

Meeting of West Berkshire District Council

Thursday, 17th September, 2015

Summons and Agenda



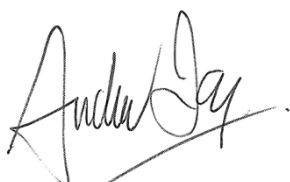
WestBerkshire
C O U N C I L

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, 17th September, 2015
at 7.30pm**



Andy Day
Head of Strategic Support
West Berkshire District Council

Date of despatch of Agenda: Tuesday 8 September 2015

AGENDA

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. **PRESENTATIONS TO RECOGNISE THE SERVICE OF FORMER COUNCILLORS
(C3015)**

The Chairman will make presentations to former councillors to recognise their service to West Berkshire Council.



Agenda - Council to be held on Thursday, 17 September 2015 (continued)

4. MINUTES

The Chairman to sign as a correct record the Minutes of the Council meetings held on 2 July 2015 and the special meeting on 20 July 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. PUBLIC QUESTIONS

Members of the Executive to answer the following questions submitted by a member of the public in accordance with the Council's Constitution:

- (a) **Question to be answered by the Leader of the Council submitted by Mr Tony Vickers:**

“Do you agree that parish and town councils have an important role to play in the creation and development of local communities and that they should therefore reflect a distinctive and recognisable community of place?”

8. MEMBERSHIP OF COMMITTEES

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

9. LICENSING COMMITTEE

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

10. PERSONNEL COMMITTEE

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

11. GOVERNANCE AND ETHICS COMMITTEE

The Council is asked to note that since the last meeting of Council, the Governance and Ethics Committee met on 24 August 2015 and 3 September 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, 17 September 2015 (continued)

12. DISTRICT PLANNING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the District Planning Committee met on 8 July 2015. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

13. 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 has not met. Copies of the Minutes of previous meetings can be obtained from Strategic Support or via the [Council's website](#).

14. PROPOSED BOUNDARY REVIEW (C3029)

To seek Council's approval to approach the Local Government Boundary Commission in order to have a planned Electoral Review prior to the next District Council elections in May 2019.

15. MEMBERS' QUESTIONS

Members of the Executive to answer the following questions submitted by a Councillor in accordance with the [Council's Constitution](#):

- (a) **Question to be answered by the Executive Member for Property, Culture, Customer Services, Environmental Health, Trading Standards, Countryside, Cleaner & Greener, Waste submitted by Councillor Alan Macro:**

"What action is the Council planning to do to get the Shaw House Park and Garden restored so that it can be removed from Historic England's Heritage at Risk Register?"

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 MEETING HELD ON

THURSDAY, 2 JULY 2015

Councillors Present: Steve Ardagh-Walter, Howard Bairstow, Pamela Bale, 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, Billy Drummond, Adrian Edwards, Sheila Ellison, Marcus Franks, James Fredrickson, Dave Goff, Manohar Gopal, Marigold Jaques, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, James Podger, Garth Simpson, Richard Somner, Anthony Stansfeld, Quentin Webb (Vice-Chair, in the Chair), Emma Webster and Laszlo Zverko

Also Present: Nick Carter (Chief Executive), Nathan Gregory (Group Executive (Conservatives)), David Holling (Head of Legal Services), Rachael Wardell (Corporate Director - Communities), Robert Alexander (Policy Officer) and Moira Fraser (Democratic and Electoral Services Manager)

Apologies for inability to attend the meeting: Councillor Peter Argyle, Councillor Jeremy Bartlett, Councillor Clive Hooker, Councillor Carol Jackson-Doerge, Councillor Mike Johnston and Councillor Virginia von Celsing

Councillors Absent: Councillor Richard Crumly, Councillor Nick Goodes and Councillor Paul Hewer

PART I

26. Chairman's Remarks

Councillor Quentin Webb (Vice-Chair in the Chair)

The Vice-Chairman reported that he had attended 11 events since the last Council meeting. He particularly enjoyed the Annual Recognition event and wished to offer his congratulations to all those who were nominated for awards.

The Vice-Chair also made mention of the Newbury Society Garden Party and Armed Forces Day, which he had attended.

The Vice-Chairman informed Council that Item 14 the "A339/Fleming Road Junction Compulsory Purchase Order (C2955)" would be delayed to the Special Council meeting on 20 July 2015. This was due to incorrect information being supplied on the report. Councillor Gordon Lundie stated that he was disappointed that this report had been withdrawn from the agenda for the second time and also was concerned about it being delayed so late in the process. The reason for the withdrawal pertained to an inaccurate map of Victoria Park being included in the report. He felt that this error fell well short of the level of detail he expected from Officers and felt that Members had been let down. He noted that due to the impact a Compulsory Purchase Order would have it was important to get it right. He sought assurance from the Head of legal Services and the Chief Executive that they would afford the documentation the appropriate level of scrutiny before it was included in the paperwork for the special meeting on the 20th July 2015.

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The Vice-Chairman notified Members that in addition to the Special Council meeting on Monday 20 July 2015 a further extraordinary meeting scheduled to take place before Full Council on 17 September 2015. The purpose of this meeting would be to appoint Honorary Aldermen.

27. **Minutes**

The Minutes of the meeting held on 19th May 2015 were approved as a true and correct record and signed by the Chairman.

28. **Declarations of Interest**

There were no declarations of interest received.

29. **Petitions**

There were no petitions were received

30. **Public Questions**

There were no public questions received.

31. **Membership of Committees**

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

Councillor Tony Linden would replace Councillor Richard Crumly on the Appeals Panel

32. **Licensing Committee**

The Council noted that, since the last meeting, the Licensing Committee had met on 23rd June 2015.

33. **Personnel Committee**

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

34. **Governance and Audit Committee**

The Council noted that, since the last meeting, the Governance and Audit Committee had met on 22nd June 2015.

35. **District Planning Committee**

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

36. **Overview and Scrutiny Management Commission**

The Council noted that, since the last meeting, the Overview and Scrutiny Management Committee had met on 30th June 2015.

37. **Standards Committee**

The Council noted that, since the last meeting, the Standards Committee had met virtually on 22nd June 2015.

38. **A339/Fleming Road Junction Compulsory Purchase Order (C2955)**

This item was deferred to the Special Council meeting on Monday 20th July 2015.

39. **Changes to Governance Arrangements (C2987)**

The Council considered a report (Agenda Item 15) concerning the recommendation to create a Governance and Ethics Committee in place of the Governance and Audit Committee and Standards Committee.

COUNCIL - 2 JULY 2015 - MINUTES

MOTION: Proposed by Councillor Gordon Lundie and seconded by Councillor Jeff Beck:

“That the Council:

- 1) Amalgamate the Governance and Audit and Standard Committees to form a Governance and Ethics Committee.
- 2) To delegate authority to the Monitoring Officer to amend the Constitutions (including the terms of reference) to reflect the merge.
- 3) To delegate authority to the Head of Strategic Support to amend the Timetable of Meetings for 2015/16.
- 4) To appoint three Independent Persons in accordance with S28 of the Localism Act 2011.”

Councillor Gordon Lundie in introducing this report noted that over the past two years the volume of work undertaken by the Standards Committee had declined. It was therefore being proposed that the two Committees be merged.

Councillor Jeff Beck that the proposed changes had been discussed at the 22nd June 2015 Governance and Audit meeting. This was the second time that the Committee had considered the proposals. He felt that the proposal would improve efficiency and help to streamline the Council’s governance structures.

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

40. **Scrutiny Annual Report 2014/15 (C2685)**

The Council considered a report (Agenda Item 16) informing the Council of the Scrutiny Activity undertaken during the Municipal Year 2014/2015.

MOTION: Proposed by Councillor Emma Webster and seconded by Councillor Dave Goff:

“That the Council:

- 1) Note the content of the report.”

Councillor Emma Webster wished to thank former Councillors Brian Bedwell and Jeff Brooks for their hard work they had done on the Overview and Scrutiny Management Commission. Councillor Webster highlighted the excellent work undertaken on the Severe Weather experienced in 2013/14.

Councillor David Goff echoed the thanks to the former Chairman and Vice-Chairman of the Commission. He stated that the Commission fulfilled an important role and had considered a wide range of topics. Councillor Alan Macro commended the Committee on their work and mentioned that the work on Continuing Health Care brought about reform in the district.

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

(Councillor Anthony Stansfeld arrived at 7.16pm)

41. **Notices of Motion**

The Council considered the under-mentioned Motion (Agenda item 17(a) refers) submitted in the name of Councillor Alan Macro relating to investigating the cost and practicality of webcasting all Council, Executive and Committee meetings.

The Chairman informed the Council that should the motion be approved, under Procedural Rule 4.9.8 it would be referred to a sub-group of the newly formed Governance and Ethics Committee for consideration.

COUNCIL - 2 JULY 2015 - MINUTES

MOTION: Proposed by Councillor Alan Macro and seconded by Councillor Lee Dillon:

That the Council:

“investigates the cost and practicality of webcasting all Council, Executive and Committee meetings”

The proposal to refer the Motion to a sub-group of the newly formed Governance and Ethics Committee was put to the vote and declared **CARRIED**.

42. Members' Questions

- (a) A question standing in the name of Councillor Alan Macro on the subject of community engagement in CIL was answered by the Executive Member for Planning, Economic Development, Newbury, Hungerford, Thatcham & Eastern Area Visions.

(The meeting commenced at 7.00 pm and closed at 7.20 pm)

CHAIRMAN

Date of Signature

DRAFT

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

COUNCIL

MINUTES OF THE MEETING HELD ON

MONDAY, 20 JULY 2015

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

Also Present: Nick Carter (Chief Executive), Sarah Clarke (Team Leader - Solicitor), Martin Dunscombe (Communications Manager), Mark Edwards (Head of Highways and Transport), Rachael Wardell (Corporate Director - Communities), Jon Winstanley (Projects Manager - Highways & Transport), Robert Alexander (Policy Officer) and Moira Fraser (Democratic and Electoral Services Manager)

Apologies for inability to attend the meeting: Councillor Howard Bairstow, Councillor Jeremy Bartlett, Councillor Dennis Benneyworth, Councillor Rob Denton-Powell, Councillor Alan Law, Councillor Anthony Pick and Councillor James Podger

Councillor Absent: Councillor Nick Goodes

PART I

43. Chairman's Remarks

The Chairman noted that although Chairman's Remarks were not usually included on an Extraordinary Council agenda he would be exercising the Chairman's prerogative to make an announcement.

It was with regret that he needed to announce that George McGeachie, a Conservative Councillor from Burghfield had recently passed away. Mr McGeachie had represented Burghfield from 1983 to 1995, when he did not stand. He was Chairman of Newbury District Council in 1988/89 and had also served as a Governor at Willink School. The Chairman asked all those present to observe a minutes silence.

44. Declarations of Interest

Councillors Adrian Edwards, David Goff, Jeff Beck, James Fredrickson, Lynne Doherty, Jeanette Clifford, Mike Johnston and Alan Macro declared an interest in Agenda Item 4, and reported that, as their interest was personal and prejudicial they would be leaving the meeting during the course of consideration of the matter.

By way of explanation the Deputy Monitoring Officer explained that in relation to Item 4 authority was being sought to delegate to the Head of Legal Services the authority to make a Compulsory Purchase Order (CPO) in respect of the land identified in the report, for the purpose of creating a new junction from the A339 onto Fleming Road in Newbury. The land affected included land which was leased to Newbury Town Council (NTC).

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Members who were both Members of West Berkshire Council and NTC would therefore have a personal interest (see paragraph 4.2.2 of West Berkshire Council's Code of Conduct) in this item. In addition as the proposal could affect the financial position of NTC these Members with a personal interest could also be deemed to have an 'Other Interest' (Para 4.5.1 of the Code of Conduct).

Where a Member had an 'Other Interest', they were only permitted to make representations to the extent that the public would be able to do so. As the public were not entitled to speak at meetings of Council, they were therefore required to leave the room while the item was being considered (Para 4.5.3).

45. Children's Services Improvement Plan (C3000)

The Council considered a report (Agenda Item 3) concerning the response from the Communities Directorate to Ofsted's judgement of the Council's Children's Services as being 'inadequate'. The report also provided the Council with the draft Ofsted Improvement Plan that included the resources that were immediately required to move the service out of inadequate and to start the journey to 'good'.

MOTION: Proposed by Councillor Lynne Doherty and seconded by Councillor Gordon Lundie:

That the Council:

"approve the Improvement Plan to ensure Children's Services were no longer inadequate".

Councillor Doherty drew Members' attention to the revised table replacing the one on page 66 in the agenda that had been tabled at the meeting. The table included some minor amendments to the figures.

Councillor Doherty in introducing the item noted that in March 2015, Ofsted had carried out an inspection of West Berkshire's Children and Families Services. The outcome of the inspection was that the Council's 'services for children in need of help and protection' were judged to be 'inadequate' and therefore the local authority's overall effectiveness in delivering children and family services was judged to be inadequate too. The Leader had confirmed at the 19th May 2015 Council meeting that a full response would be brought to a Full Council meeting.

The Ofsted report contained 17 recommendations which had to be implemented effectively and of those 17 four were for 'Priority and Immediate Action' and a further 13 were 'Areas for Improvement'. The Council was also publicly committed to achieving 'good' standards of safeguarding, which was delivered through its children and family services.

Councillor Doherty noted that the Council was required to submit a response to the Department for Education (DfE) by the 24th August 2015. This Improvement Plan would be the core document against which improvement in the service would be monitored and evaluated. The Improvement Plan was a required mandatory response to an Ofsted 'inadequate' judgement and the Council was recommended to approve it and to monitor its implementation.

The focus at this particular time was on taking the necessary remedial actions to bring the service out of 'inadequate'. In January 2016 firm proposals to carry forward the next phase of service improvement would be brought to the Council's Executive for consideration and agreement. Councillor Doherty noted that initial feedback suggested that the Improvement Plan was being well received by the DfE and the relevant Minister.

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Councillor Mollie Lock noted that the Ofsted inspection had highlighted that much of the Children's Services work was not inadequate. She was however concerned that Members had only had a short time to consider the report. She commented that representatives from the DfE would be visiting the Council the following day which would not give Officers much time to make any post Council adjustment to the report.

One of the most significant issues that would need to be resolved was the shortage of social workers. Councillor Lock stated that 33% of the workforce were agency workers which resulted in high costs and an unstable workforce. She commented that agency staff varied in quality and practice. She welcomed the training programme that would be delivered through the Academy. She stated that an additional option which could be considered to attract social workers could be assistance with accommodation.

Councillor Macro also lamented that Members had had a very short time to assimilate the information in the report and that, in light of the DfE visit the following day, there would not be much time to make any amendments to the Plan. He too was concerned about the stability of the workforce. He noted that 77% of senior social workers and 42% of social workers were supplied by agencies. He reiterated the need to attract permanent members of staff.

Councillor Macro noted that the table in paragraph 7.9 stated that the figures for Family Intervention Workers needed to be double checked. Inclusion of this comment and the tabled correction highlighted that the information had not been thoroughly checked before being issued which concerned him.

Councillor Macro supported spending the additional £12k on commissioning a 'test of assurance' of a dual role from the DCS from an external provider. He was pleased to see that £100k was being set aside for staff training.

Councillor Macro was also concerned that the unions had not been consulted on the paper as it was essential to have staff buy in.

Councillor Lee Dillon was concerned about the red items listed in the Improvement Plan as it would be the core document against which the improvements would be monitored and evaluated. He requested that progress be reported back to Full Council which would give an opportunity for all Members to comment on it.

Councillor Dillon also felt that it would be useful to review the previously agreed recruitment and retention strategy.

Councillor Graham Jones stated that through the Health and Wellbeing Board he would work with partner organisations such as the Clinical Commissioning Groups, Dental Practitioners and Public Health to deliver the health based outcomes in the Plan. He also noted that there was a national statistic that 75% of all mental health issues could be identified before the age of 21 and therefore vulnerable young people needed to be supported through the CAMHS. He commended the plan.

Councillor Emma Webster responded to the comments on recruitment and retention of social workers by explaining that the Overview and Scrutiny Management Commission (OSMC) would be looking into this issue at their October 2015 meeting. She reminded Members that increasing salaries was not the only solution as it could create a knock on effect and it might be necessary to look at this issue from a Berkshire wide perspective. She reminded all Members that they were welcome to attend OSMC meetings.

Councillor Lundie stated that he was disappointed that the Service had been adjudged to be inadequate. He felt however that Officers had put together an excellent response and he thanked them for the work that they had undertaken post the inspection. He felt that the Plan provided a robust, clear and detailed response. He felt that it was important to

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bring the response back to Full Council as soon as was practicably possible. He had however delayed the report in order to ensure that it contained detailed costings. He noted that the Plan appeared to have been well received by the DoE.

(Councillor Mike Johnston arrived at 7.24pm)

Councillor Lundie stated that he did not think that it was fair to criticise agency staff but commented that of course it would be preferable to have permanent employees. He stated that this was a demand led service which made it very difficult to predict numbers. It was however important not to put children at risk. He thanked Members for the opportunity to bring this item to Council.

Councillor Doherty stated that she appreciated the comments about the time to consider the report but that it was essential to bring the Plan back to Members as quickly as possible. She highlighted that the process was being driven by Ofsted's timetable. She commented that reliance on agency workers was decreasing. She noted that training at the academy for three newly qualified social workers was in place and that a second cohort of four newly qualified social worker would be starting in September 2015. Two unqualified workers were also being supported in the service to achieve their social work qualifications. She reiterated the need to have the right people in the job for the sake of the children involved. Rushing recruitment could in itself lead to instability.

Councillor Doherty noted that in May 2015 work on Child Protection Plans had dipped but was back up to 100% in June 2015. She commented that although she had expected a deterioration in morale post the Ofsted inspection but having spoken to staff they seemed to have pulled together and morale appeared to be good. She noted that in terms of engagement the Plan had been circulated to all affected members of staff and focus groups had been arranged for the 15th and 19th June 2015. A cross section of staff had attended these events which had focussed on improvements. She apologised that the documents had not been sent to the unions in advance of publication in the Council agenda but noted that staff had been consulted.

An Improvement Board and the Local Children's Safeguarding Board would also be looking at some of the recommendations shown as red on the Plan.

Councillor Doherty noted that, in addition to the previously mentioned discussion on recruitment and retention at OSMC, progress would be reported to the Executive.

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

46. **A339/Fleming Road Junction Compulsory Purchase Order (C2955)**

(Councillors Jeff Beck, Jeanette Clifford, Lynne Doherty, Adrian Edwards, James Fredrickson, Dave Goff and Mike Johnston declared a personal and prejudicial interest in Agenda Item 4 by virtue of the fact that they were all Members of Newbury Town Council. As their interest was a personal and a prejudicial interest they left the meeting at 7.30pm and took no part in the debate or voting on the matter)

(Councillor Alan Macro declared a personal and prejudicial interest in Agenda Item 4 by virtue of the fact that he was an Officer in a negotiation with another company on the site. As his interest was a personal and a prejudicial interest he left the meeting at 7.30pm and took no part in the debate or voting on the matter)

The Council considered a report (Agenda Item 4) concerning the purchase of 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 a new junction to be built from the A339 onto

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Fleming Road in Newbury and to appropriate the land within the Scheme for planning purposes.

MOTION: Proposed by Councillor Garth Simpson and seconded by Councillor Graham Pask:

That the Council:

“having given consideration to all the provisions of this report including the impact on Human Rights and Equalities resolves to delegate authority to the Head of Legal Services to make a Compulsory Purchase Order(s) and other such powers as detailed in section 11 of this report.”

Councillor Simpson in introducing the item noted that the re-development of the London Road Industrial Estate was identified as a priority in the Local Plan (West Berkshire Core Strategy, Area Delivery Plan Policy 2). The site was home to mainly industrial uses, predominantly relating to the motor trade. The London Road Industrial Estate (LRIE) had remained largely untouched in the last 40 years as the generally poor condition of the building stock conveyed. Providing access to the LRIE from the A339 would facilitate the regeneration of the LRIE which would deliver economic growth, creating additional jobs and would regenerate and integrate this part of the town.

Councillor Simpson explained that the provision of a new junction directly onto the A339 would assist with unlocking this site. Whilst planning permission had been sought and granted in the past for the delivery of the new junction onto the A339 by a private developer, such planning permission lapsed without implementation and the market had not been able to bring forward the access road to date. It was the Council's view that the cost of delivering the access road meant that the road would not be delivered by a private developer alone and would need the intervention of the Council supported by public funds.

Councillor Simpson noted that the Council had successfully bid for grant funding from the Local Enterprise Partnership Local Growth Fund towards the provision of this junction, which would connect Fleming Road to the A339. The £1.9m funding was, however, time limited and work had to commence in the next 12 months in order to comply with the conditions of the grant. There was also £0.5m of S106 and DfT grant funding available for the £3m scheme.

Councillor Simpson explained that in order to deliver the new junction, land outside the highway boundary was required. The land required was owned by West Berkshire Council and the majority was leased on a long lease to Faraday Development Limited (FDL), with individual units subsequently let to individual tenants. To progress the project the Council would need to acquire the long leasehold of the land required for the Scheme in order to demolish units 6 and 7 and would also require changes to the kerb lines of units 4 and 5.

The Portfolio Holder explained that the remainder of the land required for the Scheme was at Victoria Park and was leased to Newbury Town Council. In order to deliver the Scheme, the Council would need to acquire this interest for road widening and to develop an illuminated footpath and cycle path.

Officers were recommending the approval of the use of compulsory purchase powers to safeguard against losing the funding and to ensure that this critical infrastructure scheme proceeded.

Councillor Billy Drummond informed Council he would not be supporting the motion as the new junction would further exacerbate the pollution levels around the Robin Hood, Bear Lane and Burger King Roundabouts. Councillor Drummond declared that the

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compulsory purchase of land from Victoria Park was not something he could support either as he considered that this was a “theft” of greenspace.

Councillor Tim Metcalfe was concerned that the new junction could be used as a rat run to access the A4.

Councillor Pamela Bale commented that she had been involved with the processes for a number of years and wished to commend the work that had been undertaken. Councillor Bale said that the support of the Local Enterprise Partnership in putting money forward showed how favourable the scheme was. Councillor Bale mentioned that the traffic flow would be greatly improved and that she had seen the modelling which had been done on the lights to improve flow of traffic.

Councillor Pask reiterated Councillor Bale’s point and added that the traffic flow would be improved by 17%.

Councillor Simpson responded to Councillor Metcalfe’s concern by explaining that the Scheme would create additional capacity around the Robin Hood gyratory. He stated that the Scheme would be greatly beneficial and he thanked Officers in Highways and Planning Policy for all the work they had done on the project.

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

In accordance with paragraph 4.17.3 of the Constitution Councillors Mollie Lock and Tim Metcalfe wished it be noted that they had abstained from the vote.

(The meeting commenced at 7.00 pm and closed at 7.40 pm)

CHAIRMAN
Date of Signature

Title of Report:	Proposed Boundary Review
Report to be considered by:	Council on 17 September 2015
Forward Plan Ref:	C3029

Purpose of Report: To outline to Council the processes involved in having an Electoral review undertaken of the District.

Recommended Action:

1. To 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.

Reason for decision to be taken:

1. To ensure that a review of the size of the Council is undertaken in the light of the governance model adopted in 2001 (Executive and Scrutiny).
2. To acknowledge that the developments at Newbury Racecourse and Sandford may, when completed, impact on Greenham Ward and provide a disproportionate ratio of residents to Councillors

Other options considered: N/A

Key background documentation: Local Government Boundary Commission Guidance and the Local Democracy and Involvement in Health Act 2007 and the Local Democracy, Economic Development and Construction Act 2009.

Published Works: N/A

The proposals will help achieve the following Council Strategy aim: <input checked="" type="checkbox"/> CSA5 – Become an even more effective Council
The proposals contained in this report will help to achieve the above Council Strategy aims and priorities by improving the Council’s overall efficiency.

Portfolio Member Details	
Name & Telephone No.:	Councillor Gordon Lundie - Tel 01488 73350
E-mail Address:	glundie@westberks.gov.uk
Date Portfolio Member agreed report:	27 August 2015

Contact Officer Details	
Name:	Andy Day
Job Title:	Head of Strategic Support
Tel. No.:	01635 519459
E-mail Address:	aday@westberks.gov.uk

Implications

Policy:	N/A
Financial:	Once the review has been completed there will be a need to communicate the findings to the public which may then incur costs.
Personnel:	N/A
Legal/Procurement:	This review will be conducted by the Local Government Boundary Commission in accordance with the Local Democracy and Public Involvement in Health Act 2007, as amended by the Local Democracy, Economic Development and Construction Act 2009.
Property:	N/A
Risk Management:	N/a

Is this item relevant to equality?	Please tick relevant boxes		Yes	No
Does the policy affect service users, employees or the wider community and:				
• Is it likely to affect people with particular protected characteristics differently?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?			<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at http://intranet/EqIA				<input type="checkbox"/>
Not relevant to equality				<input checked="" type="checkbox"/>

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input checked="" type="checkbox"/>

Executive Summary

1. Introduction

- 1.1 As part of the Administration's manifesto there is a pledge which relates to having a boundary review undertaken by the time the next District Council elections are held in May 2019.
- 1.2 The Local Government Boundary Commission (LGBC) is responsible for undertaking boundary reviews in accordance with the Local Government and Public Involvement in Health Act 2007 as amended by the Local Democracy, Economic Development and Construction Act 2009.
- 1.3 Before the LGBC can be approached there will need to be a decision by full Council supporting this review. The LGBC has been approached to get a preliminary view as to whether they could undertake this review in advance of the next District Council elections in 2019. The LGBC has confirmed that they would be able to undertake a review but will not be able to identify the date for this until the Council has formally made an approach to the Commission.
- 1.4 The Boundary Commission for England is also proposing to conduct a review of all Parliamentary Boundaries in 2016 and concluding these by 2018.

2. Proposals

- 2.1 It is proposed that an Electoral review be undertaken based on the following reasons:
 - (i) That the new political management structures introduced as part of the Local Government Act 2000 (as amended) have changed the role of Councillors, both those that sit on the Executive and those that undertake scrutiny, regulatory and representational roles.
 - (2) The developments at Newbury Racecourse and Sandford and other potential sites, when complete, may provide an imbalance in the "electoral ratio" for several wards across the District.

3. Equalities Impact Assessment Outcomes

- 3.1 The LGBC will take account of equality in terms of electoral ratio and will reflect this in their final report.

4. Conclusion

- 4.1 The first step in approaching the LGBC to request that they undertake a review will be to secure the approval of full Council.

Executive Report

1. Introduction

- 1.1 In order to request the Local Government Boundary Commission (LGBC) to undertake a review of the District it is necessary to obtain the consent of full Council. It is therefore proposed that the LGBC be approached for them to undertake an Electoral Review and complete this so that the new boundaries can be used for the 2019 District Council elections.
- 1.2 The LGBC was established by Parliament under the provisions of the Local Democracy, Economic Development and Construction Act 2009. The LGBC is independent of central and local government and is accountable to Parliament through a committee of MP's chaired by the Speaker of the House.
- 1.3 The LGBC undertakes three types of reviews. These are:
- (1) Electoral reviews - These are reviews of the electoral arrangements of local authorities, the number of councillors, the names, number and boundaries of wards. Electoral reviews are usually initiated primarily to improve electoral equality.
 - (2) Principal area boundary reviews - These are reviews of the boundaries between local authorities and are used to address minor boundary anomalies that hinder effective service delivery.
 - (3) Structural reviews - These reviews relate to proposed changes from two tier to unitary local government.

2. Reasons for an Electoral Review

- 2.1 The Council has been in existence since 1998. It has 52 Councillors representing 30 wards. Since 2001 it has operated the Executive model of governance which requires all key decisions to be taken by the Executive comprising of 10 Members. Section 56(2) of the 2009 Act allows the LGBC to undertake such reviews.
- 2.2 The new development at the racecourse will result in 1,500 new properties being built over time. Furthermore the Sandleford development will also result in 2,000 additional properties being built although the development period is to 2026. These two developments will increase in the number of electors in these two areas. This will mean that Greenham ward will have an imbalance in terms of electoral ratio once the developments have been completed. Other potential development sites across the District and population forecasts covering the next ten years will also need to be factored into this review.
- 2.3 An electoral review can be undertaken when variances in representation become notable, such as:
- (1) More than 30% of a Council's ward/divisions have an electoral imbalance of more than 10% from the average ratio for the authority.
 - (2) One or more wards/divisions with an electoral imbalance of more than 30%.

- 2.4 For the purposes of this Council it is suggested that the electoral review look at the following:
- (1) The total number of Members to be elected to the Council (ie the size of the Council);
 - (2) The purpose of the election of Councillors (eg: whether they have Executive, Scrutiny, Regulatory roles); and
 - (3) The number and boundaries of electoral areas (wards) for the purposes of the election of Councillors;
- 2.5 The LGBC believe that factors which can influence Council size can be drawn together into four broad elements:
- (i) The decision making process - what decisions, taken where, and how is it managed?
 - (ii) Quasi-judicial processes - eg planning and licensing – what is the workload and how is it managed?
 - (iii) The scrutiny process - what is scrutinised and how is the total scrutiny workload managed?
 - (iv) The representative role of the elected Member.
- 2.6 As part of any review the LGBC will recognise that the Council itself is reducing in size and the number of services it provides is and will continue to reduce in line with its reducing budget.

3.0 Electoral Review Process

- 3.1 Each Electoral review will start with a preliminary period during which time the Commission will meet with the Council and interested parties to explain in detail the review process and prepare information needed for this review. At this initial stage the LGBC will work with Members and officers and our key partners to gather information relating to the following:
- (i) Details of the current electoral arrangements - the current electoral register.
 - (ii) Identification of Parishes and their boundaries.
 - (iii) Other indicators which identify and build up a map of communities.
 - (iv) Electoral forecasts.
- 3.2 As part of this review the LGBC will look to explore the ways in which Parish Councils and Members aim to work effectively with their communities. At the end of the initial review process the Council or political groups will be required to submit their Council size proposals to the Commissioner for consideration.
- 3.3 Appendix 1 provides more details on the various stages of the review.

4.0 The Way ahead

- 4.1 Subject to Council approving an approach being made to the LGBC for an Electoral Review and the Council receiving confirmation that it can be undertaken by the Commission the first decision to be made is whether the Council should work up proposals or whether the political groups should do this. It is recommended that the Council works up proposals and submits one proposal to the Commission.
- 4.2 In terms of governance of this review once the Council has a timeframe from the Commission for undertaking this review there will be a need to establish an officers group to take forward the detailed work required mainly relating to election forecasts and a Members Group which will set the direction and maintain a strategic overview of the process. The Members Group will have to be based on proportionality.

Appendices

Appendix 1 - Stages for Electoral Review

Consultees

Local Stakeholders: N/A

Officers Consulted: David Holling, Phil Runacres

Trade Union: N/A

Appendix 1 – Stages for Electoral Reviews

Stage	Action	Duration
Preliminary Stage	<p>Informal dialogue with Council. Focusing on gathering preliminary information including electorate forecasts and other electoral data. Commissioner level involvement in briefing Group Leaders on the issue of Council size. Meetings are also held with officers, Group Leaders, full Council and, where applicable Parish and Town Councils.</p> <p>At the end of the process the Council (and its political Groups) should submit their proposals for the Commission to consider.</p>	6 months in advance of the formal start of the review.
Formal start of the review		
Council size analysis stage	The Commission will analyse the submissions from the Council and/or political groups on council size and will prepare papers for a formal commission meeting. The Commission will then take a view on what terms it will consult publicly.	5 weeks
Council size consultation	Public consultation based on the Commission's view of the submissions received from the Council (or political groups).	6 weeks
Council size decision	The Commission will consider the evidence it receives during the consultation exercise and will take a "minded to" decision on council size and will then publish its conclusions on the matter.	5 weeks
Consultation on future warding arrangements	The Commission will invite warding proposals from the Council (or political groups) based on the Commission's conclusions on council size.	10 weeks
Development of draft recommendations	The Commission will carry out an analysis of the representations received. The Commission will then reach conclusions on its draft recommendations.	10 weeks
Consultation on draft recommendations	The Commission will publish its draft recommendations and carryout a public consultation exercise on them.	12 weeks
Development of final recommendations	The Commission will carryout an analysis of all representations received. The Commission will then reach conclusions on its final recommendations.	10 weeks

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