000 Asian Ugandans fleeing Idi Amin and the people who fled the war in Kosovo. This is our proud and decent tradition.*

*To play its part fully in solving this global crisis the British government must work for durable long term political solutions in the region, lead as a major international donor, and live up to its reputation as a place of sanctuary, integration and protection.*

*This Council believes:*

- That this crisis will be better managed if incoming refugees are accommodated around the whole country;*
- We can best rise to the crisis if a National Welcome and Resettlement Board bringing together local and national government, civil society and business leadership, is created to oversee efforts to resettle refugees and mobilise public support as in times past;*
- Long term political solutions are needed to ease the crisis, but in the mean time we must do what we can;*
- The UK must welcome its fair share of refugees to ease this crisis.*

*This Council resolves to:*

- Formally express an interest in both the VPR and Gateway programmes to the Home Office, offering to resettle refugees;*
- Write to local housing associations to encourage them to make properties available to resettle refugees;*



**Agenda - Council to be held on Thursday, 10 December 2015 (continued)**

- *To commit to ensuring that refugees are welcomed in this area and help facilitate this process by coordinating local service provision and coordinating the immense public will to help;*
- *Write to the Prime Minister to assure him that the country stands ready and willing to help at this time of crisis”.*

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



# Agenda Item 4.

## DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## COUNCIL

### MINUTES OF THE EXTRAORDINARY MEETING HELD ON THURSDAY, 17 SEPTEMBER 2015

**Councillors Present:** Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Jeremy Bartlett, Jeff Beck, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Paul Hewer, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Anthony Pick, James Podger, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko

**Also Present:** John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Andy Day (Head of Strategic Support), Nathan Gregory (Group Executive (Conservatives)), Peta Stoddart-Crompton (Public Relations Officer), Rachael Wardell (Corporate Director - Communities), Moira Fraser (Democratic and Electoral Services Manager), Jo Reeves (Policy Officer), Jude Thomas (Member Services Officer) and Jo Watt (Member Services Officer), and former Councillors Brian Bedwell, Jeff Brooks, Royce Longton, Joe Mooney and Andrew Rowles

**Apologies for inability to attend the meeting:** Councillor Richard Crumly, Councillor Billy Drummond, Councillor Sheila Ellison and Councillor Graham Pask

#### PART I

##### 47. Declarations of Interest

There were no declarations of interest received.

##### 48. Roll of Honorary Aldermen (C3014)

The Council considered Agenda Item 3 which proposed that former Councillors Brian Bedwell, Jeff Brooks, Royce Longton, Joe Mooney and Andrew Rowles be conferred the title of Honorary Alderman in recognition of their eminent service rendered on behalf of the Council and residents of West Berkshire over a period of time.

The Chairman explained that the Local Government Act 1972 made provision for the appointment of former Councillors as Honorary Alderman to recognise the eminent service they provided above and beyond their normal duties. The Honorary Alderman needed to be advocates for their communities and needed to exhibit high standards of conduct and ethics. Members had discussed and agreed to the introduction of the scheme at the September 2011 Council meeting. The two Leaders had met and discussed potential candidates. Following these discussions it had been agreed to offer the title to former Councillors Brian Bedwell, Jeff Brooks, Royce Longton, Joe Mooney and Andrew Rowles who had all accepted.

**MOTION:** Proposed by Councillor Peter Argyle and seconded by Councillor Emma Webster:

“That the Council confer the title of Honorary Alderman on former Councillor Brian Bedwell.”

## COUNCIL - 17 SEPTEMBER 2015 - MINUTES

In proposing former Councillor Bedwell, Councillor Argyle reported that he had selflessly served the community for over 20 years in a dignified manner. Councillor Bedwell had been a personal mentor to him and also a very good friend.

Councillor Webster in seconding the nomination noted that former Councillor Bedwell had been described by a constituent as a 'delight and a gentleman' and he had been a great servant to his residents. His most significant achievement being the redevelopment of the Underwood Road precinct.

Councillor Graham Bridgman described former Councillor Bedwell as a consummate local councillor and a complete gentleman. Councillor Alan Macro noted that former Councillor Bedwell had always treated him very fairly during their electoral battles and that he had served his parish council very well for circa 25 years and that he thoroughly deserved this accolade.

The Motion was put to the meeting and duly **RESOLVED**

Honorary Alderman Bedwell thanked the Council for bestowing the honour on him. He stated that he was overwhelmed and that the bestowing of this title on him was an honour and a privilege. He also commented that he had been fortunate to have worked with many fine Officers and Members during the 22 years he had served on the Council. He thanked all those present for their kind words.

**MOTION:** Proposed by Councillor Alan Macro and seconded by Councillor Graham Jones:

"That the Council confer the title of Honorary Alderman on former Councillor Jeff Brooks."

In proposing former Councillor Brooks, Councillor Macro noted that former Councillor Brooks had served the people of West Berkshire in many capacities including as a member of the Fire Authority, Berkshire County Council and as a town and district Councillor. He noted that former Councillor Brooks had served his community for over 30 years and continued to do so.

Councillor Jones in seconding the proposal thanked former Councillor Brooks for the eminent service he had provided. He also thanked all other former Councillors present at the meeting for their contribution. In particular he wished to thank former Councillors Bedwell and Mooney for their support over the years.

Councillor Jones stated that although former Councillor Brooks had been his principle adversary for many years they had managed to become good friends. They had traded humour and put downs and as a result he believed it had made Councillor Jones a better Leader.

Councillor Gordon Lundie also thanked all the former Councillors that were present for the commitment and selflessness that they had shown during their years of service. He lamented the loss of some good Councillors following the May election and noted that the Liberal Democrat Group had to some extent been the victim of the fact that nationally they had opted to do the 'right thing' in 2010.

Councillor Lundie stated that he missed the valuable contribution made by Councillor Brooks as well as his passion and incisive mind.

The Motion was put to the meeting and duly **RESOLVED**.

Honorary Alderman Jeff Brooks thanked the Council for conferring the title on him. He commented that he had been re-assured that by accepting the title he would not be precluded from standing for election again in the future should he chose to do so. He stated that this was a massive privilege and he thanked all those that had nominated him for the role.



## COUNCIL - 17 SEPTEMBER 2015 - MINUTES

**MOTION:** Proposed by Councillor Alan Macro and seconded by Councillor Graham Jones:

“That the Council confer the title of Honorary Alderman on former Councillor Royce Longton.”

In proposing former Councillor Longton, Councillor Macro noted that he had been a Councillor for over 20 years and a parish councillor for over 30 years.

Councillor Jones in seconding the proposal thanked former Councillor Longton for the eminent service he had provided. He stated that his curriculum vitae in local government was unequalled in this chamber. Although they had had disagreements, often publicly, he recognised Councillor Longton’s personal integrity and passion.

Councillor Carol Jackson-Doerge stated that former Councillor Longton, who had served as her co-councillor, was known as a maverick in Burghfield. He shared an amazing connection with the residents, kept them well informed, was a true rock and was a much loved member of the community.

The Motion was put to the meeting and duly **RESOLVED**.

Honorary Alderman Royce Longton thanked the Council for conferring the title on him. He stated that it had been a privilege and a pleasure to represent the people of Burghfield. He thanked his fellow Members and staff who had made it a pleasure to be a councillor. He also noted that in West Berkshire, Members of the two political groups had not resorted to personal attacks and he hoped that this working practice would continue.

**MOTION:** Proposed by Councillor Tony Linden and seconded by Councillor Keith Chopping:

“That the Council confer the title of Honorary Alderman on former Councillor Joe Mooney.”

In proposing former Councillor Mooney, Councillor Linden noted that he had served as a councillor for nearly 26 years. As the Executive Member for Adult Social Care he had been involved in the re-organisation of the service. He had undertaken this role with great humanity and was deeply concerned with the wellbeing of older residents.

Councillor Chopping in seconding the proposal thanked former Councillor Mooney for the eminent service he had provided. He stated that Councillor Mooney was a great mentor, was extremely kind to him when he was first elected and was a great example to new councillors. He was a diligent Ward Member, an assiduous Executive Member and a great credit to the Council.

Councillor Hilary Cole stated that he was a great mentor to her and that he fulfilled his role as the Executive Member for Adult Social Care with great passion. She noted that Councillor Mooney was well respected by employees and that they still asked after him.

The Motion was put to the meeting and duly **RESOLVED**.

Honorary Alderman Joe Mooney thanked the Council for conferring the role on him. He stated that his time as the Portfolio Holder for Adult Social Care was the most fulfilling role that he had undertaken and that he missed this work enormously.

**MOTION:** Proposed by Councillor Anthony Stansfeld and seconded by Councillor Hilary Cole:

“That the Council confer the title of Honorary Alderman on former Councillor Andrew Rowles.”

## COUNCIL - 17 SEPTEMBER 2015 - MINUTES

In proposing former Councillor Rowles, Councillor Stansfeld noted that former Councillor Rowles despite living in Inkpen was well liked and respected in all the villages (Combe, Enborne, Hamstead Marshall, Inkpen, Kintbury, Welford and West Woodhay) within the Kintbury Ward. He had been a huge help to his co-councillor and was always happy to share advice and knowledge.

Councillor Cole in seconding the proposal thanked former Councillor Rowles for the eminent service he had provided. Councillor Cole noted that when chairing planning meetings, Councillor Rowles was always very courteous in his dealings with all Members as well as the public attending the meeting. He worked exceptionally hard and was well respected in his Ward. She described him as a kind and courteous man.

Councillor Jeff Beck commented that he had known Councillor Rowles for more years than he cared to remember. It had been a privilege to work with him and he was a true champion of his residents. He carried out his duties in a calm, resolute manner and always showed great humility.

The Motion was put to the meeting and duly **RESOLVED**.

Honorary Alderman Andrew Rowles thanked the Council for conferring the role on him. He stated that it was a great honour and he thanked Members and Officers for their support over the many years he was a Councillor.

*(The meeting commenced at 7.00pm and closed at 8.01pm)*

**CHAIRMAN** .....

**Date of Signature** .....

# DRAFT

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## COUNCIL

### MINUTES OF THE MEETING HELD ON THURSDAY, 17 SEPTEMBER 2015

**Councillors Present:** Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Jeremy Bartlett, Jeff Beck, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Paul Hewer, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Anthony Pick, James Podger, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko

**Also Present:** John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Andy Day (Head of Strategic Support), Nathan Gregory (Group Executive (Conservatives)) and Rachael Wardell (Corporate Director - Communities), Moira Fraser (Democratic and Electoral Services Manager) and Jo Reeves (Policy Officer), Honorary Aldermen Brian Bedwell, Jeff Brooks, Royce Longton, Joe Mooney and Andrew Rowles

**Apologies for inability to attend the meeting:** Councillor Richard Crumly, Councillor Billy Drummond, Councillor Sheila Ellison and Councillor Graham Pask

#### PART I

##### 49. Chairman's Remarks

The Chairman reported that he and the Vice Chairman had attended 43 events to date. In particular he made mention of the fact that he had been able to visit Helen House, his chosen charity, the day before. He was able to see first hand the phenomenal work they were doing with the children and their families in very difficult circumstances.

The Chairman also encouraged all Members to enter the Chairman's quiz which would take place on the 19<sup>th</sup> November 2015. The event would be used to raise funds for his charity.

The Chairman drew Members' attention to the fact that a Special Council meeting would be held on the 5<sup>th</sup> November 2015 at St Bartholomew's School to discuss the Housing Site Allocation Development Plan Document.

##### 50. Presentations to Recognise the Service of Former Councillors (C3015)

The Chairman noted that the May 2015 elections brought many changes to West Berkshire Council. The authority gained new fellow Councillors with different skills and fresh ideas but it also lost a number of long-standing, hard working and extremely committed Councillors. He welcomed the former Councillors to the meeting and thanked them for the support and hard work they had given to both the Council and their constituents.

The Chairman presented each of the following former Councillors with a certificate as a token of the Council's gratitude:

## COUNCIL - 17 SEPTEMBER 2015 - MINUTES

- Brian Bedwell
- Jeff Brooks
- George Chandler
- Roger Hunneman
- Royce Longton
- Gwen Mason
- Geoff Mayes
- Joe Mooney
- Irene Neill
- Andrew Rowles
- Julian Swift-Hook
- Ieuan Tuck

The Chairman also thanked the following former Members who were unable to attend the meeting:

- David Allen
- John Horton
- David Rendel
- Keith Woodhams

*(The meeting was adjourned from 8.10pm to 8.16pm).*

### 51. Minutes

The Minutes of the meetings held on 2 July 2015 and the special meeting on 20 July 2015 were approved as true and correct records and signed by the Chairman subject to the following amendment to the 20<sup>th</sup> July 2015 minutes:

**Item 46 (A339/Fleming Road Junction Compulsory Purchase Order) insert the underlined text** *(Councillor Alan Macro declared a personal and prejudicial interest in Agenda Item 4 by virtue of the fact that he was an Officer of an organisation in a negotiation with another company on the site but was not actually involved in the negotiation).*

### 52. Declarations of Interest

There were no declarations of interest received.

### 53. Petitions

There were no petitions submitted to the meeting.

### 54. Public Questions

#### (a) Question submitted by Dr Tony Vickers to the Leader of the Council:

A question standing in the name of Dr Tony Vickers on the subject of the role of parish and town councils was answered by the Leader of the Council.

A full transcription of the public questions and answers session is available [here](#).

### 55. Membership of Committees

The Deputy Monitoring Officer advised of the following changes to the membership of Committees since the previous Council meeting:

## COUNCIL - 17 SEPTEMBER 2015 - MINUTES

The Membership of the **Governance and Ethics Committee** had been amended post the 02 July decision to merge the Governance and Audit and Standards Committees:

- Steve Ardagh-Walter
  - Jeff Beck
  - Graham Bridgman
  - James Cole
  - Rick Jones
  - Lee Dillon
  - Anthony Pick
  - Quentin Webb
  - Chris Bridges (Non-voting Parish Council representative)
  - Barrie Dickens (Non-voting Parish Council representative)
- 
- Sheila Ellison (substitute)
  - Billy Drummond (substitute)
  - Tim Metcalfe (substitute)

### **Advisory Panel**

- Adrian Edwards
- Richard Crumly
- Mollie Lock
- Alan Macro
- Tony Renouf
- Darren Peace

### **Western Area Planning**

Dennis Benneyworth had replaced Jeremy Bartlett as a member on this Committee.  
James Fredrickson had replaced Lynne Doherty as a substitute on this Committee

### **Eastern Area Planning**

Sheila Ellison had replaced Rob Denton-Powell as a substitute on this Committee

### **Appeals Panel**

Tony Linden had replaced Richard Crumly as a Member on this Panel

### **56. Licensing Committee**

The Council noted that, since the last meeting, the Licensing Committee had not met.

### **57. Personnel Committee**

The Council noted that, since the last meeting, the Personnel Committee had not met.

### **58. Governance and Ethics Committee**

The Council noted that, since the last meeting, the Governance and Ethics Committee had met on 24 August 2015 and 3 September 2015.

### **59. District Planning Committee**

The Council noted that, since the last meeting, the District Planning Committee had met on 8 July 2015.

**60. Overview and Scrutiny Management Commission**

The Council noted that, since the last meeting, the Overview and Scrutiny Management Committee had not met.

**61. Proposed Boundary Review (C3029)**

The Council considered a report (Agenda Item 14) which outlined the processes involved in having an Electoral Review undertaken of the District.

**MOTION:** Proposed by Councillor Gordon Lundie and seconded by Councillor Graham Jones:

That the Council:

- '1. Seek approval to approaching the Local Government Boundary Commission to undertake an Electoral Review of the District in time for the next District elections in 2019.
2. That the review be undertaken by the Council as opposed to the two Political Groups.'

Councillor Lundie in introducing the item noted that the time had come for a boundary review to be undertaken. As part of the Administration's Manifesto there was a pledge which related to having a boundary review undertaken by the time the next District Council elections were held in May 2019.

The Local Government Boundary Commission (LGBC) would be asked to provide a view on whether any changes were required. The Leader noted that there had been significant growth in housing numbers since the commencement of the Racecourse development and other major sites such as Sandleford would also be developed in the near future. The LGBC would be asked to look at a number of areas including the total number of Councillors, the purpose of Councillors, existing boundaries, the number of wards and the balance between electors and their representatives.

A Members working group would be set up to ascertain the issues the Council would seek to raise with the LGBC.

Councillor Alan Macro stated that his group supported the initiative as it had been a number of years since a review had taken place. He was however concerned that his group's concerns might not be included in the final report. He also noted his group's preference to return to the Committee System and requested that this be factored into the proposals. Councillor Macro asked for clarification on proposed timescales.

Councillor Anthony Pick stated that he would like the review to look at parish council boundaries to ensure that the interests of each parish could be properly considered.

Councillor Graham Jones explained that he had participated in the previous review. He noted that at that time both the Council and the Opposition had submitted proposals and in fact many of the Opposition's proposals had been adopted. While he hoped for unanimity in the response the Liberal Democrats would not be precluded from submitting their own proposal should they wish to do so.

Councillor Lundie stated that the working group would be set up shortly and it was envisaged that they would report back to the December 2015 Council meeting. The proportionality rules would not be applied to the working group and it would therefore be a cross party group although as mentioned by Councillor Jones this work would not prevent the Liberal Democrats from being able to submit a minority report should they wish to do so. The proposal to return to the Committee System would not be supported by the Conservative Group.

**COUNCIL - 17 SEPTEMBER 2015 - MINUTES**

The Leader reassured Members that the issue of parish boundaries would be considered as set out in paragraph 3.1 (ii) on page 19 of the agenda.

The Motion was put to the meeting and duly **RESOLVED**.

**62. Members' Questions**

- (a) A question standing in the name of Councillor Alan Macro on the subject of the Shaw House Park and Garden restoration was answered by the Executive Member for Property, Culture, Customer Services, Environmental Health, Trading Standards, Countryside, Cleaner & Greener, Waste.

A full transcription of the Members questions and answers session is available [here](#).

**63. Questions and Answers**

*(The meeting commenced at 8.02 pm and closed at 8.32 pm)*

**CHAIRMAN** .....

**Date of Signature** .....

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# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## COUNCIL

### MINUTES OF THE EXTRAORDINARY MEETING HELD ON THURSDAY, 5 NOVEMBER 2015

**Councillors Present:** Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Richard Crumly, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko

**Also Present:** John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Sarah Clarke (Team Leader - Solicitor), Martin Dunscombe (Communications Manager), Nathan Gregory (Group Executive (Conservatives)) and Rachael Wardell (Corporate Director - Communities), Mr Jeff Brooks (Honorary Alderman), Councillor Sheila Ellison, Moira Fraser (Democratic and Electoral Services Manager), Honorary Alderman Royce Longton (Honorary Alderman), Charlene Myers (Democratic Services Officer), Linda Pye (Principal Policy Officer) and Honorary Alderman Andrew Rowles (Honorary Alderman)

**Apologies for inability to attend the meeting:** Councillor Jeremy Bartlett, Councillor Jeff Beck and Councillor James Podger

**Councillor(s) Absent:** Councillor Paul Hewer

#### PART I

#### 64. Declarations of Interest

The Deputy Monitoring Officer announced that in respect of Item 3 (Council Tax Discount for Vacant Property) all Members present at the meeting except Councillors Howard Bairstow and Nick Goodes had completed an Application for a Grant of a Dispensation in relation to "any beneficial interest" in land within the Authority's area." The Monitoring Officer had granted the dispensation to allow all those Members that applied for a dispensation to speak and vote on this item. Councillors Goodes and Bairstow would however not take part in the debate or vote on this item.

Councillor Alan Macro declared an interest in Agenda Item 4, but reported that, as his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

All Members declared that they had been lobbied on Item 4.

#### 65. Council Tax Discount for Vacant Property (C3045)

*(All Members present except Councillors Bairstow and Goodes had been granted a dispensation to take part in the debate and vote on this item)*

The Council considered a report (Agenda Item 3) which sought to clarify the policy on Council Tax discount for vacant properties as handed down from its meeting on 13th December 2012.

**MOTION:** Proposed by Councillor Roger Croft and seconded by Councillor Laszlo Zverko:

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That the Council:

“revise the decision from 13th December 2012 so that, with regard to empty and unoccupied property formerly within exemption class "C", it reads as follows - Limiting the duration of exemption class “C” (empty and unoccupied property) to a maximum of 28 days per unoccupied period and allowing 100% relief during that period. The 28 day period free of council tax charges will be allowed when a property is first vacated, after which full council tax will become payable. If the property should become occupied during a period of 6 months commencing from a date of vacation, and is subsequently vacated during that same 6 month period, a further 28 day “free” period will not apply.”

Councillor Roger Croft presented the report which asked Council to clarify the policy regarding rules for Council Tax discount on empty and unoccupied property which had been agreed by Council in December 2012. This need had arisen in response to the identification of the 2012 report’s resolutions as being capable of a different interpretation than had been intended.

In December 2012 Council considered a report entitled “Technical Reforms to Council Tax”. This report made various recommendations to change council tax discounts for empty properties following the relaxation of various statutory rules and the introduction of local discretion on the extent to which relief was allowed.

The relaxation of statutory rules coincided with a reduction in government grant when council tax benefit was replaced by local council tax reduction schemes. The report’s recommendations focused on restriction of relief for vacant property in order to generate additional council tax income. This was a means to bridge the gap between the cost of council tax reduction and the reducing level of Government grant.

All recommendations were adopted by Council as policy to be applied from 1 April 2013.

Recommendation (5) to the report was “Limiting the duration of exemption class c (empty and unoccupied property) to a maximum of four weeks in any six month period and allowing 100% relief during that period”.

The reference to a six month period related to the churn on shorter term tenancies – the intention being that, if a property were to be occupied and vacated for a second time before the expiry of a six month period, a further period of discount would not be allowed. However, recent events had indicated that this recommendation might be interpreted as giving longer term empty properties a recurring entitlement to a 28 day period free of council tax every six months. This was never the intention of the recommendation. The purpose of the December 2012 report was to seek the means to generate council tax income rather than to introduce new discounts. Members would have been aware of these factors and it was assumed that they took their decision based on the intention behind the Officer’s recommendation.

Council were being asked to revise the text of the recommendation so that it was clear that an additional 28 day free period would not arise at the end of each six month period during which a property remained vacant.

The revised text recommended to Council was as follows:

“Limiting the duration of exemption class C (empty and unoccupied property) to a maximum of 28 days per unoccupied period and allowing 100% relief during that period. The 28 day period free of council tax charges would be allowed when a property was first vacated, after which full council tax would become payable. If the property should become occupied during a period of six months commencing from a date of vacation, and was subsequently vacated during that same six month period, a further 28 day “free” period would not apply.”

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The Motion was put to the meeting and duly **RESOLVED**.

### 66. **West Berkshire Housing Site Allocations Development Plan Document (DPD): Proposed Submission (C3023)**

*(Councillor Alan Macro declared a personal interest in Agenda item 4 by virtue of the fact that he lived opposite one of the sites (THE009) identified as a housing site in the DPD. As his interest was personal and not a prejudicial or disclosable pecuniary interest he determined to take part in the debate and vote on the matter).*

*(All Members declared that they had been lobbied on this item)*

The Council considered a report (Agenda Item 4) concerning the proposed submission version of the West Berkshire Housing Site Allocations Development Plan Document (DPD) and supporting documentation. The report sought to approve these for publication for a 6 week period of public consultation before submission to the Secretary of State for Examination. This was a regulatory stage of the DPD process and required Council resolution.

**MOTION:** Proposed by Councillor Alan Law and seconded by Councillor Hilary Cole:

“2.1 That Council resolves that:

- (1) The proposed housing allocations and settlement boundary changes in the Newbury and Thatcham spatial area as set out in Table 1 of Appendix A are included within the proposed submission version of the Housing Site Allocations DPD.

2.2 That Council further resolves that:

- (1) The proposed housing allocations and settlement boundary changes in the Eastern spatial area as set out in Table 1 of Appendix A are included within the proposed submission version of the Housing Site Allocations DPD.

2.3 That Council further resolves that:

- (1) The proposed housing allocations and settlement boundary changes in the East Kennet Valley spatial area as set out in Table 1 of Appendix A are included within the proposed submission version of the Housing Site Allocations DPD and that sites for housing within the designated Neighbourhood Area of Stratfield Mortimer are allocated in accordance with the emerging Stratfield Mortimer Neighbourhood Development Plan.

2.4 That Council further resolves that:

- (1) The proposed housing allocations and settlement boundary changes in the North Wessex Downs Area of Outstanding Natural Beauty (AONB) as set out in Table 1 of Appendix A are included within the proposed submission version of the Housing Site Allocations DPD.

2.5 That Council further resolves that:

- (1) New Stocks Farm, Paices Hill, Aldermaston, is included within the proposed submission version of the Housing Site Allocations DPD as a permanent site for Gypsies and Travellers.
- (2) Longcose Farm, Enborne, is included within the proposed submission version of the Housing Site Allocations DPD as a permanent site for Travelling Showpeople.
- (3) Clappers Farm, Beech Hill, is included within the proposed submission version of the Housing Site Allocations DPD as an area of search for the provision of Gypsy and Traveller accommodation after 2021.

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2.6 That Council further resolves that:

- (1) Policies C1 to C8 on Housing in the Countryside as set out in Appendix C are included within the proposed submission version of the Housing Site Allocations DPD.
- (2) Policy P1 on Parking Standards as set out in Appendix C is included within the proposed submission version of the Housing Site Allocations DPD.

2.7 That Council finally resolves that:

- (1) the West Berkshire Housing Site Allocations Development Plan Document Proposed Submission documents are published in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- (2) a period of six weeks from 9 November 2015 to 21 December 2015 is allowed for the receipt of representations on the Housing Site Allocations Development Plan Document Proposed Submission documents in accordance with Regulations 17 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and following this
- (3) the Housing Site Allocations Development Plan Document and accompanying documents are submitted to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Plan) (England) Regulations 2012 and
- (4) delegated authority is given to the Head of Planning and Countryside to agree any minor typographical and presentational changes to the proposed submission DPD and supporting documentation before publication.”

Councillor Alan Law in introducing the report stated that an addendum had been circulated to Members which contained some factual amendments to Appendix F. Councillor Law explained that Members were being asked, as elected representatives of the people of West Berkshire as a whole, to consider the Development Plan Document (DPD) and that they should not be considering opinions of narrow sections of the community.

The Council adopted its Core Strategy in July 2012 which set out a housing requirement for the District of 'at least' 10,500 dwellings from 2006-2026. The Core Strategy set out an overall spatial strategy to accommodate this level of housing across the District and in addition it allocated two large strategic sites in Newbury (Newbury Racecourse and Sandford Park).

Whilst the Core Strategy allocated strategic development and set out strategic policies, it only formed one part of the Local Plan. There was therefore a requirement to prepare additional document(s) to allocate non-strategic housing sites across the District and to allocate sites for gypsies, travellers and travelling showpeople. Some policies were also being updated as part of this process, namely those related to development in the countryside and residential parking standards.

The DPD was prepared in a series of stages and information about these would be set out in the Statement of Consultation that would accompany the DPD. This would detail the key issues raised and the Council's response to these issues. The consultations had resulted in a significant number of comments, which had been taken into account in formulating the recommendations in the report.

The Council was required by the National Planning Policy Framework (NPPF) to meet the 'full, objectively assessed needs' of the area and work had been completed on establishing this requirement by undertaking a Strategic Housing Market Assessment

## COUNCIL - 5 NOVEMBER 2015 - MINUTES

(SHMA) in partnership with other Berkshire authorities and the Thames Valley Berkshire Local Enterprise Partnership.

The SHMA gave an objectively assessed housing need (OAN) for the District of 665 dwellings per annum between 2013 and 2036. Discussions were now underway about how the number for the Housing Market Area would be distributed, taking into account development opportunities and constraints to development.

This DPD allocated the remainder of the 'at least' 10,500 housing figure from the Core Strategy, with added flexibility in the numbers which included the long term Sandford Park strategic site and windfalls. This approach meant that the Council was allocating the first part of the objectively assessed housing needs for the District, in the short to medium term. Following the adoption of the HSA DPD, a new Local Plan would be prepared. This would allocate the rest of the new housing requirement for West Berkshire and look longer term to 2036, as well as dealing with other policy issues.

The major part of the DPD was the site allocations for housing. The purpose of the DPD was to allocate smaller (non-strategic in scale and function) extensions to settlements within the settlement hierarchy in accordance with the spatial strategy of the West Berkshire Core Strategy. It was a regulatory requirement that this was in general conformity with the Core Strategy.

27 sites had been included within the DPD as housing allocations and each of these had a policy which set out parameters to guide the future development of the sites. A small number of contingency sites were included to give additional flexibility in case sites did not deliver as expected.

Stratfield Mortimer Parish Council was preparing a Neighbourhood Development Plan (NDP). This would include the allocation of housing for Mortimer in accordance with the Core Strategy. The Council was supporting the preparation of the Stratfield Mortimer NDP.

In addition to the housing allocations, settlement boundaries had been drawn around the developable areas of the housing allocations. In some cases further changes had been made to settlement boundaries in accordance with consistent criteria.

There was a requirement for the Council, as the local planning authority, to identify sites to meet the needs of Gypsies, Travellers and Travelling Showpeople, based on the evidence set out within the Gypsy and Traveller Accommodation Assessment (GTAA). The DPD allocated a site for Gypsies and Travellers at Paices Hill and a site for Travelling Showpeople at Longcopse Farm in Enborne, and a policy was included for each of these allocations.

As already stated, policies to guide housing in the countryside were also included within the DPD. These policies reflected updated national policies and responded to local issues in Berkshire. They had been updated since the preferred options draft to reflect the outcomes of consultation and to reduce some repetition. Once adopted, the policies would replace some of the existing saved policies of the Local Plan.

Revised parking standards for residential development had also been amended following consultation and there were a smaller number of zones.

Subject to Council approval, the DPD would be consulted upon for six weeks, commencing on 9 November 2015. Post the consultation, once the consultation comments had been summarised, the DPD would be submitted to the Secretary of State for independent Examination. The DPD would be independently examined by a Planning Inspector appointed by the Secretary of State. The Inspector's role was to assess whether the plan had been prepared in accordance with the Duty to Cooperate, legal and

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procedural requirements had been met and whether it was sound. If the Inspector concluded that the HSA DPD was sound and met the necessary tests, it could be adopted by Council and would form part of the Local Plan for the District, helping to proactively manage development.

Councillor Law stated that it was vital that the document was adopted a whole.

Councillor Alan Macro stated that he had hoped to move an amendment to remove four of the sites. Sarah Clark explained that the amendment could not be moved as its effect would be to negate the content of the original motion. Councillor Macro stated that although he disputed that the amendment would negate the original motion he reluctantly accepted the reasoning. Councillor Macro accepted the need for more houses but set out his objections to a number of sites.

The Deputy Monitoring Officer explained that if a Member was not present for the whole of a discussion they could speak to an item but not vote on the item. As Councillor Manohar Gopal had arrived after the discussion on this item had started he would not be permitted to vote on this item.

Councillors Graham Pask and Paul Bryant stated that if the Council did not adopt a Local Plan the Council would lose all control over housing numbers.

Councillor Emma Webster stated that while she supported development she would not support development in the wrong place without the necessary infrastructure in place. It was therefore with a heavy heart that she would be voting against the Eastern spatial area and the proposed submission version of the Housing Site Allocations DPD.

Councillor Anthony Pick noted that 84 sites had been put forward for Newbury and through this process the final number had been reduced to six. He therefore had no hesitation in recommending the DPD as proposed for Newbury.

Councillor Croft stated that it was important to have a DPD in place to protect Thatcham from large scale speculative development. The Lower Way site was not perfect but it was the least worst site in Thatcham.

Councillor Pamela Bale stated that she objected to site 002 in Pangbourne and felt that it was not viable in planning terms. She was concerned about the impact the development would have on the North Wessex Downs Area of Outstanding Natural Beauty and that the site was hampered by poor road and pedestrian access. The site was outside the settlement boundary and there was some evidence of protected species on site. There were also issues around waste water. She however recognised the need to have a DPD in place and would therefore be voting in favour of that aspect of the report.

Councillor Garth Simpson stated that he objected to site 045 as he felt that it was not viable in planning terms and it was located in a sensitive landscape. He also felt that site CA006 was also not viable in planning terms as it was in a sensitive landscape, there were no pavements, had a high car dependency and would exacerbate the traffic issues outside St Finian's School. He however recognised the need to have a DPD in place and would therefore be voting in favour of that aspect of the report.

Councillor Anthony Chadley noted that 25% of the objections received during the consultation related to proposed development in his ward. He welcomed the fact that the Pincent's Hill development had now been removed from the DPD. He believed that the saturation point had been reached with regard to congestion on the roads in this area and development would erode the green gaps. He therefore could not vote in favour of the DPD as currently proposed.

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Councillor Graham Bridgman noted that a Neighbourhood Development Plan (NDP) empowered a community in deciding where development should go. He therefore welcomed Mortimer's NDP and the impact that it had on the DPD.

Councillor Tony Linden supported the position taken by his fellow Ward Members and thanked their residents for their contribution to this process.

Councillor Lee Dillon commented that Thatcham had already had more than its fair share of development and that the infrastructure in the town had not kept pace with development. He felt that a period of consolidation was needed for the town.

Councillor Richard Somner stated that sites 0025 and 0026 in Calcot were not viable in planning terms primarily due to the impact on the area and flooding issues. The roads in the area were already congested and that the full impact of the IKEA development was yet to be ascertained. He did however agree that in principle a DPD was needed to ensure that the Council had control over where development would be permitted and he therefore supported its adoption.

Councillor Rick Jones explained that while he noted the opposition to the development in his ward and in the adjacent wards he felt that in the long term the Council would be in a worse position if they failed to maintain a five year land supply. He therefore reluctantly supported the proposals.

Councillor Adrian Edwards reminded residents that they could voice their concerns in the consultation period that would follow and that these objections would be considered by the Inspector during the Examination in Public of the DPD that would follow.

Councillor Marcus Franks stated that it was important to have the DPD in place so that power was not handed to the developers. He also noted that residents would have the opportunity to raise their objections when planning applications for individual sites were submitted.

Councillor Gordon Lundie thanked Councillors Alan Law and Hilary Cole for the work they had done in the preparation of the DPD. He also thanked those members of the public for attending the meeting.

Councillor Mollie Lock noted the hard work involved in the production of the Mortimer NDP. She explained that this group of people had worked very hard to achieve the right to choose where development would take place.

Councillor Billy Drummond commented that Greenham too had had more than its fair share of development.

Councillor Hilary Cole stated that while she had listened to the arguments, in order to remain a planning led authority, the Council had to adopt a DPD. She reiterated that the consultation that the authority had undertaken was not a statutory requirement but that Members were mindful of the views of residents. She thanked the members of staff that had worked hard to produce the documentation. She especially praised the dedicated Planning Policy Team. She felt that the DPD as presented was the right thing for the District as a whole.

Councillor Law thanked Councillors Keith Chopping and Hilary Cole for their hard work. While he accepted that there was opposition to some of the development he noted that the impact of not having a plan in place would be even greater.

**RESOLVED** that:

"2.1 The proposed housing allocations and settlement boundary changes in the Newbury and Thatcham spatial area as set out in Table 1 of Appendix A be included within the proposed submission version of the Housing Site Allocations DPD.

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### **For the Motion:**

Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Richard Crumly, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko

### **Against the Motion:**

Lee Dillon, Billy Drummond, Alan Macro, Mollie Lock, Nick Goodes.

### **Abstained:**

Manohar Gopal and Garth Simpson

2.2 (1) The proposed housing allocations and settlement boundary changes in the Eastern spatial area as set out in Table 1 of Appendix A be included within the proposed submission version of the Housing Site Allocations DPD.

### **For the Motion:**

Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Richard Crumly, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko

### **Against the Motion:**

Lee Dillon, Billy Drummond, Alan Macro, Mollie Lock, Nick Goodes, Emma Webster, Anthony Chadley, Tony Linden, Laszlo Zverko and Richard Somner.

### **Abstained:**

Manohar Gopal.

2.3 (1) The proposed housing allocations and settlement boundary changes in the East Kennet Valley spatial area as set out in Table 1 of Appendix A be included within the proposed submission version of the Housing Site Allocations DPD and that sites for housing within the designated Neighbourhood Area of Stratfield Mortimer be allocated in accordance with the emerging Stratfield Mortimer Neighbourhood Development Plan.

### **For the Motion:**

Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Richard Crumly, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones,



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Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko

### **Against the Motion:**

Lee Dillon, Billy Drummond, Alan Macro, Mollie Lock and Carol Jackson-Doerge.

### **Abstained:**

Manohar Gopal, Emma Webster, Anthony Chadley, Tony Linden, Nick Goodes, Laszlo Zverko and Ian Morrin.

2.4 (1) The proposed housing allocations and settlement boundary changes in the North Wessex Downs Area of Outstanding Natural Beauty (AONB) as set out in Table 1 of Appendix A be included within the proposed submission version of the Housing Site Allocations DPD.

### **For the Motion:**

Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Richard Crumly, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko

### **Against the Motion:**

Lee Dillon, Billy Drummond, Alan Macro, Mollie Lock.

### **Abstained:**

Manohar Gopal, Emma Webster, Anthony Chadley, Tony Linden, Nick Goodes, Laszlo Zverko and Pamela Bale.

2.5 (1) New Stocks Farm, Paices Hill, Aldermaston, be included within the proposed submission version of the Housing Site Allocations DPD as a permanent site for Gypsies and Travellers.

(2) Longcopse Farm, Enborne, be included within the proposed submission version of the Housing Site Allocations DPD as a permanent site for Travelling Showpeople.

(3) Clappers Farm, Beech Hill, be included within the proposed submission version of the Housing Site Allocations DPD as an area of search for the provision of Gypsy and Traveller accommodation after 2021.

### **For the Motion:**

Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Richard Crumly, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones,

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Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko

### **Against the Motion:**

Mollie Lock.

### **Abstained:**

Manohar Gopal and Graham Bridgman.

2.6 (1) Policies C1 to C8 on Housing in the Countryside as set out in Appendix C be included within the proposed submission version of the Housing Site Allocations DPD.

### **For the Motion:**

Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Richard Crumly, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko, Emma Webster and Laszlo Zverko

### **Against the Motion:**

None

### **Abstained:**

Manohar Gopal

2.6 (2) Policy P1 on Parking Standards as set out in Appendix C be included within the proposed submission version of the Housing Site Allocations DPD.

### **For the Motion:**

Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Richard Crumly, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko

### **Against the Motion:**

Alan Macro

### **Abstained:**

Manohar Gopal

*(Councillors Roger Croft and Graham Jones left the meeting at 8.47pm and returned at 8.49pm and therefore did not vote on item 2.7)*

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2.7 That Council finally resolves that:

- (1) the West Berkshire Housing Site Allocations Development Plan Document Proposed Submission documents are published in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012;
- (2) a period of six weeks from 9 November 2015 to 21 December 2015 is allowed for the receipt of representations on the Housing Site Allocations Development Plan Document Proposed Submission documents in accordance with Regulations 17 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and following this
- (3) the Housing Site Allocations Development Plan Document and accompanying documents are submitted to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Plan) (England) Regulations 2012 and
- (4) delegated authority is given to the Head of Planning and Countryside to agree any minor typographical and presentational changes to the proposed submission DPD and supporting documentation before publication.”

### **For the Motion:**

Steve Ardagh-Walter, Peter Argyle (Chairman), Howard Bairstow, Pamela Bale, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Roger Croft, Richard Crumly, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Nick Goodes, Manohar Gopal, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Vice-Chairman), Emma Webster and Laszlo Zverko

### **Against the Motion:**

Lee Dillon, Billy Drummond, Alan Macro, Mollie Lock, Emma Webster, Anthony Chadley and Tony Linden.

### **Abstained:**

Manohar Gopal, Graham Jones and Roger Croft

*(The meeting commenced at 6.30pm and closed at 9.05pm)*

**CHAIRMAN** .....

**Date of Signature** .....

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## Council Tax Support Scheme 2016/17

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<b>Committee considering report:</b>	Council on 10 December 2015
<b>Portfolio Member:</b>	Councillor Roger Croft
<b>Date Portfolio Member agreed report:</b>	01 November 2015
<b>Report Author:</b>	Bill Blackett
<b>Forward Plan Ref:</b>	C2931

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### 1. Purpose of the Report

- 1.1 For Council to consider and make a decision on proposals to change Council Tax Support Scheme from 1<sup>st</sup> April 2016

### 2. Recommendations

- 2.1 The Council Tax Support scheme is amended to reduce the maximum support for working age claimants from 90% to 75% with effect from 1<sup>st</sup> April 2016.
- 2.2 The Council Tax Support scheme is amended to cap the maximum amount of relief given to working age claimants at that which would apply to a property in council tax band D with effect from 1<sup>st</sup> April 2016.
- 2.3 The Council Tax Support scheme is amended from 1<sup>st</sup> April 2016 so that the minimum weekly entitlement for working age claimants is £3. Assessments producing an entitlement of less than £3 per week will become Nil entitlement.
- 2.4 Second Adult Rebate will cease to have effect from 1<sup>st</sup> April 2016 and all existing entitlements will be cancelled from that date.
- 2.5 A tolerance of £40 per month will be applied to changes in Universal Credit before a change to Council Tax support is required.

### 3. Implications

- 3.1 **Financial:** Based upon current (October 2015) entitlements the cost reduction arising from each of the above recommendations is:
- |     |   |
|-----|---|
| 2.1 | £341,494  |
| 2.2 | £12,854   |
| 2.3 | £18,289   |
| 2.4 | £16,800   |
| 2.5 | Savings will be in costs of administration and cannot be evaluated at present |
- The total value of cost reduction for recommendations 2.1 to 2.4 is £389,437

- 3.2 **Policy:** This report recommends changes with effect from 1<sup>st</sup> April 2016 to an existing policy
- 3.3 **Personnel:** No implications
- 3.4 **Legal:** Changes to Council Tax Support alongside other changes in welfare benefits will result in some people being financially worse off and there is always the possibility of legal challenge either through established appeal procedures (operation of scheme) or Judicial Review (adoption of policy)
- 3.5 **Risk Management:** The report does identify risks arising from the uncertainty of financial information
- 3.6 **Property:** None
- 3.7 **Other:** None

#### 4. Other options considered

- 4.1 The report explains the back ground to the scheme, the options which were considered to be available, selection of options on which to consult and the drafting of the recommendation. In drafting the recommendation three possible alternatives were considered:
- (1) Make no change to the existing scheme
  - (2) Adopt a scheme maximising cost savings
  - (3) Adopt a scheme taking savings at a lower level – this is the scheme forming the recommendation

## 5. Executive Summary - Background

- 5.1 Council Tax support (CTS) is a local scheme which replaced Council Tax Benefit from 1<sup>st</sup> April 2013 (a national scheme). The scheme provides assistance for those on low income to meet their council tax liabilities. Every billing authority is required to adopt its own scheme and to review that scheme annually.
- 5.2 Government funding for CTS has reduced by just over £1.5m since 2013/14. A declining caseload has had the effect of limiting the impact on scheme costs to an increase of £601.5k.
- 5.3 Legislation requires that pensioners and claimants deemed to be vulnerable are to be no worse off under CTS than they would be under the earlier Council Tax Benefit scheme
- 5.4 Sections 1 to 4 of the Supporting Information report provide more detailed information about caseload, the current scheme and costs.
- 5.5 In common with other council services there is a need to review costs and to seek to make savings. Following a review by officers a number of potential changes to the scheme and indicative levels of cost saving were identified. These are detailed in sections 6 to 16 and Appendix B of the supporting information. These formed the basis of a report to Management Board for a steer as to which options were acceptable and upon which further consultation was to take place.

## 6. Proposals

- 6.1 Following consideration by Management Board approval was given to consult on a number of specific options to vary the scheme with effect from 1<sup>st</sup> April 2016:
- (1) Restrict the amount of support to working age claimants to a maximum of either 70% or 75% of their council tax liability
  - (2) Restrict the amount of support for working age claimants to an amount that would be available in respect of a band D property – i.e. limit the amount of support if the claimant's property is in bands "E" to "H"
  - (3) Restrict the amount of support by applying a minimum entitlement of £3 per week - for claimants having an assessed entitlement of less than £3 there would be no support
  - (4) Cease to allow Second Adult rebate
  - (5) A combination of the above options
  - (6) No change to the current scheme
  - (7) Application of a tolerance of £40 per month to changes in Universal Credit before a change to Council Tax support is required.
- 6.2 Consultation took the form of a questionnaire and supporting information sent to every current recipient of Council Tax Support. A questionnaire was also made available on the council's web site. Details of the consultation responses are given in section 21 of the Supporting Information to this report

6.3 The key findings from the consultation process are presented in detail in sections 20 and 21 with a full transcript of text responses being provided at Appendix C. Within the body of the supporting information report the text supplied by CAB and A2 Dominion Housing have been supplied as each of these bodies are able to relate to the bigger picture as they see it through day to day contact. All of these comments have relevance and the appendix should be read in conjunction with both this summary report and the supporting information.

## 7. Options

7.1 Consideration of the consultation responses produced a ranking as follows with 1 indicating the most preferred option and 7 the least.

Increase the minimum contribution from 10% to 25%	6
Increase the minimum contribution from 10% to 30%	7
Apply a cap to the amount of reduction given by restricting it to the amount for a band D property	2
Only provide reduction where an entitlement of £3 per week or more is assessed.	3
Cease to allow Second Adult Rebate	5
Change the reduction scheme to incorporate a combination of the options shown above	4
Make no change to the existing Council Tax Reduction Scheme	1

## 8. Key issues

8.1 A number of key issues arise from this process and need to be considered by Members in their decision making. These are covered in the remainder of this section

8.2 Whilst consultation took place with all 7,283 current recipients of support it does need to be borne in mind that this represents only part of our current tax base of 66,845 properties. Some of those consulted (5,283) would not be affected by the changes proposed. Whilst the views expressed are relevant there has to be consideration of the weight to be applied to those views when the Council has to make a decision about savings across the whole range of services.

8.3 The changes proposed affect only the unprotected group of 2,000 working age claimants who are already on low income – hence the need for Council Tax Support. They are the group most affected by the government’s welfare benefit changes.

8.4 The proposals are given with indications of cost savings but it is recognised from the outset that the value of these savings cannot be guaranteed. The welfare reform changes will have an effect on the disposable income of the working age group which, in turn, will impact on the value of council tax reduction assessed for individual cases. The level of income reduction for these cases has proved impossible to predict – even when dealing with a simple example of a known case of a single working age parent with two school age children. The amount of council



tax support will also increase if the council or any of its precepting bodies increases the level of its share of council tax for 2016/17.

## 9. Conclusion

9.1 Taking account of the above it seems that Council are faced with a choice from within three groupings:

- Maximise the cost reduction for council tax support
- Take some cost savings
- Make no change to the existing scheme

9.2 These groupings are reflected in the table at 18.3 of the supporting information report

9.3 Grouping 1 is not one which officers would recommend as it does have a disproportionate effect on a part of the caseload and, in addition, by introducing a range of different measures makes matters confusing for claimants. This would inevitably introduce an administrative overhead and more challenges to the calculation of entitlement. It is also more likely to lead to difficulty in council tax collection although the extent of this difficulty cannot be quantified.

9.4 Grouping 2 is capable of taking some account of disproportional impacts, can generate a lower level of disincentive to work and demonstrates some acceptance of the value of contribution to the economic vitality of our community. It may be easier to understand thereby reducing the administrative and collection issues raised for option 1

9.5 Grouping 3 would certainly be the most acceptable to claimants but does not generate savings.

9.6 Within the groupings 1 and 2 there are proposals to increase the minimum contribution from working age claimants from 10% to either 25% or 30%. Each of these is a significant increase for those on low incomes. With a decision being made in December and council tax liabilities becoming due in April this gives a very short time for claimants to adjust their budgets. However there is also a need to consider the whole of council funding and the pressures faced across the services the council delivers

9.7 The recommendation from officers is that option 2 is the preferred option and that the degree of change should be kept simple by increasing the minimum contribution to council tax for working age claimants from 10% to 25%. The options to cap support at band D and to apply a minimum entitlement of £3 per week may be adopted or be discarded.

9.8 A further recommendation is for the cessation of second adult rebate with effect from 1<sup>st</sup> April 2016, this cessation referring to the process rather than to the period of entitlement thereby removing backdated claims from consideration. Although this was not a favoured option from the consultation outcome it is believed that this was a product of the ranking process. Review of the comments shows that very little was said in favour of retention.

9.9 A final recommendation is that the proposal to apply a degree of tolerance to changes in income arising from changes to Universal Credit, a value of £40 was the amount shown to be preferred by those responding to this part of the consultation

## 10. Appendices

10.1 Appendix A - Supporting Information

10.2 Appendix B – Equalities Impact Assessment – Stage One

10.3 Appendix C – Details of schemes modelled for consideration

10.4 Appendix D – Text of consultation responses

10.5 Appendix E – Equalities Impact Assessment – Stage Two

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## Council Tax Discount on Vacant Property

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<b>Committee considering report:</b>	Council
<b>Date of Committee:</b>	Council on 1 December 2015
<b>Portfolio Member:</b>	Councillor Roger Croft
<b>Date Portfolio Member agreed report:</b>	01 November 2015
<b>Report Author:</b>	Bill Blackett
<b>Forward Plan Ref:</b>	C3064

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### 1. Purpose of the Report

- 1.1 To consider changes to Council Tax discounts in the light of the Council's funding pressures.

### 2. Recommendation(s)

- 2.1 The 28 day discount period for vacant property will not apply from 1<sup>st</sup> April 2016
- 2.2 Property within a 28 day discount period at 31<sup>st</sup> March 2016 will continue to receive discount for the remainder of 28 day period
- 2.3 Applications for 28 day discount in respect of periods prior to 1<sup>st</sup> April 2016 and received after that date will not be backdated.

### 3. Implications

- 3.1 **Financial:** Based upon discounts granted between 1<sup>st</sup> April 2014 and 9<sup>th</sup> November 2015 it is anticipated that the recommendation, if approved, will generate additional income of £250k.
- 3.2 **Policy:** The recommendation, if approved, will change Council policy in respect of council tax discount for vacant property.
- 3.3 **Personnel:** None.
- 3.4 **Legal:** None.
- 3.5 **Risk Management:** There is a risk of challenge but this would be subject to consideration by a Member's Review Panel and, after that, there would be a right of appeal to the Valuation Tribunal Service.
- 3.6 **Property:** There could be an impact if any Council owned domestic property is to become vacant in the future.
- 3.7 **Other:** None identified.

### 4. Other options considered

- 4.1 None.

## 5. Executive Summary

- 5.1 Ongoing pressure on Council funding rising from reduction in central government grants brings a need to reduce the Council's budget. These reductions need to be achieved by a combination of reduction in spending on Council Services and increased income from other sources such as fees and charges.
- 5.2 Opportunities to increase income are scarce; however, following the Spending Review in 2010 the government introduced legislation allowing councils greater discretion on the level of council tax on vacant properties with effect from 1<sup>st</sup> April 2013.
- 5.3 At its meeting in December 2012 West Berkshire Council took advantage of this greater discretion and made significant changes to the discounts for vacant property. These changes reduced the discount on vacant property to a maximum of 28 days in any 6 month period. Owners of property vacant for longer periods are liable to pay full council tax. In those cases where a property remains vacant for periods in excess of two years a 50% premium charge is imposed.
- 5.4 The charges on vacant property apply unless one of the following specific statutory exemptions apply:
- (1) Empty and owned by charities (time limit of 6 months and does include housing associations).
  - (2) Left empty by persons in detention
  - (3) Left empty by patients in hospitals or care homes
  - (4) Left empty by deceased person (for up to 6 months after probate)
  - (5) Unfit for habitation (where occupation prohibited by law)
  - (6) Unoccupied pending use by a Minister of Religion
  - (7) Left empty by people receiving care
  - (8) Left empty by people providing care
  - (9) Left empty by students where the students remain liable
  - (10) Unoccupied where the mortgagee is in possession
  - (11) Responsibility of a Bankrupt's Trustees
  - (12) Unoccupied caravan pitch or house boat mooring
  - (13) Unoccupied Annexe not capable of separate occupation (e.g. 'Granny Flat')
- 5.5 In addition, the Council has recognized that circumstances outside the control of the property owner may force a property to be empty, e.g. the widespread flooding in 2007 and 2013. For these events discretionary powers have been delegated to the Head of Finance so that discount may be allowed based upon the facts of each individual case.

- 5.6 During the period 1<sup>st</sup> April 2014 to 9<sup>th</sup> November 2015 the 28 day discount was allowed on 5,159 occasions. The average value of discount during this period was £69.72 and the total cost was £435,166.25. The average number of days properties remained subject to this discount was 18 days.
- 5.7 The total cost of 28 day discounts in 2014/15 was £259,228.44.
- 5.8 Council tax payments are normally considered to be a tax on the occupation or ownership of a property rather than a payment made for use of services. The proceeds from this tax are used to fund services to the community as a whole. Local taxation officers normally resist attempts to dispute liability based on arguments relating to service usage; however it does seem appropriate to make the point that even vacant property derives considerable benefit from a range of council services.

## **6. Conclusion**

- 6.1 Having regard to the Council's need to generate additional income it does seem that removal of the 28 day free period would generate in the region of £250k each year. Whilst there would be a cost to individual property owners it would be relatively low. It is therefore recommended that the 28 day discount should cease to apply with effect from 1<sup>st</sup> April 2016. This should also include the clarification that the 28 day discount periods commencing before 1<sup>st</sup> April 2016 will be allowed to run their course even though this may take them beyond 1<sup>st</sup> April. New applications received after 1<sup>st</sup> April 2016 will not be allowed, even if the commencement date would have been backdated to a date prior to 1<sup>st</sup> April 2016. This is the recommendation to Council.

## **7. Appendices**

- 7.1 Appendix A - Supporting Information  
Appendix B – Equalities Impact Assessment

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## A339/Fleming Road Junction Compulsory Purchase Order- Summary Report

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<b>Committee considering report:</b>	Council
<b>Date of Committee:</b>	10 December 2015
<b>Portfolio Member:</b>	Councillor Garth Simpson
<b>Date Portfolio Member agreed report:</b>	21 October 2015
<b>Report Author:</b>	Jon Winstanley
<b>Forward Plan Ref:</b>	C3061

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### 1. Purpose of the Report

#### 1.1 To:

- (1) obtain authority from full Council to purchase private land by agreement or by using compulsory purchase powers under the Town and Country Planning Act 1990, the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981 to enable the new junction to be built from the A339 onto Fleming Road (the Scheme)(Appendix C).
- (2) appropriate the land within the Scheme for planning purposes.

### 2. Recommendation

- 2.1 Having given consideration to all the provisions of this report including the impact on Human Rights and Equalities, Council resolves to delegate to the Head of Legal Services authority to make a Compulsory Purchase Order(s) and other such powers as detailed in paragraph 6.3 of this summary report (section 12 of Appendix A).

### 3. Implications

- 3.1 **Financial:** The financial implications are covered within the body of the report. There is provision within the scheme budget for acquisition of land required.
- 3.2 **Policy:** The Scheme is in line with the aims of the Council's Local Transport Plan 2011 – 2026 (A transport vision for Newbury, p.32) and the West Berkshire Core Strategy 2006 – 2026 (Area Delivery Plan Policy 2).
- 3.3 **Personnel:** None
- 3.4 **Legal:** Legal Services will advise on the CPO process.
- 3.5 **Risk Management:** This project is being managed in accordance with the Council's Project Management and risk management process.

3.6 **Property:** Expert valuation advice has been sought and will be required throughout the process.

3.7 **Other:** N/A

#### 4. **Other options considered**

4.1 A number of options were considered by the Council for the Scheme to position the junction on the A339. Factors taken into consideration included the ability to effectively link the new signals to the existing traffic signals at Robinhood Roundabout, land acquisition and scheme costs

4.2 These options are discussed in detail in section 3 of appendix A, the conclusion being that the proposed layout and location of the junction gives the optimal solution.



## 5. Executive Summary

- 5.1 The re-development of the London Road Industrial Estate is identified as a priority in the Local Plan (West Berkshire Core Strategy, Area Delivery Plan Policy 2). Home to mainly industrial uses, predominantly relating to the motor trade, the London Road Industrial Estate (LRIE) has remained largely untouched in the last 40 years as the generally poor condition of the building stock conveys. Providing a new junction access to the LRIE from the A339 will facilitate the regeneration of the LRIE which will deliver economic growth, create additional jobs and improve the environment of this part of the town. An earlier report to the Council in July 2015 approved the making of a compulsory purchase order for the same area of land the subject of this report. Since then however matters have progressed on a planning appeal submitted by a landowner on LRIE which includes a new road in a similar position to the Scheme. That landowner, Faraday Development Limited (FDL) would be affected by the Council's authority to make a CPO contained in the July 2015 resolution. Since then the Council has also concluded its development agreement with St Modwen Developments Limited. In light of the updated planning position it has been necessary to revisit the July 2015 decision and undertake an assessment of the Council's proposed scheme and that being promoted by FDL.
- 5.2 Essential to unlocking this area for redevelopment is the provision of a new junction directly onto the A339. Whilst planning permission has been sought and granted in the past for the delivery of a new junction onto the A339 by a private developer, and landowner FDL, such planning permission lapsed. The developer is awaiting the outcome of an appeal to a renewal of the lapsed 2009 planning permission. The appeal is due to be resolved this month by way of written representations, however it is the Council's view that the cost of delivering the access road means that the road will not be delivered by a private developer alone and will need the intervention of the Council supported by public funds. Equally the FDL proposal for a junction, if planning permission is granted, is inferior the Council's scheme(see section 3 of Appendix A), which has been designed in detail. The Council has successfully bid for grant funding from the Local Enterprise Partnership Local Growth Fund towards the provision of this junction, which will connect Fleming Road to the A339. The £1.9m funding is, however, time limited and work must commence in the next 12 months in order to comply with the conditions of the grant.
- 5.3 Subject to the approval of the Secretary of State, the Council has the power under Section 226(1)(a) of the Town and Country Planning Act 1990 to compulsorily acquire land if the Council considers that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land. Under section 226(1A) of the Town and Country Planning Act 1990, such powers may only be exercised by the Council if the Council considers that such development, re-development or improvement is likely to contribute to achieving the promotion or improvement of the economic, social or environmental well-being of the area.
- 5.4 The land identified for compulsory acquisition is required to deliver part of a traffic signal controlled junction approximately 230m south of the Robinhood junction which will connect into Fleming Road and, in turn, to Faraday Road. The remaining land is already adopted highway. As part of the new junction, a signal controlled pedestrian crossing will be constructed across the new Fleming Road access and a new staggered controlled pedestrian and cycle crossing will be constructed across the A339 (the Scheme).

- 5.5 The Scheme is required to facilitate re-development within the London Road Industrial Estate which the Council considers will contribute to the economic well-being of the area. The Scheme will also deliver a new footway through Victoria Park which the Council considers will contribute to the environmental well-being of the area and improve social mobility.
- 5.6 Under section 13 of the Local Government (Miscellaneous Provisions) Act 1976, the Council can acquire new rights over land compulsorily. These new rights would be acquired in preference to outright acquisition. This avoids the need to acquire outright the land where rights are sufficient. The Council seeks rights to access land to make good the kerb-line across the front of Units 4 and 5 on Fleming Road. Under section 237 of the Town and Country Planning Act 1990, restrictive covenants over land appropriated for planning purposes may be overridden.
- 5.7 The Council owns the freehold of the land required to deliver the junction and has made numerous attempts to acquire the long leasehold interest of the land to the east of the A339 from FDL by agreement. Unfortunately these attempts have been unsuccessful. The small areas of land required from Victoria Park to deliver the new footway as part of the Scheme and allow for the widening of the A339 are leased to Newbury Town Council. Unfortunately it has not yet been possible to finalise agreements with Newbury Town Council for the surrender of this land. However discussions continue and the Council will seek to continue to acquire all interests by agreement.

## 6. Conclusion

- 6.1 In order to deliver the new junction, land outside the Highway boundary is required. The land required is owned by West Berkshire Council and the majority is leased on a long lease to FDL, with individual units subsequently let to individual tenants. To progress the project the Council will need to acquire the long leasehold of the land required for the Scheme. The remainder of the land required for the Scheme is at Victoria Park and is leased to Newbury Town Council. In order to deliver the Scheme, the Council will need to acquire this interest.
- 6.2 Given the lack of agreement with FDL and Newbury Town Council, officers recommend that the Council approve the use of compulsory purchase powers to safeguard against losing the funding and ensuring this critical infrastructure scheme proceeds.
- 6.3 In respect of the A339/ Fleming Road Junction in Newbury approval is sought:
- (1) to make a Compulsory Purchase Order(s) under Section 226(1)(a) of the Town and Country Planning Act 1990, Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 and the Acquisition of Land Act 1981 to acquire all or part of the land identified edged red coloured pink and new rights in respect of the areas coloured blue on the map attached to this Report entitled "Map referred to in the West Berkshire Council (A339/ Fleming Road Junction, Newbury) Compulsory Purchase Order 2015" (the CPO Map);
  - (2) make a Footpath Creation Order (the Footpath Creation Order) under section 26 of the Highways Act 1980;

- (3) if the Secretary of State authorises the Council to do so, confirm any Compulsory Purchase Order(s) made;
- (4) utilise, where appropriate, either the General Vesting Declaration procedure under the Compulsory Purchase (Vesting Declarations) Act 1981 or the notice to treat procedure under Section 5 of the Compulsory Purchase Act 1965;
- (5) take all steps to seek to acquire the necessary interests in land by agreement or utilising compulsory acquisition powers;
- (6) authorise the appropriation of the land included in plots 1-7 on the CPO Map under the provisions of Section 122(1) of the Local Government Act 1972 for planning purposes to enable the Council to override third party rights and covenants pursuant to sections 237 and 258 of the Town and Country Planning Act 1990, and once the Scheme has been constructed to appropriate the same for highway purposes, following which the land shall be publically maintainable highway;
- (7) subject to the relevant interests in land at Victoria Park included in plots 8 and 9 on the CPO Map being acquired by agreement or by compulsory acquisition, to declare that this land is no longer required for its present purposes, to give public notice of the Council's intention to appropriate the said land to planning purposes to enable the Council to override third party rights and covenants pursuant to sections 237 and 258 of the Town and Country Planning Act 1990, and in the event of no objections being received within the date specified in the public notice (or if received they are withdrawn), upon the day immediately following the date specified in the public notice to appropriate the said land to planning purposes. Once the Scheme has been constructed to appropriate the same for highway purposes, following which the land shall be publically maintainable highway.

6.4 To consider the provisions of the Human Rights Act 1998 so far as they might be applicable in deciding whether or not to make the Compulsory Purchase Order(s) and all other statutory powers that the Council seeks to exercise.

## 7. Appendices

- 7.1 Appendix A - Supporting Information
- 7.2 Appendix B – Equalities Impact Assessment
- 7.3 Appendix C – Proposed Scheme Drawing
- 7.4 Appendix D – General Location Drawing
- 7.5 Appendix E – CPO Map
- 7.6 Appendix F – Draft CPO Schedule

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## Changes to the Constitution - Part 11 (Contract Rules of Procedure)

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<b>Committee considering report:</b>	Council on the 10 December 2015
<b>Lead Member:</b>	Councillor Quentin Webb
<b>Date Portfolio Member agreed report:</b>	15 October 2015
<b>Report Author:</b>	David Holling
<b>Forward Plan Ref:</b>	C3011(b)

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### 1. Purpose of the Report

- 1.1 To review and if appropriate amend Part 11 (Contract Rules of Procedure) following a request from the Procurement Board to do so.

### 2. Recommendations

- 2.1 To consider and agree, if appropriate, the proposed amendments to Part 11 (Contract Rules of Procedure) and to discuss any additional changes required.
- 2.2 To agree that any changes will come into effect on the 11 December 2015.

### 3. Implications

- 3.1 **Financial:** S151 Officer at the Finance, Audit & Governance Group approved the amendments to Part 11 of the Constitution  
There will be no costs associated with making the amendments to the Constitution
- 3.2 **Policy:** Will require changes to Part 11 of the Constitution
- 3.3 **Personnel:** None
- 3.4 **Legal:** None
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

### 4. Other options considered

- 4.1 Not to agree the changes

### 5. Executive Summary

- 5.1 Following an internal audit of the management of the Constitution in 2010 it was noted that one of the responsibilities of the Finance and Governance Group is to have ownership of the Council's Constitution. The content of the Local Code of

Corporate Governance says that there will be an annual review of the operation of the Constitution. A timetable has been established for the Finance and Governance Group to review individual sections of the Constitution and this work is ongoing.

*Part 11 Contract Rules of Procedure*

- 5.2 A number of changes were made to Part 11 of the Council's Constitution (Contract Rules of Procedure) in May 2015 to ensure that the Council was acting in accordance with the Public Contracts Regulations 2015. The changes included the setting of thresholds delegating decision making as follows:

<b>Total Contract Value £</b>	<b>Delegated decision or Resolution of:</b>
Up to £99,999	Relevant Head of Service (or such officers as nominated by the Head of Service in writing) shall have delegated authority to award the contract.
£100,000 to £499,999	Relevant Head of Service following recommendation of S151 officer and Head of Legal Services shall submit a report to Corporate Board seeking delegated authority to award the contract in consultation with the S151 officer and Head of Legal Services.
Over £500,000	These contracts shall require a key decision of the Executive following recommendation by S151 officer and Head of Legal Services. Executive shall receive a report from the relevant officer either recommending for the contract to be awarded or seeking delegated authority for the relevant Head of Service to award the contract in consultation with the relevant Portfolio Holder, s151 officer and the Head of Legal Services.

- 5.3 The revised rules have been in place since May 2015 and Officers have now been asked to amend the thresholds by both Corporate Board and Procurement Board to reduce the number of contracts that require Executive approval. Under paragraph 11.4.4 transactions falling outside of the Capital Programme (e.g. revenue) and where the relevant Head of Service does not have the delegated authority to award the contract an approval or a resolution of the Executive is required.

- 5.4 The changes proposed affect mainly contracts over the £500,000, threshold; however some minor changes to the other thresholds are required to address clarity. The proposed table of amendments is set out below: -

<b>Contract Value £</b>	<b>Delegated decision or Resolution of:</b>
<b>Total Contract value of up to £99,999.</b>	Relevant Head of Service (or such officers as nominated by the Head of Service in writing) shall have delegated authority to award the contract.
<b>Total Contract value of between £100,000 and £499,999.</b>	Relevant Head of Service ( <b>following recommendation of the S151 officer and Head of Legal Services</b> ) shall have delegated authority to

Contract Value £	Delegated decision or Resolution of:
	<p>award the contract following</p> <p>a) a written report by the relevant Head of Service (or such officers as nominated by the Head of Service in writing) has been provided and approved by the Procurement Board; and</p> <p>b) the report has been included as an “item for information” item for the Corporate Board.</p>
<p>For contracts exceeding £500,000 in total value and up to £2.5million per annum.</p>	<p>The award of these contracts shall require a “key decision”(as defined in Part 5.1.1 of the Constitution) delegated to be taken by relevant Head of Service in consultation with the relevant Portfolio Holder (following recommendation by the relevant Corporate Director, S151 officer and Head of Legal Services) to award the contract provided:</p> <p>a) a written report by the relevant Head of Service (or such officers as nominated by the Head of Service in writing) has been provided and approved by the Procurement Board; and</p> <p>b) the report has been included as an “Item for information” item for the Corporate Board and to the Operations Board.</p> <p>c) such decision has been made in accordance with Part 5.3 and 5.4 of the Constitution.</p>
<p>For contracts exceeding £2.5million per annum.</p>	<p>These contracts shall require a key decision of the Executive following recommendation by S151 officer and Head of Legal Services. Executive shall receive a report from the relevant officer either recommending for the contract to be awarded or seeking delegated authority for the relevant Head of Service to award the contract in consultation with the relevant Portfolio Holder, s151 officer and the Head of Legal Services.</p>

5.5 Paragraph 11.11.11 (Exclusions and Exceptions to Contract Rules of Procedure) of the Constitution already identifies that the requirement to conduct a competitive procurement process is excluded in certain circumstances including:

- where the contract is excluded under the Procurement Legislation;
- where the proposed contract is being awarded under a Purchasing Scheme;
- where the proposed contract is an extension to or a variation of the scope of an existing contract where the existing contract provides for such extension or a variation or where the variation is a modification permitted under the Procurement Legislation;
- where the contract is for specified social care services.

- 5.6 It should however be noted that all key decisions taken by the Council need to appear on the Council's Forward Plan. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 where a decision maker intends to make a key decision, that decision must not be made until at least 28 days public notice (Forward Plan) has been given that such a decision is to be made.
- 5.7 Under the Regulations a key decision is an executive decision, which is likely:
- (a) to result in the relevant local authority incurring **expenditure** which is, or the making of savings which are, **significant** having regard to the relevant local authority's budget for the service or function to which the decision relates; or
  - (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.
- 5.8 If Members are minded to approve the amended contract thresholds then it should be noted that decisions made by Officers under delegated authority will still have to appear on the Forward Plan within the prescribed deadlines and will also require the publication of a delegated officer decision notice which are then subject to the Council's call-in procedures

## 6. Proposals

- 6.1 It is proposed that the revised thresholds as set out in paragraph 5.4 of this report be adopted.

## 7. Conclusion

- 7.1 This report recommends changes to Part 11 of the Council's constitution.



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## Activity Team West Berkshire Fees and Charges 2016/17 - Summary Report

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<b>Committee considering report:</b>	Council
<b>Date of Committee:</b>	10 December 2015
<b>Portfolio Member:</b>	Councillor Hilary Cole
<b>Date Portfolio Member agreed report:</b>	14 October 2015
<b>Report Author:</b>	Jim Sweeting
<b>Forward Plan Ref:</b>	C2932

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### 1. Purpose of the Report

- 1.1 To consider the fees and charges for the 2016/17 Activity Team West Berkshire programme in order to enable the service to competitively advertise and promote activities and maximise advanced books and income.

### 2. Recommendation

- 2.1 That Council approves the proposed freeze in Fees and Charge for the Activity Team West Berkshire's programme and the hire of equipment and resources for 2016/17 as set out in appendix C

### 3. Implications

- 3.1 **Financial:** Activity Team West Berkshire have been tasked at delivering a cost neutral programme to the Council, the proposal takes into account charges levied by alternative providers and what is believed to be sustainable in the market.
- 3.2 **Policy:** In 2013/14 price rises brought activity prices into line with a fair market price, this was followed by an average price rise of 1.5% in 2014/15 and an average 2% for 2015/16. Early agreement on price changes enables activities to be advertised in a timely manner to achieve business objectives.
- 3.3 **Personnel:** None
- 3.4 **Legal:** None
- 3.5 **Risk Management:** If income streams are lost there is a risk that the cost neutral objective would not be achieved. It is felt that increased charges would not negate this risk.
- 3.6 **Property:** None
- 3.7 **Other:** None

#### **4. Other options considered**

- 4.1 An increase in charges in line with inflation – this was not pursued however as it was felt it would be counter productive in the current economic climate and consideration of other providers suggests that their rates will remain unaltered for 2016.

#### **5. Executive Summary**

- 5.1 Following the development of a business plan in 2013/14 to support a target of Activity Team West Berkshire delivering their programme cost neutral to the Council the fees and charges were reviewed to align them to other providers in the Outdoor Activity Market. At the end of 2014/15 Activity Team West Berkshire had managed to achieve a cost neutral position as a traded service.
- 5.2 It is proposed to freeze the fees and charges for 2016/17 to allow Activity Team West Berkshire:
- (a) To remain competitive in the market with other neighbouring providers
  - (b) To remain an attractive offer to local groups and organisations whilst developing new markets and income streams
- 5.3 The proposed charges are for the commercially focussed ‘traded’ programme and do not include any aspect of the internal Service Level Agreements or the agreement to use the site with the Adventure Dolphin (Pangbourne) Charity.
- 5.4 This proposed set of charges takes account of previous booking trends; recognises peak and off peak time tariffs and compares with other local facilities to remain competitive and maximise the potential for bookings.

#### **6. Conclusion**

- 6.1 Maintaining current Fees and Charges at the rate applicable for 2015/16 will maintain the service on a similar footing to market competition for the commercial traded aspect of the programme whilst new markets are explored.

#### **7. Appendices**

- 7.1 Appendix A - Supporting Information
- 7.2 Appendix B – Equalities Impact Assessment
- 7.3 Appendix C – Activity Team West Berkshire proposed pricing 2016/17

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## Leisure Centre Fees and Charges 2016 - Summary Report

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<b>Committee considering report:</b>	Council
<b>Date of Committee:</b>	10 December 2015
<b>Portfolio Member:</b>	Councillor Hilary Cole
<b>Date Portfolio Member agreed report:</b>	14 October 2015
<b>Report Author:</b>	Jim Sweeting
<b>Forward Plan Ref:</b>	C2933

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### 1. Purpose of the Report

- 1.1 To implement the contractual requirement for an annual price review for 2016 for the leisure contractor to come into effect from 1<sup>st</sup> January 2016.

### 2. Recommendation

- 2.1 That Council approve the proposed increase in Fees and Charges as outlined for the leisure management contract.
- 2.2 That Council note the proposed changes to the discounts applied to West Berkshire card holder
- 2.3 That Council note the operational changes by the operator to reduce the level of fees charged to those aged 16 and 17 years of age through the introduction of bespoke programmes.

### 3. Implications

- 3.1 **Financial:** There are no direct implications to the Council's own budgets from the contractor implementing any increase in Fees and Charges. Within the terms of the Leisure Contract, The contractor retains all income. A profit share arrangement is specified within the contract should end of year surpluses be above a certain threshold
- 3.2 **Policy:** The Leisure contract was changed in 2010/11 to accommodate a review of Fees and Charges prior to January of the following and subsequent years. This now forms a condition of the contract between West Berkshire Council and Legacy Leisure
- 3.3 **Personnel:** None
- 3.4 **Legal:** Agreement to any increase in leisure Contract Fees and Charges will be formally recorded through an exchange of letters and will be included in the Council's published schedule of Fees and Charges for 2016/17.

- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

#### 4. Other options considered

- 4.1 The Fees and Charges for the Leisure Centres are set by the leisure contractor, the proposals outlined are those which have been presented by Legacy Leisure as part of their Business Plan for the West Berkshire contract for 2016

#### 5. Executive Summary

- 5.1 In establishing their proposed fees and charges for core activity at leisure centres for 2016 the contractor has outlined the standard (non card holder) prices as outlined in Appendix C. Once discounts as set out in 5.2 are applied it results in an average increase of 1% in the charges applied to West Berkshire Card holders in line with the Retail Price Index at the end of the Contract year (June 2015).
- 5.2 To make it simpler for customers to understand the benefits of being a West Berkshire Card holder the contractor has proposed to change the discount applied to West Berkshire Card holders from a basic 10% to flat rates applied as follows:
  - (a) £1.00 for adult activity
  - (b) £0.50p for junior activity
  - (c) £5.00 for adult team sports
  - (d) £2.50 for junior team sports

With a minimum discount of 10% applied to ensure any future price increases maintain the level of discount outlined.

- 5.3 Since 2009 over 43,000 individuals have been issued with a West Berkshire card which has been activated at a leisure centre, in 2015 over 24,000 were classified as active at a leisure centre.
- 5.4 The West Berkshire Card remains free to West Berkshire residents and a recruitment drive will accompany the new fees and charges in January 2016.
- 5.5 Benchmarking against other authorities would suggest that the discounts proposed for West Berkshire card holders are in line with other Local Authority leisure centres in the neighbouring area.
- 5.6 In agreeing the prices for 2015 Members requested that the contractor be asked if they would review the definition of a junior participant for those aged 16 and 17. The contractor has reviewed the proposal and has identified an element of risk, especially around loss of income.
- 5.7 The contractor over the past 12 months has introduced a number of bespoke schemes targeting 16 to 18 year olds, it is proposed to continue with and further develop these.

- 5.8 Feedback from neighbouring Local Authorities suggests that none are currently considering a change to the current up to 16 years of age as a definition of a junior.

## **6. Conclusion**

- 6.1 When the proposed fees and charges are benchmarked against surrounding Local Authority owned facilities it is seen that charges in West Berkshire are at the lower end of the comparison thus representing good value for money to West Berkshire residents.

## **7. Appendices**

- 7.1 Appendix A - Supporting Information
- 7.2 Appendix B – Equalities Impact Assessment
- 7.3 Appendix C – Proposed Core Charges for Leisure centres

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## Gambling Act 2005 - Summary Report

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<b>Committee considering report:</b>	Council
<b>Date of Committee:</b>	10 December 2015
<b>Lead Member:</b>	Councillor Jeff Beck, Chairman of Licensing
<b>Date Portfolio Member agreed report:</b>	18 November 2015
<b>Report Author:</b>	Julia O'Brien (Principal Licensing Officer)
<b>Forward Plan Ref:</b>	C3050

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### 1. Purpose of the Report

- 1.1 To determine a Statement of Licensing Policy on Gambling.

### 2. Recommendation

- 2.1 To approve the revised version of the policy, as amended, following recent statutory consultation

### 3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** The Gambling Act 2005 requires the Council to formulate, consult and publish a statement of principles every three years
- 3.3 **Personnel:** None
- 3.4 **Legal:** It is a legal requirement for the council to publish and have regard to a licensing policy
- 3.5 **Risk Management:** None
- 3.6 **Property** None
- 3.7 **Other:**

### 4. Other options considered

- 4.1 None

## **5. Executive Summary**

- 5.1 The Gambling Act 2004 requires the Council to publish a statement of policy on Gambling every three years. Prior to publication the draft policy must be consulted upon widely.
- 5.2 The current policy is required to be re published on or before the 31<sup>st</sup> January 2016 and be in force until 31 January 2019 unless amendments are required during that period through changes in legislation or local policy. A wide ranging consultation has been carried out on the existing policy statement.
- 5.3 The only material changes made to the existing policy are those where guidance issued by the Gambling Commission's Licensing Conditions and Codes of Practice (LCCP) and the Local Government Association has been updated. These cover Local Area Profiles (LAP) and Risk Assessment by Operators. A small number of typographical and grammatical changes have also been made.

## **6. Local Area Profiles**

- 6.1 There is no mandatory requirement for the Council to develop a local area profile. Based upon local knowledge and taking into account information held by the Council and after speaking to partners, the Council has found no evidence to suggest that a LAP is needed at this time. However a section has been published in the Policy outlining the requirements of a LAP should the Council decided to adopt a LAP in the future.

## **7. Risk Assessments by Operators**

- 7.1 The Policy includes a new section on the Council's expectations for local risk assessments to be undertaken by applicants for Gambling Premises Licenses or variations of such.
- 7.2 Changes to the draft policy are highlighted in the document attached at Appendix A.

## **8. Proposals**

- 8.1 Members are requested to agree the content of the draft Statement of Policy on Gambling as presented in the Appendix to this report and to recommend its adoption by the Council.

## **9. Equalities Impact Assessment Outcomes**

- 9.1 An Equalities Impact Assessment has been completed and is attached at Appendix B.

## **10. Conclusion**

- 10.1 There is a mandatory duty on the Council to publish a Gambling Policy.
- 10.2 The draft Gambling Policy attached will be edited to remove all tracked changes highlighted, prior to being presented to Full Council.



## 11. Appendices

- 11.1 Appendix A – Supporting Information
- 11.2 Appendix B - Draft Gambling Policy (Statement of Principles)
- 11.3 Appendix C – Equalities Impact Assessment
- 11.4 Appendix D – Letter to Consultees
  - Appendix Di – Consultees List
  - Appendix Dii – TVP Response
  - Appendix Diii – Newbury Town Council Response
  - Appendix Div – Environmental Health Response
  - Appendix Dv – Cllr Bridgman Response

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## Proposed Member Development Programme 2016/17

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**Committee considering report:** Council on 10 December 2015

**Lead Member:** Councillor Paul Bryant

**Date Portfolio Member agreed report:** 22 October 2015

**Forward Plan Ref:** C2930

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### 1. Purpose of the Report

1.1 To agree the proposed Member Development Programme for 2016/17.

### 2. Recommendation

2.1 To ask Members to agree the proposed Member Development Programme for 2016/17.

### 3. Implications

3.1 **Financial:** The induction programme will be delivered within the existing budget.

3.2 **Policy:** N/A

3.3 **Personnel:** N/A

3.4 **Legal:** N/A

3.5 **Risk Management:** N/A

3.6 **Property:** N/A

3.7 **Other:** N/A

### 4. Other options considered

N/A

## 5. Executive Summary

- 5.1 The Member Development Group met on 23 October 2015 and gave consideration to the Member Development Programme 2016/17.
- 5.2 Attendance at the Member Development Sessions is an ongoing concern, although feedback from the sessions is generally very positive. A second repeat afternoon session was introduced to each topic, some time ago, to try to address this and, whilst attendance has improved slightly, numbers are still low.
- 5.3 For the Member Development Programme 2014/15, the best attended session was Child Sexual Exploitation, with 24 Members (46%) attending across both sessions. Twenty-two Members (42%) attended the Education and Schools training, across both sessions. Only 7 Members (13%) attended the Adult Safeguarding training.
- 5.4 Second sessions for two subjects had to be cancelled due to lack of interest.
- 5.5 Sixteen Members (31%) did not attend any sessions and 28 Members (54%) attended 1 or fewer. One Member (2%) attended each session.
- 5.6 To ensure that the programme for 2016/17 addressed the issues that are of most interest and use, Members, Corporate Directors and Heads of Service were canvassed in September for suggestions as to what should be included. Responses were received from four Members and all proposals were given full consideration.
- 5.7 The Member Development Group agreed that a three tier programme should be proposed for 2016/17; mandatory, strategic (linked to the Council's priorities) and specialist. The proposed programme has been populated with this, together with the suggestions received from Members. See Appendix A.
- 5.8 Mindful of the demands upon Members' time, it is also proposed that e-learning sessions be piloted for two further areas of training.
- 5.9 Additionally, the use of webcasting for some sessions to allow them to be viewed remotely will also be explored.
- 5.10 As is existing practice, the presentations from all sessions will be published on the intranet after the repeat session.

## 6. Conclusion

- 6.1 Feedback from Members that do attend the sessions is, on the whole, very good however attendance at the majority of sessions remains very poor. In order to ensure that all Members are fully briefed on the diverse activities, responsibilities and pressures on the Council and in order to best undertake their roles as elected Councillors, Members are encouraged to adopt the proposed programme and make every effort to attend all sessions.

## 7. Consultation and Engagement

- 7.1 Members, Heads of Service and Corporate Directors were canvassed for suggestions for the proposed programme which was then discussed and agreed by the Member Development Group.

**Background Papers:**

None

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**Subject to Call-In:**

Yes:  No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only
- 

**Wards affected:**

N/A

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**Strategic Aims and Priorities Supported:**

The proposals will help achieve the following Council Strategy aim:

**MEC – Become an even more effective Council**

The proposals contained in this report will help to achieve the following Council Strategy priority:

**MEC1 – Become an even more effective Council**

The proposals contained in this report will help to achieve the above Council Strategy aim and priority by ensuring Members received a comprehensive briefing programme on the Council's key activities.

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**Officer details:**

Name: Moira Fraser  
Job Title: Democratic and Electoral Services Manager  
Tel No: 01635 519045  
E-mail Address: [mfraser@westberks.gov.uk](mailto:mfraser@westberks.gov.uk)

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**8. Appendices**

- 8.1 Appendix A - Equalities Impact Assessment
- 8.2 Appendix B – Proposed Member Development Programme 2016/17

## Equality Impact Assessment

### Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity.

Please complete the following questions to determine whether a Stage Two, Equality Impact Assessment is required.

<b>Name of policy, strategy or function:</b>	Member Development Programme
<b>Version and release date of item (if applicable):</b>	Draft Member Development Programme for publication in January.
<b>Owner of item being assessed:</b>	Moira Fraser
<b>Name of assessor:</b>	Robert Alexander
<b>Date of assessment:</b>	15 October 2015

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	Yes
Function	Yes	Is changing	Yes
Service	No		

<b>1 What are the main aims, objectives and intended outcomes of the policy, strategy, function or service and who is likely to benefit from it?</b>	
<b>Aims:</b>	To agree the proposed Member Development Programme for the 2016/17 municipal year.
<b>Objectives:</b>	
<b>Outcomes:</b>	
<b>Benefits:</b>	Agreeing and publishing the Member Development Programme will allow Members to carry out their functions effectively.

<b>2 Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</b> (Please demonstrate consideration of all strands – Age, Disability, Gender)
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Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)
<b>Comments relating to the item:</b>
It is not envisaged that agreeing the Member Development Programme will affect any individuals apart from Members. Care is taken to ensure that Members (who might have mobility issues) are given enough warning and that all venues booked contain disabled access.

<b>3 Result</b>	
<b>Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality?</b>	<b>No</b>
<b>Please provide an explanation for your answer:</b> Please see comments above.	
<b>Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?</b>	<b>No</b>
<b>Please provide an explanation for your answer:</b>	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

<b>4 Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	No.
<b>Owner of Stage Two assessment:</b>	
<b>Timescale for Stage Two assessment:</b>	
<b>Stage Two not required:</b>	

Name: Robert Alexander

Date: 15 October 2015

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Please now forward this completed form to Rachel Craggs, the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.

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