

Individual Decision



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The attached reports will be taken as Individual Portfolio Member Decisions on:

Thursday 15th June 2017

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Individual Executive Member Decision

West Berkshire Council Forward Plan - 18 July 2017 to 31 October 2017

Committee considering report:	Individual Executive Member Decision
Date of Committee:	15 June 2017
Portfolio Member:	Councillor Graham Jones – Leader of the Council
Forward Plan Ref:	ID3234

1. Purpose of the Report

- 1.1 To advise Members and residents of items to be considered by West Berkshire Council over the next four months.

2. Recommendation

- 2.1 That the Leader of the Council agrees and where appropriate amends the West Berkshire Council Forward Plan.

3. Implications

- 3.1 **Financial:** The Forward Plan has no financial implications.
- 3.2 **Policy:** The Forward Plan details the Policies to be adopted by West Berkshire Council.
- 3.3 **Personnel:** The Forward Plan has no personnel implications.
- 3.4 **Legal:** The Forward Plan has no legal implications.
- 3.5 **Risk Management:** The Forward Plan has no risk management implications.
- 3.6 **Property:** The Forward Plan has no property implications.
- 3.7 **Other:** Not applicable.

4. Consultation Responses

Members:

Leader of Council:	Councillor Graham Jones
Overview & Scrutiny Management Commission Chairman:	Councillor Emma Webster at Overview and Scrutiny Management Commission meetings.
Ward Members:	All Members
Opposition	Councillor Lee Dillon at Overview and Scrutiny Management

- Spokesperson:** Commission meetings.
- Local Stakeholders:** The West Berkshire Forward Plan will be published the first working day after the Individual Decision is signed.
- Officers Consulted:** Nick Carter, John Ashworth, Rachael Wardell, Heads of Service, Group Executive.
- Trade Union:** Not sought.

5. Other options considered

- 5.1 Not applicable.

6. Appendices

- 6.1 Appendix A – Supporting Information
- 6.2 Appendix B - Equalities Impact Assessment
- 6.3 Appendix C – West Berkshire Council Forward Plan - 18 July 2017 to 31 October 2017
- 6.4 Appendix D – Notice of Private Decisions for 27 July 2017 Executive meeting

Individual Executive Member Decision

West Berkshire Council Forward Plan - 18 July 2017 to 31 October 2017- Supporting Information

1. Introduction/Background

- 1.1 West Berkshire Council's Forward Plan, which is published monthly, sets out the key decisions that the Executive (either collectively or by Individual Executive Members) are expected to take over the next four months.
- 1.2 Key decisions are defined by the Government (Regulation 8 of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2001) as:
 - (1) Those which result in the Local Authority incurring expenditure which is, or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which the decision is related.
 - (2) Those which are significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Local Authority.
- 1.3 The introduction of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in September 2012 included a requirement to publish 28 clear days' notice of any intended key decision. It should be noted that "clear days" means working days, from midnight to midnight, and excludes weekends and public holidays, so 28 clear days equates to around 5½ normal weeks.
- 1.4 On occasions, however, situations may arise where an urgent decision needs to be made in respect of an item that does not appear on the Forward Plan. There are two different ways in which this can be done:
 - (i) The authority can take an urgent key decision without giving 28 days' notice where it is impracticable to give the full notice, provided that the authority gives at least five days' clear notice to all Members of the Overview and Scrutiny Management Commission, which can then call in the decision to check that it was genuinely urgent; or
 - (ii) Where a key decision is so urgent there is not even time to give five clear days' notice, the authority can take the decision if the Chairman of the Overview and Scrutiny Management Commission has agreed that the key decision is urgent and cannot reasonably be deferred.
- 1.5 In addition The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 introduced an entirely new requirement for the Council to publish 28 clear days' notice of the intention to hold a private meeting (or part of a meeting) of the Executive. This 28 day notice must be

reinforced by a five day notice which sets out the reasons for the meeting to be held in private, details of any propositions received as to why the meeting should be open, and the Council's response. The response will be provided by the Monitoring Officer. The regulations again provide for an urgency procedure, under which the Council can decide the matter with shorter than 28 or five days' notice, provided that it has first obtained the consent of the Chairman of the Overview and Scrutiny Management Commission.

- 1.6 There are currently three confidential items scheduled for the 27 July 2017 Executive meeting. The required notice is attached as Appendix D and will be displayed at the Council. If any representations are received the five day notice will be issued on 19 June 2017. The items are:
- EX3340 – Proposed Property Investment - (*Paragraph 3 - information relating to financial/business affairs of particular person*)
- 1.7 Details of decisions that Full Council, the Governance and Ethics Committee and the Personnel Committee are going to take are also included for ease of reference. It should, however, be noted that the 2012 Regulations only apply to Executive meetings.
- 1.8 It should also be noted that any changes made to Executive Member Portfolios will be reflected in the Forward Plan once they are known.
- 1.9 Publication of the Forward Plan remains a statutory requirement of the Local Authority. The Forward Plan, any General Exception Decision Notices and Notices of Private Decisions have to be available for inspection and also have to be published on the Council's website.

Background Papers: None.

Subject to Call-In:

Yes: No:

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

Officer details:

Name: Moira Fraser
Job Title: Democratic Services Manager
Tel No: (01635) 519045
E-mail Address: moira.fraser@westberks.gov.uk

Appendix B

Equality Impact Assessment - Stage One

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

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

Name of policy, strategy or function:	Forward Plan
Version and release date of item (if applicable):	
Owner of item being assessed:	Moira Fraser
Name of assessor:	Jo Reeves
Date of assessment:	5 June 2017

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

1. What are the main aims, objectives and intended outcomes of the policy, strategy function or service and who is likely to benefit from it?	
Aims:	
Objectives:	
Outcomes:	
Benefits:	

2. Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this.
None		

Further Comments relating to the item:

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

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

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

4. Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	Yes

Name: Jo Reeves

Date: 5 June 2017

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

West Berkshire Council Forward Plan

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Key:	C= Council
	DOD= Delegated Officer Decision
	EX= Executive
	GE= Governance and Ethics Committee
	ID= Individual Decision
	PC= Personnel Committee
	PP= Joint Public Protection Committee

West Berkshire Council Forward Plan 18 July 2017-31 October 2017

The items included in the Forward Plan were correct at the time of publication. The Forward Plan may however change and you are asked to contact Moira Fraser – Tel (01635) 519045 or email: moira.fraser@westberks.gov.uk to confirm the contents of any meeting agenda before attending. Executive decisions may be taken by the Executive acting as a collective body or by officers acting under delegated powers.

Reference	Item	Purpose	Decision Body	Month/Year	Executive	ID	Date Report Published	Council	Governance and Ethics Committee	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part II	Call In
EX3112	Key Accountable Performance 2016/17: Year End	To present the basket of key accountable measures and activities for 2016/17.	EX	01 July 2017	27/07/17 EX		19/07/17					Catalin Bogos	Resources	Leader of the Council, Strategy		No	Yes
EX3217	Revised Community Infrastructure Levy Regulations 123 List	To update the Community Infrastructure Levy Regulations 123 list following the EIP into the Housing Sites Allocation Development Plan Document.	EX	01 July 2017	27/07/17 EX		19/07/17					Sarah Ball	Environment	Deputy Leader, Planning, Housing & Leisure		No	Yes
EX3318	A339/ Bear Lane Improvements	To report the results of the public consultation and approve an appropriate way forward.	EX	01 July 2017	27/07/17 EX							Jon Winstanley	Environment	Highways & Transport			
EX3338	Annual Report (Performance)	To present the Council's Annual Performance Report to the Executive.	EX	01 July 2017	27/07/17 EX		19/07/17					Catalin Bogos	Resources	Leader of the Council, Strategy			
EX3340	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 July 2017	27/07/2017 EX		19/07/17					Richard Turner	Communities	Leader of the Council		Yes	No
EX3351	Prospect Place - Asset Disposal Paragraph 3 – information relating to financial/business affairs of particular person	The presents an opportunity to complete the sale of surplus land for a capital receipt of £350,000.	EX	01 July 2017	27/07/2017 EX		19/07/17					Richard Turner	Resources	Finance, Transformation and Economic Development		Yes	
ID3235	West Berkshire Forward Plan – 30 August 2017 to 30 November 2017	To agree the Forward Plan for the next four months.	ID	01 July 2017		27/07/17	19/07/17					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service	No	No
ID3292	Approval of Community Plans	To agree any Community Plans which have been presented.	ID	01 July 2017		01/07/17	tbc					Jo Naylor	Resources	Community Resilience & Partnerships		No	Yes
ID3350	Council Tax Reduction Scheme Hardship Policy	To agree how West Berkshire Council's Revenues and Benefits Service will operate the scheme and to agree some of the factors which will be considered when deciding if an Exceptional Hardship Fund payment can be made.	ID	01 July 2017		18/07/17	10/07/17					Iain Bell	Resources	Corporate Services			
PP3352	Public Protection Partnership Scheme of Delegation	To consider the Scheme of Delegation.	pp	01 July 2017							tbc JPPC	Steve Loudon (Bracknell)	Environment	Community Resilience & Partnerships		No	Yes
PP3353	Joint Case Management Unit Agreement	To approve the final draft agreement.	pp	01 July 2017							tbc JPPC	Steve Loudon (Bracknell)	Environment	Community Resilience & Partnerships		No	Yes
PP3354	Appointment of Director Trading Standards South East Ltd	To appoint a director and alternative director to represent partner authorities on the Board of Trading Standards South East Ltd	PP	01 July 2017							tbc JPPC	Sean Murphy	Environment	Community Resilience & Partnerships		No	Yes
GE3252	Annual Governance Statement - Statement in Support by the Monitoring Officer	To provide evidence and independent verification of governance matters which may impact on the Annual Governance Statement from the viewpoint of the Monitoring Officer.	GE	01 August 2017			11/08/17		21/08/17 GE			Sarah Clarke	Resources	Corporate Services			
GE3253	Annual Governance Statement - Statement in Support by the Section 151 Officer	To provide evidence and independent verification of governance matters which may impact on the Annual Governance Statement from the viewpoint of the Section 151 Officer.	GE	01 August 2017			11/08/17		21/08/17 GE			Andy Walker	Resources	Corporate Services			
GE3255	Update on Ethical Matters - Quarter 1 of 2017/18	To provide an update on local and national issues relating to ethical standards and to bring to the attention of the Committee any complaints or other problems within West Berkshire.	GE	01 August 2017			11/08/17		21/08/17 GE			Sarah Clarke	Resources	Chairman of Governance and Ethics			
GE3269	Annual Governance Statement	To allow the committee to review the Annual Governance Statement before it is signed by the Leader and Chief Executive	GE	01 August 2017			11/08/17		21/08/17 GE			Ian Priestley	Resources	Corporate Services			
GE3251	West Berkshire Council Financial Statements 2016/17 including external auditor's opinion	To provide members with the final copy of the Council's Financial Statements.	GE	01 August 2017			11/08/17		21/08/17 GE			Andy Walker	Resources	Leader of the Council, Strategy			
ID3302	Street Cleansing and Litter Picking Service	To seek permission to go out to consultation about the Street Cleansing and Litter Picking Service.	ID	01 August 2017		01/08/17	tbc					Jackie Ward	Environment	Culture and Environment	Public consultation	No	Yes
ID3293	Approval of Community Plans	To agree any Community Plans which have been presented.	ID	01 August 2017		01/08/17	tbc					Jo Naylor	Resources	Community Resilience & Partnerships			
ID3321	Parking scheme - Consolidation Order Amendment 25	To consider the responses received during statutory consultation	ID	01 August 2017								Alex Drysdale	Transport and Countryside	Highways & Transport			
ID3322	Parking scheme - Consolidation Order Amendment 26	To consider the responses received during statutory consultation	ID	01 August 2017								Alex Drysdale	Transport and Countryside	Highways & Transport			
PC3214	Remuneration for Election Roles	To consider the remuneration offered for various roles associated with elections.	PC	01 August 2017							tbc	Moira Fraser	Resources	Corporate Services		No	Yes

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West Berkshire Council Forward Plan 18 July 2017-31 October 2017

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Reference	Item	Purpose	Decision Body	Month/Year	Executive	ID	Date Report Published	Council	Governance and Ethics Committee	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part II	Call In
C3093	Amendments to the Constitution - Scheme of Delegation	To review and amend sections of the Scheme of Delegation in light of legislative changes and current practice.	C	01 September 2017			11/08/17	14/09/17 C	21/08/17 GE			Sarah Clarke	Resources	Leader of the Council, Strategy		No	No
C3310	Appointment of the Independent Remuneration Panel	To agree the membership and scope of the IRP.	C	01 September 2017			06/09/17	14/09/17 C				Moira Fraser	Resources	Leader of the Council			
C3192	Changes to the Constitution	To make amendments to the Constitution.	C	01 September 2017				01/09/17 C	TBC			Moira Fraser	Resources				
EX3180	Key Accountable Performance 2017/18: Quarter One	To report quarter one outturns against the Key Accountable Measures contained in the 2017/18 Council Performance Framework and any additional performance intelligence.	EX	01 September 2017	07/09/17 EX		30/08/17					Catalin Bogos	Resources	Leader of the Council, Strategy			
EX3272	Legal Shared Service	The purpose of this report is to seek an 'in principle' decision to consider a shared service for Legal Services.	EX	01 September 2017	07/09/17 EX		30/08/17					Sarah Clarke	Resources	Corporate Services		No	Yes
EX3303	Financial Performance Report 2017/18 - Quarter One	To inform Members of the latest financial performance of the Council.	EX	01 September 2017	07/09/17 EX		30/08/17					Melanie Ellis	Resources	Finance, Transformation and Economic Development		No	Yes
EX3341	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 September 2017	07/09/17 EX		30/08/17					Richard Turner	Communities	Leader of the Council		Yes	No
ID3236	West Berkshire Forward Plan – 10 October 2017 to 31 December 2017	To agree the Forward Plan for the next four months.	ID	01 September 2017		07/09/17	30/08/17					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service		
ID3294	Approval of Community Plans	To agree any Community Plans which have been presented.	ID	01 September 2017		01/09/17	tbc					Jo Naylor	Resources	Community Resilience & Partnerships			
PP3320	Air Quality Action Plan	To agree the Air Quality Action Plan outlining measures for improving air quality within the Air Quality Management Areas declared for the Twyford and Wokingham Town Centres	PP	01 September 2017							19/09/17 JPPC	Sean Murphy	Environment	Community Resilience & Partnerships			
EX3298	Insurance Retender 2017	The Council is putting all of its insurance arrangements out to re tender, with new contracts needing to be in place by 1st November 2017. The decision to award the contracts is reserved to the Executive.	EX	01 October 2017	19/10/17 EX		11/10/17					Ian Priestley	Resources	Corporate Services		No	
EX3342	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 October 2017	19/10/17 EX		11/10/17					Richard Turner	Communities	Leader of the Council		Yes	No
ID3237	West Berkshire Forward Plan – 14 November 2017 to 31 January 2018	To agree the Forward Plan for the next four months.	ID	01 October 2017		12/10/17	04/10/17					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service		
ID3295	Approval of Community Plans	To agree any Community Plans which have been presented.	ID	01 October 2017		01/10/17	tbc					Jo Naylor	Resources	Community Resilience & Partnerships			

NOTICE OF A PRIVATE MEETING OF A DECISION-MAKING BODY¹

Notice of an imminent occasion when the public may be excluded from a meeting due to the likelihood that if members of the public were present during an item of business confidential or exempt information would be disclosed to them.

¹ In accordance with Regulation 5(7) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. At least 28 clear days before a private meeting² of a decision-making body, public notice³ must be given which must include a statement of reasons for the meeting to be held in private.
2. At least 5 clear days before a private meeting of a decision-making body, further public notice⁴ must be given which must include a statement of reasons for the meeting to be held in private, details of any representations received by the decision-making body about why the meeting should be open to the public and a statement of the Council's response to such representations.
3. Where the date by which a meeting must be held makes compliance with the above requirements impracticable, the meeting may only be held in private where the decision-making body has obtained agreement from the Chair of the Overview and Scrutiny Management Commission.

Date of Decision or period within which the decision is to be made	Ref No:	Matter in respect of which the decision is to be made	Short Description	Decision maker	Executive Member & Lead Officer	List of documents to be submitted to decision maker	Public or Private meeting. Statement of reasons if private.
27 July 2017	EX3340	Proposed Property Investment	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	Executive	Councillor Dominc Boeck Richard Turner	Report and associated appendices	<i>(Paragraph 3 - information relating to financial/business affairs of particular person)</i>

Andy Day
Head of Strategic Support
West Berkshire Council

Date: 5 June 2017

² A 'private meeting' means a meeting or part of a meeting of a decision making body which is open to the public except to the extent that the public are excluded due to the confidential or exempt business to be transacted.

³ In accordance with Regulation 5(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

⁴ In accordance with Regulation 5(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Individual Executive Member Decision

Outside Bodies - amendments

Committee considering report:	Individual Executive Member Decision
Date ID to be signed:	15 June 2017
Portfolio Member:	Councillor Graham Jones
Date Portfolio Member agreed report:	
Forward Plan Ref:	ID3333

1. Purpose of the Report

- 1.1 To consider West Berkshire Council nominations to the following outside body:
- South East Employers (SEEMP)

2. Recommendation

- 2.1 To agree the Council's representatives on the following outside body:
- South East Employers (SEEMP)

3. Implications

- 3.1 **Financial:** West Berkshire Council Members are not paid to attend Outside Body meetings however any costs associated with meeting attendance will be met from within existing Members Allowances budget where the Outside Body does not pay these costs
- 3.2 **Policy:** Appointments will be made in accordance with Part 13 Appendix J (Protocol for Council Representation on Outside Bodies) of the Council's Constitution
- 3.3 **Personnel:** None
- 3.4 **Legal:** None
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Consultation Responses

Members:

Leader of Council:	Councillor Graham Jones
Overview & Scrutiny Management Commission Chairman:	Councillor Emma Webster
Ward Members:	
Opposition Spokesperson:	Councillor Lee Dillon

Local Stakeholders:

Officers Consulted: Gabrielle Mancini

Trade Union: Not consulted

5. Other options considered

5.1 Not to appoint representatives

6. Introduction/Background

6.1 The Council is required to appoint representatives to a range of Outside Bodies. From 1 June 2017, it was agreed that the Council would rejoin South East Employers and, as a result, it is necessary to nominate representatives for this organisation.

6.2 Appointments will be made in accordance with Appendix J to Part 13 of the Constitution (Protocol for Council Representatives on Outside Bodies).

7. South East Employers (SEEMP)

7.1 South East Employers (SEEMP) is an employers' organisation for local authorities in the South East covering the geographical boundaries of Berkshire, Buckinghamshire, East Sussex, Hampshire, the Isle of Wight, Kent, Oxfordshire, Surrey and West Sussex.

7.2 The organisation represents Member Councils' collective interests at a national and regional level and provides expert knowledge and advice on employee relations and human resource issues. It also provides training and events for Councillors and staff and represents the South East Region Employers' side on the SE Regional Joint Committee with local authority trade unions. Additionally, SEEMP responds to consultation documents on relevant issues and collates and disseminates information to members regarding both employment in local government and general conditions of service and employment, including a survey on members' allowances.

7.3 Having previously been a member, it was agreed that West Berkshire Council would rejoin SEEMP, with effect from 1 June 2017. As a result it is necessary to nominate two representatives and, ideally, two substitutes to represent the Council.

7.4 Representatives should have an interest in strategic employment issues influencing the future direction of local government and be in a position to represent the views of the Council. As well as representing West Berkshire Council on South East

Employers, the representatives will automatically be appointed to the Employers' Side of the South East Regional Council.

7.5 Representatives are invited to attend two full meetings, including the Annual Meeting and, those appointed from the full body, will be invited to attend three further Executive Committee meetings and Regional Joint Committee Meetings, if convened.

7.6 The following Members have expressed an interest in being nominated as representatives to this Outside Body: Councillors Hilary Cole and Keith Chopping. The following Members have expressed an interest in being nominated as substitutes to this Outside Body: Councillors Graham Bridgman and James Cole.

8. Conclusion

8.1 That the Council appoints representatives to the organisation as set out in the paragraphs above.

9. Appendices

9.1 None

Subject to Call-In:

Yes: No:

Wards affected:

NA

Strategic Aims and Priorities Supported:

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

MEC1 – Become an even more effective Council

Officer details:

Name: Jude Thomas
Job Title: Member Services Officer
Tel No: 01635 519083
E-mail Address: jude.thomas@westberks.gov.uk

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