

COUNCIL

MINUTES OF THE MEETING HELD ON

TUESDAY, 4 MARCH 2014

Councillors Present: David Allen, Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck (Vice-Chairman), Brian Bedwell, David Betts, Dominic Boeck, Jeff Brooks, Paul Bryant, George Chandler, Keith Chopping (Chairman), Hilary Cole, Roger Croft, Richard Crumly, Billy Drummond, Sheila Ellison, Marcus Franks, Dave Goff, Paul Hewer, John Horton, Roger Hunneman, Carol Jackson-Doerge, Graham Jones, Alan Law, Tony Linden, Mollie Lock, Royce Longton, Gordon Lundie, Gwen Mason, Geoff Mayes, Tim Metcalfe, Joe Mooney, Irene Neill, Graham Pask, James Podger, David Rendel, Andrew Rowles, Garth Simpson, Anthony Stansfeld, Julian Swift-Hook, Tony Vickers, Virginia von Celsing, Quentin Webb, Emma Webster, Keith Woodhams and Laszlo Zverko

Also Present: Honorary Alderman Geoff Findlay, John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Andy Day (Head of Strategic Support), Andy Walker (Head of Finance) and Rachael Wardell (Corporate Director - Communities), Moira Fraser (Democratic and Electoral Services Manager) and Robin Steel (Group Executive (Cons))

Apologies for inability to attend the meeting: Councillor Adrian Edwards, Councillor Manohar Gopal, Councillor Mike Johnston, Councillor Alan Macro and Councillor Ieuan Tuck and Honorary Alderman Alan Thorpe

PART I

71. Chairman's Remarks

The Chairman reported that he and the Vice-Chairman had attended 44 events since the last Council meeting.

The Chairman highlighted a number of events that he had attended including the switching on of the Christmas lights in Thatcham, Newbury and Hungerford, a number of carol concerts including one at St Finian's school, the volunteer recruitment fayre at the Corn Exchange, the opening of the new science block at The Downs School, a march past of the Royal Electrical and Mechanical Engineers in Hungerford, the opening of the new changing block at Northcroft Leisure Centre, the launch of the new flood alleviation scheme in Newbury, Newbury's Mayor's concert at St Nicolas's church, the Beenham wind concert and the opening of the canal information centre at the Wharf which would be a useful asset for those using the canal.

The Chairman was also very pleased to note that he had been presented with a generous cheque for £500 the previous evening from the Ahmadiyya Muslim Association towards his charity Children with Cancer. The Chairman noted that all Members would be receiving some literature from the organization in due course.

The Chairman provided Members with an update on the Motion proposed by Councillor David Goff and seconded by Councillor Jeff Brooks which was debated and adopted by the Council at the September 2013 meeting regarding the potential closure of Newbury Magistrate's Court. He reported that a meeting had taken place on the 22nd January 2014 with the Delivery Director for South East Region (HMCTS), Chris Jennings and the Justices' Clerk for Thames Valley (HMCTS), David Richmond.

The meeting was Chaired by the Chairman and attended by elected members from West Berkshire Council and Newbury Town Council. Senior officers from West Berkshire

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Council were also in attendance and they would be responsible for ensuring that agreed actions from the meeting were carried forward and achieved.

The representatives from HMCTS provided an overview of the context in which decisions on Courts Services were taken and they repeated assurances already given that at this time Newbury Magistrates Court was not at risk of closure.

There was discussion on how cases were listed across Thames Valley, in Berkshire and in particular in West Berkshire. It was agreed that the Justices' Clerk for Thames Valley would provide the criteria which enabled cases to be listed locally and that there would be further discussions on this matter and that of sharing of data.

Further discussions would take place between HMCTS and officers from West Berkshire Council to ensure that as far as possible West Berkshire related cases were listed at Newbury Magistrates Court.

A meeting would take place that week between West Berkshire Council officers and the Justices' Clerk for Thames Valley and it was hoped that this would further develop a positive working relationship. It was agreed at the meeting in January that HMCTS would provide regular updates to the Safer Communities Partnership and that should the situation in respect of Newbury Magistrates Court change West Berkshire Council would be immediately notified.

Councillor Chopping also noted that Members had met with Richard Benyon (MP) recently on the subject of the s106 agreements and the Community Infrastructure Levy (CIL). This meeting had resulted in Mr Benyon being able to secure a Westminster Hall debate which had been held on the 05 February 2014. The Chairman, Councillor Hilary Cole and two Officers were present at the debate. The debate had resulted in the Minister offering a meeting to discuss the matter further and while conversations were still taking place some hope still remained that the Council would not be forced to operate this government imposed process.

The Chairman reported that 140 homes, numerous roads and businesses had been effected by the recent flooding in the District. He thanked Officers from across the Council that had worked in the Emergency Operations Centre (EOC), the Police and members of the armed forces who had performed in a highly competent manner in very difficult circumstances. Work in the EOC was ongoing to deal with ground water and sewage issues.

72. Minutes

The Minutes of the meeting held on 12 December 2013 were approved as a true and correct record and signed by the Chairman.

73. Declarations of Interest

The Deputy Monitoring Officer announced that all Members present, in accordance with the Localism Act 2011, had applied for and had been granted a dispensation to speak and vote on any matter which pertained to "any beneficial interest" in land within the Authority's area (Items 17 and 18 (Capital Strategy and Programme and Revenue Budget 2014/15)).

The Deputy Monitoring Officer also announced that Councillors David Allen, Howard Bairstow, Jeff Beck, Brian Bedwell, Dominic Boeck, Jeff Brooks, Hilary Cole, Roger Croft, Richard Crumly, Billy Drummond, Adrian Edwards, Sheila Ellison, Marcus Franks, David

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Goff, John Horton, Carol Jackson-Doerge, Alan Law, Mollie Lock, Royce Longton, Alan Macro, Tim Metcalfe, James Podger, Andrew Rowles, Anthony Stansfeld, Julian Swift-Hook, Ieuan Tuck and Tony Vickers, in accordance with the Localism Act had applied for and had been granted a dispensation (by the Standards Committee) to consider and vote on Items 17 and 18 (Capital Strategy and Programme and Revenue Budget 2014/15).

Councillor Jeff Brooks declared a personal interest in Agenda Item 18, and reported that, if the discussion made specific reference to the Watermill Theatre he would leave the chamber for that part of the discussion.

Councillor Keith Woodhams declared an interest in Agenda Item 20, and reported that, although his interest was personal and not prejudicial or a disclosable pecuniary interest, he would remain in the chamber to listen to the discussion but that he would not be voting on the matter.

Councillor Bill Drummond declared an interest in Agenda Item 18, 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.

Councillor Emma Webster declared an interest in Agenda Item 20, and reported that, as her interest was personal and prejudicial and a disclosable pecuniary interest, she would be leaving the meeting during the course of consideration of the matter.

74. Petitions

Councillor Jeff Beck presented a petition containing 31 signatures relating to Flooding issues in Wellington Close and Cromwell Road as a result of the water building up in Shaw Municipal Cemetery. The petition would be passed to Officers in the Highways Service to prepare a response.

75. Public Questions

- a. A question standing in the name of Mrs Maryanne Thomas on the subject of a reduction in funding available to volunteers working with vulnerable young people was answered by the Executive Member for Children and Young People, Youth Service and Education.

76. Membership of Committees

There had been no changes to the membership of Committees since the previous Council meeting.

77. Licensing Committee

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

78. Personnel Committee

The Council noted that, since the last meeting, the Personnel Committee had met on 04 February 2014.

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79. **Governance and Audit Committee**

The Council noted that, since the last meeting, the Governance and Audit Committee had met on 10 February 2014.

80. **District Planning Committee**

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

81. **Overview and Scrutiny Management Commission**

The Council noted that, since the last meeting, the Overview and Scrutiny Management Committee had met on 07 January 2014 (Special Meeting), 21 January 2014 and 25 February 2014.

82. **Standards Committee**

The Council noted that, since the last meeting, the Standards Committee had met on 13 January 2014 (and not 13 February as stated in the agenda) and on the 28 February 2014 (Special Meeting).

83. **West Berkshire Council Strategy: Refresh (C2744)**

The Council considered a report (Agenda Item 14) concerning a refresh of the Council's Strategy.

MOTION: Proposed by Councillor Roger Croft and seconded by Councillor Gordon Lundie:

That the Council:

“approve the updated Council Strategy”.

Councillor Roger Croft in introducing the item explained that this was the third iteration of the strategy and this year and therefore only minor amendments were being proposed. He also explained that the finance section would be updated once the final budget had been agreed.

Councillor Croft explained that the Council's four priorities namely : caring for and protecting the vulnerable, promoting a vibrant district, improving education, and protecting the environment would continue to provide focus and guidance for decision making by the Council. These priorities would also be linked to the Council's Medium Term Financial Strategy and Capital Strategy and would form the basis of the Council's performance monitoring framework.

Councillor Tony Vickers opined that the strategy was not ambitious enough. He was concerned that references to pockets of deprivation referred to in the previous iteration of the document had been removed. He was concerned that high rentals, even social rentals which were 60% of those on the open market, meant that housing was unaffordable to many of the District's residents. There was funding available to assist these residents from the Discretionary Housing Grant but that a ceiling of £50 per week had been set which still meant that housing would be unaffordable for some. He would therefore like to see this issue addressed.

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Councillor Gordon Lundie thanked Councillor Croft and Officers for the work that they had put into preparing the strategy. He had some sympathy with the issue raised by Councillor Vickers and confirmed that he would welcome suggestions to address these issues for future iterations of the strategy. He felt that although the strategy was useful it was in its final year and would be substantially re-written for the following year. The Council was continued to deliver good services within very restricted means and it was therefore important to prioritise services. This was an excellent strategy but Councillor Lundie was open to new ideas on how to move it forward over the next twelve months.

Councillor Croft stated that he had listened to Councillor Vickers's comments with great interest as he shared his real determination to improve housing in the district. He accepted that prosperity brought its own issues. He, however, commended the current strategy which aimed to keep West Berkshire a great place to live, learn, work and do business.

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

84. **Investment and Borrowing Strategy 2014/15 (2747)**

The Council considered a report (Agenda Item 15) which, in compliance with the Local Government Act 2003, summarised the Council's borrowing limits as set out by CIPFA's Prudential Code and recommended the Council's Annual Investment and Borrowing Strategy for 2014/15 for approval.

MOTION: Proposed by Councillor Alan Law and seconded by Councillor Laszlo Zverko:

That the Council:

"approve the Investment and Borrowing Strategy 2014/15".

Councillor Law in introducing the report noted that it was a statutory requirement to produce the report which set out the Council's borrowing limits for the next three financial years as well as an associated debt repayment programme. The borrowing would be used to fund investment in many projects including schools, roads, broadband and IT.

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

85. **Medium Term Financial Strategy (MTFS) 2014-17 (C2748)**

The Council considered a report (Agenda Item 16) concerning the medium term financial plan and strategy for the organisation.

MOTION: Proposed by Councillor Gordon Lundie and seconded by Councillor Alan Law:

That the Council:

"adopt the Medium Term Financial Strategy for 2014 to 2017".

Councillor Gordon Lundie reported that he was delighted to present the report which was one of three critical papers for the Council and which were all interdependent. The other papers being the Capital Strategy and Programme and the Revenue Budget. The strategy was needed in order to understand the implications of any revenue decisions.

Councillor Lundie noted that the Council was facing a challenging fiscal environment. There had been a significant decrease in the Council's Revenue Support Grant (RSG) and as a consequence the Council had been required to adopt a vigorous response. To date there had been 204 redundancies and the Council had been forced to scale back on projects. Having a strategy in place had however meant that no Children's Centres had been closed nor had any libraries been shut.

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The strategy articulated a number of challenges that would be facing the Council over the next few years including education spend, an aging population, challenges in terms of caring for the frail and elderly, landfill tax and ever increasing costs. The Council was therefore having to get used to doing less and doing things better. Councillor Lundie was pleased to announce that there would be no increase on Council Tax in 2014/15 or in 2015/16.

(Councillor Richard Crumly arrived at 7.05pm)

Councillor Jeff Brooks felt that a three year plan was useful and that no decent business would be without one. He accepted that the strategy would help to formulate the budget for the next financial year. He noted however that it might need to be amended for year two and three in light of emerging pressures, changes to grants and to react to changes to legislation most notable the Care Bill. It therefore needed to be flexible and was one tool among many to be used to drive the Council's spend. While he supported the nature of having a strategy he could not support this one.

(Councillor Andrew Rowles arrived at 7.08pm)

Councillor Alan Law agreed that the future could be uncertain but that the strategy could be adapted to take cognisance of unfolding uncertainties. He announced that zero based budgeting would be piloted in the Highways Service in the 2014/15 financial year.

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

86. **Capital Strategy and Programme 2014/15 to 2018/19 (C2746)**

The Council considered a report (Agenda Item 17) concerning the five year Capital Strategy for 2014 to 2019. The report included the Minimum Revenue Provision (MRP) statement and the Asset Management Plan and also set out the funding framework for the Council's five year Capital programme for 2014/15 to 2018/19.

MOTION: Proposed by Councillor Alan Law and seconded by Councillor Gordon Lundie:

That the Council:

“approve and adopt the Capital Strategy and programme 2014/15 to 2018/19”.

Councillor Law reported that this was probably the most significant of the budget papers as it outlined where the Council would be investing money in over the next five years. Major areas for investment included technology (which would help the Council be more productive), the district's roads, broadband and education. The latter three areas would in turn help to make the district more productive.

The Council had spend around £30m of capital in the 2013/14 financial year and around £31m of capital expenditure was planned for 2014/15.

AMENDMENT: Proposed by Councillor Jeff Brooks and seconded by Councillor Keith Woodhams:

That the Council:

“borrows a further £200,000 to invest in additional LED streetlights across the district. This will accelerate the conversion of our street lights which is already being implemented providing a cleaner and greener outcome and saving in energy costs over

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time. The additional cost of borrowing will be more than met by the on-going savings in electricity costs. “

Councillor Brooks noted that this was a relatively small amendment and should be viewed as an ‘invest to save’ proposal. The Council was already undertaking a replacement scheme but this additional funding could be used to accelerate it. The funding would generate ongoing savings as a result of a reduction in electricity and replacement costs. Councillor Keith Woodhams explained that he supported the scheme on the basis that it would benefit the residents of the District.

Councillor Pamela Bale commented that additional investment in the scheme had been considered by her predecessor but it had been rejected on the basis that the Council did not have the resources to replace all the streetlights at the same time. It was preferable to spend the current £100k per annum in a structured and planned way. In concluding her response she requested that, in accordance with paragraph 4.13.12 (d) of the Constitution, the question be put in relation to the amendment. This proposal was seconded by Councillor Gordon Lundie. The Closure Motion was put to the Council and duly resolved.

Councillor Brooks concluded that it was not intended that all the streetlights be replaced at the same time but that the additional funding be used to accelerate the programme.

Prior to the vote being taken the Deputy Monitoring Officer announced that the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (*SI 2014/165*) (2014 Regulations) came into effect on the 25 February 2014 and as a consequence the Council was required to record the names of Members voting for and against the budget proposals.

FOR the Amendment:

Councillors David Allen, Jeff Brooks, Billy Drummond, Roger Hunneman, Mollie Lock, Royce Longton, Gwen Mason, Geoff Mayes, David Rendel, Julian Swift-Hook, Tony Vickers, Keith Woodhams (12)

AGAINST the Amendment:

None

ABSTAINED:

Councillors Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck, Brian Bedwell, David Betts, Dominic Boeck, Paul Bryant, Virginia von Celsing, George Chandler, Keith Chopping, Hilary Cole, Roger Croft, Richard Crumly, Sheila Ellison, Marcus Franks, Dave Goff, Paul Hower, John Horton, Carol Jackson-Doerge, Graham Jones, Alan Law, Tony Linden, Gordon Lundie, Tim Metcalfe, Joe Mooney, Irene Neill, Graham Pask, James Podger, Andrew Rowles, Garth Simpson, Anthony Stansfeld, Quentin Webb, Emma Webster, Laszlo Zverko (35)

The Amendment was put to the vote and declared **CARRIED**.

Discussion then returned to the substantive motion. Councillor Tony Vickers queried whether the administration would be willing to use the Council’s ability to borrow capital at favourable rates on behalf of Registered Social Landlords. This capital could then be used to increase the number of affordable homes built in the district. He requested that this suggestion be considered when the capital programme for the following year was set.

Councillor Pamela Bale welcomed the proposed expenditure on the District’s road network. Councillor Irene Neill noted that a number of projects (including the science block at The Downs School, a new building for the hearing impaired at Kennet School,

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Denefield School, Caste School and Brookfields) had been undertaken in 2013/14. She thanked the Education Assets Team for all the good work they had done and the staff and pupils at the schools for their forbearance with the disruption while the projects were ongoing. She also welcomed the proposals outlined in the programme for the forthcoming year.

Councillor Brooks reported that since the amendment had been included in the programme he was pleased to support the proposed Capital Strategy and Programme.

Councillor Gordon Lundie noted that £115m would be invested over the following five years. In addition some of the reserves would be spend on addressing some of the problems caused by the recent flooding. Councillor Lundie noted that following negotiations with Central Government the Council would now be putting additional investment into the superfast broadband scheme as a rate of 90% coverage could now be achieved.

Prior to the vote being taken the Monitoring Officer announced that the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (SI 2014/165) (2014 Regulations) came into effect on the 25 February 2014 and as a consequence the Council was required to record the names of Members voting for and against the budget proposals.

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

FOR the Motion

Councillors Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck, Brian Bedwell, David Betts, Dominic Boeck, Paul Bryant, Virginia von Celsing, George Chandler, Keith Chopping, Hilary Cole, Roger Croft, Richard Crumly, Sheila Ellison, Marcus Franks, Dave Goff, Paul Hower, John Horton, Carol Jackson-Doerge, Graham Jones, Alan Law, Tony Linden, Gordon Lundie, Tim Metcalfe, Joe Mooney, Irene Neill, Graham Pask, James Podger, Andrew Rowles, Garth Simpson, Anthony Stansfeld, Quentin Webb, Emma Webster, Laszlo David Allen, Jeff Brooks, Billy Drummond, Roger Hunneman, Mollie Lock, Royce Longton, Gwen Mason, Geoff Mayes, David Rendel, Julian Swift-Hook, Tony Vickers, Keith Woodhams (47)

87. Revenue Budget: 2014/15 (C2749)

(Councillor Jeff Brooks declared a personal interest in Agenda item 18 by virtue of the fact that his wife worked at the Watermill Theatre. As his interest was personal and a not disclosable pecuniary interest he determined to take part in the debate and vote on the matter. He noted, however that id a debate on the Watermill Theatre arose he would leave the chamber, not take part in the discussion or vote on the matter).

(Councillor Bill Drummond declared a personal interest in Agenda item 18 by virtue of the fact that his wife was a clinical lead for older people with mental health issues for West Berkshire Health, NHS Trusts . As his interest was personal and not a disclosable pecuniary interest he determined to take part in the debate and vote on the matter).

The Council considered a report (Agenda Item 18) concerning the Council's 2014/15 revenue budget.

MOTION: Proposed by Councillor Alan Law and seconded by Councillor Gordon Lundie:

That the Council:

- (1) in accordance with Council Rules of Procedure 4.9 and 4.16 (Appendix L refers), the Council's decision of 12 December 2013 in relation to not

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transferring funding to Town and Parish Councils under the Council Tax Reduction Scheme be rescinded.

- (2) notes that the following are the amounts for the year 2014/2015 in accordance with regulations made under Section 31B of the Local Government Finance Act 1992, as amended (by the Localism Act 2011):-

- (a) *60,599.03 being the amount calculated by the Council, (Item T) in accordance with regulation 31B of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended by the Localism Act 2011), as its council tax base for the year.*
- (b) *Part of the Council's area as per Appendix K being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which a parish precept relates.*

- (3) Calculates that the Council Tax requirement for the Council's own purposes for 2014/15 (excluding Parish precepts) is £76,563,245

- (d) notes that the following amounts be now calculated by the Council for the year 2014/2015 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992, amended by the Localism Act 2011:-

- (a) *£293,947,118 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2)(a) to (f) of the Act taking into account all precepts issued to it by parish councils.*
- (b) *(£213,886,715) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3)(a) to (d) of the Act.*
- (c) *£80,060,403 being the amount by which the aggregate at 4(a) above, exceeds the aggregate at 4(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year (Item R).*
- (d) *£1,321.14 being the amount at 4(c) above (Item R), all divided by 2(a) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the 'basic amount of its Council Tax for the year (including Parish precepts).*
- (e) *£3,497,158.33 being the aggregate amount of all special items (parish precepts) referred to in Section 34(1) of the Act (as per Appendix K).*
- (f) *£1,263.44 being the amount at 4(d) above less the result given by dividing the amount at 4(e) above by the amount at 2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special items relates.*

5. notes that for the year 2014/2015 Police and Crime Commissioner for Thames Valley & The Royal Berkshire Fire and Rescue Service have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Councils area as indicated in Appendix K.

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6. in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables in Appendix K as the amounts of Council Tax for 2014/15 for each part of its area and for each of the categories of dwellings."

Councillor Law reported that he was proposing a 0% Council Tax rise for 2014/15 despite a £3.67m reduction in the Council's Revenue Support Grant (RSG). This was against a background of a £2.2m pressure arising from an increase in wages, inflation in contracts and an increase in demand led services.

Councillor Law explained that the first recommendation had been included in order to rescind the decision made at the December Council meeting not to transfer any funding to the Town and Parish Councils under the Council Tax Reduction Scheme. At the time the decision had been made it had been explained that if there was a material change in circumstances the decision might need to be rescinded. Following a budget review and clarification as to the level of RSG the Council would receive it was now proposed to transfer 75% of the RSG component of the Council Tax Support Scheme to the Town and Parish Councils. Ongoing funding would be on a diminishing sliding scale. This had been done in light of the suggestion made by Graham Hunt (of Newbury Town Council) speaking on behalf of some of the other Town and Parish Councils. As a consequence some of the parishes had decided to reset their precepts and a new Appendix K had been circulated after the agenda had been produced. In addition it had also been agreed to insert the words 'are the' between the words 'following' and 'amounts' in recommendation 2.

Councillor Law proposed that the new Appendix K and the change of wording (set out above) be treated as an Amendment. The Amendment was seconded by Councillor Lundie.

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

AMENDMENT 2: Proposed by Councillor Jeff Brooks and seconded by Councillor David Allen:

That the Council:

"agrees the proposals set out in the Liberal Democrat Amendment to the Council budget for 2014/15"

Councillor Jeff Brooks opined that the proposals in the Administration's budget included a wide range of cuts to services for the district's most vulnerable residents. The amendment the Opposition were proposing would, in his opinion, reduce some of that impact. Councillor Brooks noted that the amendment would require changes to be made to the car parking ticket machines which would allow variable tariffs to be set. He was also concerned about reductions in funding to the Corn Exchange which he felt was a very significant asset for the district. He felt that the proposed changes to the library opening hours would only achieve small savings and were therefore not something that he would be supporting.

Councillor David Allen asked Members to reconsider some of the savings proposals in light of some of the consultation responses received and petitions that had been submitted to the Council (including the petition relating to Pangbourne Library and On

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Street Parking in Newbury). He was concerned that some of the proposals to reduce funding for Early Intervention Programmes might achieve a short term gain but that they would result in bigger costs to the Council and individuals in due course.

Councillor Keith Woodhams raised concerns about cuts to the road safety, road maintenance and public transport budgets. Councillor Woodhams noted that every road traffic accident attracted significant costs and it was therefore important to invest in education programmes for young people that could help to decrease the number of accidents. Councillor Woodhams also stressed the need to protect rural transport given the nature of the district.

Councillor Roger Hunneman was concerned about the impact the proposed savings proposals would have on West Berkshire's vulnerable residents. He therefore proposed setting up a £50k transitional support fund to provide support for those suffering hardship following the introduction of the amended 'fairer contributions policy'. Councillor Hunneman noted that up to 800 residents currently on housing benefit might now have to contribute to the cost of being cared for in their own homes. This policy would be means tested which could put some residents off and it was possible that the Council would lose contact with them. He felt that it was important to retain the fund until all affected residents had been assessed.

Councillor Hunneman noted that 411 clients had waited for more than 3 months to have their assessments undertaken and he was therefore proposing additional investment of £50k to fund 1.5 fte employees in the Adult Social Care Team to help reduce the waiting times.

Councillor Gordon Lundie noted that the amendments proposed by the Opposition were not significant, as they only totalled £391k of a £121m budget, especially when compared to the £700k of amendments that had been made as a direct result of the consultation undertaken in respect of the savings proposals. He therefore challenged the Opposition to raise areas where they felt the Administration was failing throughout the year. Councillor Lundie felt that the amendments had failed to address the areas that needed changing and therefore there was no reason to revisit the budget that was being proposed.

(Councillor Richard Crumly left the meeting at 8.12pm).

Councillor Alan Law reported that he had written to the Council's external Auditor the previous year in respect of the Council's reserve levels. The Auditor had raised no concerns about the Council's reserve levels and had in fact endorsed them. Furthermore the Auditor felt that the Council had appropriate controls in place. The only issue that Councillor Law was aware of pertained to the Council's self insurance fund and he would ask the Overview and Scrutiny Management Commission to look into this matter with a view to them making a recommendation to the Executive.

Councillor Brooks maintained that the savings proposals would impact negatively on vulnerable residents and that they would be detrimental to the District.

Prior to the vote being taken the Monitoring Officer announced that the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (SI 2014/165) (2014 Regulations) came into effect on the 25 February 2014 and as a consequence the Council was required to record the names of Members voting for and against the budget proposals.

The Amendment was put to the vote and declared **LOST**.

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FOR the Amendment:

Councillors David Allen, Jeff Brooks, Billy Drummond, Roger Hunneman, Mollie Lock, Royce Longton, Gwen Mason, Geoff Mayes, David Rendel, Julian Swift-Hook, Tony Vickers, Keith Woodhams (12)

AGAINST the Amendment:

Councillors Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck, Brian Bedwell, David Betts, Dominic Boeck, Paul Bryant, Virginia von Celsing, George Chandler, Keith Chopping, Hilary Cole, Roger Croft, Sheila Ellison, Marcus Franks, Dave Goff, Paul Hewer, John Horton, Carol Jackson-Doerge, Graham Jones, Alan Law, Tony Linden, Gordon Lundie, Tim Metcalfe, Joe Mooney, Irene Neill, Graham Pask, James Podger, Andrew Rowles, Garth Simpson, Anthony Stansfeld, Quentin Webb, Emma Webster, Laszlo Zverko (34)

ABSTAINED:

None

The debate then returned to the substantive motion.

Councillor Pamela Bale thanked Councillor Hilary Cole for listening to the case that had been made in respect of opening hours for Pangbourne Library. Councillor Bale hoped that the residents of Pangbourne would take up Councillor Cole's proposal to make the library into a community hub. If the usage figures were to increase it was possible that the opening hours could be extended in the future.

Councillor Bale noted that there were no proposals in place to cut rural bus services as yet. She noted that the Council had a duty to provide services to people in rural areas and the Council would continue to recognise the work undertaken by voluntary groups. She also explained that the Council had listened to comments pertaining to Sunday car parking charges and as a consequence had decided not to implement weekday charges and would instead only be increasing Sunday charges to £1.50.

Councillor Joe Mooney felt that this was a good and prudent budget. He reminded Members about the significant savings made in the Adult Social Care arena and he thanked Steve Duffin and his team for all their hard work that had made the savings possible. Councillor Mooney encouraged all Members to familiarise themselves with the impact that would be created by the Better Care Fund as well as the emerging Care Bill. He noted that the staff that worked in Adult Social Care were very dedicated and that the Council should be very proud of them.

Councillor Irene Neill stated that the proposed budget represented good value for money. Not all savings proposals equated to a cut in services provided. Some services had been brought together where they overlapped and placement costs had been reduced in some areas and despite costing less they had benefited both young people and their carers.

(Councillor John Horton left the meeting at 8.30pm)

Councillor Graham Jones noted that in order for the Coalition Government to improve the nation's finances it had to reduce the funding available to local authorities. He therefore felt that this was a good budget given the constraints as the money being spent matched the Council's resources.

Councillor Hilary Cole reported that the Council had listened to the feedback it had received from residents in three specific areas in her portfolio. As a result of the feedback the reduction in funding to the Corn Exchange had been reprofiled over a five year period. A business plan was being developed for Shaw House which would result in it offering a wide range of activities in the future. Although it had been necessary to make a slight reduction in the opening hours for libraries their role in the community was

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changing. It was hoped that in the future they could become community hubs where a range of services including those provided by the Council could be accessed.

Councillor Gordon Lundie was pleased to announce that a 0% increase in Council Tax was being proposed for the both the 2014/15 and 2015/16 financial years. A savings plan totalling £5.6m was proposed which would encompass both front office (1/3) and back office (2/3) functions. The Administration had to make a number of difficult decisions but they were necessary in order to produce a balanced budget. The proposals had been consulted on and as a result of the feedback received £700k of changes had been made to the original plan. The Council were also proposing using around £1m of reserves to redress some of the damage incurred by the recent flooding. Councillor Law then commended the budget to Council for approval.

It was agreed that a separate vote would be undertaken on the first recommendation

Recommendation 1 was put to the vote and declared **CARRIED**

(This item received unanimous support)

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

Prior to the vote being taken the Monitoring Officer announced that the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (SI 2014/165) (2014 Regulations) came into effect on the 25 February 2014 and as a consequence the Council was required to record the names of Members voting for and against the budget proposals.

FOR the Motion

Councillors Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck, Brian Bedwell, David Betts, Dominic Boeck, Paul Bryant, Virginia von Celsing, George Chandler, Keith Chopping, Hilary Cole, Roger Croft, Sheila Ellison, Marcus Franks, Dave Goff, Paul Hower, Carol Jackson-Doerge, Graham Jones, Alan Law, Tony Linden, Gordon Lundie, Tim Metcalfe, Joe Mooney, Irene Neill, Graham Pask, James Podger, Andrew Rowles, Garth Simpson, Anthony Stansfeld, Quentin Webb, Emma Webster, Laszlo Zverko (33)

AGAINST the Motion

Councillors David Allen, Jeff Brooks, Billy Drummond, Roger Hunneman, Mollie Lock, Royce Longton, Gwen Mason, Geoff Mayes, David Rendel, Julian Swift-Hook, Tony Vickers, Keith Woodhams (12)

88. Statutory Pay Policy Statement (C2646)

The Council considered a report (Agenda Item 19) concerning the Council's Pay Policy Statement which it was required to publish for approval by the 01st April 2014.

MOTION: Proposed by Councillor Alan Law and seconded by Councillor Laszlo Zverko:

That the Council:

“approves the Pay Policy Statement as set out in Appendix A to the report”.

Councillor Alan Law informed Members that there it was a statutory requirement to produce the report which set out the earnings of the Council's senior managers and also the ratios between the salaries of the top and bottom earners in the Council.

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

89. **Community Infrastructure Levy - Adoption and Implementation of Charging Schedule (C2587)**

(Councillor Emma Webster declared an interest in Agenda item 20 by virtue of the fact that she was employed by a company that worked with local developers and although she did not she was a director of the company . As her interest was personal and a disclosable pecuniary interest she left the meeting and took no part in the debate or voting on the matter).

(Councillor Keith Woodhams declared a personal interest in Agenda item 20 by virtue of the fact that his daughter was employed by a local developer. As his interest was personal and not a disclosable pecuniary interest he determined to take part in the debate but declared that he would not vote on the matter).

(Councillor Emma Webster left the meeting at 8.52pm and returned at 9.02pm)

The Council considered a report (Agenda Item 20) concerning the Examiner's report into West Berkshire's Draft Charging Schedule and sought approval for the adoption and implementation of a Community Infrastructure Levy (CIL) for the Council.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Paul Bryant:

That the Council:

1. "accepts the Examiner's recommendations and adopts the Charging Schedule as set out in Appendix B to the report;
2. Agrees that the Charging Schedule will take effect from the 01st April 2015 unless the restriction on the use of s106 agreements come into force before that date, in which case the Charging Schedule will take effect from the date that those restrictions come into force;
3. Approves the Regulations 123 List as set out in Appendix C as supporting documentation to the Charging Schedule."

Councillor Hilary Cole thanked Members that had attended the Member Development session on CIL on the 12 February despite the inclement weather.

Councillor Cole explained that CIL was a concept that had been introduced by Government in 2010 and had been amended year on year since then. As a result of recent changes the cut off date at which point the s06 scheme would have to cease had been delayed from April 2014 until April 2015. Councillor Cole reported that new Regulations had come into force on the 24 February 2014 (after the agenda had been published) and consequently the second recommendation should be **amended** to read that:

"That the Charging Schedule will take effect from 1st April 2015."

Councillor Cole reported that there appeared to be cross party support for the retention of the existing s106 scheme. A meeting had therefore been arranged with Richard Benyon (MP) to discuss the issue. The most simple solution being to remove the cut off date for s106 schemes in the Regulations which would allow a decision to be made at a local level and which would have the effect of making the introduction of the CIL scheme voluntary. Mr Benyon was able to get agreement for a Westminster Hall debate where a challenge was articulated to keep the existing policy. This debate had resulted in a further meeting being secured at the Department for Communities and Local Government where the matter would be pursued. Councillor Cole thanked Councillor Keith Chopping for all his support on this issue.

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Councillor Cole requested that in the mean time Members approve the recommendations as set out in the report, subject to the inclusion of the amendment, which would have the effect of delaying the implementation of CIL until 01 April 2015.

Councillor Tony Vickers stated that he supported the report so much so that he would have been willing to second it. He also supported the retention of the s106 scheme as he was concerned about the gap in funding for infrastructure in the District that would ensue as a result of the implementation of CIL. The Council had a good scheme in place and he would support any efforts to retain it including accompanying Councillor Cole to any of the meetings referred to if she would like him to. Councillor Cole thanked Councillor Vickers for his support.

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

(Councillor Keith Woodhams abstained from voting on this item).

90. **Amendments to the Constitution - Scheme of Delegation (C2770)**

The Council considered a report (Agenda Item 21) concerning amendments to sections of the Scheme of Delegation in light of legislative changes.

MOTION: Proposed by Councillor Jeff Beck and seconded by Councillor Quentin Webb:

That the Council:

“agrees the proposed amendments to the Scheme of Delegation”.

Councillor Jeff Beck noted that the Governance and Audit Committee had discussed the proposed changes at a meeting on the 10 February 2014. The Committee had resolved to recommend acceptance of the changes as detailed in the report.

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

91. **Changes to the Constitution - Part 13 Codes and Protocols (C2771)**

The Council considered a report (Agenda Item 22) concerning a review and ensuing amendments to sections of Part 13 (Codes and Protocols) i.e. Appendices A (West Berkshire Code of Conduct for Planning), D (Gifts and Hospitality: A Code of Conduct for Councillors), E (Procedure for Local Determination of Allegation) and G (West Berkshire Code of Conduct for Licensing) in light of legislative changes, policy changes and recent government guidance.

MOTION: Proposed by Councillor Jeff Beck and seconded by Councillor Quentin Webb:

That the Council:

1. “agrees the amendments and any additional changes required;
2. Agrees the changes will come into effect on the 05 March 2014”.

Councillor Jeff Beck noted that the changes had been discussed at the Governance and Audit Committee meeting on the 10 February 2014. The Committee had recommended that Council adopt the proposed changes.

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

(The meeting commenced at 6.30 pm and closed at 9.06 pm)

CHAIRMAN

Date of Signature