



Meeting of West Berkshire District Council

Thursday 15 September 2016

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 15 September 2016
at 7.00pm



Andy Day
Head of Strategic Support
West Berkshire District Council

Date of despatch of Agenda: Wednesday 7 September 2016

AGENDA

1. **APOLOGIES FOR ABSENCE**

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

2. **APPOINTMENT OF VICE CHAIRMAN**

To appoint a Vice-Chairman for the remainder of the 2016/17 Municipal Year.

3. **CHAIRMAN'S REMARKS**

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



Agenda - Council to be held on Thursday, 15 September 2016 (continued)

4. MINUTES

The Chairman to sign as a correct record the Minutes of the Council meetings held on 19 May 2016 and 31 May 2016.

(Pages 7 - 20)

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.

The Council has been notified that Councillor Gordon Lundie will present a petition on behalf of Ms Sue Cocker in relation to West Berkshire's Library Service.

7. PUBLIC QUESTIONS

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

- (a) **Question to be answered by the Executive Member for Planning and Housing submitted by Paul Inman:**

"What consideration has been given to using the 'Section 106' contributions from the 'Living at the Racecourse' and many other recent new developments in Greenham towards mitigating the impact of more visitors to Greenham Common – and specifically to the project to restore the Control Tower to use as a visitor centre?"

- (b) **Question to be answered by the Leader of the Council submitted by Balu Sudra:**

"What did the Council spend in total marketing the Greenham Control Tower, including any spend on negotiations with the parish council and processing what turned out to be an un-necessary planning application for its change of use?"

- (c) **Question to be answered by the Executive Member for Planning and Housing submitted by John Gage:**

"Why did the Planning Department in 2014 fail to identify that a planning application for change of use of the Control Tower to a visitor centre not only existed from 2000 but had been substantially implemented, when normally 'planning history' on sites throughout the District is very comprehensive going back well before that date?"



Agenda - Council to be held on Thursday, 15 September 2016 (continued)

- (d) **Question to be answered by the Executive Member for Highways and Transport submitted by Elizabeth O’Keeffe:**

“The redevelopment of the Sterling Industrial Estate includes its decontamination and the provision of a new link road to the main employment area of Newbury, the latter funded by a time-limited grant from Berkshire Local Enterprise Partnership (LEP). This will relieve Mill Lane and Kings Road of one-way B-road through traffic. With no sign of the development starting and only 18 months before the potential loss of the LEP funds, what is the Council doing to ensure the road gets built?”

- (e) **Question to be answered by the Executive Member for Highways and Transport submitted by Mr Kim Hetherton:**

“What can West Berkshire Council do to ensure minimum disruption to businesses from the effect of utilities digging up the highway with the result of adversely affecting trade in these testing times?”

8. **MEMBERSHIP OF COMMITTEES**

The Council is asked to approve the appointments set out below:

It is proposed that Councillor Keith Chopping be appointed to the Governance and Ethics Committee to replace Councillor Rick Jones who had to resign his seat on the Committee following his appointment to the Executive.

It is proposed that Councillor Marigold Jaques be appointed to the Communities Select Committee to replace Councillor Rick Jones who had to resign his seat on the Committee following his appointment to the Executive.

It is proposed that Councillor Marigold Jaques be appointed to the Overview and Scrutiny Management Commission to replace Councillor Rick Jones who had to resign his seat on the Commission following his appointment to the Executive.

9. **LICENSING COMMITTEE**

The Council is asked to note that since the last meeting of the Council, the Licensing Committee has not met.

10. **PERSONNEL COMMITTEE**

The Council is asked to note that since the last meeting of the Council, the Personnel Committee met on 30 June 2016. Copies of the Minutes of this meeting 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 5 September 2016. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council’s website](#).

Agenda - Council to be held on Thursday, 15 September 2016 (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 27 July 2016 and 30 August 2016. Copies of the Minutes of these meetings 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 met on 7 June 2016. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

14. CHANGES TO THE CONSTITUTION - PART 11 (CONTRACT RULES OF PROCEDURE) (C3134)

To review and if appropriate amend Part 11 (Contract Rules of Procedure) following a request from the Procurement Board to do so.
(Pages 21 - 50)

15. A NEW COUNCILLORS CODE OF CONDUCT (C3066)

To present the new Councillors Code of Conduct and seek the Council's approval.
(Pages 51 - 84)

16. RESPONSE TO THE MOTION THAT THE COUNCIL INVESTIGATES WEBCASTING (C3065)

To present the response of the Webcasting Task and Finish Group to Councillor Alan Macro's Motion that 'The Council investigates the cost and practicality of webcasting all Council, Executive and Committee meetings' which was put to the Council on 2 July 2015.
(Pages 85 - 90)

17. SHORT BREAKS FOR DISABLED CHILDREN (C3173)

The High Court on the 22 July 2016 ordered that the Council's decisions relating to the reduction in funding for short breaks should be quashed. In light of the judgement the Council is asked to consider its decisions of 1 March 2016 and 31 May 2016 relating to the short breaks budgetary proposal, looking at the issues completely afresh.
(Pages 91 - 264)

18. WEST BERKSHIRE DISTRICT COUNCIL (LAND AT ENGLEFIELD ROAD AND NORTH STREET, THEALE) COMPULSORY PURCHASE ORDER 2016 (C3172)

To obtain authority from full Council to purchase by agreement or using compulsory purchase powers all or parts of land identified within the plan attached to the report (Appendix C) to enable the relocation of Theale Church of England Primary School from Church Street, Theale to land adjoining Englefield road and North Street, Theale.
(Pages 265 - 296)

19. **MEMBERS' QUESTIONS**

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

- (a) **Question to be answered by the Executive Member for Highways and Transport submitted by Councillor Billy Drummond:**

"We are concerned about the safety of the A34. What actions are the Council taking to address safety issues after recent accidents"?

20. **EXCLUSION OF PRESS AND PUBLIC**

RECOMMENDATION: *That members of the press and public be excluded from the meeting during consideration of the following items as it is likely that there would be disclosure of exempt information of the description contained in the paragraphs of Schedule 12A of the Local Government Act 1972 specified in brackets in the heading of each item.*

Part II

21. **WEST BERKSHIRE DISTRICT COUNCIL (LAND AT ENGLEFIELD ROAD AND NORTH STREET, THEALE) COMPULSORY PURCHASE ORDER 2016 (C3172A)**

(Paragraph 1 – information relating to an individual)

(Paragraph 3 – information relating to financial/business affairs of particular person)

To consider the exempt Exchange Land Plan.

(Pages 297 - 298)

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

