

Meeting of West Berkshire District Council

**Thursday, 2nd December,
2021**

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, 2nd December, 2021
at 7.00 pm

This meeting will be streamed live here: <https://www.westberks.gov.uk/fullcouncillive>



Sarah Clarke
Head of Legal and Strategic Support
West Berkshire District Council

Date of despatch of Agenda: Wednesday, 24 November 2021

AGENDA

1. **APOLOGIES FOR ABSENCE**

To receive apologies for inability to attend the meeting (if any).
(Pages 7 - 8)

2. **CHAIRMAN'S REMARKS**

The Chairman to report on functions attended since the last meeting and other matters of interest to Members.
(Pages 9 - 10)

3. **MINUTES**

The Chairman to sign as a correct record the Minutes of the Council meeting held on 9 September 2021.
(Pages 11 - 22)



4. DECLARATIONS OF INTEREST

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

(Pages 23 - 24)

5. PETITIONS

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

(Pages 25 - 26)

6. PUBLIC QUESTIONS

Members of the Executive to answer questions submitted by members of the public in accordance with the Council Procedure Rules contained in the Council's Constitution.

Please note that the list of public questions is shown under item 6 in the agenda pack.

(Pages 27 - 28)

7. MEMBERSHIP OF COMMITTEES

The Council to agree any changes to the membership of Committees.

(Pages 29 - 30)

8. LICENSING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Licensing Committee met on 8 November 2021. Copies of the Minutes of this meeting can be obtained from Legal and Democratic Services or via the [Council's website](#).

(Pages 31 - 32)

9. PERSONNEL COMMITTEE

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

10. GOVERNANCE AND ETHICS COMMITTEE

The Council is asked to note that since the last meeting of Council, the Governance and Ethics Committee met on 27 September and 15 November 2021. Copies of the Minutes of these meetings can be obtained from Legal and Democratic Services or via the [Council's website](#).

11. DISTRICT PLANNING COMMITTEE

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



12. OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

The Council is asked to note that since the last meeting of the Council, the Overview and Scrutiny Management Commission met on 12 October 2021. Copies of the Minutes of this meeting can be obtained from Legal and Democratic Services or via the [Council's website](#).

13. HEALTH SCRUTINY COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Health Scrutiny Committee met on 10 November 2021. Copies of the Minutes of this meeting can be obtained from Legal and Democratic Services or via the [Council's website](#).

14. HEALTH AND WELLBEING BOARD

The Council is asked to note that since the last meeting of Council, the Health and Wellbeing Board met on 30 September 2021. Copies of the Minutes of this meeting can be obtained from Legal and Democratic Services or via the [Council's website](#).

15. JOINT PUBLIC PROTECTION COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Joint Public Protection Committee met on 13 September 2021 and 1 November 2021. Copies of the Minutes of these meetings can be obtained from Legal and Democratic Services or via the [Council's website](#).

16. ELECTRIC VEHICLE CHARGEPOINTS (EVCP) PROGRAMME (EX4146)

Purpose: to provide an update on the initiative to install Electric Vehicle Chargepoints in West Berkshire Council Car Parks and recommend a charging strategy (fees and charges) for their operation.
(Pages 33 - 42)

17. ADOPTION OF THE STATEMENT OF LICENSING POLICY PRINCIPLES UNDER S.349 OF THE GAMBLING ACT 2005 (C4045)

Purpose: to consider the consultation responses received and adopt the Statement of Licensing Policy Principles under the Gambling Act 2005 for publication by the 30 January 2022.
(Pages 43 - 94)

18. EXTERNAL AUDIT APPOINTMENT PROCESS FOR FINANCIAL YEARS 2023/24 - 2027/28 (C4147)

Purpose: to consider proposals for appointing the external auditor to the Council for the accounts for the five-year period from 2023/24.
(Pages 95 - 104)

Agenda - Council to be held on Thursday, 2 December 2021 (continued)

19. COMPTON NEIGHBOURHOOD DEVELOPMENT PLAN (C4156)

Purpose: to provide evidence to enable the Council to make a decision on whether the Compton Neighbourhood Development Plan progresses to referendum.

(Pages 105 - 230)

20. UPDATES TO THE CONSTITUTION (C4104)

Purpose: to notify Council of the work undertaken by the Constitution Review Task Group to date, as reviewed by the Governance and Ethics Committee at its meeting on 15 November 2021, and for Council to consider its proposals.

(Pages 231 - 246)

21. WEST BERKSHIRE COUNCIL TIMETABLE OF PUBLIC MEETINGS 2021-22 (C4154)

Purpose: to recommend a timetable of meetings for the 2022/2023 Municipal Year.

(Pages 247 - 252)

22. NOTICES OF MOTION

Please note that the list of Motions is shown under item 22 in the agenda pack.

(Pages 253 - 260)

23. MEMBERS' QUESTIONS

Members of the Executive to answer questions submitted by Members of the Council in accordance with the Council Procedure Rules contained in the [Council's Constitution](#).

Please note that the list of Member questions is shown under item 23 in the agenda pack.

(Pages 261 - 262)

If you require this information in a different format or translation, please contact Stephen Chard on telephone (01635) 519462



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Council – 2 December 2021

Item 1 – Apologies for Absence

Verbal Item

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Council – 2 December 2021

Item 2 – Chairman’s Remarks

Verbal Item

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Agenda Item 3.

DRAFT

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

COUNCIL

MINUTES OF THE MEETING HELD ON THURSDAY, 9 SEPTEMBER 2021

Councillors Present: Adrian Abbs, Steve Ardagh-Walter, Phil Barnett, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Jeff Brooks, Hilary Cole, Carolyne Culver, Lee Dillon, Lynne Doherty, Rick Jones (Vice-Chair, in the Chair), Alan Law, Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro, Thomas Marino, Steve Masters, Erik Pattenden, Garth Simpson, Tony Vickers, Andrew Williamson and Howard Woollaston

Also Present: Sarah Clarke (Service Director (Strategy and Governance)), Susan Halliwell (Executive Director - Place), Joseph Holmes (Executive Director - Resources) and Andy Sharp (Executive Director (People)), Councillor Jeff Beck, Stephen Chard (Democratic Services Manager), Councillor James Cole, Councillor Gareth Hurley, Councillor Owen Jeffery, Councillor David Marsh, Councillor Andy Moore, Councillor Claire Rowles, Phil Rumens (Digital Services Manager), Councillor Richard Somner, Councillor Joanne Stewart, Councillor Martha Vickers and Councillor Keith Woodhams

Apologies for inability to attend the meeting: Councillor Peter Argyle, Councillor Jeff Cant, Councillor Jeremy Cottam, Councillor Billy Drummond, Honorary Alderman Adrian Edwards, Councillor Clive Hooker, Councillor Nassar Hunt, Councillor Geoff Mayes, Councillor Graham Pask and Honorary Alderman Andrew Rowles

PART I

40. Chairman's Remarks

It was noted that things were starting to return to normal after a year of disruption. The Chairman and Vice-Chairman had attended 11 ceremonies, including:

- The High Sherriff's reception.
- The Cycling and Wellbeing Festival in Calcot
- The Thames Valley multi-faith service organised by the High Sheriffs of Berkshire Buckinghamshire and Oxfordshire at Eton Dorney held in memory of those who had lost their lives during the pandemic.
- The dedication ceremony for the Newbury Friends of the Earth Lockdown Woods Project at Goldwell Park.
- The summer tea party of the Reading and West Berkshire Motor-Neuron Disease Association.
- The thank you event for West Berkshire staff at Shaw House.

The Vice-Chairman noted that it was Emergency Services Day and thanked the individuals that made up the emergency services teams who had gone above and beyond to keep communities safe. A two minute silence had been held that morning and the day had been marked with a video, which had been posted on the Council's social media channels.

He indicated that he had gained good insight into the external work of the Chairman and how it was appreciated by local communities.

41. Minutes

The Minutes of the meeting held on 8 July 2021 were approved as a true and correct record and signed by the Vice-Chairman subject to the following amendments:

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- On page 24, paragraph 7, it was clarified that Councillor Lee Dillon had said “there was no beast of electoral fraud that the Council had to fight against”
- Councillor Dillon had seconded the voter ID motion rather than Councillor Graham Bridgman.

42. **Declarations of Interest**

Councillor Claire Rowles declared an interest in Agenda Item 14, and reported that, as her interest was a disclosable pecuniary interest or an other registrable interest, she would be leaving the meeting during the course of consideration of the matter.

43. **Petitions**

Councillor Phil Barnett presented a petition on behalf of residents of Mill Lane and Connaught Road in Newbury requesting traffic calming in Mill Lane. He noted that the residential area was on the south side, with many properties built in the pre-war period and without double glazing. Although the road had a 20 mph speed limit, vehicle travelled in excess of 30 mph and some in excess of 40 mph. The road was not very wide and more parking permits had been issued than there were available parking spaces. The road was also used by HGVs, resulting in noise and disturbance. Residents sought traffic calming in the short-term, but hoped that when the new road link was built between Sainsbury’s roundabout to Hambridge Road, through traffic would be discouraged from using Mill Lane.

The Chairman stated that the petition would be referred to the Highways Team for consideration.

44. **Public Questions**

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#).

- (a) A question standing in the name of Anthony King on the subject of traffic forecasts for the Membury Industrial Estate and the capacity of the local road network was answered by the Portfolio Holder for Planning and Transport.
- (b) It was agreed that a question standing in the name of Louise Coulton on the subject of biodiversity experts used by the Council would receive a written response given that she was unable to attend the meeting.
- (c) A question standing in the name of Steven Beeson on the subject of the David Lock reports was answered by the Portfolio Holder for Planning and Transport.
- (d) A question standing in the name of Alison May on the subject of professional surveys of trees, hedgerows and ponds was answered by the Portfolio Holder for Environment and Waste.
- (e) A question standing in the name of Simon Pike on the subject of the Infrastructure Delivery Plan was answered by the Portfolio Holder for Planning and Transport.
- (f) It was agreed that a question standing in the name of William Beard on the subject of changes to planning guidance to support take-up of electric vehicles in the AONB would receive a written response given that he was unable to attend the meeting.
- (g) A question standing in the name of Paul Morgan on the subject of competitive tendering for the Monks Lane sports hub was answered by the Portfolio Holder for Internal Governance, Leisure and Culture.

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- (h) A question standing in the name of Alan Pearce on the development contract with St Modwen Developments Ltd was answered by the Portfolio Holder for Finance and Economic Development.
- (i) A question standing in the name of Alan Pearce on access to files relating to development agreements, developer contributions and development transactions was answered by the Portfolio Holder for Planning and Transport.
- (j) A question standing in the name of Vaughan Miller on the subject of planned activities and milestones for the proposed sports ground at Monks Lane was answered by the Portfolio Holder for Internal Governance, Leisure and Culture.
- (k) A question standing in the name of Vaughan Miller on the subject of the Council's plans to welcome Afghan refugees was answered by the Leader of the Council.

45. **Membership of Committees**

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

Councillor Lynne Doherty proposed that Councillor Andy Williamson replace Councillor Peter Argyle as a substitute for the Eastern Area Planning Committee. The motion was seconded by Councillor Ross Mackinnon. At the vote, the motion was **RESOLVED**.

46. **Licensing Committee**

The Council noted that, since the last meeting, the Licensing Committee had met on 6 September 2021.

47. **Personnel Committee**

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

48. **Governance and Ethics Committee**

The Council noted that, since the last meeting, the Governance and Audit Committee had met on 26 July 2021.

49. **District Planning Committee**

Councillor Ross Mackinnon highlighted that although the agenda papers indicated that the District Planning Committee had met on 8 September, the meeting had in fact been cancelled.

50. **Overview and Scrutiny Management Commission**

The Council noted that, since the last meeting, the Overview and Scrutiny Management Committee had met on 10 August 2021 and 31 August 2021.

Councillor Lee Dillon stated that there were no published minutes, so Members were not aware of what had been resolved or discussed at the meeting. He indicated that he would be abstaining from any vote.

Sarah Clarke confirmed that a vote was not required and informed Members that the item was just to advise them that the meetings had taken place and suggested it should be noted that the minutes had yet to be published.

Councillor Alan Law noted that any minutes would be in draft form and would not be approved until the subsequent meeting.

51. Joint Public Protection Committee

The Council noted that, since the last meeting, the Joint Public Protection Committee had not met.

52. Recommendations of the West Berkshire Council Independent Remuneration Panel 2021 (C4117)

(Councillor Claire Rowles declared a personal and prejudicial interest in Agenda Item 14 by virtue of the fact that she was Chairman of the Health Scrutiny Committee. As her interest was personal and prejudicial she left the meeting and took no part in the debate or voting on the matter).

The Council considered a report (Agenda Item 14) concerning Recommendations of the West Berkshire Council Independent Remuneration Panel 2021. The report set out the recommendations of the West Berkshire Independent Remuneration Panel following their meeting on 23 June 2021.

MOTION: Proposed by Councillor Howard Woollaston and seconded by Councillor Tony Linden:

That:

“Council is asked to consider and, if appropriate, agree the recommendations of the Independent Remuneration Panel as set out in paragraph 4.10.

Authority be delegated to the Service Director: Strategy and Governance to amend Part 14 of the Constitution (Members’ Allowances Scheme) and the associated procedures and guidance in line with any changes agreed by full Council.

Once amended, Part 14 of the Constitution (Members’ Allowances Scheme) be publicised as directed in The Local Authorities (Members’ Allowances) (England) Regulations 2003.”

Councillor Howard Woollaston introduced the report and highlighted three minor errors in the report, which did not have any significant impact on the recommendations.

1. On page 45, reference was made to paragraph 4.10, but the correct reference was paragraph 5.
2. The same error was repeated on page 49.
3. In paragraph 6.2, the future review of all Members’ by September 2024 should have been a recommendation.

Councillor Woollaston explained that the Health Scrutiny had been setup to deal, since the issues involved were highly technical and beyond the remit of OSMC, with Councillor Claire Rowles had been appointed as Chairman. It had been agreed, given the significant amount of time required and the associated level of responsibility, that the Chairman should receive a special responsibility allowance. The recommendation was for a Tier 7 allowance, which matched those for Licensing, Governance and Ethics and Personnel Committees.

Councillor Carlyne Culver noted the chart on page 56 suggested that the Minority Group Leader received an allowance in 2019/20, but she confirmed that it was only last year or the start of the current year that the Independent Pay Review decided that the Minority Leader would receive an allowance and the Minority Leader did not exist before 2019. Also, she sought clarification that the Opposition was entitled to an allowance provided they had at least four Members and the Independent Pay Review decided that the Minority Group would be entitled to an allowance if they had at least three Members, but

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they had voted to postpone that and the introduction of a higher allowance for all Councillors. She asked for this correction to be made. She had been asked if she had refused the allowance in 2019/20, but it had not existed at that time.

Councillor Lee Dillon supported the findings of the report. He considered Health Scrutiny to be an important function and confirmed that OSMC did not have the time or resource to focus on it. He agreed that it would be a lot of work for the Chairman and so the role should be allocated a Special Responsibility Allowance.

Councillor Linden noted that he had been Chairman of the previous Health Scrutiny Sub-Committee and had been paid an allowance. He indicated that there was a lot of work associated with the role and so it merited an allowance.

An indicative vote of all Members present in the Chamber and those attending remotely indicated that Members were supportive of the Motion.

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

53. Notices of Motion

The Council considered the under-mentioned Motion (Agenda item 15(a) refers) submitted in the name of Councillor Carlyne Culver.

The Vice Chairman informed the Council that should the motion be approved, under Procedural Rule 4.9.8 it would be referred to the Environment Advisory Group for consideration, prior to a report being considered by Executive. Councillor Culver would be invited to attend the meetings where this Motion was discussed in order to explain the motion. The outcome of the process would be reported back to Council.

MOTION: Proposed by Councillor Carlyne Culver and seconded by Councillor Steve Masters:

“West Berkshire Council notes:

West Berkshire Council declared a climate emergency in July 2019 and subsequently produced an Environment Strategy and Environment Strategy Delivery Plan, with the objective of delivering carbon neutrality by 2030 in support of limiting global warming to less than 1.5 degrees centigrade.

The Environment Strategy Delivery Plan includes objectives designed to protect and enhance biodiversity.

The climate emergency cannot be tackled by reducing emissions in isolation. Our ecological systems are intrinsic to life on earth and should be protected and enhanced as a valued asset.

The State of Nature 2019 report highlighted the critical decline in biodiversity in the UK, where 15 per cent of species are threatened with extinction.

The COVID-19 pandemic has highlighted the relationship between humans and nature. When we destroy and degrade habitats, we disrupt the equilibrium of our ecological systems resulting in an increased risk of transference of pandemic type diseases between wildlife and humans.

The State of the World's Plants and Fungi 2020 report from Royal Botanic Gardens Kew estimated that 39 per cent of plants are threatened with extinction.

The IPCC Report Sixth Assessment Report published in August 2021 concluded that climate change is 'widespread, rapid and intensifying' and urgent action is required to reduce carbon emissions and secure the long-term sustainability of planet earth and its inhabitants

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In June the previously titled Climate and Ecological Emergency Bill was reintroduced for the 2021/22 parliamentary session as the Climate and Ecology Bill with support from across the House of Commons.

The government is running a public consultation about Nature Recovery Network Strategies, which ends on 2 November 2021.

West Berkshire Council resolves to:

1. Declare an ecological emergency.
2. Support the Climate and Ecology Bill and ask the Leader to write to our three local MPs urging them to support it.
3. Participate constructively in the government's public consultation about Nature Recovery Network Strategies before it closes on 2 November."

The Council considered the under-mentioned Motion (Agenda item 15(b) refers) submitted in the name of Councillor Alan Macro.

The Vice Chairman informed the Council that the motion should be debated in order to facilitate the discharge of business in accordance with Procedural Rule 4.9.8.

MOTION: Proposed by Councillor Alan Macro and seconded by Councillor Jeff Brooks:

"Recognising that Council should take every measure to ensure that no resident is excluded from council services and also recognising that many residents are not familiar, or not comfortable, with using online services, or with using payment methods such as direct debit,

Council therefore resolves that:

- all services should be accessible to residents in person, or by phone as well as online
- all payments by residents for council services can be made by cheque, or by credit or debit card, in person, or by phone, as well as via all forms of online banking."

Councillor Alan Macro in introducing the Motion indicated that the Council existed to provide services and support for its residents. He believed the Council should do its utmost to do so in ways that were appropriate for each resident. He was keen to make the most of technology that allowed the Council to deliver services in a more efficient way. While he preferred to use the Internet to access Council services, many residents were unable or uncomfortable in doing so. Some had conditions that made it difficult or impossible to use the Internet, while others did not have access or could not afford high quality broadband. He noted that some people relied on pay as you go mobile phones which had a high cost for data, while others did not have relevant devices and could not easily access local libraries. He added that using online services was fine if you knew what you wanted, but it was better to speak to someone if you were unsure. He felt that the Council must allow residents to contact it in person or by phone. He acknowledged that direct debits worked well for some people, but some people were uncomfortable with giving organisations powers to take money out of their bank accounts, while others wanted control of when money was taken so they would avoid becoming overdrawn. He noted that some people preferred to use credit cards so charges could be spread over a period of time, and 4% of adults did not even have a bank account. Therefore, he felt that the Council must allow residents to pay for services using debit or credit cards as well as direct debit. He suggested that the Council should cater for all residents regardless of

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age and ability. This applied to all public-facing Council services. Councillor Macro stressed that the Council must put residents' needs at the forefront of what it did.

AMENDED MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Howard Woollaston:

That the Council:

“Recognising that Council should take every measure to ensure that no resident is excluded from council services and also recognising first that many residents are not familiar, or not comfortable, with using online services, or with using payment methods such as direct debit, but second that the nature of some services are that they are by their very nature delivered online and thus not available in person,

Council therefore resolves that wherever possible:

- all services should be accessible to residents in person, or by phone as well as online; and
- payments by residents for council services should be permitted by cheque, or by credit or debit card, in person, or by phone, as well as via all forms of online banking.”

In introducing the proposed Amendment to the Motion, Councillor Hilary Cole indicated that while the Administration was supportive of the Motion, they could not accept it as it stood.

An indicative vote of all Members present in the Chamber and those attending remotely indicated that Members were supportive of the proposed Amendment to the Motion. She advised that the Conservative Administration had achieved significant improvements in the quality of service to customers. When she had first joined the Customer First Programme Board, most systems had been paper based and transactions with residents were via phone, mail or face-to-face, but things had changed as people became more used to using the Internet. She suggested that there were many services where it would be inappropriate for them to be accessible to the public (e.g. Child Protection and Adult Safeguarding). She noted that there were many instances where online services had improved the customer experience (e.g. Housing and Kooth emotional health service for children and young people). Furthermore, she noted that the report a problem service meant that residents did not have to come to Market Street to report a pothole. However, the Council recognised that not all residents were comfortable in using online services or access, which was why residents could still access services in a variety of ways – letter, telephone and email as well as the website. She firmly believed that residents still needed to speak to people in certain circumstances, particularly when distressed. In the last month over 28,000 transactions were processed including 12,000 phone calls. Also, the Council had remained open for business during the pandemic, albeit with restrictions on personal payments. She assumed that the proposed Motion was related to annual subscription payments for the green waste collection service. She noted that residents could call the payment line or visit the Market Street offices, but stressed that the Council could not accept payments in cash. She indicated that the Council was committed to excellence in customer service and she believed that the officer who picked up the call should own the problem. She concluded by announcing that the Council would launch a customer charter later in the year.

Councillor Lee Dillon welcomed the amendment, but expressed concern that “wherever possible” would allow things not to be done. He accepted the examples of online services that had been given by Councillor Hilary Cole, but stressed that where a customer did not use these, support would still be provided by other means. He recognised that an app

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would only be accessed online, but the services offered via the app would have an element of personal support.

Councillor Jeff Brooks expressed concern about digital exclusion and the ability to access services. He noted that discussions had been ongoing for many years about how to make services easier for residents to access, but he felt that the philosophy was not present yet. He suggested that accessibility should come first and delivery mechanisms second, and felt that there was a rush to online services to the detriment of people who had difficulty in using them. He suggested that some people got frustrated with online services and gave up. He welcomed the fact that the contact centre would continue to take calls and appreciated the broad support for the original motion. However, he noted that the green waste collection was strongly directing people to use direct debit and this was an example of where the department had made the decision on the basis of what would be good for them rather than the public. He agreed with Councillor Dillon about the use of the phrase “wherever possible” and wondered if reports should consider the impacts of changes to services on residents. He suggested that service accessibility should be monitored through the Executive system, and this should be the philosophy rather than service efficiency.

Councillor Dominic Boeck suggested that all parties were in agreement that the Council should act in a way that was best for its residents. He noted that the Kooth service would never be delivered in person because of its nature. He suggested that people were becoming ‘digital natives’ and demand for in-person contacts and payments would reduce, and a degree of elasticity was needed. He felt that the Administration would be taken to task if it did not live up to commitments around “where appropriate” or “where possible”.

Councillor Steve Ardagh-Walter noted that the green waste collection scheme was voluntary and required payment. He suggested that there was broad agreement on the need to be customer led and enabling customers to pay for Council services in the best way for them. He indicated that there was no desire to force people to use direct debit. However, because most garden waste subscriptions had to be taken over a narrow period of time, the Council was not confident that credit card payments could be taken in that window without causing online chaos. He suggested that the term “wherever possible” would cater for this sort of operational issue. He acknowledged that the Council had been forced to ask the majority of residents to make payment by direct debit, and they had done so, but indicated that credit card payments would be an option next year, including online and in-person options. He agreed that all parties were philosophically aligned on this issue.

Councillor Tony Vickers indicated that he broadly supported the proposed amendment, but was concerned if there would be occasions where cash payment could not be taken. He recognised that cash payments had reduced, but stated that some people would still want to pay in cash. He hoped that the word “possible” encompassed the word “legal” and that it was illegal to refuse to accept cash for essential, universal services.

Sarah Clarke confirmed that cash payments could be made via banks and the post office, but cash payments direct to the Council disappeared when the cash office was removed.

Councillor Alan Law noted there was agreement on both sides on the principles. He noted that there were some services that could only be provided online and so the term “wherever possible” was appropriate. He noted that the Motion and proposed Amendment focused on the means of communication, but he was more concerned about the content of the message. He had tried to report broken traffic lights, but the out of hours service did not have an option for him to be report a highways issue. He stressed that there was a need to look at the interfaces and messages.

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Councillor Graham Bridgman indicated that he had helped to word the proposed Amendment. He noted that not all services could be made accessible in different ways and this had to be reflected in the wording of the Motion.

Councillor Erik Pattenden felt that provided alternative payment and communications methods were available then that would be acceptable. He suggested an impact assessment be included in Council reports where services were changing. This would provide reassurance that the impacts had been considered.

Councillor Lynne Doherty noted that the Council had a long list of KPIs, which had been reviewed by the Overview and Scrutiny Management Commission. She suggested that these could be changed as Members felt necessary. Also, she recognised that technology was changing and the Council had to allow people to contact it in different ways. She stated that West Berkshire Council had been one of the last public services to close in lockdown and one of the first to re-open. She thanked Councillor Macro for the Motion and supported the proposed Amendment.

Councillor Howard Woollaston noted that the proposed amendment addressed some key practical issues. He noted that the Council had processed 27,810 green waste requests and the Waste Team were confident of passing the previous year's total. He confirmed that 99% of payments were via direct debit. Credit card payments were made through the contact centre, or residents could pay directly at Market Street. This showed the system was working. However, he acknowledged concern about those who were not digitally enabled. He had only had one complaint. He indicated that the proposed amendment clarified the original Motion and hoped that Members would pass it.

Councillor Hilary Cole noted comments made by Councillors Brooks, Pattenden and Law, which she felt were valid and would take their suggestions to Customer First Programme Board to see how they could be incorporated in future reports. She noted that there was broad agreement on the issue and she believed in good customer service and that no customer should be disenfranchised, which was why the Council continued to offer alternative means of accessing services.

Councillors Jeff Brooks and Owen Jeffery expressed frustration that they were not permitted to suggest a change to the wording of the amendment.

Sarah Clarke confirmed that the current amendment had to be disposed of before further amendments could be considered.

Councillor Macro indicated that he shared others' concerns about the use of the words "wherever possible".

The proposed Amendment to the Motion was put to the meeting and duly approved.

AMENDED MOTION: Proposed by Councillor Jeff Brooks (based on the previous amendment) and seconded by Councillor Lee Dillon:

That the Council:

"Recognising that Council should take every measure to ensure that no resident is excluded from council services and also recognising first that many residents are not familiar, or not comfortable, with using online services, or with using payment methods such as direct debit, but second that the nature of some services are that they are by their very nature delivered online and thus not available in person,

Council therefore resolves there will be a presumption that:

- all services should be accessible to residents in person, or by phone as well as online; and

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- payments by residents for council services should be permitted by cheque, or by credit or debit card, in person, or by phone, as well as via all forms of online banking unless it is clear that access by residents can only be delivered by online services.

Councillor Brooks indicated that the term “wherever possible” was subjective.

Councillor Dillon suggested that the proposed Amendment acknowledged the points made by Councillor Boeck that some services would be digital only.

An indicative vote of all Members present in the Chamber and those attending remotely indicated that Members were supportive of the Motion.

Councillor Hilary Cole indicated that she was happy to accept the proposed Amendment.

Councillor Brooks felt that the proposed Amendment gave a clear steer to officers.

Councillor Steve Masters suggested that the parties should work more closely in future on working of Motions where there was broad agreement.

An indicative vote of all Members present in the Chamber and those attending remotely indicated that Members were supportive of the proposed Amendment to the Motion.

The proposed Amendment to the Motion was put to the meeting and was duly approved.

Councillor Brooks felt that a good solution had been achieved. With regards to Kooth, he noted that the Council had engaged directly with young people prior to the advent of the Internet. In relation to the green waste collection scheme, he encouraged better communication.

An indicative vote of all Members present in the Chamber and those attending remotely indicated that Members were supportive of the Amended Motion.

The Amended Motion was put to the vote and declared **CARRIED**.

54. Members' Questions

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#)

- (a) A question standing in the name of Councillor Carolyn Culver on the subject of Council owned property leased to tenants was answered by the Executive Member for Finance and Economic Development.
- (b) A question standing in the name of Councillor Steve Masters on the subject of the number of letters issued to residents threatening legal actions for comments on social and other media was answered by the Executive Member for Internal Governance, Leisure and Culture.
- (c) A question standing in the name of Councillor Adrian Abbs on the subject of the tender process for the Monks Lane Sports Hub was answered by the Executive Member for Internal Governance, Leisure and Culture.
- (d) A question standing in the name of Councillor Erik Pattenden on the subject of the completion date for the Monks Lane Sports Hub was answered by the Executive Member for Internal Governance, Leisure and Culture.
- (e) A question standing in the name of Councillor Jeff Brooks on the subject of funding allocated for the replacement pitch at the Monks Lane Sports Hub was answered by the Executive Member for Internal Governance, Leisure and Culture.

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- (f) A question standing in the name of Councillor Alan Macro on the subject of negotiations with Sport England regarding the Monks Lane Sports Hub was answered by the Executive Member for Internal Governance, Leisure and Culture.
- (g) A question standing in the name of Councillor Tony Vickers on the subject of public concern about anomalous electoral arrangements was answered by the Executive Member for Internal Governance, Leisure and Culture.
- (h) A question standing in the name of Councillor Lee Dillon on the subject of the provision of budget papers and regular management accounts to Members of Kennet JAC was answered by the Executive Member for Internal Governance, Leisure and Culture.
- (i) A question standing in the name of Councillors Phil Barnett and Billy Drummond on the subject of the use of front gardens for off-road parking was answered by the Executive Member for Planning and Transport.
- (j) A question standing in the name of Councillor Carlyne Culver on the subject of attendance at the Parish Climate Forum was answered by the Executive Member for Environment and Waste.
- (k) A question standing in the name of Councillor Steve Masters on the subject of officer time spent reviewing social media outside of the Council's own social media accounts was answered by the Executive Member for Internal Governance, Leisure and Culture.
- (l) A question standing in the name of Councillor Adrian Abbs on the subject of whether the Monks Lane Sports Hub would be a net carbon zero project was answered by the Executive Member for Internal Governance, Leisure and Culture.
- (m) A question standing in the name of Councillor Erik Pattenden on the subject of consideration of Newbury Community Football Group's and the ward councillor's views on the Faraday Road football pitch was answered by the Executive Member for Finance and Economic Development.
- (n) A question standing in the name of Councillor Tony Vickers on the subject of the Environmental Impact Assessment for the London Road Industrial Estate was answered by the Executive Member for Finance and Economic Development.
- (o) A question standing in the name of Councillor Adrian Abbs on the subject of ownership of the Monks Lane Sports Hub was answered by the Executive Member for Finance and Economic Development.
- (p) A question standing in the name of Councillor Adrian Abbs on the subject of insurance of the Faraday Road Clubhouse was answered by the Executive Member for Internal Governance, Leisure and Culture.
- (q) A question standing in the name of Councillor Adrian Abbs on the subject of meetings with Sport England was answered by the Executive Member for Internal Governance, Leisure and Culture.

55. Questions and Answers

(The meeting commenced at 7.00 pm and closed at 9.10 pm)

CHAIRMAN

Date of Signature

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Council – 2 December 2021

Item 4 – Declarations of Interest

Verbal Item

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Council – 2 December 2021

Item 5 – Petitions

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Item 6:

Public Questions to be answered at the Council meeting on 2 December 2021.

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 Portfolio Holder for Housing, Strategic Partnerships and Transformation submitted by Graham Storey:

"What progress has been made in considering a Council Housing Company for which £65,000 was set aside in this years budget?"

(b) Question to be answered by the Portfolio Holder for Environment and Waste submitted by Vaughan Miller:

"Could the council provide details of their roadmap for increasing the types of plastics (from just bottles) for roadside collection?"

(c) Question to be answered by the Portfolio Holder for Internal Governance Leisure and Culture submitted by Alison May:

"West Berkshire continues to haemorrhage women councillors resulting in the regression and stagnation of progressive policies. The reasons are NOT associated with their inability to do the job or a result of them having to prioritise other commitments. West Berkshire Council has the opportunity to demonstrate their commitment in support of progressing a truly democratic system resulting in an increased participation in the political sphere by women, minority and other under represented groups. What positive steps will West Berkshire Council take in support of a modern progressive governance structure?"

(d) Question to be answered by the Portfolio Holder for Internal Governance Leisure and Culture submitted by Paul Morgan:

"As the Football Association/Football Foundation (FA/FF) have stated that "they do not accept that the proposal (Monks Lane, Sports Hub) would represent a satisfactory replacement for Faraday Road Stadium" will the Council please confirm that they will now take the sensible decision to look urgently at other more suitable and more cost effective options?"

(e) Question to be answered by the Portfolio Holder for Internal Governance Leisure and Culture submitted by Vaughan Miller:

"With the shortage of eight 3G pitches in the district, does the council believe that spending upwards of £12M on just 1 new AGP at Monks Lane Sports Hub, is value for our council tax payers money?"

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Council – 2 December 2021

Item 7 – Membership of Committees

Verbal Item

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Council – 2 December 2021

Item 8 – Licensing Committee

Item 9 – Personnel Committee

Item 10 – Governance and Ethics Committee

Item 11 – District Planning Committee

**Item 12 – Overview and Scrutiny
Management Commission**

Item 13 – Health Scrutiny Committee

Item 14 – Health and Wellbeing Board

Item 15 – Joint Public Protection Committee

Verbal Items

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Electric Vehicle Chargepoints (EVCP) programme.

Committee considering report:	Council
Date of Committee:	02/12/2021
Portfolio Member:	Councillor Richard Somner
Date Head of Service agreed report: <i>(for Corporate Board)</i>	10/09/2021 (Executive Director Place)
Date Portfolio Member agreed / sent report:	17 th November 2021
Report Author:	Adrian Slaughter
Forward Plan Ref:	EX4146

1 Purpose of the Report

1.1 The purpose of this report is to provide an update on the initiative to install Electric Vehicle Chargepoints (EVCP) in West Berkshire Council Car Parks and recommend a charging strategy (fees and charges) for their operation.

2 Recommendations

2.1 It is recommended that the Council adopt the following fees and charges in 2021/22 for its public chargepoints included in Phase 1 (both those already installed and those due to be installed), and that these charges should be reviewed on an annual basis:

- For the 'Rapid' Charger, 39p per kWh with an overstay fee of £10 an hour after 2 hours.
- For the 'Fast' Chargers, 30p per kWh.

2.2 That setting the annual Fees & Charges for the Chargepoints becomes part of the Council's annual Fees and Charges approval process as of 2022/23.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	The EVCP have been installed using existing Capital budgets. As the Energy Meters for the EVCP have been added to the Council's central energy contract within the current financial year there is no pre-existing dedicated 'revenue' energy budget for the ongoing energy and operational costs. This has been

Electric Vehicle Chargepoints (EVCP) programme.

	addressed with the creation of specific revenue cost centres. Adoption of the recommended 'Fee's and Charges' should ensure that identified energy and operational costs are covered for the remainder of 2021/22.			
Human Resource:	No implications			
Legal:	No implications			
Risk Management:	A number of EVCPs have already been installed and are currently remotely 'deactivated' by the back office operator to prevent unauthorised usage.			
Property:	No implications for already installed EVCPs. The initiative is now seeking other sites where EVCPs could be installed.			
Policy:	The EVCPs have been installed in support of the objectives of the Council's Environment Strategy and the Ultra-Low Emission Vehicle Strategy.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		

Electric Vehicle Chargepoints (EVCP) programme.

Environmental Impact:	X			The installation of EVCPs has a positive impact as it increases the options for local resident and visitors to West Berkshire to be able to undertake journeys using low emission vehicles.
Health Impact:	X			Will have a positive impact by decreasing vehicle CO ₂ and particulate emissions and therefore improving local air quality.
ICT Impact:		X		No impact
Digital Services Impact:		X		No impact
Council Strategy Priorities:	X			The Council Strategy specifically commits to expanding the electric vehicle charging network within West Berkshire
Core Business:	X			The Council Strategy specifically commits to expanding the electric vehicle charging network within West Berkshire
Data Impact:		X		EVCP usage requires collation of personal data via third party 'App'. The third party is therefore the Data Controller and is formally required to be GDPR compliant as part of the Hampshire County Council Framework used.

Consultation and Engagement:	<p>During creation of this report the following external organisations were consulted:</p> <p>Southampton City Council, Parkway, JoJu Solar (the Council's external EVCP contractor).</p> <p>The following individuals have also been consulted:</p> <p>Portfolio holder for Planning and Transport Executive Director – Place Executive Director - Resources Service Director - Environment Environment Delivery Manager Information Management Officer</p>
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4 Executive Summary

- 4.1 This report is being brought as the Council constitution requires that Fees and Charges such as that being proposed are approved by Full Council.
- 4.2 It is proposed that the Council adopt the following fees and charges in 2021/22 for its public chargepoints included in Phase 1 (both those already installed and those due to be installed), and that these charges should be reviewed on an annual basis:
 - For the 'Rapid' Charger, 39p per kWh with an overstay fee of £10 an hour after 2 hours.
 - For the 'Fast' Chargers, 30p per kWh.
- 4.3 The timings of the project have meant that the proposed Fees and Charges are being brought forward separately from the Council's recognised annual Fees and Charges approval process. These will be included in the dedicated process for 2022/23.
- 4.4 In adopting the proposed fees and charges, the Council's chargepoints will be competitive with the existing local network of privately owned public chargepoints and, subject to annual price and usage reviews, is anticipated to return a modest income from year two that can be used for ongoing operational and maintenance costs.

5 Supporting Information

Introduction and Background

- 5.1 The EVCP programme is seeking to increase the number of chargepoints (both public and private (for Council use)) in West Berkshire over a number of phases in order to stimulate and aid the switch to low emission vehicles, reduce vehicle emissions, and help improve air quality.
- 5.2 Phase 1 of the programme has resulted in the completed installation of 'Fast' (22kW AC) chargers in the following Council Public Car Parks:
- (a) Pangbourne (Station Road)
 - (b) Thatcham (Gilbert Court)
 - (c) Newbury Library (The Wharf)
 - (d) Northcroft Leisure Centre
 - (e) Lambourn (High Street)
- 5.3 Phase 1 also includes the installation of 1x 50kW DC 'Rapid' Charger in the Newbury Central Car Park and 'Fast' chargers in Hungerford (Station Road) Car Park. These particular points have experienced a number of issues that have resulted in delays and they are currently estimated for completion before the end of 2021/22.
- 5.4 The completed sites are currently 'deactivated' using the back office software to prevent unauthorised use, whilst waiting for the charging strategy 'fees and charges' to be approved at Full Council.

Fees and Charges

- 5.5 In determining what level the fees and charges should be set at, the Energy Team have looked at the fees and charges for other local EVCP network operators, the typical charges for the network that the Council's chargepoints will be joining, and liaised with JoJu Solar who have use of a 'predictive' model that uses their own experience and available forecasts on matters such as electric vehicle take up and EVCP usage over the next number of years to estimate RoI and IRR.
- 5.6 BP Pulse (previously Chargemaster Polar) are probably the most comparable local public network operator and they currently have 2x 'UltraRapid' chargers, 1x 'Rapid' Charger, 1x 'Fast' Charger and 2x 'Slow' Chargers within West Berkshire. These can either be used by subscribers who pay a monthly fee or 'guest' users who just pay at point of use. The following rates are for 'guest' users of the points within West Berkshire.
- (a) Ultrafast = 42 p per kWh (plus an overstay fee of £10 an hour after 90 minutes)
 - (b) Rapid = 35 p per kWh
 - (c) Fast = 26 p per kWh

Electric Vehicle Chargepoints (EVCP) programme.

(d) Slow = free

- 5.7 The Council chargepoints will be joining the MER network and analysis indicates that the typical charges for the same types of chargepoints are 39p per kWh for 'Rapid' and 30p per kWh for 'Fast' chargers.
- 5.8 The tool used by JoJu Solar is an assumptive model. Therefore it doesn't take into account the removal and replacement of hardware because it is difficult to predict when, if at all, this will occur over the 15 year period. Furthermore the standard vehicle charge is probably subject to change to more than 8kWh per vehicle, but this is what they have seen from usage data of their charge points over the past few years. As battery size in cars increases, the kWh needed to charge them is going to increase - giving more income. There's also going to be an increase in EVs on the road which means the hours occupancy per day is likely to increase over time as well.
- 5.9 After inputting the cost of electricity (20p per kWh) for the council chargepoints into the model, and assuming a charging rate of 30p per kWh, the model is predicting a return on investment (RoI) from the chargers after 15 years (2036).
- 5.10 It is worth noting at this point that the fixed energy costs for the chargepoint energy meters, at 20p per kWh, is just over 5p per kWh greater than the typical fixed unit price for electricity in the Council's central energy contract for 2021/22. This disparity is due to the fact that the energy meters were added during the financial year and have therefore not benefitted from being part of a larger portfolio and economies of scale. They have also been added at a time when the energy market is seeing rapid energy cost rises. It is possible that after the energy meters are included in the larger portfolio for 2022/23 that they may see a reduction in the unit price and a subsequent impact on the RoI. However, given the current energy market predictions for 2022/23, it is more likely that the energy costs for the chargepoints will either remain as is or increase. This will have to be taken into account when setting the fees and charges for 2022/23.
- 5.11 Whether the Council should consider offering free or reduced parking fees to owners of electric vehicles to encourage their uptake and use is part of a wider parking strategy conversation that needs to be had but it is not the intention of this report to deal with it here.

Proposals

Fees and Charges

- 5.12 Based on the information above, it is proposed that the Council adopt the following fees and charges in 2021/22 for its public chargepoints included in Phase 1 (both those already installed and those due to be installed), and that these charges should be reviewed on an annual basis:
- For the 'Rapid' Charger, 39p per kWh with an overstay fee of £10 an hour after 2 hours.
 - For the 'Fast' Chargers, 30p per kWh.
- 5.13 That setting the annual Fees & Charges for the Chargepoints becomes part of the Council's annual Fees and Charges approval process as of 2022/23.

6 Other options considered

6.1 No other options considered

7 Conclusion

7.1 In adopting the proposed fees and charges, the Council's chargepoints will be competitive with the existing local network of privately owned public chargepoints and, subject to annual price and usage reviews, is anticipated to return a modest income from year two that can be used for ongoing operational and maintenance costs.

8 Appendices

8.1 Appendix A – EVCP Financial modelling forecast using externally sourced tool

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval	<input checked="" 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 type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months	<input type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>
Report is to note only	<input type="checkbox"/>

Wards affected: Directly affected in Phase 1 are Pangbourne, Thatcham, Lambourn, Newbury, and Hungerford.

Officer details:

Name: Adrian Slaughter
Job Title: Energy & Programme Delivery Manager
Tel No: 01635 503265
E-mail: Adrian.slaughter@westberks.gov.uk

Electric Vehicle Chargepoints (EVCP) programme.

Document Control

Document Ref:		Date Created:	06/09/2021
Version:	V4	Date Modified:	16/11/2021
Author:	Adrian Slaughter		
Owning Service	Environment		

Change History

Version	Date	Description	Change ID
1	06/09/2021	Original document	
2	08/09/2021	Amended to reflect feedback on Data Sharing Implications	ADS
3	16/09/2021	Amended to reflect comments from Corporate Board	ADS
4	16/11/2021	Amended to reflect comments from Operations Board	ADS

EVCP Financial modelling forecast using externally sourced tool

Unfunded																	
Site P&L	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	
Hours occupancy per CP per day	0.62	0.93	1.39	1.85	2.47	2.47	2.47	2.47	2.47	2.47	2.47	2.47	2.47	2.47	2.47	3.71	
Gross Revenue	£9,199.69	£13,799.54	£20,699.31	£27,599.07	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£55,198.15	
Electricity cost	-£6,133.85	-£9,200.41	-£13,800.26	-£18,400.10	-£24,533.23	-£24,533.23	-£24,533.23	-£24,533.23	-£24,533.23	-£24,533.23	-£24,533.23	-£24,533.23	-£24,533.23	-£24,533.23	-£24,533.23	-£36,798.76	
LA revenue share																	
Maintenance cost	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	-£1,200.00	
Back Office cost	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	-£2,286.00	
PBT (operating cashflow before tax)	-£420.16	£1,113.13	£3,413.05	£5,712.97	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£14,913.38	
RoI (annual)	-0.36%	0.96%	2.96%	4.95%	7.61%	7.61%	7.61%	7.61%	7.61%	7.61%	7.61%	7.61%	7.61%	7.61%	7.61%	12.92%	
IRR calc'n:																	
Cashflows	-£115,396.18	-£420.16	£1,113.13	£3,413.05	£5,712.97	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£8,779.53	£14,913.38	
IRR (Yrs 0-15), pre-tax	-0.86%																
IRR (cum. calculated at each year end)	#NUM!	-90.36%	-68.16%	-49.21%	-34.18%	-25.19%	-18.99%	-14.44%	-10.99%	-8.30%	-6.17%	-4.44%	-3.02%	-1.84%	-0.86%	0.49%	
Money Multiple:	money multiplier achieved																
Based on direct installation cost of	-£115,396.18	2036				0.16	0.24	0.31	0.39	0.47	0.54	0.62	0.69	0.77	0.85	0.92	1.05
Workings:																	
W1: Gross Revenue calc'n	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	
Hours occupancy per CP	0.62	0.93	1.39	1.85	2.47	2.47	2.47	2.47	2.47	2.47	2.47	2.47	2.47	2.47	2.47	3.71	
Standard vehicle charge per KWH	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	8	
KWH usage per day	4.94	7.41	11.12	14.83	19.77	19.77	19.77	19.77	19.77	19.77	19.77	19.77	19.77	19.77	19.77	29.65	
KWH pricing (£)	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	£0.30	
Total revenue per CP per day	£1.48	£2.22	£3.34	£4.45	£5.93	£5.93	£5.93	£5.93	£5.93	£5.93	£5.93	£5.93	£5.93	£5.93	£5.93	£8.90	
Days in year	365	365	365	365	365	365	365	365	365	365	365	365	365	365	365	365	
Total revenue per CP pa	£541.16	£811.74	£1,217.61	£1,623.47	£2,164.63	£2,164.63	£2,164.63	£2,164.63	£2,164.63	£2,164.63	£2,164.63	£2,164.63	£2,164.63	£2,164.63	£2,164.63	£3,246.95	
No of CPs	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	
Total revenue generated at site (£)	£9,199.69	£13,799.54	£20,699.31	£27,599.07	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£36,798.76	£55,198.15	
W2: Elec cost calc'n																	
KWH usage per day per CP	4.94	7.41	11.12	14.83	19.77	19.77	19.77	19.77	19.77	19.77	19.77	19.77	19.77	19.77	19.77	29.65	
Days in year	365	365	365	365	365	365	365	365	365	365	365	365	365	365	365	365	
Total KWH used per CP pa	1803.86	2705.79	4058.69	5411.58	7215.44	7215.44	7215.44	7215.44	7215.44	7215.44	7215.44	7215.44	7215.44	7215.44	7215.44	10823.17	
No of CPs	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	
Total site KWH used pa	30665.64	45998.46	68997.68	91996.91	122662.55	122662.55	122662.55	122662.55	122662.55	122662.55	122662.55	122662.55	122662.55	122662.55	122662.55	183993.82	
Cost per KWH	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	£0.20	
Total site elec cost (£)	£6,133.85	£9,200.41	£13,800.26	£18,400.10	£24,533.23	£24,533.23	£24,533.23	£24,533.23	£24,533.23	£24,533.23	£24,533.23	£24,533.23	£24,533.23	£24,533.23	£24,533.23	£36,798.76	

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Adoption of the Statement of Licensing Policy Principles Under S.349 Of The Gambling Act 2005

Committee considering report:	Council
Date of Committee:	Council 02 December 2021
Portfolio Member:	Councillor Hilary Cole
Date Service Director agreed report:	05 October 2021
Date Portfolio Member agreed report:	21 October 2021
Report Author:	Sean Murphy
Forward Plan Ref:	C4045

1 Purpose of the Report

- 1.1 To consider the consultation responses received and adopt the Statement of Licensing Policy Principles under the Gambling Act 2005 (hereafter referred to as The Statement) as set out in Appendix 1 for publication by the 30 January 2022

2 Recommendations

- 2.1 That Full Council:
- (a) **CONSIDERS** the Statement and the consultation responses received.
 - (b) **DELEGATES** Authority to the Service Director (Development and Regulation), in consultation with the Portfolio Holder, to make any minor corrections to the Statement prior to publication.
 - (c) **APPROVES** the Statement for adoption and publication by the 30th January 2022.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	The costs of producing this report and running the consultation exercise were met from within the existing Public Protection Partnership budgets.

Adoption of the Statement of Licensing Policy Principles Under S.349 Of The Gambling Act 2005

	There are no direct costs associated with the implementation of the policy			
Human Resource:	None			
Legal:	This Statement of Principles has to be published in accordance with s349 of Gambling Act 2005 and is required to set out the principles that the licensing authority proposes to apply when exercising its functions under the Act. The licensing authority must publish its Statement of Principles at least every three years.			
Risk Management:	The Council is required to renew the statement every three years. A failure to do so and consult properly could result in any decisions and the policy being challenged in the Courts.			
Property:	None			
Policy:	The licensing authority must publish its Statement of Principles at least every three years. The previously adopted iteration is due to expire in January 2022. The Council is required to consult on any changes being proposed.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				

<p>A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?</p>		<p>X</p>	<p>In applying this Policy, no particular group is given priority over another in relation to implementation of the Policy and how any applicant is dealt with. Applications are assessed on their individual merits. Where applicants ask for information in alternate formats these can be provided.</p> <p>The Council is not in a position where it can proactively affect the profile of licence holders, but the Policy ensures that the process of obtaining a licence is fair and free of discrimination and there are no barriers to anyone making an application. The Council would provide documents in alternative formats where required.</p> <p>On consideration, the overall conclusion of the EIA is that there is no negative impact on any characteristic or group as a result of this Policy.</p>
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<p>B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?</p>		<p>X</p>	<p>The protection of children and other vulnerable people from gambling within the policy clearly has a benefit relating to these groups. For most gambling activity you have to be 18 (16 for some activities), and so the statement of principles protects those of this age. References to age are made throughout the policy i.e. Protecting children from being harmed or exploited by gambling is a key Licensing objective enshrined in the legislation.</p> <p>Within society there are vulnerable people who may develop addictions to gambling. Whilst the law requires licensed gambling premises to monitor those who gamble regularly and also to have self-exclusion schemes, historically this has been a difficult problem to deal with as Adult Safeguarding departments are not responsible authorities. They have however been consulted during the consultation phase of the revision of the policy. They did not submit any comments on the policy.</p> <p>While public health commented on the fact that gambling lower income families and had an adverse impact on mental health and deprivation they made no specific comments on those with protected characteristics.</p> <p>No other comments about people with protected characteristics were received during the consultation.</p>
<p>Environmental Impact:</p>		<p>X</p>	<p>There are no environmental implications that result from the policy.</p>

Health Impact:		X		<p>Gambling related harm is recognised as a 'co-morbidity' (i.e. one of a range of conditions existing in an individual that exacerbates pre-existing conditions and contributes toward a reduced life expectancy). It is often observed in people who suffer from poor mental health, stress or anxiety, substance misuse and by those in financial difficulties.</p> <p>Information on some of these issues can be found on the Public Health for Berkshire website at: https://westberkshire.berkshireobserver.co.uk/health-and-social-care/</p> <p>This Statement sets out our expectations of operators of gambling premises and is kept under review.</p>
ICT Impact:		X		None
Digital Services Impact:		X		The statement will be published on the Council's website.
Council Strategy Priorities:		X		Ensure our vulnerable children and adults achieve better outcomes. Support businesses to start, develop and thrive in West Berkshire
Core Business:		X		Business as Usual
Data Impact:		X		Not applicable
Consultation and Engagement:	The draft Statement of Gambling Policy was the subject of a 12 week public consultation. In addition the organisations referred to in paragraph 6.5 were asked for their comments on the draft policy.			

4 Executive Summary

- 4.1 This Statement of Principles has to be published in accordance with s349 of Gambling Act 2005 and is required to set out the principles that the licensing authority proposes to apply when exercising its functions under the Act. The licensing authority must

publish its Statement of Principles at least every three years. The current Statement is due to expire in January 2022.

- 4.2 The purpose of the Statement is to guide the administration of licensing under the Act and will assist in ensuring that an appropriate balance is drawn between the interests of those wishing to provide and take part in legal gambling, and those who might be affected by such activities. The Council continues to work with the Police, licence holders, responsible authorities and other agencies to achieve this objective.
- 4.3 Under the Act, the licensing authority is required to consult a number parties as a minimum before finalising its Statement. The responses to the consultation, which was undertaken between the 05 July 2021 and 27 September 2021, have been collated and are set out in Appendix 2.
- 4.4 The Licensing Committee considered the Statement at their meeting on the 08 November 2022 and recommended to Full Council that the revised Statement of Gambling Principles be adopted.

5 Supporting Information

Introduction

- 5.2 The Gambling Act 2005 (hereafter referred to as the Act) removed from the Magistrates' Court all responsibility for granting gaming and betting permissions. It introduced the Gambling Commission, which, alongside licensing authorities, assumed a shared responsibility for all matters previously regulated by Magistrates.
- 5.3 Licensing Authorities have powers to licence gambling premises within their area, as well as undertaking functions in relation to lower stake gambling machines and clubs. The Act also provides for a system of Temporary Use Notices which authorise premises that are not licensed generally for gambling purposes to be used for certain types of gambling for strictly limited periods.
- 5.4 The Act requires the Council to prepare, adopt and publish a "Statement of Principles" setting out the Licensing Authority's approach to applications under the Act and the information it expects applicants to provide at least every three years.
- 5.5 The current Gambling Statement of Licensing Policy Principles was adopted at the Full Council meeting on 06 December 2018 and was published and came into effect 31 January 2019. The Statement must therefore be revised and republished by the 30 January 2022.
- 5.6 The purpose of the Statement is to guide the administration of licensing under the Act and will assist in ensuring that an appropriate balance is drawn between the interests of those wishing to provide and take part in legal gambling, and those who might be affected by such activities. The Council continues to work with the Police, licence holders, responsible authorities and other agencies to achieve this objective.
- 5.7 The Act contains three licensing objectives that underpin the functions that the Licensing Authorities perform and which are central to the regulatory regime. They are:

- I. preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- II. ensuring that gambling is conducted in a fair and open way;
- III. protecting children and other vulnerable persons from being harmed or exploited by gambling.

5.8 In September 2021 West Berkshire had twelve betting premises including one racecourse, eight adult gaming centres, one Bingo premise, seven Club Machine Permits, four Family Entertainment Centres and eighty three notifications of fewer than two machines and eight premises with two or more gaming machines.

6 Review of Statement Of Principles

6.1 David Lucas (James Button & Co Solicitors) on behalf of the Public Protection Partnership had reviewed the existing Statement prior to the consultation process starting. Minor changes were proposed when compared to the previous iteration of the report. A section on small society lotteries was added and the policy was amended to make it compliant with the current legislation and regulations as well as making it consistent with the very recent updates to the guidance to licensing authorities published by the Gambling Commission.

6.2 The opportunity was also taken to provide some additional information in order to assist anyone reading the policies to understand the various sections. The general aim of the review was to ensure that the policies are both up-to-date and informative.

6.3 The Draft Statement was presented to the Licensing Committee at the 21 June 2021 meeting. A number of minor changes were requested at this meeting prior to it being issued for consultation. These changes included some formatting adjustments (including updating the contents table justification of the text and that the footer being updated). The Committee requested that reference be made to the documentation being in place from 31 January 2022 to 30 January 2025 that acronyms be explained and that the guidance be defined at the start of the document and that then thereafter it be referred to as 'the guidance'.

6.4 The Licensing Committee agreed that the statutory consultation on the Draft Statement would be undertaken for a 12 period weeks between 05th July 2021 and 27th September 2021. A public notice was placed in both the Newbury Weekly News and the Reading Chronicle. Information was also placed on the West Berkshire and Public Protection Partnership websites.

6.5 Letters or email were also sent to:

- Association of British Bookmakers
- Association of Licensed Multiple Retailers
- Bingo Association
- British Amusement Catering Trade Association
- British Institute of Inn Keeping
- British Beer and Pub Association
- Building Control

- Committee of Registered Club Associations
- Gamblers Anonymous
- Gambling Commission
- GAMCARE
- Health and Wellbeing Board
- HM Revenue and Customs
- Holders of existing gambling licences / permits
- National Association of Bookmakers
- Parish and Town Councils
- Public Consultation Portal
- Public Health Team
- Royal Berkshire Fire and Rescue
- Thames Valley Police
- West Berkshire Council Environmental Health
- West Berkshire Council Planning
- West Berkshire Safeguarding Adults Board
- West Berkshire Safeguarding Children Board

6.6 Responses to the consultation were received from Greenham Parish Council and West Berkshire Environment Health who both stated that they did not wish to raise any objections to the proposed Statement. Some comments were also received from West Berkshire Council's Public Health and Wellbeing Team as set out in Appendix 2.

7 Key Changes to the Draft Statement Following the Consultation

7.1 The comments from Public Health and Wellbeing West Berkshire requested that consideration be given to the cumulative impact of gambling given the impact gambling had on the poorest in society. They also noted that gambling was associated with poor mental health and deprivation. The team asked that public health principals be considered when processing licencing applications for new venues. They also requested that some joint work around the promotion of advocacy and support for those who are affected by gambling.

7.2 However, under section 349 of the Gambling Act 2005 a licensing authority is required to prepare a Statement of Licensing Policy containing the principles that they propose to apply in exercising their functions under the Act. As the protection of public health is not one of those functions, the comments, whilst helpful, are not directly relevant to the subject matter of the Policy. It is proposed that some of the issues raised by Public Health could be dealt with by changing some operational practices.

8 Other options considered

8.1 None. It is a statutory requirement to review and publish this policy.

9 Conclusion

9.1 Members are asked to consider the comments received during the consultation period and the recommendation from the Licensing Committee that the draft policy be approved subject to the inclusion of any additional amendments agreed at the meeting and then published by the end of January 2022.

10 Appendices

10.1 Appendix 1 – Draft Statement of Gambling Principles 2022 – 2025

10.2 Appendix 2 – Comments received during the consultation

Background Papers:

- The Gambling Act 2005
- [Guidance to licensing authorities - Gambling Commission](#)
- The Statement of Gambling Principles 2019-2022

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval	<input checked="" 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 type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months	<input type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>
Report is to note only	<input type="checkbox"/>

Wards affected: All

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Document Control

Document Ref:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

Change History

Version	Date	Description	Change ID
1			
2			

Statement of Gambling Principles

January 2022 - January 2025

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Part A - General

1.1 Introduction

The Gambling Act 2005 (referred to in this document as ‘the Act’) requires the Council to prepare and publish a Statement of Gambling Principles (‘Statement’) that sets out the policies and principles that West Berkshire Council as Licensing Authority (‘the Licensing Authority’) will generally apply when discharging their responsibilities under the Act. It also gives details of our expectations of applicants and licence holders.

The purpose of this Statement is to provide guidance to committees and officers determining matters under delegated authority, and to provide consistency to decision-making. However, as each case will always be determined on its own merits, where the circumstances justify doing so, the Licensing Authority may depart from any provision of this Statement, or of the Guidance to Licensing Authorities issued by the Gambling Commission (‘the Guidance’), to make an appropriate decision based upon the individual circumstances of a particular case. In any such case the Licensing Authority will give a clear explanation and reasons for its decision.

This Statement is not intended to override the right of any person to make an application under the Act, and to have that application considered on its merits. Equally, the Statement is not intended to undermine the right of any person to make representations about an application or to seek a review of a licence where provision has been made for them to do so.

This Statement has been prepared having regard to the licensing objectives of the Act, the Guidance, and any responses from those consulted during the preparation of the Statement. A list of those consulted can be found at Appendix A. The full list of comments made and the consideration by the Council of those comments is available on request. The agenda and minutes of the Council meetings where the Statement was considered can be viewed on the Council website at www.westberks.gov.uk.

The Statement will come into effect on the 31 January 2022 and will be reviewed as necessary, and at least every three years from the date of adoption.

1.2 The District of West Berkshire

West Berkshire Council is a Unitary Authority and is predominantly rural, with an area making up over half of the geographical county of Berkshire, covering an area of 272 square miles. The population of 158,527 (2018 Census) is relatively young when compared across the UK, although this is made up of a significant proportion of people aged between 30 – 50 rather than significant numbers of people in their 20s.

The District is perceived to be in an area of some affluence having five main areas of conurbation spread evenly across the Council’s area of jurisdiction.

Newbury Racecourse is situated in the largest town in the District and some rural areas of the District are world renowned for their involvement in the training and stabling of racehorses.

1.3 The Licensing Objectives

In exercising functions under the Act, the Licensing Authority will have regard to the licensing objectives as set out in the Act. The licensing objectives are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- ensuring that gambling is conducted in a fair and open way;
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Licensing Authority is aware that, in accordance with section 153 of the Act, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the Licensing Authority's statement of principles.

1.4 Licensable Activities

'Gambling' is defined in the Act as either gaming, betting, or taking part in a lottery.

- 'Gaming' means playing a game of chance for a prize;
- 'Betting' means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not;
- 'A Lottery' is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process or a series of processes which relies wholly on chance.

The Act provides for three categories of licence:

- Operating Licences;

- Personal Licences;
- Premises Licences.

The Gambling Commission is responsible for remote (online) and non-remote (land-based) gambling, for which it issues operating licences and personal licences.

The Licensing Authority is responsible for issuing premises licences and provisional statements for the following types of premises:

- Casinos;
- Bingo Premises;
- Betting Premises and Tracks;
- Adult Gaming Centres;
- Family Entertainment Centres.

Additional functions of the Licensing Authority are to:

- issue permits for gambling and gaming machines in clubs;
- receive notifications from alcohol licensed premises of the use of up to two gaming machines and issue licensed premises gaming machine permits where there are more than two machines;
- issue permits to family entertainment centres;
- issue permits for prize gaming;
- receive and endorse temporary use notices;
- receive occasional use notices for betting at tracks;
- register small society lotteries;
- undertake compliance and enforcement responsibilities;
- provide details of licences issued, to the Gambling Commission;
- maintain registers of permits and licences that are issued under the Act.

1.5 Responsible Authorities

Responsible authorities must be notified of all premises licence applications and are entitled to make representations if they are relevant to the licensing objectives. Section 157 of the Act defines those authorities as:

- The Gambling Commission;

- the chief officer of police or chief constable for the area in which the premises are wholly or partially situated;
- the local fire authority;
- the local planning authority;
- the environmental health authority;
- the child protection body designated by the Licensing Authority;
- HM Revenue and Customs;
- the Licensing Authority.

The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

The Licensing Authority designates the Local Safeguarding Children Board for this purpose.

The contact details for all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: www.westberks.gov.uk.

1.6 Interested Parties

Interested parties can make representations about premises licence applications or apply for a review of an existing licence. Interested parties will be required to relate their representation to one or more of the matters referred to in section 153 of the Act (see section 1.3 above).

An interested party is someone who:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities; or
- has business interests that might be affected by the authorised activities; or
- represents persons in either of the two groups above.

In determining whether someone lives sufficiently close to particular premises so as to be affected, the Licensing Authority may take into account, amongst other things:

- the size and nature of the premises;
- the distance of the premises from the person making the representation;
- the nature of the complaint;
- the potential impact of the premises.

In determining whether a person has a business interest which could be affected, the Licensing Authority may consider, amongst other things:

- the size of the premises;
- the catchment area of the premises; and
- whether the person making the representation has business interests in the catchment area that might be affected.

The Licensing Authority will interpret the phrase “business interest” widely and not merely confine the phrase to meaning those engaged in trade and commerce. It may therefore include charities, churches, medical practices, schools and other establishments and institutions.

Similarly, a wide interpretation will be given to those categories of persons and organisations that represent residents and businesses. These may include residents and tenants’ associations, trade unions and other associations, as well as individuals whose role is to represent the interests of one or more residents or businesses such as a Councillor or Member of Parliament.

If an existing gambling business makes a representation that it is going to be affected by another gambling business starting up in the area, then without further relevant evidence supporting the representation, the Licensing Authority would not consider this to be a relevant representation because it relates to “demand” or competition.

It is for the Licensing Authority to determine on a case-by-case basis whether or not a person making a representation is an “interested party”. The Authority may ask for evidence to identify who is being represented and show that they have given consent for representations to be made on their behalf. In cases which are not clear-cut, the benefit of the doubt will usually be exercised in favour of the person making the representation.

If individuals wish to approach Councillors to ask them to represent their views, and Councillors are prepared to do so, then care should be taken that the Councillors are not part of the Licensing Committee or Sub-Committee dealing with the licence application. If there are any doubts, please contact the licensing team (see Section E).

1.7 Information Exchange

This Licensing Authority will act in accordance with all the relevant legislation and guidance from the Gambling Commission with regard to data protection and the freedom of information. Additionally, this Licensing Authority has adopted and will apply the principles of better regulation as detailed in the Regulators' Code.

1.8 Enforcement

The Licensing Authority's principles are that it will be guided by the Guidance and will endeavour to be:

- *Proportionate*: regulators should only intervene when necessary; and remedies should be appropriate to the risk posed, and costs identified and minimised;
- *Accountable*: regulators must be able to justify decisions, and be subject to public scrutiny;
- *Consistent*: rules and standards must be joined up and implemented fairly;
- *Transparent*: regulators should be open, and keep regulations simple and user friendly; and
- *Targeted*: regulation should be focused on the problem and minimise side effects.

The Licensing Authority has also adopted and implemented a risk-based inspection programme based on:

- the Licensing Objectives;
- relevant Codes of Practice;
- the Guidance;
- the principles set out in this Statement of Licensing Policy;
- the location of the premises and their impact on the surrounding area;
- the enforcement history of the premises;
- the nature of the licensed or permitted operation;
- the management record of the premises.

The main enforcement and compliance role for the Licensing Authority in terms of the Act is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences.

The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible. The Licensing Authority will establish a close working relationship with the Police, the Gambling Commission and, where appropriate, other responsible authorities.

The Licensing Authority will investigate complaints against licensed premises in relation to matters for which it has responsibility. In the first instance, complainants may be encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

Bearing in mind the principle of transparency, the Licensing Authority's enforcement policy will be available upon request to the licensing team (see Section E). The risk methodology is also available upon request.

A number of gambling operators have formed primary authority partnerships, under which they receive 'assured advice' from a single local authority in respect of one or more regulated aspects of their business – for example, preventing underage sales of age-restricted products or services. Where the Licensing Authority has concerns about a premises whose operator has formed a primary authority partnership relevant to the issue in question, it will consult with the primary authority prior to taking any formal action.

1.9 Local Risk Assessments

The Licence Conditions and Codes of Practice (the "LCCP") attached to operating licences issued by the Gambling Commission impose a need for operators to consider local risks.

The LCCP require licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account any relevant matters identified in this Statement.

Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:

- when applying for a variation of a premises licence;
- to take account of significant changes in local circumstances, including those identified in a licensing authority's policy statement;
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

The LCCP also require licensees to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority.

Where concerns do exist, perhaps prompted by new or existing risks, a licensing authority might request that the licensee share a copy of its own risk assessment which will set out the measures the licensee has in place to address specific concerns. This practice should reduce the occasions on which a premises review and the imposition of licence conditions is required.

Risk assessments should be kept at the individual premises to which they relate. All staff should be fully aware of the risk assessment and where it is kept in order that they can work in accordance with any requirements, and it can easily be provided to the Licensing Authority should they request to see it at any reasonable time, including unannounced inspections and ad hoc visits.

The Licensing Authority does not intend to specify a format or mandatory content for these local risk assessments, as these will be decisions for the operator to take, and they will be dependent upon the location, size, and operational nature of the premises in question. However, it is expected that operators will have considered the individual circumstances of each of their premises when compiling the risk assessments.

A single generic risk assessment covering every premises in an operator's estate will not be considered by the Licensing Authority to be suitable or sufficient. It is also expected that operators will take full account of the local area when compiling their risk assessments, and to reflect this in the control measures which they will implement. For example, an area might be identified as high risk on the basis that it is located within close proximity to a youth centre, rehabilitation centre, or school.

Completion of a local area profile is not a requirement on licensing authorities. Any local area profile prepared by the Licensing Authority will be separate from this Statement, so that it can be reviewed and updated without the need for full consultation. Details of any local area profile will be available upon request to the licensing team (see Section E).

Part B - Premises Licences

2.1 General Principles

In exercising its functions under the Act, section 153 requires the Licensing Authority to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives (subject to the previous two points); and

- in accordance with the Licensing Authority's statement of licensing policy (subject to the previous three points).

The Licensing Authority will not investigate the suitability of an applicant for a premises licence. The issue of suitability will already have been considered by the Gambling Commission because any applicant (except occupiers of tracks who do not propose to offer gambling themselves) must hold an operating licence from the Commission before the premises licence can be issued.

In the Act, "premises" is defined as including "any place". A single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as shopping malls to obtain separate premises licences, where appropriate safeguards are in place. The Licensing Authority will take account of the Guidance in respect of this matter and the mandatory conditions relating to access between premises.

The Act requires applicants to submit plans of the premises with their application to ensure that the Licensing Authority has the necessary information to make an informed judgment about whether the premises are fit for gambling. As the plan forms part of the premises licence, it will also be used by the Licensing Authority in connection with premises inspection activity. The plans must comply with requirements contained in the regulations made under the Act.

When determining an application for a premises licence or review of a premises licence, regard will be had to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families with children. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits. Therefore, if an applicant can effectively demonstrate how they might overcome any concerns, this will be taken into account. This would be expected to be addressed as part of the local risk assessment required to be submitted with all new and variation premises licence applications.

In determining an application, the licensing authority cannot have regard to the expected demand for the facilities which it is proposed to provide, nor may it take account of any moral objections.

Premises licences are subject to the requirements set out in the Act and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. The mandatory and default conditions are often sufficient to ensure operation that is reasonably consistent with the licensing objectives. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be necessary and/or appropriate in the circumstances of a particular case. More detail on licence conditions can be found at section 2.5 of this Statement.

The Licensing Authority will not seek to use the Act to resolve matters more readily dealt with under other legislation and will seek to avoid any duplication with other regulatory systems where possible. For example, the Licensing Authority will not take into account whether premises have the appropriate planning or building consents, nor will it take into account fire or health and safety risks without justification in a particular case. It will, however, carefully consider any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

Where children and other vulnerable people are allowed access to premises where gambling takes place, the licensing authority may take such steps as are lawful and necessary to either limit access generally or introduce measures to prevent under-age gambling. The Licensing Authority will not normally seek to limit the access of children to any premises unless it receives representations to that effect, or it believes it is right to do so for the prevention of their physical, moral or psychological harm. Applicants are encouraged to propose any prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.

The overriding principle is that each application and the circumstances prevailing at each premises will be considered on their own individual merits.

2.2 Preventing Gambling From Being a Source of Crime and Disorder

The Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling premises from being a source of crime, for example the sale and distribution of controlled drugs, money laundering, prostitution, or unlawful gambling. The Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has high levels of organised crime, this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be necessary such as the provision of door supervisors. When making decisions in this regard, the Licensing Authority will give due weight to any comments made by the Police and the evidence provided in support of them.

The Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. The Licensing Authority will seek the views of its legal advisers before determining what action to take in circumstances in which disorder may be a factor.

As far as disorder is concerned, there are already powers in existing anti-social behaviour and other legislation to deal with measures designed to prevent nuisance, whether it arises as a result of noise from a building or from general disturbance once people have left a building. The Licensing Authority will not use the Act to deal with general nuisance issues, such as parking problems, which can be dealt with using alternative powers.

2.3 Ensuring Gambling is Conducted in a Fair and Open Way

The Licensing Authority has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

2.4 Protecting Children and Other Vulnerable People From Gambling

The Licensing Authority has noted that the Guidance states that this objective means preventing children from taking part in gambling, as well as restriction of advertising so that gambling products are not aimed at, or are particularly attractive to, children. The Licensing Authority will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines or segregation of areas.

The use of CCTV (in accordance with data protection regulations and any relevant codes of practice) may be insufficient on its own as a measure to prevent access to gaming facilities by children or vulnerable persons (including those who have registered in a self-exclusion scheme).

At premises such as adult gaming centres, betting shops, bingo halls and family entertainment centres where category B or C gaming machines are operated, the Licensing Authority will expect that an appropriate number of staff will be present throughout opening hours to ensure that children are not permitted to enter the premises or use age-restricted gaming facilities, as the case may be, and that self-excluded persons are not permitted to gamble.

The Licensing Authority is also aware of the Gambling Commission's Codes of Practice as regards this licensing objective, in relation to specific premises such as pubs.

As regards the term "vulnerable persons", it is noted that it is not defined in the Act and the Gambling Commission does not seek to offer a definition, but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs". The licensing authority will consider this licensing objective on a case by case basis.

The Licensing Authority will consider, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. Any such considerations will be balanced against the authority's objective to aim to permit the use of premises for gambling.

Best practice is for staff working at licensed premises to undergo training on identifying and assisting vulnerable persons.

2.5 Licence Conditions

The Act provides that premises licences may be subject to conditions in a number of ways:

- they may attach automatically, having been set out in the Act;
- they may attach through regulations made by the Secretary of State;
- they may be attached to premises licences by licensing authorities.

Any conditions attached to premises licences by the Licensing Authority will be proportionate and will be:

- relevant to the aim to permit the use of the premises for gambling;
- necessary to promote the licensing objectives;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises;
- within the control of the licensee; and
- reasonable in all other respects.

When considering any conditions to be attached to licences, the licensing authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the Licensing Authority will consider utilising should there be an evidence-based need, such as the use of supervisors, appropriate signage for adult only areas or CCTV. There are specific comments made in this regard under some of the licence types below. The Licensing Authority will also expect the licence applicant to offer their own suggestions as to the way in which the licensing objectives can be met effectively.

The Licensing Authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in gambling premises to which children are allowed, in order to pursue the licensing objectives.

It is noted that there are conditions which the Licensing Authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

If the Licensing Authority is concerned that premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that entrance to the premises is controlled by a door supervisor and is entitled to impose a condition on the premises licence to this effect.

The Act provides that where a person employed as a door supervisor is required to hold a licence issued by the Security Industry Authority (SIA), that requirement will have force as though it were a condition on the premises licence.

The majority of persons employed to work as door supervisors at premises licensed for gambling will need to be licensed by the SIA. There are, however, exceptions to this requirement.

This requirement is relaxed when applied to door supervisors at casino and bingo premises. Where contract staff are employed as door supervisors at casino or bingo premises, such staff will need to be licensed by the SIA. However, in-house employees working as door supervisors at casino and bingo premises are exempt from this requirement.

2.6 Licensed Family Entertainment Centres

Persons operating a licensed Family Entertainment Centre (FEC) must hold a relevant operating licence issued by the Gambling Commission. They will be able to make category C and D gaming machines available.

Children and young persons are permitted to enter an FEC and may use category D machines. They are not permitted to use category C machines and it is a requirement that there must be clear segregation between the two types of machine, so that under-18s do not have access to them.

The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient

measures to ensure that under 18 year olds do not have access to the adult-only gaming machine areas.

The Licensing Authority may consider measures to meet the licensing objectives such as:

- CCTV;
- proof of age schemes;
- supervision of entrances/machine areas;
- physical separation of areas;
- location of entry;
- notices/signage;
- specific opening hours;
- self-exclusion schemes;
- provision of information leaflets/helpline numbers for organisations such as GamCare;
- measures/training for staff on how to deal with suspected truant school children on the premises.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.7 Casinos

There are currently no casinos operating within the West Berkshire Council area.

Casinos are only permitted in certain areas within Great Britain. New casinos under the Gambling Act 2005 are restricted to 16 specific local licensing authority areas. West Berkshire is not one of those areas.

Casinos that operated under the Gaming Act 1968 should already have a premises licence from their local licensing authority. The regions in which those casinos operate are based on a historical division that was established under the previous licensing regime by the Gaming Board for Great Britain. West Berkshire is not one of those regions.

2.8 Bingo Premises

Cash bingo is the main type of bingo played in commercial bingo premises. They can also offer prize bingo, largely as games played in the intervals

between main stage games. Premises with a bingo premises licence will be able to offer bingo in all its forms.

The Licensing Authority will need to be satisfied that bingo can be played in any bingo premises for which a premises licence is sought.

The Act provides that the holder of a bingo premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Premises that were licensed before 13 July 2011 are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. There are no restrictions on the number of category C or D machines that can be made available.

An operator may allow children and young people into licensed bingo premises. However, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

The Licensing Authority will need to be satisfied that any premises licensed for bingo will operate in a manner which a customer would reasonably be expected to recognise as premises licensed for the purposes of providing facilities for bingo.

The Licensing Authority may consider measures to meet the licensing objectives such as:

- CCTV;
- proof of age schemes;
- supervision of entrances/machine areas;
- physical separation of areas (if not adult-only);
- entry control system (if not adult-only);
- location of entry;
- notices/signage;
- specific opening hours;
- self-exclusion schemes;
- provision of information leaflets/helpline numbers for organisations such as GamCare;
- measures/training for staff on how to deal with children on the premises (if not adult-only).

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.9 Betting Premises

Betting premises provide off-course betting which is betting that takes place other than at a track in what was previously known as a licensed betting office. Tracks are considered in section 2.11 below.

Children and young persons are not permitted to enter betting premises. The Licensing Authority will expect applicants and licence holders to take account of the structure and layout of their gambling premises in order to prevent underage gambling.

The holder of a betting premises licence may make available for use up to four gaming machines of category B, C or D.

Betting premises may make available machines that accept bets on live events, such as horse racing, as a substitute for placing a bet over the counter. These self-service betting terminals (“SSBTs”) are not going machines.

The Licensing Authority may restrict the number of SSBTs, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of SSBTs in particular premises, the Licensing Authority, amongst other things, will take into account the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.

This Licensing Authority may consider measures to meet the licensing objectives such as:

- proof of age schemes;
- CCTV;
- supervision of entrances/ machine areas;
- physical separation of areas;
- location of entry;
- notices/signage;
- specific opening hours;
- self-exclusion schemes;
- provision of information leaflets/ helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.10 Adult Gaming Centres

Persons operating an adult gaming centre (AGC) are able to make category B, C and D gaming machines available. No-one under the age of 18 is permitted to enter an AGC.

The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

The Licensing Authority may consider measures to meet the licensing objectives such as:

- proof of age schemes;
- CCTV;
- supervision of entrances/machine areas;
- physical separation of areas;
- location of entry;
- notices/signage;
- specific opening hours;
- self-exclusion schemes;
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.11 Tracks

The Act defines a track as a horse racecourse, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place.

Examples of other tracks include (this is not an exhaustive list):

- a point-to-point horserace meeting;
- football, cricket and rugby grounds;

- an athletics stadium;
- a golf course;
- venues hosting darts, bowls, or snooker tournaments;
- premises staging boxing matches;
- a section of river hosting a fishing competition;
- a motor racing event.

There are differences between track premises licences and other premises licences. Tracks admit third-party operators to provide betting facilities, whereas other premises licence holders – for example, betting shops, bingo clubs and casinos – provide the gambling facilities themselves and are subject to the conditions of the operating licence as well as the premises licence.

Tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The Licensing Authority will especially consider the impact upon the licensing objective "protection of children and vulnerable persons from being harmed or exploited by gambling" and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

Persons under 18 years old are not permitted to enter premises when betting facilities are being provided, other than at tracks. This dispensation allows families to attend premises such as greyhound tracks or racecourses on event days, and children to be permitted into areas where betting facilities are provided, such as the 'betting ring', where betting takes place.

The exemption allowing children access to betting areas on tracks does not extend to areas within a track where category C or above machines are provided, or other premises to which under 18 year olds are specifically not permitted access. For example, where betting facilities are provided through a self-contained betting office on a track which has a separate betting premises licence, the betting operator of the self-contained premises is required to exclude under-18s from their premises.

The Act creates offences relating to gambling by children and young people and operating licence conditions require operators to have policies and procedures in place to prevent betting from persons who are under 18 years old. As under-18s are permitted to enter betting areas on tracks on event days, this needs to include policies and procedures to mitigate the likelihood of underage betting occurring. The track premises licence holder is also required to display a notice in a prominent place at every public entrance stating that no person under the age of 18 is permitted to bet on the premises.

The Act prohibits the employment of anyone under 18 years old on tracks.

The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives, however appropriate measures/licence conditions may cover issues such as:

- proof of age schemes;
- CCTV;
- entry control system;
- supervision of entrances/machine areas;
- physical separation of areas;
- location of entry;
- notices/signage;
- specific opening hours;
- self-barring schemes;
- provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures that may be taken.

The Licensing Authority will consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

Betting operators may make available machines that accept bets on live events, such as horseracing, as a substitute for placing a bet with a member of staff. These self-service betting terminals (“SSBTs”) are not gaming machines; they automate the process that can be conducted in person and therefore are not regulated as gaming machines. There is no restriction on the number of SSBTs that may be in use but operators must, by virtue of their operating licence conditions, supervise such terminals to prevent them being used by persons under 18 years of age.

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.

In cases such as greyhound tracks, racecourses, football stadia and cricket grounds, defining the extent of boundaries may be assisted by reference to existing plans already submitted to obtain other permissions.

It is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans due to the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pin-pointing exact locations for some types of track. The Licensing Authority will need to be satisfied that the plan provides sufficient information to enable it to assess an application.

2.12 Travelling Fairs

The Act defines a “fair” as wholly or principally providing amusements on a site that has been used for a fair for no more than 27 days in a calendar year. In addition, the fair must be provided wholly or principally by persons who travel from place to place for the purpose of providing fairs.

Travelling fairs may provide an unlimited number of category D gaming machines provided that facilities for gambling amount to no more than an ancillary amusement at the fair. They do not require a permit to provide these gaming machines but must comply with legal requirements about how the machines operate.

Travelling fairs are also able to offer equal chance prize gaming without a permit, provided that, taken together, the facilities for gambling are an ancillary amusement at the fair.

The Licensing Authority will decide whether a travelling fair which offers category D machines and/or equal chance prize gaming without a permit meets the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair.

The Licensing Authority will also determine whether any specific fair falls within the statutory definition of a travelling fair.

The 27-day statutory maximum for the land being used as a fair is per calendar year, and it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority will work with its neighbouring authorities to ensure that land which crosses boundaries is monitored so that the statutory limits are not exceeded.

2.13 Provisional Statements

The Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that they:

- expect to be constructed;
- expect to be altered; or
- expect to acquire a right to occupy.

Developers and others may wish to apply to the Licensing Authority for a provisional statement before entering into a contract to buy or lease property or land to determine whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application (except in the case of a track), the applicant does not need to hold or have applied for an operating licence from the Gambling Commission and they do not need to have a right to occupy the premises in respect of which their provisional statement application is made.

The holder of a provisional statement may then apply for a premises licence and the normal statutory process will apply subject to one exception. No representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage; or
- they reflect a change in the applicant's circumstances.

The Licensing Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the Authority's opinion reflect a change in the operator's circumstances; or
- where the premises have not been constructed in accordance with the plan and information submitted with the application.

2.14 Licence Reviews

Requests for a review of a premises licence can be made by interested parties or responsible authorities at any time. It is for the Licensing Authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to one or more of the matters listed below:

- any relevant code of practice issued by the Gambling Commission;
- any relevant guidance issued by the Gambling Commission;

- reasonable consistency with the licensing objectives; or
- in accordance with the Licensing Authority's statement of principles.

The request for the review may also be rejected if the Licensing Authority considers that the request is:

- frivolous;
- vexatious;
- certainly not going to cause the Licensing Authority to take any action allowed by the Act; or
- substantially the same as previous representations or requests for review.

The Licensing Authority can also initiate a review of a particular premises licence, or a particular class of premises licence in the following circumstances:

- in relation to particular premises, the Licensing Authority may review any matter connected with the use made of the premises if:
 - it has reason to suspect that premises licence conditions are not being observed; or
 - for any other reason which gives them cause to believe that a review may be appropriate, such as a complaint from a third party.
- in relation to a class of premises, the Licensing Authority may review the use made of premises and, in particular, the arrangements that premises licence holders have made to comply with licence conditions.

The purpose of a review will be to determine whether the Licensing Authority should take any action in relation to the licence. If any action is justified, the options open to the Licensing Authority are:

- add, remove or amend a licence condition imposed by the Licensing Authority;
- exclude a default condition imposed by the Secretary of State (eg opening hours) or remove or amend such an exclusion;
- suspend the premises licence for a period not exceeding three months; or
- revoke the premises licence.

In determining what action, if any, should be taken following a review, the Licensing Authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

In particular, the Licensing Authority may take action on the grounds that a premises licence holder has not used the licence.

Part C - Permits, Temporary and Occasional Use Notices

3.1 Unlicensed Family Entertainment Centre Gaming Machine Permits

A proprietor of a family entertainment centre (FEC), who wishes to make only category D gaming machines available for use in those premises, can do so in reliance upon a family entertainment centre gaming machine permit.

This category of permit provides an alternative to the family entertainment centre premises licence available under the Act (which allows the operation of higher-value gaming machines (Category C) but is subject to more rigorous application procedures).

It should be noted that the premises must be wholly or mainly used for making gaming machines available for use, to be eligible for this type of permit.

Any application for a permit will be considered with regard to the licensing objectives and to any relevant guidance issued by the Commission. Particular weight will be given to child protection matters, including adequate levels of staff supervision.

The applicant will be expected to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include:

- appropriate measures / training for staff as regards suspected truant school children on the premises;
- measures / training covering how staff would deal with unsupervised very young children being on the premises;
- measures / training covering how staff would deal with children causing perceived problems on / around the premises.

The Licensing Authority will also expect applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant(s) or company directors (if the applicant is a limited company) has no relevant convictions (this will not be necessary if the applicant is licensed by the Gambling Commission); and
- that staff are trained to have a full understanding of the maximum stakes and prizes.

Applicants will also be required to supply a plan of the internal layout of the family entertainment centre, drawn to an appropriate scale, that shows the location of the area(s) where category D gaming machines will be made available for use.

An application for a permit may be granted only if the Licensing Authority is satisfied that the premises will be used as an unlicensed FEC, and the chief officer of police has been consulted on the application.

The Licensing Authority cannot attach conditions to this type of permit. There is no limit on the number of category D gaming machines that may be made available at the premises.

A permit will remain in force for ten years. A renewal application must be made prior to the expiry date in accordance with the procedure contained in the Act.

3.2 Alcohol Licensed Premises Notifications and Gaming Machine Permits

There is provision in the Act for some premises licensed to sell alcohol for consumption on the premises to have an automatic entitlement to provide no more than two gaming machines, of categories C and/or D. The premises must satisfy the conditions contained in the Act, notify the Licensing Authority of their intention to make the gaming machines available for use and pay the fee. The conditions restrict the entitlement to premises:

- with an on-premises alcohol licence;
- that have a bar at which alcohol is served; and
- without a requirement that alcohol is only served with food.

The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Act (ie that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Act has been committed on the premises.

If relevant alcohol licensed premises wish to provide more than two gaming machines, they must apply to the Licensing Authority for a "licensed premises

gaming machine permit” for any number of category C and/or D machines. This would replace any automatic entitlement under the Act.

The Licensing Authority must consider a permit application on the basis of the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Act and such other matters as the authority considers relevant.

The Licensing Authority considers that “such other matters” will be decided on a case by case basis, but generally there will be regard to:

- the need to protect children and vulnerable persons from harm or being exploited by gambling; and
- measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

Measures which may satisfy the licensing authority that there will be no access may include:

- the adult machines being in sight of the bar, or in the sight of staff that will monitor that the machines are not being used by those under 18;
- notices and signage;
- as regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

It should be noted that the Licensing Authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached. It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machines.

A permit may be varied or transferred. An annual fee is payable, but a permit does not require renewal. The permit will lapse if the alcohol premises licence ceases to have effect.

3.3 Prize Gaming Permits

Gaming is “prize gaming” if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes are determined by the operator before play commences.

Prize gaming may take place without a permit in various premises. These are casinos, bingo halls, adult gaming centres, licensed and unlicensed family entertainment centres and travelling fairs.

A prize gaming permit is a permit issued by the Licensing Authority to authorise the provision of facilities for prize gaming on specified premises.

In any application for a prize gaming permit the applicant should set out the types of gaming that they are intending to offer, and should also be able to demonstrate:

- they understand the limits to stakes and prizes that are set out in regulations;
- that the gaming offered is within the law; and
- that appropriate measures will be taken to ensure that children are protected from being harmed or exploited by gambling.

In making its decision on an application for this permit, the Licensing Authority does not need to (but may) have regard to the licensing objectives, but must have regard to any relevant Gambling Commission guidance.

The Licensing Authority will only grant a permit after consultation with the chief officer of police. This will enable the Licensing Authority to determine the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming, the suitability of the premises in relation to their location, and any issues about disorder.

It should be noted that there are conditions in the Act with which the permit holder must comply, but that the Licensing Authority cannot attach conditions. The conditions in the Act are:

- limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day, the game must be played and completed on the day the chances are allocated and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

A permit will remain in force for ten years. A renewal application must be made prior to the expiry date in accordance with the procedure contained in the Act.

3.4 Club Gaming and Club Machine Permits

The Act creates a separate regime for gaming in clubs from that in other relevant alcohol licensed premises. It defines three types of club for the purposes of gaming:

- members' clubs;
- commercial clubs;
- miners' welfare institutes.

Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit. The club gaming permit will enable the premises to provide gaming machines (a maximum of three gaming machines of category B, C or D), equal chance gaming and games of chance as set out in the regulations.

Members clubs, miner's welfare institutes and commercial clubs may apply for a club machine permit. A club machine permit will enable the premises to provide gaming machines (a maximum of three gaming machines of category B, C or D).

A members' club is a club that is not established as a commercial enterprise and is conducted for the benefit of its members. The Act states that members' clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming unless the gaming is restricted to that of a prescribed kind (currently bridge or whist). Members' clubs must be permanent in nature but there is no need for a club to have an alcohol licence. Examples include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

A commercial club is a club established for commercial gain, whether or not they are actually making a commercial gain. Examples include commercial snooker clubs, clubs established as private companies and clubs established for personal profit.

Miners' welfare institutes are associations established for recreational or social purposes. They are managed by representatives of miners or use premises regulated by a charitable trust which has received funds from one of a number of mining organisations.

The Licensing Authority may only refuse an application for a permit on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;

- a permit held by the applicant has been cancelled in the previous ten years;
or
- an objection has been lodged by the Commission or the police.

If the Licensing Authority is satisfied that the first or second ground applies, it must refuse the application. In exercising its functions in relation to club permits the authority will have regard to any relevant guidance issued by the Commission and (subject to that guidance), the licensing objectives.

There is also a 'fast-track' procedure available under the Act for premises which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced.

The grounds on which an application under the "fast track" process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of the code of practice issued by the Gambling Commission about the location and operation of gaming machines.

The Authority may grant or refuse a permit, but it may not attach conditions to a permit.

A permit will normally remain in force for ten years. A renewal application must be made prior to the expiry date in accordance with the procedure contained in the Act. However, a permit granted under the "fast track" process does not require renewal, but it will lapse if the club premises certificate ceases to have effect.

3.5 Temporary Use Notices

Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a temporary use notice would include hotels, conference centres and sporting venues.

A temporary use notice can only be given by a person or company holding a relevant operating licence issued by the Gambling Commission (ie an operating licence that authorises the type of gambling to be offered).

The types of gambling activities that may be authorised by a temporary use notice are set out in regulations made under the Act. Currently, the only permitted activity is the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner. Possible examples of this could include gaming tournaments with such games as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.

Temporary use notices are subject to a statutory limit that a set of premises may be used for no more than 21 days in any 12 month period. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of "a set of premises", the Licensing Authority will look at, amongst other things, the ownership/occupation and control of the premises.

The holder of an operating licence must give notice to the Licensing Authority in whose area the premises are situated. A temporary event notice must be given to the Licensing Authority not less than three months and one day before the day on which the gambling event will begin.

The application must be copied to:

- The Gambling Commission;
- the chief officer of police for the area in which the premises are situated;
- HM Revenue and Customs; and
- if applicable, any other licensing authority in whose area the premises are also situated.

Gaming machines may not be made available under a temporary use notice.

The Licensing Authority will carry out its functions in relation to temporary use notices by applying the same principles as those applied in determining premises licence applications (see section 2.1 above).

3.6 Occasional Use Notices

Occasional use notices may be used to authorise infrequent betting at tracks (see section 2.11 for definition), on no more than eight days in any calendar year. They cannot be used to authorise any other form of gambling activity (eg gaming machines). Providing that the eight-day limit is not breached, there is no provision for correctly-served notices to be refused by the Licensing Authority.

The definition of track premises is not restricted to permanent premises, but can include any premises or land on which a race or sporting event is to take place. Consideration will therefore be given to the nature of the premises specified in a notice, in addition to whether the person giving the notice is an occupier of the track, or is responsible for the administration of events at the track.

The notice must be given to the Licensing Authority and the chief officer of police, in writing, before the event starts. No fee is payable.

Occasional use notices allow the giver of the notice to invite operators who hold a General Betting Operating Licence to accept bets on the premises. Such persons must hold a relevant betting operating licence, and comply with the requirements of any conditions attached to that licence.

3.7 Small Society Lotteries

Small society lotteries are required to be registered with the local authority in the area where their principal office is located. The local authority is the licensing authority.

The Act defines a small society lottery by reference to two areas:

- society status - the society in question must be 'non-commercial';
- lottery size - the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they may need to be licensed with the Commission to operate large lotteries instead.

Small society lotteries are required to be registered with the local authority in the area where their principal office is located.

- the Licensing Authority must refuse an application for registration if, within the past five years, either of the following applies: an operating licence held by the applicant for registration has been revoked; or
- an application for an operating licence made by the applicant for registration has been refused.

In addition, the Licensing Authority may refuse an application for registration if, within the past five years, either of the following applies:

- the applicant is not a non-commercial society;
- a person who is or may be connected with the promotion of the lottery has been convicted of a relevant offence (listed in Schedule 7 of the Act); or

- information provided in or with the application for registration is false or misleading.

The Licensing Authority may only refuse an application for registration after the society has had the opportunity to make representations. These can be taken at a formal hearing or via correspondence. The authority will inform the society of the reasons why it is minded to refuse registration and provide it with at least an outline of the evidence on which it has reached that preliminary conclusion prior to the opportunity to make representations.

Part D - Decision Making

4.1 Delegations and Process

The Licensing Authority will carry out its responsibilities under the Gambling Act 2005 efficiently and cost-effectively. To do this, functions are delegated from the Licensing Committee to either Sub-Committees or officers as appropriate. All delegations approved by the Licensing Committee are without prejudice to officers referring a matter to a Sub-Committee or the full Committee if appropriate in the circumstances of any particular case.

Where there are no areas of contention, it is considered that many of the functions will be largely administrative. In the interests of efficiency and effectiveness these will, for the most part, be carried out by officers.

Where there are relevant representations in respect of an application the matter will be determined by the Licensing Committee or Sub-Committee, as will any application for the review of a licence.

Every determination of a licensing decision by the Licensing Committee or Sub-Committee shall be accompanied by clear, cogent reasons for the decision. The written notice of the decision and the reasons for that decision will be sent to the applicant and those who have made relevant representations as soon as practicable.

4.2 Appeals

Any appeal against a decision of the Licensing Authority must be made to the local Magistrates' Court within 21 days of receipt of the decision notice.

Part E - Further Information

5.1 Contact for West Berkshire Licensing Team

Licensing Team
West Berkshire District Council
Council Offices
Market Street
Newbury

RG14 5LD

Tel: 01635 519184

Email: licensing@westberks.gov.uk

www.westberks.gov.uk

5.2 Contact for Gambling Commission

Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Tel: 0121 230 6666

Email: info@gamblingcommission.gov.uk

Website: www.gamblingcommission.gov.uk

Appendix A List of Consultees

- Association of British Bookmakers
- Association of Licensed Multiple Retailers
- Bingo Association
- British Amusement Catering Trade Association
- British Institute of Inn Keeping
- British Beer and Pub Association
- Committee of Registered Club Associations
- Gamblers Anonymous
- Gambling Commission
- GAMCARE
- HM Revenue and Customs
- Holders of existing gambling licences / permits
- National Association of Bookmakers
- Parish and Town Councils
- Planning
- Public Consultation Portal
- Public Health Team
- Royal Berkshire Fire and Rescue
- Thames Valley Police
- West Berkshire Council Environmental Health
- West Berkshire Council Planning
- West Berkshire Safeguarding Children Board

Appendix B Gambling Act Glossary

Adult Gaming Centres	Adult Gaming Centres must have a premises licence from the licensing authority to make category B, C and D gaming machines available to their customers.
Betting Premises	The Act contains a single class of licence for betting premises, which includes track and non-track.
Bingo	Two types of bingo can be offered: Cash bingo - where the stakes paid made up the cash prizes that are won; or Prize bingo - where various forms of prizes are won and are not directly related to the stakes paid.
Casinos	The Act defines casino games as games of chance which are not equal chance gaming.
Customer Lottery	A lottery run by occupiers of a business for the benefit of the customers who buy tickets sold on the premises (eg supermarket holding a hamper raffle).
Exempt Lottery	Incidental non-commercial lotteries Private lotteries Customer lotteries Small Society lotteries
Gambling Act 2005	The Act governs the provision of all gambling in Great Britain, other than the National Lottery and spread betting. It received royal assent on 7 April 2005.
Gambling Commission	The Gambling Commission licenses larger gambling operators and provides advice and guidance to operators, stakeholders and licensing authorities. They also have a role in enforcement and ensuring promotion of the licensing objectives.
Gaming Machines	Category of machine and where they can be situated are contained at the end of this glossary.
Incidental Non-Commercial Lottery	Lottery that is run as an additional amusement at non-commercial events with tickets sold only during the event, such as a raffle at a dance or church fair.
Licensed Family Entertainment Centres	The Act creates two classes of family entertainment centres (FEC). Licensed FECs provide category C and D machines and require a premises licence.

Lotteries	A lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.
Non-track betting	Betting that takes place other than at a racetrack.
Occasional Use Notices	Section 39 of the Act provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence.
Private Lottery	Lottery that requires membership of a society, place of work or single residential unit (eg raffle at a student hall of residence).
Small Society Lottery	Non-commercial societies if it is established and conducted for charitable purposes; for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or for any other non-commercial purpose other than private gain.
Temporary Use Notices	These allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises which might be suitable for temporary use notices would include hotels, conference centres and sporting venues.
Track betting	Tracks are sites (including horse racecourses and dog tracks) where races or other sporting events take place. Betting is a major gambling activity on tracks both in the form of pool betting (often known as the “totalisator” or “tote”) and also general betting, often known as “fixed-odds” betting.
Travelling Fairs	A travelling fair is one that “wholly or principally” provides amusements and they must be on a site that had been used for fairs for no more than 27 days per calendar year. No permit is required for gaming machines, but they must comply with age restrictions.
Unlicensed Family Entertainment Centres	Unlicensed FECs provide category D machines only and are regulated through FEC gaming machine permits.

Document Control

Document Ref:	SoGP	Date Created:	21 June 2021
Version:	V3	Date Modified:	02 July 2021
Revision due	January 2025		
Author:	Licensing	Sign & Date:	
Owning Service	Public Protection Service		

Change History

Version	Date	Description	Change ID
1	21/06/21	Original document	
2	01/07/21	Including the changes agreed at Licensing Committee	
3	02/07/21	Formatting and removal of Appendix B and references to the Scheme of Delegation.	

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West Berkshire Responses to the Statement of Gambling Principles Consultation

Respondent	Comment	Response
Greenham Parish Council	No objections to the SOGP	None Needed
West Berkshire Council Environment Health	No comments to make.	None Needed
Public Health and Wellbeing West Berkshire	<p>I have read the consultation on behalf of public health and find that this is a very thorough policy which appears to cover most of the relevant issues relating to public health. I did wonder if there is any possibility of considering cumulative impact as public health research shows that gambling problems and harms impact the poorest in our society the most with lower income families spending a higher proportion of their income on gambling. I understand that Gambling is something that we have limited ability to influence due to the range of gambling activities however when processing licencing applications for new venues public health principals should be considered. Public health approach to Gambling also focuses on advocacy, information regulation of access and promotion of gambling. Gambling has an association with poor mental health and deprivation, with those in deprived areas suffering the most harm. This may be outside of the policy but I wondered if some joint work around the promotion of advocacy and support for those who are affected by gambling and some awareness around the impact of gambling would be something that would be worth looking at with the Public Protection Partnership in conjunction with Public Health because I envisage that this is an area of work where the impact of gambling could be effective. .</p>	<p>The comments from Public Health and Wellbeing West Berkshire are noted. However, under section 349 of the Gambling Act 2005 a licensing authority is required to prepare a Statement of Licensing Policy containing the principles that they propose to apply in exercising their functions under the Act. As the protection of public health is not one of those functions, the comments, whilst helpful, are not directly relevant to the subject matter of the Policy.</p> <p>Changes could be made to operational practices.</p>

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External Audit Appointment Process for Financial Years 2023/24 – 2027/28

Committee considering report:	Council
Date of Committee:	2 nd December 2021
Portfolio Member:	Councillor Ross Mackinnon
Report Author:	Shannon Coleman-Slaughter
Forward Plan Ref:	C4147

1 Purpose of the Report

This report sets out proposals for appointing the external auditor to the Council for the accounts for the five-year period from 2023/24.

2 Recommendation

It is recommended that the Council accepts the Public Sector Audit Appointments’ (PSAA) invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>There is a risk that current external audit fee levels could increase when the current contracts end. It is clear that the scope of audit has increased, requiring more audit work. There are also concerns about capacity and sustainability in the local audit market.</p> <p>Opting into a national scheme provides maximum opportunity to ensure fees are as realistic as possible, while ensuring the quality of audit is maintained, by entering into a large scale collective procurement arrangement.</p> <p>If the national scheme is not used some additional resource may be needed to establish an auditor panel and conduct a local procurement. Until a procurement exercise is completed</p>

Implication	Commentary
	it is not possible to state what, if any, additional resource may be required for audit fees from 2023/24.
Human Resource:	Not applicable
Legal:	<p>Section 7 of the Local Audit and Accountability Act 2014 requires the Council to appoint a local auditor to audit its accounts for a financial year no later than 31 December in the preceding year.</p> <p>Section 8 governs the procedure for appointment including that the Council must consult and take account of the advice of its auditor panel on the selection and appointment of a local auditor. Section 8 provides that where a relevant Council is a local Council operating executive arrangements, the function of appointing a local auditor to audit its accounts is not the responsibility of an executive of the Council under those arrangements.</p> <p>Section 12 makes provision for the failure to appoint a local auditor. The Council must immediately inform the Secretary of State, who may direct the Council to appoint the auditor named in the direction or appoint a local auditor on behalf of the Council.</p> <p>Section 17 gives the Secretary of State the power to make regulations in relation to an ‘appointing person’ specified by the Secretary of State. This power has been exercised in the Local Audit (Appointing Person) Regulations 2015 (SI 192) and this gives the Secretary of State the ability to enable a sector-led body to become the appointing person. In July 2016 the Secretary of State specified PSAA as the appointing person.</p>
Risk Management:	<p>The principal risks are that the Council:</p> <ul style="list-style-type: none"> • Fails to appoint an auditor in accordance with the requirements and timing specified in local audit legislation; or • Does not achieve value for money in the appointment process. <p>These risks are considered best mitigated by opting into the sector-led approach through PSAA.</p>

Implication	Commentary			
Property:	Not applicable.			
Policy:	Not applicable.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		
Health Impact:		X		
ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:		X		

Implication	Commentary			
Core Business:		X		
Data Impact:		X		
Consultation and Engagement:	Joseph Holmes – Executive Director of Resources, s151 Officer.			

4 Executive Summary

- 4.1 Under the Local Government Audit & Accountability Act 2014, the Council is required to have appointed an external auditor to audit the accounts. The Council has previously opted into the ‘appointing person’ national auditor appointment arrangements established by Public Sector Audit Appointments (PSAA) for the period covering the accounts for 2018/19 to 2022/23. PSAA is specified as the ‘appointing person’ for principal local government under the provisions of the Local Government Audit & Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015. PSAA are now inviting Councils to opt in for the period 2023/24 to 2027/28.
- 4.2 The auditor appointed at the end of the procurement process will:
- (a) Undertake the statutory audit of accounts and Best Value assessment of the council in each financial year, in accordance with all relevant codes of practice and guidance. The appointed auditor is also responsible for investigating questions raised by electors and has powers and responsibilities in relation to Public Interest Reports and statutory recommendations.
 - (b) Act independently of the council and the main purpose of the procurement legislation is to ensure that the appointed auditor is sufficiently qualified and independent.
 - (c) Be registered to undertake local audits by the Financial Reporting Council (FRC) and employ authorised Key Audit Partners to oversee the work. As the report below sets out there is a currently a shortage of registered firms and Key Audit Partners.
- 4.3 Auditors are regulated by the Financial Reporting Council (FRC), which will be replaced by a new body with wider powers, the Audit, Reporting and Governance Authority (ARGA) during the course of the next audit contract.
- 4.4 The national offer supplied by PSAA provides the appointment of an independent auditor with limited administrative cost to the council. By joining the scheme, the Council would be acting with other councils to optimise the opportunity to influence

the market. Therefore, the recommended approach is to opt in to the national auditor appointment scheme.

- 4.5 To take advantage of the national auditor appointment arrangements, the Council is required under the local audit regulations to make the decision at full Council. The opt-in period starts on 22 September 2021 and closes on 11 March 2022. To opt into the national scheme from 2023/24, the Council needs to return completed opt-in documents to PSAA by 11 March 2022.

5 Supporting Information

Introduction

- 5.1 The current auditor appointment arrangements cover the period up to and including the audit of the 2022/23 accounts. The Council opted into the ‘appointing person’ national auditor appointment arrangements established by Public Sector Audit Appointments (PSAA) for the period covering the accounts for 2018/19 to 2022/23.
- 5.2 PSAA is specified as the ‘appointing person’ for principal local government under the provisions of the Act and the Local Audit (Appointing Person) Regulations 2015 and is now undertaking the work needed to invite eligible bodies to opt in for the next appointing period, (2023/24 – 2027/28) and to complete a procurement for audit services. The national opt-in scheme provides the following:
- (a) The appointment of a suitably qualified audit firm to conduct audits for each of the five financial years commencing 1 April 2023.
 - (b) Appointing the same auditor to other opted-in bodies that are involved in formal collaboration or joint working initiatives to the extent this is possible with other constraints.
 - (c) Managing the procurement process to ensure both quality and price criteria are satisfied. PSAA has sought views from the sector to help inform its detailed procurement strategy.
 - (d) Ensuring suitable independence of the auditors from the bodies they audit and managing any potential conflicts as they arise during the appointment period.
 - (e) Minimising the scheme management costs and returning any surpluses to scheme members.
 - (f) Consulting with authorities on auditor appointments, giving the Council the opportunity to influence which auditor is appointed.
 - (g) Consulting with authorities on the scale of audit fees and ensuring these reflect scale, complexity, and audit risk.
 - (h) Ongoing contract and performance management of the contracts once these have been let.

Background: Pressures in the current local audit market and delays in issuing opinions

- 5.3 Much has changed in the local audit market since audit contracts were last awarded in 2017. At that time the audit market was relatively stable, there had been few changes in audit requirements, and local audit fees had been reducing over a long period. 98% of those bodies eligible opted into the national scheme. The resulting audit contracts took effect from 1 April 2018.
- 5.4 During 2018 a series of financial crises and failures in the private sector year led to questioning about the role of auditors and the focus and value of their work. Four independent reviews were commissioned by Government: Sir John Kingman’s review of the Financial Reporting Council (FRC), the audit regulator; the Competition and Markets Authority review of the audit market; Sir Donald Brydon’s review of the quality and effectiveness of audit; and Sir Tony Redmond’s review of local authority financial reporting and external audit. The recommendations are now under consideration by Government, with the clear implication that significant reforms will follow. A new audit regulator (ARGA) is to be established, and arrangements for system leadership in local audit are to be introduced. Further change will follow as other recommendations are implemented.
- 5.5 The Kingman review has led to an urgent drive for the FRC to deliver rapid, measurable improvements in audit quality. This has created a major pressure for audit firms to ensure full compliance with regulatory requirements and expectations in every audit they undertake. By the time firms were conducting 2018/19 local audits during 2019, the measures they were putting in place to respond to a more focused regulator were clearly visible. To deliver the necessary improvements in audit quality, firms were requiring their audit teams to undertake additional work to gain deeper levels of assurance. However, additional work requires more time, posing a threat to the firms’ ability to complete all their audits by the target date for publication of audited accounts. Delayed opinions are not the only consequence of the FRC’s drive to improve audit quality. Additional audit work must also be paid for. As a result, many more fee variation claims have been needed than in prior years.
- 5.6 This situation has been accentuated by growing auditor recruitment and retention challenges, the complexity of local government financial statements and increasing levels of technical challenges as bodies explore innovative ways of developing new or enhanced income streams to help fund services for local people. These challenges have increased in subsequent audit years, with Covid-19 creating further significant pressure for finance and audit teams.
- 5.7 None of these problems are unique to local government audit. Similar challenges have played out in other sectors, where increased fees and disappointing responses to tender invitations have been experienced during the past two years.

Proposals

- 5.8 That the Council accepts Public Sector Audit Appointments’ invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023. The opt-in

period starts on 22 September 2021 and closes on 11 March 2022. The Council is required to return completed opt-in documents to PSAA by 11 March 2022.

6 Other options considered

6.1 Two alternative options are available to the Council:

- (a) To appoint its own auditor, which requires it to follow the procedure set out in the Act.
- (b) To act jointly with other authorities to procure an auditor following the procedures in the Act.

6.2 Option A: The Council may elect to appoint its own external auditor under the Act, which would require the council to:

- (a) Establish an independent auditor panel to make a stand-alone appointment. The auditor panel would need to be set up by the Council itself, and the members of the panel must be wholly or a majority of independent members as defined by the Act. Independent members for this purpose are independent appointees, excluding current and former elected members (or officers) and their close families and friends. This means that elected members will not have a majority input to assessing bids and choosing to which audit firm to award a contract for the Council's external audit.

- (b) Manage the contract for its duration, overseen by the Auditor Panel.

6.3 Option B: The Local Government Audit & Accountability Act 2014 enables the Council to join with other authorities to establish a joint auditor panel. This will need to be constituted of wholly or a majority of independent appointees. Further legal advice would be required on the exact constitution of such a panel having regard to the obligations of each Council under the Act and the Council would need to liaise with other local authorities to assess the appetite for such an arrangement.

6.4 Both option A and B would be resource-intensive processes to implement for the council, and without the bulk buying power of the sector-led procurement would be likely to result in a more costly service. It would also be more difficult to manage quality and independence requirements through a local appointment process. The Council is unable to influence the scope of the audit and the regulatory regime inhibits the Council's ability to affect quality. The Council and its auditor panel would also need to maintain ongoing oversight of the contract. Local contract management cannot, however, influence the scope or delivery of an audit. Options A and B are therefore not the recommended approach.

Conclusion

6.5 This report concludes that the sector-wide procurement conducted by PSAA will produce better outcomes and will be less burdensome for the Council than a procurement undertaken locally on the basis that:

- (a) Collective procurement reduces costs for the sector and for individual Councils compared to a multiplicity of smaller local procurements.
- (b) PSAA provides the best opportunity to secure the appointment of a qualified, registered auditor. There are only nine accredited local audit firms, and a local procurement would be drawing from the same limited supply of auditor resources as PSAA’s national procurement.
- (c) Supporting the sector-led body offers the best way of to ensuring there is a continuing and sustainable public audit market into the medium and long term.

6.6 Moving forward, Regulation 19 of the Local Audit (Appointing Person) Regulations 2015 requires that a decision to opt in must be made by a meeting of the Council (meeting as a whole). The Council is then required to respond formally to PSAA’s invitation in the form specified by PSAA by the close of the opt-in period (11 March 2022).

6.7 PSAA will commence the formal procurement process in early February 2022, with the expectation of contract awards in August 2022. PSAA will then consult with Councils on the appointment of auditors so that it can make appointments by the statutory deadline of 31 December 2022.

7 Appendices

None

Subject to Call-In:

Yes: No: X

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

Wards affected: *(add text)

Officer details:

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Job Title: Chief Financial Accountant

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Document Control

Document Ref:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

Change History

Version	Date	Description	Change ID
1			
2			

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Compton Neighbourhood Development Plan

Committee considering report:	Council
Date of Committee:	2 December 2021
Portfolio Member:	Councillor Richard Somner
Date Head of Service agreed report: <i>(for Corporate Board)</i>	15 th November 2021
Date Portfolio Member agreed report:	September 2021
Report Author:	Umrah Mahadik
Forward Plan Ref:	C4156

1 Purpose of the Report

- 1.1. The Compton Neighbourhood Development Plan (NDP) has been subject to Independent Examination and, subject to some minor modifications, has been recommended for referendum. However, the independent Inspectors decision is not binding and only West Berkshire Council can decide if the NDP progresses to referendum. This report provides the evidence for Council to make that decision.

2 Recommendations

- 2.1 To endorse the Decision Statement on the Compton NDP which concludes that the Compton NDP, with the inclusion of some modifications, meets the Basic Conditions.
- 2.2 Because the plan meets the Basic Conditions, it is recommended that:
- the plan should proceed to referendum; and
 - Upon a successful 'yes' vote at referendum, agreement is sought that the Compton NDP is adopted immediately after the votes have been counted so that it becomes part of the development plan for West Berkshire.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	For all areas where a NDP has not previously been adopted for that area, local planning authorities can claim £20,000 from

	<p>when they issue a decision statement detailing their intention to send the plan to referendum.</p> <p>Local planning authorities can claim £5,000 for the first five neighbourhood areas designated only.</p> <p>The cost to the council is largely through officer time, and in the organisation of the independent examination and referendum. It is estimated that approximately 80 - 90 hours of officer time is required to support a community develop a neighbourhood plan, at a cost of approximately £2,500. This is based on the time given to support the development of the Stratfield Mortimer Neighbourhood Plan.</p> <p>On average referendums cost £5,000 per ballot box to deliver, plus the officer time associated with arranging the referendum.</p> <p>The cost of the referendum for the Compton NDP will be met by Planning Policy and the potential savings include less time and resources spent opposing 'unwanted' development, a statutory influence on planning application decisions, enhanced influence on the content of Local Plans, no longer processing appeals against rejected planning applications, officer time requirements reduced in processing planning applications and reduced administrative costs and legal fees.</p> <p>In addition, the cost of the Compton NDP independent examination was £6,786 which represents a significant saving when compared to Stratfield Mortimer NDP which cost approximately £18,185.</p> <p>Should the plan be successful with a 'yes' vote at referendum Compton Parish Council will receive 25% of CIL receipts from applications for development that are approved after the NDP has been adopted.</p>
<p>Human Resource:</p>	<p>Not applicable.</p>
<p>Legal:</p>	<p>An adopted NDP forms part of the development plan.</p> <p>The relevant legislation setting out the neighbourhood planning process is included in :</p> <ul style="list-style-type: none"> • Localism Act 2011; • Neighbourhood Planning (General) Regulations 2012 (as amended) • Town and Country Planning Act 1990 (as amended) • Planning and Compulsory Purchase Act 2004 (as amended)

	<ul style="list-style-type: none"> • Conservation of Habitats and Species Regulations 2017 • The Neighbourhood Planning (Referendums) Regulations 2012 (as amended) • The Neighbourhood Planning (Prescribed Dates) Regulations 2012 <p>Parish/Town Councils have the responsibility for leading the process; however local planning authorities have a significant role in assisting certain stages of the process and ensuring that certain criteria are met. The procedure comprises a number of stages which include public consultation and examination. If the NDP is found to be satisfactory, a local referendum must take place where more than 50% of those voting must agree to it, before the NDP is brought into legal force and becomes part of the development plan.</p> <p>Date Service Lead-Legal and Democratic agreed report: Sharon Armour, 3 November 2021.</p>			
Risk Management:	Not applicable.			
Property:	Not applicable.			
Policy:	<p>National planning policy makes provision for the development of neighbourhood planning. Neighbourhood planning is an umbrella term that covers NDPs, Neighbourhood Development Orders, and Community Right to Build Orders.</p> <p>An adopted NDP forms part of the district’s development plan.</p>			
	Positive	Neutral	Negative	Commentary
Equalities Impact:		X		

Compton Neighbourhood Development Plan

A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		No – the plan applies to all.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		No – the plan applies to all.
Environmental Impact:	X			The plan includes policies which seek to protect the environment.
Health Impact:		X		Not applicable
ICT Impact:		X		Not applicable
Digital Services Impact:		X		Not applicable
Council Strategy Priorities:	X			<p>Publication of the NDP meets Priority 2 – Supporting everyone to reach their full potential – Enabling residents and communities to help themselves and others.</p> <p>When the NDP is adopted at Referendum it will also meet Priority 4 – Develop local infrastructure, including housing to support and grow the local economy and Priority 5 – Maintain a Green District by minimising the impact on the environment.</p>
Core Business:		X		Not applicable
Data Impact:		X		Not applicable

Consultation and Engagement:	<p>Eric Owens, Service Director Development and Regulation</p> <p>Bryan Lyttle, Planning Policy Manager</p> <p>Laila Bassett, Principal Planning Officer</p> <p>Sharon Armour, Senior Solicitor</p> <p>Planning Advisory Group</p> <p>Corporate Board</p> <p>Operations Board</p>
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4 Executive Summary

- 4.1 Since 2017, Compton Parish Council alongside its residents, have been working on a NDP. NDPs are formal planning documents that allow local communities to shape the future of the areas in which they live, and they include policies for development and the use of land.
- 4.2 The Compton NDP has been through independent examination. The examiner has issued his final report which recommends that, subject to eight modifications, the plan can proceed to referendum.
- 4.3 The examiner’s report is not binding and West Berkshire District Council (WBDC) must determine if the Compton NDP, as modified, meets the Basic Conditions, is compatible with the Convention rights, complies with the definition of a NDP, and the provisions that can be made by a NDP. WBDC must also determine if the plan should proceed to referendum.
- 4.4 On consideration of the recommendations and modifications contained within the examiner’s report, officers have concluded that the modified plan meets the Basic Conditions, is compatible with the Convention rights, complies with the definition of a NDP, and the provisions that can be made by a NDP. Officers recommend that the Compton NDP should proceed to referendum, and this is set out in a Decision Statement (see Appendix D).
- 4.5 If the Compton NDP is successful at referendum, it will be immediately adopted as part of the development plan for West Berkshire.

5 Supporting Information

Introduction

- 5.1 Neighbourhood planning was introduced by the Localism Act in 2011. Neighbourhood Plans, or NDPs as they are also known as, are formal planning documents that allow local communities to shape the future of the areas in which they live, and they include policies for development and the use of land.

Compton Neighbourhood Development Plan

- 5.2 In West Berkshire, neighbourhood planning is led by Parish and Town Councils in consultation with their local community, and WBDC provides technical assistance.
- 5.3 Neighbourhood plans must be subject to consultation, independent examination and a referendum. If successful at referendum they form part of the statutory development plan for West Berkshire. In other words, they are used to determine the outcome of planning applications.

Background

- 5.4 Compton Parish Council, as the qualifying body, successfully applied for Compton parish to be designated as a Neighbourhood Area in January 2017 under the Neighbourhood Planning Regulations. Since the designation of the Neighbourhood Area, Compton Parish Council alongside its residents, have been working together to create a plan and they produced a draft of this at the end of 2020 which they consulted on.
- 5.5 Following the submission of the Compton NDP to WBDC on 6 May 2021, the plan was publicised and comments were invited from the public and stakeholders between 4 June and 16 July 2021.
- 5.6 WBDC appointed an independent examiner, Andrew Mead, to review whether the plan met the Basic Conditions required by legislation and should proceed to referendum. The independent examination of the Compton NDP took place between August and October 2021. The examiner's final report was received on 6 October 2021 and is included within Appendix C.
- 5.7 A NDP will meet the Basic Conditions if:
- it has had regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
 - it contributes to the achievement of sustainable development;
 - it is in general conformity with the strategic policies of the Local Plan; and
 - it does not breach, and is otherwise compatible with EU obligations.
- 5.8 Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) also prescribes the following Basic Condition:
- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7).
- 5.9 The examiner concluded that the plan meets the Basic Conditions, and that subject to modifications proposed in his report, the plan should proceed to referendum.
- 5.10 The Compton NDP will guide development in the parish of Compton to 2037, and it contains 27 policies designed to ensure development meets the needs of the local community, whilst maintaining the open countryside of the Parish and protecting the character and identity of Compton within the setting of the North Wessex Downs Area of Outstanding Natural Beauty. The Local Plan allocates the former Pirbright Institute for Animal Health site, which lies within the Parish, as a residential led mixed use

redevelopment. The NDP, therefore, contains a number of development management policies that seek to encourage the comprehensive development of the site in order to deliver an appropriate residential led scheme with employment floorspace, community facilities and green infrastructure. The plan makes no housing allocations but it does cover matters such as design, climate change, the retention and provision of community facilities and employment. The plan also proposes seven sites for Local Green Space designation.

Proposals

5.11 Following the examination of the Compton NDP and the receipt of the Examiner's Report, WBDC is required to make a decision on the next steps. As set out in Part 5 of the Neighbourhood Planning (General) Regulations 2012 (as amended) these are:

- (a) To decline to consider a plan proposal under paragraph 5 of Schedule 4B to the Town and County Planning Act 1990 (as amended) (as applied by section 38A of the Planning and Compulsory Purchase Act 2004 (as amended)) or a modification proposal under paragraph 5 of Schedule A2 to the 2004 act;
- (b) to refuse a plan proposal under paragraph 6 of Schedule 4B to the 1990 act (as applied by section 38A of the 2004 Act) or a modification proposal under paragraph 8 of Schedule A2 to the 2004 Act;
- (c) what action to take in response to the recommendations of an Examiner made in a report under paragraph 10 of Schedule 4B to the 1990 act (as applied by section 38A of the 2004 Act) in relation to a neighbourhood development plan or under paragraph 13 of Schedule A2 to the 2004 Act in relation to a proposed modification of a neighbourhood development plan;
- (d) what modifications, if any, they are to make to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 act) or paragraph 14(6) of Schedule A2 to the 2004 Act;
- (e) whether to extend the area to which the referendum is (or referendums are) to take place; or
- (f) that they are not satisfied with the plan proposal under paragraph 12(10) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or the draft plan under paragraph 14(4) of Schedule A2 to the 2004 Act.

5.12 In accordance with Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended) Regulations, WBDC must produce a Decision Statement that sets out the Council's decision and the reasons for this. This is included in Appendix D.

5.13 The Decision Statement sets out that the recommendations and modifications made in the independent examiner's report should be accepted. The modifications will ensure that the NDP meets the Basic Conditions. A version of the NDP with the modifications is included in Appendix E.

- 5.14 WBDC published the submitted NDP and its supporting documents for a 6 week consultation which ran between 4 June and 16 July 2021. Several representations were submitted which suggested minor factual and contextual corrections, however these were not identified in the examiner's modifications because they did not relate to the Basic Conditions. On consideration of these representations, officers consider it appropriate to make two minor amendments and these are detailed in the Decision Statement.
- 5.15 The Decision Statement recommends that the Compton NDP should proceed to referendum, and that the referendum area should apply to Compton Parish.
- 5.16 Officers are currently liaising with the Elections Team to determine a date that the referendum could take place should Members endorse the Decision Statement. Given the need to give advance notification of the date for the referendum a provision date 10 February 2022 has been provided by Electoral Services.

6 Other options considered

- 6.1 That the recommendations of Compton NDP independent examiner are not followed and the plan does not proceed to referendum.
- 6.2 For the purposes of the determination of planning applications, the development plan for West Berkshire would not include the Compton NDP. There is however no justification for following this approach.

7 Conclusion

- 7.1 The independent examiner's report on the Compton NDP recommended that, with the inclusion of several modifications, it meets the Basic Conditions and should proceed to referendum. The independent examiner's report is not binding, and it is for WBDC to make the final recommendation.
- 7.2 Officers have considered each of the independent examiner's recommendations and modifications, and have decided on an action to take in response to each recommendation and what modifications should be made to the plan in order to be satisfied that the Basic Conditions are met. This is set out in the Decision Statement. The Decision Statement concludes that the Compton NDP, with the inclusion of several modifications, should proceed to referendum.
- 7.3 If the majority of those who vote in the referendum are in favour of the draft NDP (a successful 'yes' vote), WBDC must make the NDP within eight weeks (unless there is a legal challenge) part of the West Berkshire development plan. Officers consider that the NDP should be adopted, as part of the development plan for West Berkshire, as soon as practicable after the referendum.
- 7.4 Following a successful 'yes' vote at referendum it is proposed that the Compton NDP automatically will be adopted by WBDC as part of the development plan and be used in part for the determination of planning applications.

8 Appendices

- 8.1 Appendix A – Equalities Impact Assessment
- 8.2 Appendix B – Data Protection Impact Assessment
- 8.3 Appendix C – Compton NDP Independent Examiner’s Report (7 October 2021)
- 8.4 Appendix D – Compton NDP Decision Statement
- 8.5 Appendix E – Compton NDP with Modifications

Corporate Board’s recommendation

The report on the Compton NDP was noted.

It was identified that the report was not structured in the correct way for Members.

It was requested that against ‘Legal’ in the ‘Implications and Impact Assessment’ table that mention is made that Parishes with an adopted NDP receive 25% of CIL receipts.

Because the ‘Implications and Impact Assessment’ table mentions against Legal the relevant legislation for making a neighbourhood plan, it was requested that the Operations Board report be sent to Legal for review.

Subject to these changes, Corporate Board recommended that the report proceed to Operations Board.

Subject to Call-In:

Yes: No:

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

Wards affected: Ridgeway

Officer details:

Name: Umrah Mahadik
Job Title: Senior Policy Consultant Neighbourhood Planning
Tel No: 01635 503 914
E-mail: umrah.mahadik1@westberks.gov.uk

Document Control

DocumentRef:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

Change History

Version	Date	Description	Change ID
1			
2			

Please delete guidance (blue text) once assessment is completed.

Appendix A

Equality Impact Assessment (EqIA) - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:**
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

<p>What is the proposed decision that you are asking the Executive to make:</p>	<p>To endorse the Decision Statement on the Compton NDP which concludes that the Compton NDP, with the inclusion of some modifications, meets the Basic Conditions.</p> <p>Because the plan meets the Basic Conditions, it is recommended that:</p> <ul style="list-style-type: none"> a) The plan should proceed to referendum; and b) Upon a successful 'yes' vote at referendum, agreement is sought that the Compton NDP is adopted immediately after the votes have been counted so that it becomes part of the development plan for West Berkshire.
<p>Summary of relevant legislation:</p>	<p>The relevant legislation setting out the neighbourhood planning process is included in the following:</p> <ul style="list-style-type: none"> • Localism Act 2011; • Neighbourhood Planning (General) Regulations 2012 (as amended) • Town and Country Planning Act 1990 (as amended) • Planning and Compulsory Purchase Act 2004 (as amended) • Conservation of Habitats and Species Regulations 2017
<p>Does the proposed decision conflict with any of the Council's priorities for improvement?</p> <ul style="list-style-type: none"> • Ensure our vulnerable children and adults achieve better outcomes • Support everyone to reach their full potential • Support businesses to start develop and thrive in West Berkshire • Develop local infrastructure including housing to support and grow the local economy Maintain a green district • Ensure sustainable services through innovation and partnerships 	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If yes, please indicate which priority and provide an explanation</p>
<p>Name of Budget Holder:</p>	<p>Bryan Lyttle</p>

Name of Service/Directorate:	Development and Regulation / Place
Name of assessor:	Umrah Mahadik
Date of assessment:	18/11/2021
Version and release date (if applicable):	

Is this a ?		Is this policy, strategy, function or service ... ?	
Policy	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	New or proposed	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Strategy	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Already exists and is being reviewed	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Function	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is changing	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Service	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To help deliver the government’s policy for neighbourhood planning in the parish of Compton.
Objectives:	To allow the community of Compton to development planning policies to shape the future of their communities.
Outcomes:	Completion and adoption of a NDP for the parish of Compton.
Benefits:	<p>If the Compton NDP receives a successful ‘yes’ vote at referendum then it will hold the same weight as the Local Plan and form part of the development plan for West Berkshire.</p> <p>Compton Parish Council will receive 25% of CIL receipts should the plan be successful at referendum.</p> <p>Delivery of government policy regarding neighbourhood planning.</p> <p>Give more control to the local community of Compton to shape their community going forward.</p>

(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?		
<i>(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)</i>		
Group Affected	What might be the effect?	Information to support this

Compton Neighbourhood Development Plan

Age	<p>Neighbourhood planning should have a positive impact on all groups.</p> <p>Communities are more aware of the specific groups and issues within their communities and therefore, can ensure that minority groups and those with protected characteristics are fully informed of the process and are invited to fully engage with the development of the neighbourhood plan.</p>	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation	<p>Neighbourhood Planning has the opportunity to fully engage all members of society ensuring that they all have a say in the future development of their community.</p> <p>Neighbourhood planning should have a positive impact on all groups.</p> <p>Communities are more aware of the specific groups and issues within their communities and therefore, can ensure that minority groups and those with protected characteristics are fully informed of the process and are invited to fully engage with the development of the neighbourhood plan.</p> <p>Neighbourhood Planning has the opportunity to fully engage all members of society ensuring that they all have a say in the future development of their community.</p>	<p>Neighbourhood Planning legislation, National Planning Policy Framework (NPPF), National Planning Practice Guidance</p>

	<p>Neighbourhood planning should have a positive impact on all groups.</p> <p>Communities are more aware of the specific groups and issues within their communities and therefore, can ensure that minority groups and those with protected characteristics are fully informed of the process and are invited to fully engage with the development of the neighbourhood plan.</p> <p>Neighbourhood Planning has the opportunity to fully engage all members of society ensuring that they all have a say in the future development of their community.</p>	
Further Comments:		
None		

(3) Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please provide an explanation for your answer: Neighbourhood Planning allows communities to shape the future of their local area in land use planning terms	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please provide an explanation for your answer: Development of a neighbourhood plan should have a positive impact upon a local community as all members of the community are encouraged to engage with the process of developing the plan.	

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 EqIA 2.

If an EqIA 2 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 EqIA guidance and template – <http://intranet/index.aspx?articleid=32255>.

(4) Identify next steps as appropriate:	
EqIA Stage 2 required	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Owner of EqIA Stage Two:	
Timescale for EqIA Stage Two:	

Name: Umrah Mahadik

Date: 18 November 2021

Please now forward this completed form to Pamela Voss, Equality and Diversity Officer (pamela.voss@westberks.gov.uk), for publication on the WBC website.

Appendix B

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Place
Service:	Development and Regulation
Team:	Planning Policy
Lead Officer:	Umrah Mahadik
Title of Project/System:	Compton Neighbourhood Development Plan
Date of Assessment:	28 October 2021

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p><i>Note – sensitive personal data is described as “ data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p><i>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p><i>Note – will it have an interactive element which allows users to communicate directly with one another?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p><i>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</i></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Yes	No
Will your project/system involve CCTV or monitoring of an area accessible to the public?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using the data you collect to match or cross-reference against another existing set of data?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using any novel, or technologically advanced systems or processes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

Compton NDP Examiner's Report

See separate attachment

Compton NDP Decision Statement (7 October 2021)

See separate attachment

Compton NDP with modifications

See separate attachment

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Intelligent Plans
and examinations

Report on the Compton Neighbourhood Development Plan 2020 to 2037

An Examination undertaken for West Berkshire District Council with the support of Compton Parish Council on the April 2021 submission version of the Plan.

Independent Examiner: Andrew Mead BSc (Hons) MRTPI MIQ

Date of Report: 7 October 2021

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Main Findings - Executive Summary

From my examination of the Compton Neighbourhood Development Plan (CNDP/the Plan) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – Compton Parish Council;
- The Plan has been prepared for an area properly designated – the Parish of Compton, as shown on the map on page 3 of the submitted Plan;
- The Plan specifies the period during which it is to take effect: 2020 to 2037; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Compton Neighbourhood Development Plan 2020–2037

- 1.1 Compton Parish has a population of 1,571.¹ The village of Compton is located just east of the A34 linking Newbury and Oxford. Newbury is about 18 km to the south, Oxford about 33 km to the north with Reading about 24 km to the south east. Compton lies in rural surroundings within the North Wessex Downs Area of Outstanding Natural Beauty (AONB) which is characterised in this locality by attractive rolling downland and large fields.
- 1.2 The preparation of the Neighbourhood Plan began when an application was made to West Berkshire District Council (WBDC) by Compton Parish Council (CPC) in November 2016 for the designation of the Plan area, with subsequent approval by WBDC on 11 January 2017. This was followed by the appointment of consultants to assist with plan preparation and the formation of a Steering Group which held its first meeting in January 2018. Various workshops and consultation meetings were held and evidence was gathered. The CNDP was submitted to WBDC on 6 May 2021, representing over four years' work for those involved.

¹ 2011 Census.

The Independent Examiner

- 1.3 As the Plan has now reached the examination stage, I have been appointed as the examiner of the CNDP by WBDC, with the agreement of CPC.
- 1.4 I am a chartered town planner and former government Planning Inspector and have experience of examining neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the Plan.

The Scope of the Examination

- 1.5 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.6 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the Plan meets the Basic Conditions.
 - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development'; and
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.

- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.7 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.8 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations (under retained EU law);² and
- Meet prescribed conditions and comply with prescribed matters.

1.9 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood plan does not breach the requirement of Chapter 8 Part 6 of the Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations').³

2. Approach to the Examination

Planning Policy Context

2.1 The current Development Plan for Compton, excluding policies relating to minerals and waste development, includes the West Berkshire District Local Plan 1991–2006 (Saved Policies 2007) (as amended in 2012 and 2017), the West Berkshire Core Strategy (WBCS) 2006–2026, which contains most of the strategic policies, and the West Berkshire Housing

² The existing body of environmental regulation is retained under EU law.

³ This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

Site Allocations Development Plan Document (HSADPD) adopted in 2017.⁴ In addition, the West Berkshire Local Plan Review (WBLPR) is at the emerging stage, the Regulation 18 draft having been published for consultation between 11 December 2020 and 5 February 2021.

- 2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published in July 2021 and all references in this report are to the July 2021 NPPF and its accompanying PPG.

Submitted Documents

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, as well as those submitted which include:
- the draft Compton Neighbourhood Development Plan 2020–2037, April 2021;
 - the map on page 3 of the submitted Plan, which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statement, March 2021;
 - the Basic Conditions Statement, April 2021;
 - all the representations that have been made in accordance with the Regulation 16 consultation;
 - the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report, August 2020; and
 - the request for additional clarification sought in my letter of 9 August 2021 and the responses of 20 August from CPC and 23 August from WBDC.⁵

Site Visit

- 2.4 I made an unaccompanied site visit to the CNDP area on 30 July 2021 to familiarise myself with it and visit relevant locations referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.5 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. No requests for a hearing session were received.

⁴ There is also the retained South East Plan Policy NRM6: Thames Basin Heaths Special Protection Area.

⁵ View at: <https://info.westberks.gov.uk/comptonnp>

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Modifications

- 2.6 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix to this report.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Compton Neighbourhood Development Plan has been prepared and submitted for examination by CPC, which is a qualifying body. The CNDP extends over all the Compton Parish. This constitutes the area of the Plan designated by WBDC on 11 January 2017.

Plan Period

- 3.2 The Plan specifies the Plan period as 2020 to 2037.

Neighbourhood Plan Preparation and Consultation

- 3.3 The comprehensive Consultation Statement (CS) indicates the process of the preparation of the Plan which was aided by creating a specific web site and using Facebook and the Parish magazine. A drop-in session was held to launch the Plan on 20 May 2017, together with the distribution of a questionnaire. The Steering Group subsequently formed has met 38 times.
- 3.4 A further questionnaire was distributed in February 2018 resulting in a response rate of 64%, with responses being presented at a village fete in July 2018. Working Groups were created in September 2018 to consider five themes. Workshops were held in January and June 2019 to discuss and draft the vision and objectives and to update the progress of the Working Groups. The outcomes were presented at the village fete in 2019. In the meantime, the West Berkshire Council had defined the site of the former Pirbright Institute⁶ under Policy HSA 23 in the West Berkshire Housing Site Allocations DPD for approximately 140 dwellings. An Interim Policy Statement on how the CNDP might deal with the Pirbright site was produced by the Parish Council in September 2019.
- 3.5 The Pre-Submission Plan was published for consultation under Regulation 14 of the 2012 Regulations on 9 November 2020 for a period of six weeks until 21 December 2020. Appendix 10 of the CS lists the many elements of the communication strategy to consult stakeholders and members of the public. Table 1 of Appendix 10 of the CS lists the organisations who

⁶ Formerly the Institute for Animal Health (IAH).

were consulted. The responses and action taken with regard to the consultation are included on pages 192 – 218 of the CS.

- 3.6 The Plan was finally submitted to WBDC on 6 May 2021. Consultation in accordance with Regulation 16 was carried out from 4 June 2021 until 16 July 2021. 19 responses were received. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the CNDP, that has had regard to advice in the PPG on plan preparation and is procedurally compliant in accordance with the legal requirements.

Development and Use of Land

- 3.7 Subject to the making of **PM6** (see paragraph 4.21 below), the Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

- 3.8 The Plan does not include provisions and policies for 'excluded development'.

Human Rights

- 3.9 The Basic Conditions Statement (BCS) advises no issues have been raised in relation to the possible contravention of Human Rights in the preceding consultations and, given the conclusions on the Plan's general conformity with the strategic policies of the Development Plan and regard to national planning policy, it is reasonable to conclude that the making of the Plan should not breach human rights. The CS indicates the considerable emphasis which was placed throughout the consultation process to ensure that no sections of the community were isolated or excluded. I have considered this matter independently and I have found no reason to disagree with the Parish Council's position and I am satisfied that the policies will not have a discriminatory impact on any particular group of individuals.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The CNDP was screened for Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) by WBDC. The details were submitted with the Plan in accordance with the legal requirement under Regulation 15(e)(i) of the 2012 Regulations.⁷ As a result of the assessment, it was initially concluded that an SEA was not necessary because it had been demonstrated that there will be no significant

⁷ Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report, August 2020.

environmental effects as a result of the CNDP. In addition, it was also initially concluded that a HRA was not necessary because there were no internationally designated sites within or adjacent to the CNDP area. Following consultation with the three statutory bodies, the Environment Agency,⁸ Historic England⁹ and Natural England¹⁰ agreed with those conclusions.

- 4.2 Having read the SEA and HRA Screening Assessment Report and the other information provided, and considered the matter independently, I also agree with those conclusions. Therefore, I am satisfied that the CNDP is compatible with EU obligations.

Main Issues

- 4.3 Having considered whether the Plan complies with various procedural and legal requirements, it is now necessary to deal with whether it complies with the remaining Basic Conditions, particularly the regard it pays to national policy and guidance, the contribution it makes to the achievement of sustainable development and whether it is in general conformity with strategic development plan policies. I test the Plan against the Basic Conditions by considering specific issues of compliance of all the Plan's policies.
- 4.4 As part of that assessment, I consider whether the policies are sufficiently clear and unambiguous, having regard to advice in the PPG. A neighbourhood plan policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.¹¹
- 4.5 Accordingly, having regard to the Compton Neighbourhood Development Plan, the consultation responses, other evidence¹² and the site visit, I consider that the main issues in this examination are whether the CNDP policies (i) have regard to national policy and guidance, (ii) are in general conformity with the adopted strategic planning policies and (iii) would contribute to the achievement of sustainable development? I shall assess these issues by considering the policies within the themes in the sequence in which they appear in the Plan.

Vision and Objectives

- 4.6 The gist of the vision for the CNDP is to have enabled self-sustaining development in a way which retains the rural character and beauty of the village within the North Wessex Downs AONB, allowing people to live,

⁸ Response from the Environment Agency, dated 7 August 2020.

⁹ Response from Historic England, dated 28 July 2020.

¹⁰ Response from Natural England, dated 6 August 2020.

¹¹ PPG Reference ID: 41-041-20140306.

¹² The other evidence includes the responses from CPC and WBDC dated 20 and 23 August respectively to the questions in my letter of 9 August 2021.

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work and play in the village for the whole of their lives, in addition to providing for long-term sustainability and significant adaptation to low carbon lifestyles. The full Vision Statement is on page 16 of the Plan. The vision was then used to produce a set of ten objectives, from which the twenty three policies were developed and grouped into seven themes: Key Policies, including Climate Change; Housing and Development; Business and Employment; Community, Education Facilities and Wellbeing; Local Environment; Roads and Transport; and Infrastructure Contributions.

Key Policies (Policies C1, C2, C3 & C4)

- 4.7 Policy C1 supports infill development within the settlement boundary of Compton, as defined by the West Berkshire Core Strategy, subject to six criteria, the third of which is where (it) conserves and enhances heritage assets and their settings. I shall recommend a minor modification to qualify enhancement by where it would be appropriate. I shall also recommend modifying the final sentence so that the exceptions to development in the open countryside refer to national guidance, rather than the non-strategic policies of the HSADPD. The policy would then have regard to national guidance,¹³ generally conform with Policy CS 1 of the WBCS and meet the Basic Conditions. **(PM1)**
- 4.8 Policy C2 supports the development of the Pirbright Site Allocation HSA23 in the HSADPD provided that the quantum of residential development remains for approximately 140 dwellings in Area B and C delineated in Figure 4 of the Plan, with no development in Area A.¹⁴ The policy has regard to national guidance,¹⁵ generally conforms with Policy CS 1 of the WBCS and Policy HSA 23 of the HSADPD and meets the Basic Conditions.
- 4.9 Policy C3 seeks the provision of well-designed energy efficient buildings and places. In their response of 20 August 2021, CPC helpfully indicated the origins of the achievement of 19% improvement on the carbon emissions target.¹⁶ The policy has regard to national guidance¹⁷ and generally conforms with Policy SP 5 of the emerging WBLPR, as does Policy C4 which supports district heating in major new development. Both policies meet the Basic Conditions.

Housing and Development (Policies C5, C6, C7, C8 & C9)

- 4.10 Policy C5 considers the mix and tenure of affordable homes in HSA 23 at Pirbright. The policy has regard to national guidance,¹⁸ generally conforms

¹³ PPG: Reference ID 18a-002-20190723; NPPF: paragraph 80.

¹⁴ Areas A, B and C on Figure 4 are derived from the Pirbright Institute Site, Compton Supplementary Planning Document (SPD) September 2013 and also referred to in Policy HSA 23 of the Housing Site Allocations DPD, adopted in 2017.

¹⁵ NPPF: Delivering a sufficient supply of homes.

¹⁶ Code for Sustainable Homes Technical Guide Code Addendum (2014) England: DCLG page 32.

¹⁷ NPPF: paragraph 154.

¹⁸ NPPF: paragraph 62.

with Policy CS 4 of the WBCS and Policy HSA 23 of the HSADPD and meets the Basic Conditions.

- 4.11 Policy C6 seeks the retention and refurbishment of the hostel complex. Although the hostel complex was outside the area defined for development in the Pirbright Institute Site SPD 2013, it was included inside the site boundary and shown as part of the area for development in Policy HSA 23 of the HSADPD. Policy HSA 23 also refers to the hostel in that should it come forward for development in a timely manner with the allocated site, it must form an integrated element of the developable area. However, there is no indication whether redevelopment or retention/refurbishment is preferred. In my opinion, the loss of the hostel, if it is in a condition worthy of retention, would be regrettable due to the capital investment it represents and the opportunity it presents for a specific type of accommodation.
- 4.12 Nevertheless, I appreciate the comments of Homes England in its Regulation 16 consultation response that the re-use of the buildings would be challenging and that potential developers have expressed a preference for demolition over retention. Therefore, I shall recommend modifying Policy C6 by the addition of a qualification aiming to ensure that the viability and deliverability of a scheme is not threatened by the retention and refurbishment of the hostel. **(PM2)** The policy would then have regard to national guidance,¹⁹ generally conform with Policy HSA 23 of the HSADPD and meet the Basic Conditions.
- 4.13 Policy C7 provides for a range of house sizes and requires single storey homes, designed to M4(2) Category 2: Accessible and adaptable buildings, to be located within Area B in order to assist in the transition from the built-up area of the Pirbright site to the countryside. I agree that the density of HSA 23 would make it possible to deliver a range of homes, including accessible and adaptable housing designed to M4(2) Category 2 standard, as well as 3 to 5 bedroomed homes in larger plots.
- 4.14 Whereas there may be merit in locating single storey dwellings near the northern edge of Area B for landscape reasons. However, as indicated in paragraph 11.11 of the Plan, accommodation for older people should provide a safe and convenient approach route into and out of the home and outside areas. In addition, as foreshadowed in my questions to CPC, I believe consigning older people, likely to be less dependent on a car, to the northern margins of the development, places them further from public transport opportunities and any central village services.
- 4.15 Accordingly, I shall recommend modifying the policy so that a balance is sought between any desirability to develop Area B with single storey dwellings and the need for such accommodation to be built in a more convenient location to help older people to have access to services and

¹⁹ NPPF: paragraph 120.

facilities. **(PM3)** Policy C7 would then have regard to national guidance,²⁰ generally conform with Policy HSA 23 of the HSADPD and thus meet the Basic Conditions.

4.16 Policy C8 deals with design and indicates a tabulated set of parameters. The policy has regard to national guidance,²¹ generally conforms with Policy CS 14 of the WBCS and meets the Basic Conditions, subject to the inclusion of references to beautiful places and the National Model Design Code. **(PM4)**

4.17 Policy C9 considers a design framework for HSA 23 and anticipates the preparation of a design brief or masterplan. The policy has regard to national guidance,²² generally conforms with Policy GS 1 of the HSADPD and CS 14 of the WBCS and meets the Basic Conditions, subject to updating the reference to Building for Life and the removal of the inappropriate final sentence recommending suitably qualified design professionals from the policy to the reasoned justification. **(PM5)**

Business and Employment (Policies C10 & C11)

4.18 Policy C10 aims to protect small-scale employment sites. Policy C11 seeks the development of an enterprise hub in HSA 23 based on the re-use of existing buildings. I note the policy states that there is a preference for the re-use of existing buildings and that any proposals for new employment buildings should demonstrate why this is essential. Each policy has regard to national guidance,²³ generally conforms with Policy CS 10 of the WBCS and meets the Basic Conditions.

Community, Education, Facilities and Wellbeing (Policies C12, C13, C14 & C15)

4.19 Policy C12 resists the loss of existing community facilities. The policy has regard to national guidance,²⁴ generally conforms with Policy HSA 23 of the HSADPD and meets the Basic Conditions.

4.20 Policy C13 seeks to retain, renovate and enhance the community uses in HSA 23 at the Piglets Day Nursery, the Pickled Pig complex and the Cricket Ground. The loss of any existing community uses would be resisted under Policy C12, whereas the use of the Piglets Day Nursery as a replacement Pre School venue which currently operates at the village hall is a proposal which the Plan cannot deliver, particularly with the lack of a promoter. Similarly, the future of the Pickled Pig complex as proposed in the Plan would depend on there being a willing landowner or promotor of which there are no indications.

²⁰ NPPF: paragraphs 60 & 62.

²¹ NPPF: Achieving well designed places.

²² NPPF: paragraphs 126–130.

²³ NPPF: paragraphs 81, 84 & 85.

²⁴ NPPF: paragraphs 92 & 93.

- 4.21 However, the justification in the Plan at paragraphs 14.7 and 14.8 shows the value the Piglets Day Nursery and Pickled Pig complex would be if used as community facilities. The use of the Cricket Ground as open space would be facilitated by its definition as Local Green Space (LGS) in Policy C16 of the Plan, but whether it is used for cricket is not a land use planning matter. Therefore, I shall recommend the deletion of the three bullet points from Policy C13 and moving them to Non-Planning Actions on page 56 of the Plan where they could become Objective C.
- 4.22 I shall recommend the retention of the remainder of Policy C13 so that any replacement of the Piglets Day Nursery and Pickled Pig complex with a newer purpose-built facility is subject to the criteria currently in the Plan. **(PM6)** The policy would then have regard to national guidance,²⁵ generally conform with Policy HSA 23 of the HSADPD and meet the basic Conditions.
- 4.23 Policy C14 aims to retain existing open space and recreation facilities and has regard to national guidance,²⁶ generally conforms with Policy CS 18 of the WBCS and meets the Basic Conditions. Policy C15 considers public rights of way and also has regard to national guidance,²⁷ conforms with Policy CS 18 of the WBCS and meets the Basic Conditions.

Local Environment (Policies C16, C17 & C18)

- 4.24 Policy C16 defines seven Local Green Spaces. As explained in the NPPF, LGS designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.²⁸ Having seen each LGS when I visited the area, I agree that the seven sites should be designated as LGS. The policy has regard to national guidance²⁹, generally conforms with Policy CS 18 of the WBCS and meets the Basic Conditions.
- 4.25 Policy C17 requires all new development to provide a net gain in biodiversity as well as maintaining and enhancing existing on-site biodiversity assets. In order to have regard to national guidance, I shall add a short section on incorporating trees in new development, maintaining them and retaining those which exist.³⁰ The policy would then also generally conform with Policy CS 17 of the WBCS and meet the Basic Conditions. **(PM7)**

²⁵ NPPF: paragraphs 93 & 93.

²⁶ NPPF: paragraph 99.

²⁷ NPPF: paragraph 100.

²⁸ NPPF: paragraph 102.

²⁹ NPPF: paragraph 101.

³⁰ NPPF: paragraphs 131, 174 & 179.

4.26 Policy C18 deals with sustainable drainage. I can appreciate that flooding is a key concern of the community. The policy effectively repeats parts of Policy CS 16 of the WBCS, but to have regard to national guidance should include references to flood risk from improvements in green and other infrastructure. Therefore, I shall recommend a modification of the policy which would then have regard to national guidance,³¹ generally conform with Policy CS 16 of the WBCS and meet the Basic Conditions. **(PM8)**

Roads and Transport (Policies C19, C20, C21 & C22)

4.27 Policy C19 supports a sustainable transport network which has regard to national guidance,³² generally conforms with Policy CS 13 of the WBCS and meets the Basic Conditions. Policy C20 seeks the provision of electric charging points. The policy also has regard to national guidance,³³ generally conforms with Policies CS 14 and CS 15 of the WBCS and meets the Basic Conditions.

4.28 Policy C21 supports the provision of new public parking in the village and Policy C22 requires new development to meet the adopted parking standards in the West Berkshire Development Plan. Each policy has regard to national guidance,³⁴ generally conforms with Policy CS 13 of the WBCS and meets the Basic Condition.

Infrastructure Contributions (Policy C23)

4.29 Policy C23 sets out priorities for contributions to local infrastructure projects and has regard to national guidance,³⁵ generally conforms with Policy CS 5 of the WBCS and meets the Basic Conditions.

Overview

4.30 Accordingly, on the evidence before me, with the recommended modifications, I consider that the policies within the CNDP are in general conformity with the strategic policies of the WBCS and HSADPD, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.

4.31 A consequence of the acceptance of the recommended modifications would be that amendments would have to be made to the explanation within the Plan in order to make it logical and suitable for the referendum. These might also include incorporating factual updates, correcting minor inaccuracies, revising references to the NPPF (2021), updated paragraph numbers and improvements suggested helpfully by WBDC and Thames Water. None of these alterations would affect the ability of the Plan to

³¹ NPPF: paragraph 160.

³² NPPF: paragraphs 105 & 106.

³³ NPPF: paragraph 107 e).

³⁴ NPPF: paragraphs 107 & 108.

³⁵ NPPF: paragraph 34.

meet the Basic Conditions and could be undertaken as minor, non-material changes.³⁶

5. Conclusions

Summary

- 5.1 The Compton Neighbourhood Development Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the CNDP, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a small number of policies to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The CNDP, as recommended to be modified, has no policy or proposal which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Concluding Comments

- 5.4 The Parish Council, Steering Group members, researchers and other volunteers are to be commended for their efforts in producing a comprehensive Plan which is very professionally presented with thorough accompanying documentation and in a format which is worthy of its role as part of the Development Plan. It is an extremely well structured and informative Plan which I enjoyed examining. The high quality of the Plan is demonstrated by the small number of recommended modifications (necessary to meet the Basic Conditions) to only eight of the twenty three policies. With those modifications, the CNDP will make a positive contribution to the Development Plan for the area and should enable the rural character and appearance of Compton Parish to be maintained.

Andrew Mead

Examiner

³⁶ PPG Reference ID: 41-106-20190509.

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Appendix: Modifications

Proposed modification no. (PM)	Page no./ other reference	Modification
PM1	Policy C1	Amend criterion (iii) to: "conserves and, where appropriate , enhances heritage assets and their settings;". Delete: "... exceptions within Policies C1–C8 of the HSADPD." Insert: "... exceptions within national guidance. "
PM2	Policy C6	Add at the end of the policy: "... homes, unless the viability and deliverability of the scheme would be significantly threatened. "
PM3	Policy C7	Delete: "... within Area B where they are sited to assist with the transition of the development in an appropriate scale to the open countryside and beyond." Insert: "... located to balance the desirability of single storey development close to the northern boundary of the site with that of the convenience of accommodation for older people near to village facilities and services. "
PM4	Policy C8	Include the phrase: "... will be expected to have high standards of design, to assist in the creation of beautiful and distinctive places and to reflect the guidance ...etc." Add at the end of the policy: "... (2019) and the National Model Design Code. "
PM5	Policy C9	Replace: "... Building for Life ..." with "... Building for a Healthy Life ... ". Delete the final sentence from the policy and include it in paragraph 12.10 of the Plan.
PM6	Policy C13	Move the three bullet points from the policy to Non-Planning Actions on page 56 of the Plan, where they should be inserted under a new " <u>Objective C</u> " (following Objective B). Delete the policy and replace with: " Any proposal to replace either the Piglets Day Nursery or Pickled Pig complex with a newer purpose-built facility will be

		supported on the basis that it is justifiable by a cost/benefit analysis at that time and complies with the following criteria:”.
PM7	Policy C17	Add a third paragraph: “Opportunities should be taken to incorporate trees in developments, secure appropriate measures for their maintenance and the retention of existing trees wherever possible.”
PM8	Policy C18	Amend the first phrase of the policy to: “New development and improvements in green and other infrastructure must manage flood risk and incorporate Sustainable Urban Drainage Systems (SUDS) ...”.

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Compton Neighbourhood Development Plan 2020-2037 Regulation 18 Decision Statement

1. Introduction

- 1.1. In accordance with the Town and Country Planning Act 1990 (as amended), West Berkshire District Council (WBDC) has a statutory duty to assist communities in the preparation of Neighbourhood Plans and to progress their Neighbourhood Plans through examination and referendum. The Localism Act 2011 sets out the responsibilities under Neighbourhood Planning.
- 1.2. Once the Council has received an examiner's report, WBDC is required to make a decision on the next steps. As set out in the Neighbourhood Planning Regulations these are:
- (a) to decline to consider a plan proposal under paragraph 5 of Schedule 4B to the 1990 Act (as applied by section 38A of the Planning and Compulsory Purchase Act 2004) or a modification proposal under paragraph 5 of Schedule A2 to the 2004 Act;
 - (b) to refuse a plan proposal under paragraph 6 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or a modification proposal under paragraph 8 of Schedule A2 to the 2004 Act;
 - (c) what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) in relation to a neighbourhood development plan or under paragraph 13 of Schedule A2 to the 2004 Act in relation to a proposed modification of a neighbourhood development plan;
 - (d) what modifications, if any, they are to make to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or paragraph 14(6) of Schedule A2 to the 2004 Act;
 - (e) whether to extend the area to which the referendum is (or referendums are) to take place; or
 - (f) that they are not satisfied with the plan proposal under paragraph 12(10) of Schedule 4B to the 1990 Act (as applied by section 38A of the 2004 Act) or the draft plan under paragraph 14(4) of Schedule A2 to the 2004 Act.
- 1.3. In accordance with the Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended), this report forms the Council's Decision Statement, and sets out the Council's decision and the reasons for this.

2. Background

Designation of the Neighbourhood Area

- 2.1. On 11 January 2017, WBDC designated the Compton Neighbourhood Area for the purpose of preparing a Neighbourhood Plan. The plan area covers the parish of Compton and lies solely within the West Berkshire Local Planning Authority Area.

Submission of the Compton Neighbourhood Development Plan

- 2.2. Compton Parish Council, the qualifying body, submitted the draft Compton Neighbourhood Development Plan (NDP) and supporting documents to WBDC on 6 May 2021.
- 2.3. Following submission of the NDP, WBDC publicised the Plan and supporting documents and invited representations during the consultation period which ran from 4 June to 16 July 2021.

Independent examination of the Compton NDP

- 2.4. WBDC, with the consent of Compton Parish Council, appointed an independent examiner, Mr. Andrew Mead MRTPI, to review the NDP and consider whether it should proceed to referendum.
- 2.5. The examination of the plan took place via written representations between July and October 2021.
- 2.6. The examiner's final report was received on 6 October 2021 on the Compton NDP and he recommended that subject to eight modifications, the plan should proceed to referendum. He also recommended that the referendum area should not extend beyond the designated Compton Neighbourhood Area.

Post examination

- 2.7. Regulations 17A and 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended) requires the local planning authority to outline what action to take in response to the recommendations of the examiner following the formal examination.
- 2.8. The examiner's report is not binding and it is the responsibility of the Council to ultimately decide if the examiner's suggested recommendations and modifications should be followed or not.

3. Decision

- 3.1. Having considered the recommended modifications made by the Examiner's Report, and the reasons for each of them, WBDC, with the consent of Compton Parish Council has considered each of the recommendations and agreed the action to take in response to each recommendation. It was decided to accept all the modifications to the draft plan by the Examiner under Paragraph 12(2) (4) of Schedule 4B to the Town and Country Planning Act 1990. The Examiner's proposed modifications are set out in Table 3.1 below alongside the reason why the modification was accepted.

Table 3.1: Examiner’s proposed modifications to the Compton NDP

Policy	Examiner’s modifications (insertion <u>underlined</u> , omission as strikethrough)	Decision and justification	Action taken and revised modification
Policy C1: Development Strategy for the Parish	<p>Proposals for infill development in the built-up area of Compton, outside of the HSA DPD [Housing Site Allocations Development Plan Document] Policy HSA23 Allocation, will be supported if they are within the settlement boundary defined by West Berkshire Core Strategy (see map below) and where such development:</p> <ul style="list-style-type: none"> i. is of a scale and form in keeping with surrounding properties; ii. respects residential amenity and provide suitable access; iii. <u>conserves and, where appropriate,</u> enhances heritage assets and their settings; iv. can be properly serviced and supplied with essential services such as water and drainage; v. delivers a measurable net gain in biodiversity; and vi. complies with the other policies within the development plan. <p>Development should not be permitted in the open countryside unless it is for development permitted by the exceptions within Policies C1 – C8 of the HSA DPD <u>national guidance</u>.</p>	<p>WBDC agree with the Examiner’s recommendation.</p> <p>The phrase “where appropriate” is used in the National Planning Policy Framework (published July 2021).</p> <p>Policy SP9 of the emerging draft West Berkshire Local Plan Review to 2037 (LPR) does include this phrasing, yet the LPR is likely to be adopted after the adoption of the NDP. This amendment will ensure the Basic Condition for plans to have regard to national planning policy and guidance is met.</p> <p>The examiner’s modification to delete reference to the HSA DPD (Housing Site Allocations Development Plan Document) should be accepted as the Planning Practice Guidance (PPG) is more recent than the HSA DPD, the latter of which was adopted in 2017.</p>	<p>No further action required. Modification to be taken forward to the final plan.</p>

Policy	Examiner's modifications (insertion <u>underlined</u> , omission as strikethrough)	Decision and justification	Action taken and revised modification
Policy C6: Hostel retention at the HSA DPD Policy HSA23 Allocation at Pirbright Institute	The redevelopment of the Site should include the retention and refurbishment of the Hostel complex (as identified on the map below) to deliver a range of one and two- bedroom homes, <u>unless the viability and deliverability of the scheme would be significantly threatened.</u>	WBDC agree with the Examiner's recommendation. The modification would bring this policy in line with paragraph 77 in the National Planning Policy Framework (NPPF) and benefit the Compton NDP should its deliverability or viability be threatened. This ensures conformity with the Basic Conditions.	No further action required. Modification to be taken forward to the final plan.
Policy C7: Development Density at the HSA DPD Policy HSA23 Allocation at Pirbright Institute	The density of the development provides an opportunity for a range of house sizes to meet local needs where a majority of open market homes will be 3 to 5 bedrooms, including the provision of suitable single-storey homes designed to M4(2) Category 2: Accessible and adaptable located to balance the desirability of single storey development close to the northern boundary of the site with that of the convenience of accommodation for older people near to village facilities and services within Area B where they are sited to assist with the transition of the development in an appropriate scale to the open countryside beyond.	WBDC agree with the Examiner's recommendation. The proposed modification would be appropriate as it would bring Policy C7 in line with paragraphs 124 and 125 in the NPPF. Policy C7 has regard to density at the Pirbright Site and NPPF paragraph 124 refers to planning policies and decisions that should support development while making efficient use of land. NPPF paragraph 125 seeks to avoid homes being built at low densities while ensuring the optimal use of the potential for each site.	No further action required. Modification to be taken forward to the final plan.
Policy C8: Design	All development, including conversions, extensions and new build, will be expected to have high standards of design, <u>to assist in the creation of beautiful and distinctive places</u> , and to reflect the guidance in the Compton Village Design Statement (and any subsequent updates made by the Parish Council) and	WBDC agree with the Examiner's recommendation. The recent revisions to the NPPF include greater emphasis on design and the Government has now published a National Model Design Code. Adopting the examiners suggested modification would bring policy C8 in	No further action required. Modification to be taken forward to the final plan.

Policy	Examiner's modifications (insertion <u>underlined</u> , omission as strikethrough)	Decision and justification	Action taken and revised modification
	<p>comply to the parameters set out in table 1 below.</p> <p>All development should incorporate the principles of the Governments National Design Guide (2019) <u>and the National Model Design Code.</u></p>	<p>line with the paragraphs the NPPF and PPG.</p>	
<p>Policy C9: Design at the HSA DPD Policy HSA23 at the Pirbright Site</p>	<p>The redevelopment of the site will be informed by a design brief or masterplan that has been subject to public consultation undertaken broadly in line with the West Berkshire Statement of Community Involvement. This should be preceded by a design code in consultation with the community and this will be a condition of the outline permission in such circumstances. Those commissioning the project should aim to achieve high quality and sustainable design using the 'Building for <u>a Healthy Life</u>' assessment framework to take an innovative and creative solution for this site. The design framework should identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and supplies. It is recommended that appropriately qualified and experienced design professionals such as registered architects, urban designers, landscape architects and public artists are engaged at an early stage of the development proposal to ensure all aspects of design are considered.</p> <p>Justification of C9: 12.10 It is expected that any developer would work</p>	<p>WBDC agree with the Examiner's recommendation.</p> <p>Adopting the examiners suggested modification would bring the policy in line with paragraph 133 in the NPPF which includes guidance on Building for a Healthy Life. The NPPF states that this is beneficial if used early in the evolution of schemes.</p>	<p>No further action required. Modification to be taken forward to the final plan.</p>

Policy	Examiner's modifications (insertion <u>underlined</u> , omission as strikethrough)	Decision and justification	Action taken and revised modification
	<p>closely with the community of Compton to develop a design code that successfully meets the objectives of the NDP, with all stages of the design process being subject to meaningful engagement with the local community and relevant stakeholders. West Berkshire Council should have regard to the outcome from these processes, in the exercise of development management functions, including any recommendations made by design review panels. <u>It is recommended that appropriately qualified and experienced design professionals such as registered architects, urban designers, landscape architects and public artists are engaged at an early stage of the development proposal to ensure all aspects of design are considered.</u></p>		
<p>Policy C13: Community uses at the HSA DPD Policy HSA23 at the Pirbright Site</p>	<p>The neighbourhood plan identifies the following existing buildings and land at the Pirbright Site (as identified on Figure 7) as having strong potential for accommodating community uses to meet the identified needs:‘</p> <ul style="list-style-type: none"> • The Piglets Day Nursery’ should be retained, renovated and enhanced for community use as a replacement Pre School for Compton; • ‘The Pickled Pig’ complex should be retained, renovated and enhanced for community use associated with the adjacent Cricket Ground • The Cricket Ground 	<p>WBDC agree with the Examiner's recommendation because there is no evidence to include this within the policy</p>	<p>No further action required. Modification to be taken forward to the final plan.</p>

Policy	Examiner's modifications (insertion <u>underlined</u> , omission as strikethrough)	Decision and justification	Action taken and revised modification
	<p>should be retained, renovated and enhanced as public open space for the community in a manner commensurate with its designation as a Local Green Space.</p> <p><u>Any proposal to replace either the Piglets Day Nursery or Pickled Pig complex with a newer purpose-built facility will be supported on the basis that it is justifiable by a cost/benefit analysis at that time and complies with the following criteria: Any future initiative to replace these facilities with a newer purpose-built facility will be supported by the NDP on the basis that is justifiable by cost/benefit analysis at that time and complies with the following criteria:</u></p> <ul style="list-style-type: none"> i. the particular proposal will not lead to traffic congestion or adversely affect the free-flow of traffic on the adjoining highway; ii. access arrangements and off-street parking can be satisfactorily provided without impinging on adjoining residential and non-residential uses; iii. adhere to the design policies set out in Policy C2 and C8, and respect surrounding landscape; and iv. does not adversely impact the locality and amenities of local residents. 		
Policy C17:	All new developments	WBDC agree with the	No further

Policy	Examiner's modifications (insertion <u>underlined</u> , omission as strikethrough)	Decision and justification	Action taken and revised modification
Biodiversity	<p>should maintain and enhance existing on-site biodiversity assets and provide for wildlife needs on site where possible. All new development must provide measurable net gains for biodiversity. Development proposals should be landscape-led, showing regard to the ecological, arboricultural and landscape surroundings at an early stage in the design process.</p> <p>Development proposals that result in a loss or deterioration of green infrastructure that support protected habitats, priority habitats or species will not be supported.</p> <p><u>Opportunities should be taken to incorporate trees in developments, secure appropriate measures for their maintenance and the retention of existing trees wherever possible.</u></p>	<p>Examiner's recommendation.</p> <p>Adopting the examiners suggested modification would bring the policy in line with the paragraph 131 of the NPPF which includes guidance on the contribution of trees.</p> <p>Paragraph 131 of the NPPF states that planning authorities "<i>should work with local highways officers and tree officers to ensure that the right trees are planted in the right places</i>".</p>	<p>action required.</p> <p>Modification to be taken forward to the final plan.</p>
Policy C18: Sustainable Drainage	<p><u>New development and improvements in green and New development</u> must other infrastructure must manage flood risk and incorporate Sustainable Urban Drainage Systems (SUDS) as an integral part of the green infrastructure and street network, to reduce the runoff of surface water in line with WBCS Policy CS 16. The SUDS must (where the feature is communal rather than building specific) be designed as positive features of the development and must effectively mitigate any adverse effects from surface water run-off and flooding on people, property and the</p>	<p>WBDC agree with the Examiner's recommendation.</p> <p>Adopting the examiners suggested modification would bring the policy in line with paragraph 160 in the NPPF which now requires plans to manage any residual flood risk by using opportunities provided by new development and ""improvements in green and other infrastructure to reduce the causes and impacts of flooding (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management)".</p>	<p>No further action required.</p> <p>Modification to be taken forward to the final plan.</p>

Policy	Examiner's modifications (insertion <u>underlined</u> , omission as strikothrough)	Decision and justification	Action taken and revised modification
	ecological value of the local environment.	The existing Local Plan policy on flood risk (Policy CS16 of the Core Strategy) does not mention managing residual flood risk. There is a flood risk policy in the emerging draft of the LPR (Policy SP6) and this will need to be re-worded to take account of managing residual flood risk.	

- 3.2. WBDC published the submitted NDP and its supporting documents for a 6 week consultation which ran between 4 June and 16 July 2021. Several representations were submitted which suggested either minor factual or contextual corrections, however these were not identified in the examiner's modifications because they did not relate to the Basic Conditions. On consideration of these representations, WBDC consider it appropriate to make two additional changes to those identified by the examiner. The proposed modifications are set out in Table 3.2 below alongside the reason why the modification has been made.

Table 3.2: Additional minor modifications made by WBDC to the Compton NDP

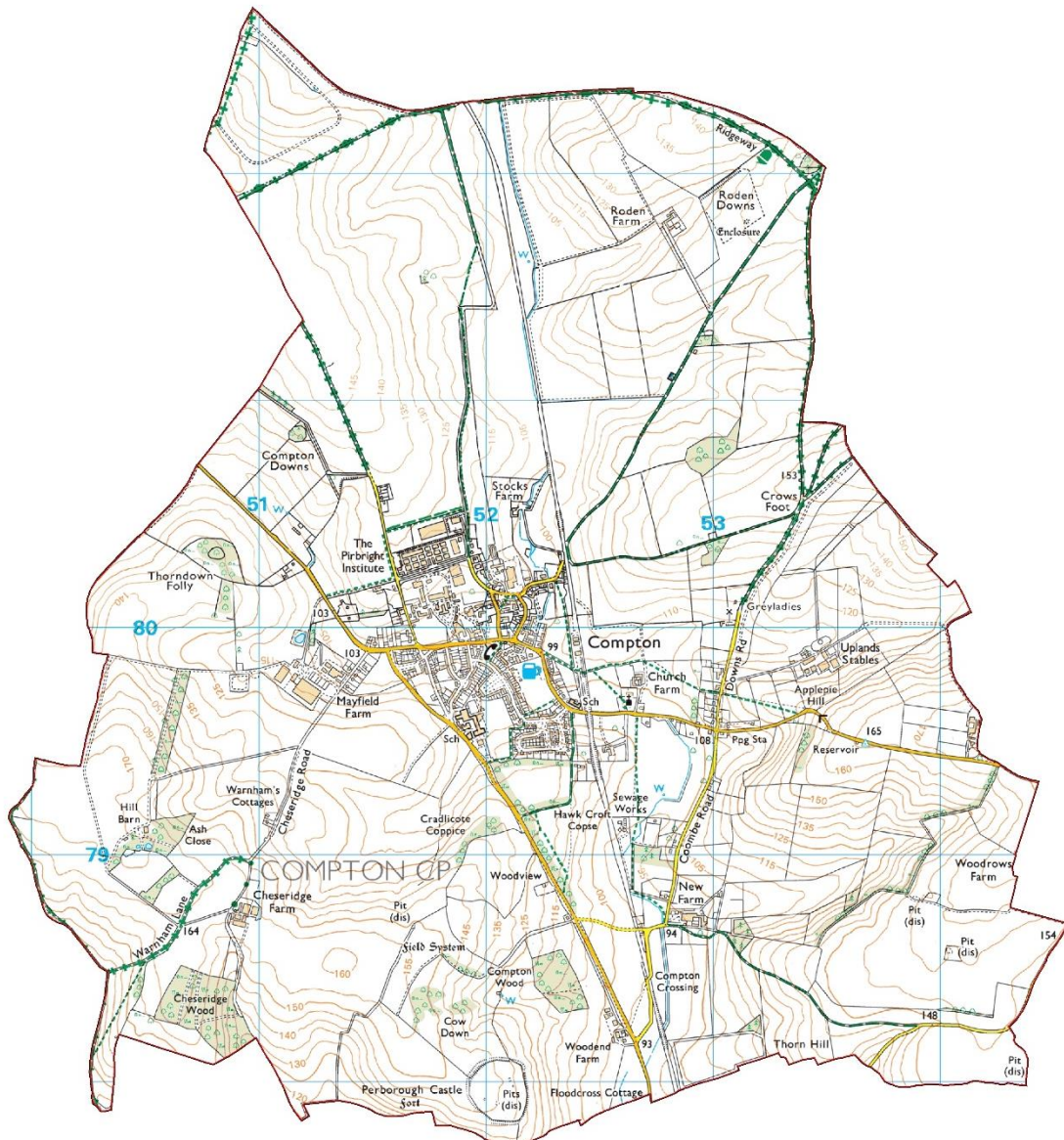
Policy	Proposed modification (insertion <u>underlined</u>)	Decision and justification	Action taken and revised modification
Appendix 2: Compton Conservation Area and Heritage Assets	Inclusion of Peterborough Castle, a Scheduled Ancient Monument on the map	Historic England identified that Peterborough Castle, which is a Scheduled Ancient Monument, had been omitted from Appendix 2. The inclusion of Peterborough Castle on the map will ensure the completeness of the evidence base for the NDP. It will also ensure that the map is factually correct.	Appendix 2 will be updated to include Peterborough Castle.

Policy	Proposed modification (insertion underlined)	Decision and justification	Action taken and revised modification
Justification of C18	<p>Inclusion of an additional paragraph after 16.17 to mention that developers have a responsibility to follow the sequential test.</p> <p><u>16.18. Developers have a responsibility to follow the sequential approach to the disposal of surface waters with proper provision for surface water draining to ground, water course or surface water sewers being given. The discharging of surface waters to the foul sewer can be a major contributor to sewer flooding and should therefore be avoided.</u></p> <p>16.19. The Council has adopted a SUDs SPD which provides detailed guidance on how effective SUDs, as required in this policy, can be designed and implemented.</p>	Thames Water suggested the inclusion of some additional wording in relation to sustainable drainage because PPG states that a sequential approach should be used in areas known to be at risk from other forms of flooding, other than river and sea, which includes flooding from sewers.	The inclusion of additional text.

4. The referendum area

The Council is in agreement with the Examiner's recommendation that there is no policy or proposal significant enough to have an impact beyond the designated Neighbourhood Area, and that any referendum takes place in due course be contiguous with the boundary of the designated Neighbourhood Area as illustrated in Figure 4.1 below.

Figure 4.1: Compton Neighbourhood Area



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Compton Neighbourhood Development Plan 2020 - 2037

Referendum Version



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BACKGROUND

1. INTRODUCTION

- 1.1. In 2011, the adoption of the Localism Act introduced new rights and powers for communities to create a Neighbourhood Development Plan (NDP); aiming to make the planning system work from the bottom-up and giving power to those who are most closely affected by decisions. Such plans can be used to decide where new development takes place, what type it should be and what it should look like, together with other matters of local importance such as green space and community facilities. In addition, NDPs can provide the opportunity for communities to set out a community action plan dealing with other non-planning matters that are important to the enhancement and preservation of the village.
- 1.2. This NDP has been prepared by residents of Compton, working over a period of 3 years as part of the NDP Steering Group supported by independent consultants, Fowler Architecture and Planning Ltd. The Plan looks ahead to 2037 to coincide with West Berkshire Local Plan review to 2037. The NDP will form part of the Statutory Development Plan for West Berkshire once adopted and the policies within will be used by the Council to help guide decisions on planning applications within the Neighbourhood Area of Compton.
- 1.3. The NDP includes a number of policies covering a range of themes that are important to the community of Compton and seeks to:
 - Ensure new development meets the needs of the local community and presents a well-designed natural and built environment;
 - Maintain open countryside of the Parish to protect the character and identity of Compton within the setting of the AONB; and
 - Safeguard and improve local community facilities and greenspaces, looking beyond the planning system to other additional community actions that will help deliver the objectives of the NDP and its policies.

The Referendum Version Plan

- 1.4. Andrew Mead was appointed to carry out the independent examination of the Compton NDP. The purpose of the examination was to determine if the plan meets the five basic conditions in Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 with or without modifications. The examiner issued his final report on 7 October 2021¹ and it recommends that, subject to several modifications, the plan should proceed to referendum.
- 1.5. This Referendum Version of the Plan should be read in connection with the Decision Statement by West Berkshire Council, the Basic Conditions Statement and Consultation Report. A '*Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) Screening Report – Post Consultation Version*' dated August 2020 confirms the opinion of West Berkshire Council that the NDP is unlikely to have significant environmental effects and as such does not require a SEA under EU Directive 2001/42/EC and The Environmental Assessment of

¹ <https://info.westberks.gov.uk/CHttpHandler.ashx?id=51517&p=0>

Plans and Programmes Regulations (2004), or a Habitats Regulations Assessment under EC Habitats Directive 92/43/EEC and the Conservation of Habitats and Species Regulations 2010.

2. PLAN AREA

2.1. A Neighbourhood Area for Compton Parish was designated in January 2017 by West Berkshire Council. The plan covers the whole of the Parish.

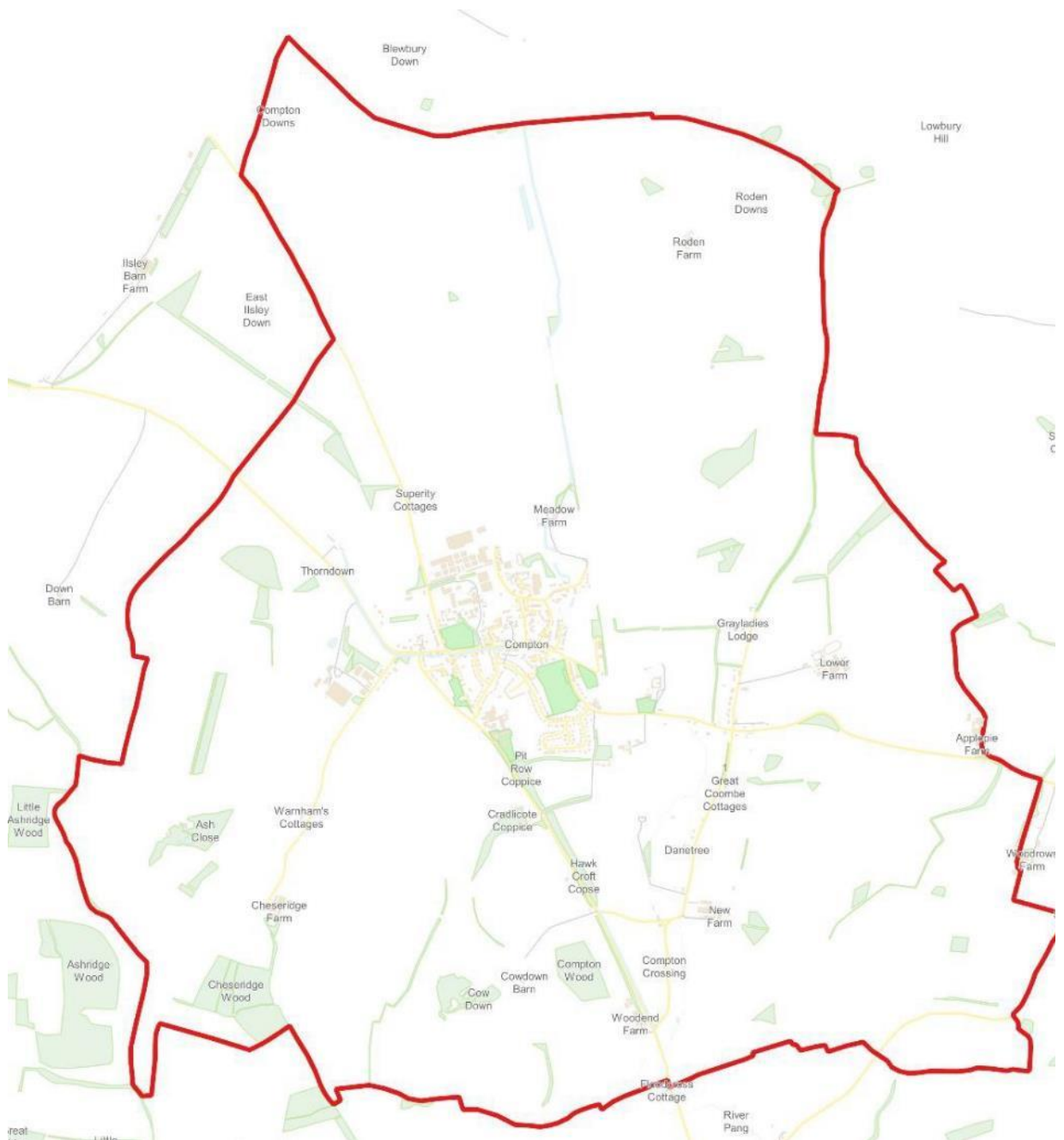


FIGURE 1: MAP OF THE DESIGNATED NEIGHBOURHOOD AREA FOR COMPTON

3. PLANNING CONTEXT

- 3.1. The National Planning Policy Framework (NPPF - revised 2019) is an important guide in the preparation of local plans and Neighbourhood plans. The NPPF represents Government policy regarding land use planning in the UK and sets out principles governing all areas of this from a set of 'Core Planning Principles' to specific policy of key areas like housing, transport, conservation of the natural and historic environments and both Local and Neighbourhood Planning. The NPPF confirms that the UK has a 'plan-led' system where development must proceed in accordance with the plan unless material considerations indicate otherwise. The central aim of the NPPF is to achieve sustainable development that balances human and environmental needs.
- 3.2. A Neighbourhood Plan must demonstrate that it is consistent with the policies contained within the NPPF. Its associated Practice Guide also provides advice on applying the policies contained in the Framework. The NPPF indicated that "*Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.*" (paragraph 29)
- 3.3. Although all apply, the following sections of the NPPF are considered especially relevant to the Compton NDP:
 - Achieving sustainable development (Chapter 2)
 - Plan making (Chapter 3)
 - Delivering sufficient supply of homes (Chapter 5)
 - Promoting healthy and safe communities (Chapter 8)
 - Promoting sustainable transport (Chapter 9)
 - Achieving well-designed places (Chapter 12)
 - Conserving and enhancing the natural environment (Chapter 15)
 - Conserving and enhancing the historic environment (Chapter 16)
- 3.4. In addition to this, the NDP must also be in conformance with the Development Plan which provides the main planning policy context for the Local Planning Authority, in this case, West Berkshire Council. The key documents are the West Berkshire Core Strategy (CS) adopted July 2012, Housing Site Allocations Development Plan Document (HSADPD) adopted May 2007, and the saved policies of the West Berkshire District Local Plan 1991- 2006. The Council are currently undertaking a review of their Local Plan, the Emerging Draft Local Plan Review to 2037 was published for consultation in late 2020.

West Berkshire Core Strategy

- 3.5. The West Berkshire Core Strategy (CS), which sets out the overall planning strategy to 2026, is the main development management and planning document covering Compton. The village of Compton is designated within the West Berkshire CS as a 'Service Village', located wholly within the North Wessex Downs AONB. Policy ADPP 1 confirms Services Villages have '*More limited range of services and some limited development potential*' in the third tier of the settlement hierarchy.

3.6. CS Policy ADPP5 for the North Wessex Downs AONB confirms that:

“The service villages will continue to provide a range of services to their communities and surrounding areas. A limited level of development will be accommodated to meet local needs, including employment, housing, amenity and community facilities, to maintain the areas as vibrant and balanced communities with their own sense of identity”.

“The scale and density of development will be related to the site’s current or proposed accessibility, character and surroundings. Significant intensification of residential, employment generating, and other intensive uses will be avoided within areas which lack sufficient supporting infrastructure, facilities or services or where opportunities to access them by public transport, cycling and walking are limited.”

Housing Site Allocations DPD (2006-2026)

3.7. Maintaining an adequate land supply throughout the plan period and carrying forward the housing requirements of the Core Strategy is the main role of the Housing Site Allocations DPD (HSADPD). It seeks to implement the framework that has been set by the CS by allocating non-strategic sites across West Berkshire.

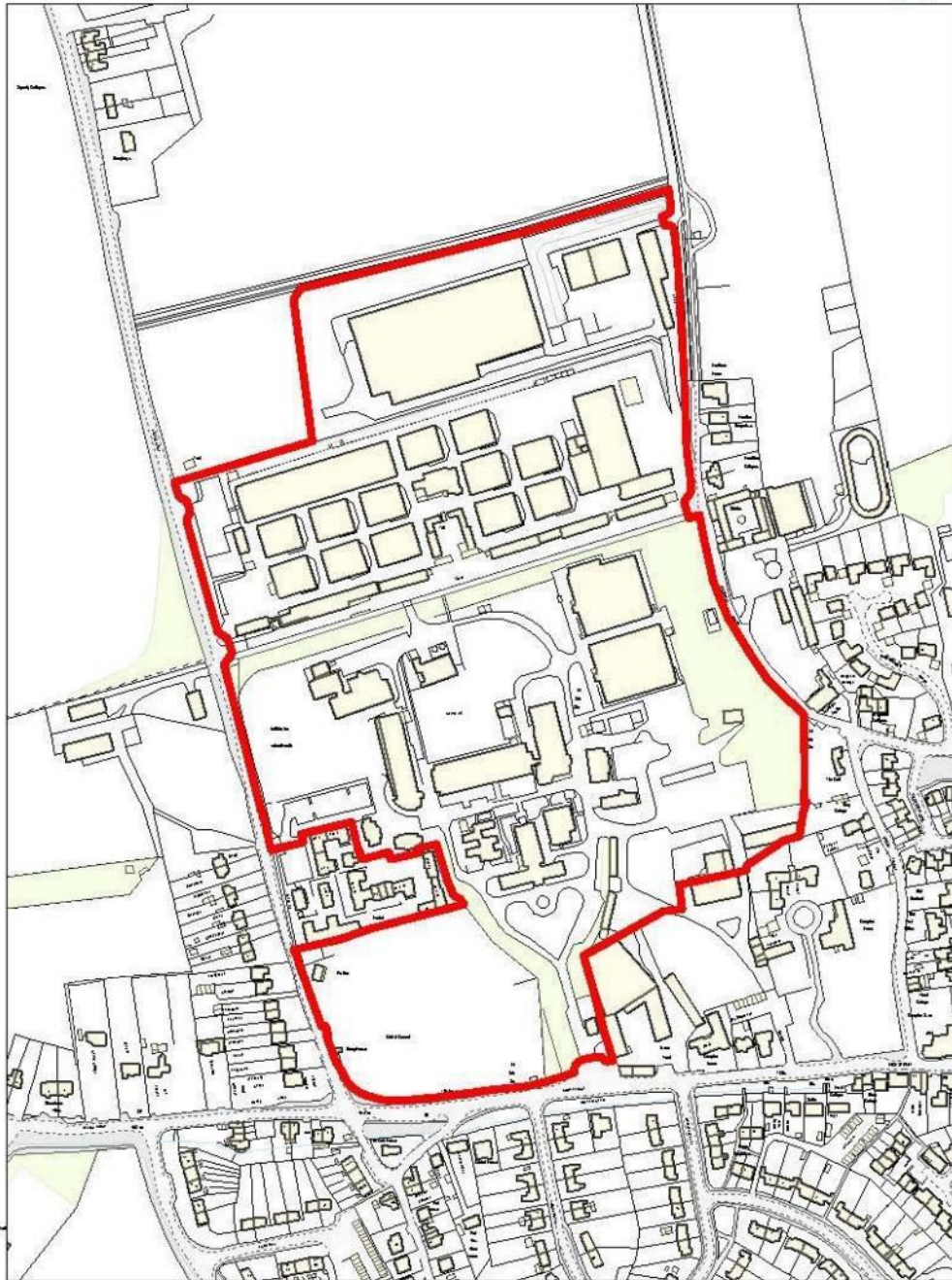
3.8. Of most relevance to the Compton NDP is the allocation within the plan for the residential-led mixed use redevelopment of the Pirbright Site (see figure 2 below) HSA DPD Policy HSA23 sets out the framework for development on this 15ha site (9.1ha of development land) to provide approximately 140 dwellings with a mix of community and employment space. This creates the basis on which any future planning application must be prepared and determined.

3.9. The formal allocation (extract of which is at appendix 1) updates a Supplementary Planning Document (SPD) adopted in September 2013, which was produced through engagement with the Parish Council, local community and landowners. The allocation by the HSADPD followed examination with the Inspector concluding in their report² the following matters:

- *“It is essential that any development respects the location of the site within the AONB and is compatible with the character and appearance in the village (para 97).*
- *The significant areas required for landscape buffers are justified in order to ensure that, in particular, the visual consequences of the development on the AONB would be acceptable (para 97).*
- *There is a risk that the provision of any such significant number of new dwellings (in addition to those under HSA23) in a relatively small settlement could have detrimental consequences, not only on the character of the village but also on the community itself (para 98).*
- *The implementation of a scheme would be viable in accordance with HSA DPD Policy HSA23 for 140 homes (para 99).*

² File Ref: PINS/W0340/429/6 (06th April 2017) Inspector’s Report on the examination into the West Berkshire Housing Site Allocations Development Plan Document

- Any change in circumstances could be assessed and considered as part of the NDP process (para 101).



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FIGURE 2: EXTENT OF THE HSA DPD POLICY HSA23 ALLOCATION OF THE PIRBRIGHT SITE

- 3.10. In summary, HSA DPD Policy HSA23 in combination with relevant sections of the SPD, provides the starting point upon which any future planning application must be prepared and determined. It is essential that any development respects the location of the site within the AONB and is compatible with other densities in the village. Significant areas required for landscape buffers are justified in order to ensure that, in particular, the visual consequences of the development on the AONB would be acceptable. The amount and extent of development envisaged by HSA DPD Policy HSA23 has been tested by the HSADPD Inspector and was considered viable and sound.
- 3.11. The allocation, which will represent a significant level of change to the Parish, is a source of considerable concern among the community, presenting both opportunity and threat. The NDP Steering Group has prepared and consulted upon the Pirbright Site Issues and Policy Objectives – Interim Policy Statement (September 2019) which sought to provide an early and clear view of the NDP position should a planning application be made in advance of the NDP Decision Statement. These issues and policy objectives have been incorporated into the Draft Plan and are discussed throughout this scoping report where relevant, and the NDP will seek to provide policy responses that add to guidelines set out in HSA DPD Policy HSA23. Any change in circumstances from that set out in the Policy can be assessed and considered as part of the NDP process.

Emerging Draft Local Plan Review (2037)

- 3.12. The Council is currently undertaking a review of its Local Plan to cover the period up to 2037. A draft of the emerging West Berkshire Local Plan Review 2037 (LPR) was published for consultation at the end of 2020.
- 3.13. The HSAP allocation HSA23 is proposed to be rolled forward to the emerging Draft Local Plan Review 2037 under policy RSA27 with identical wording. No housing requirement figure has been identified for the Neighbourhood area of Compton within the draft LPR³. It is stated that ‘there are existing allocations in the AONB at the rural service centres and service villages that are still to be delivered and which will largely meet housing need’ across the North Wessex Downs AONB.
- 3.14. Following adoption of the Local Plan Review, the Compton NDP will be reviewed to ensure that it remains up-to-date and takes account of all available evidence.

³ NPPF paragraphs 65 and 66

4. PORTRAIT OF COMPTON

- 4.1. **Location:** Compton is a rural Berkshire Parish, situated to the north of West Berkshire and nestled in the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The village lies in the upper valley of the River Pang, just 18km north of Newbury.
- 4.2. **Population:** The Parish covers⁴ an area of just over 1,500 hectares, and has a population of 1,571 persons living in 624 dwellings⁵. Compton is within close reach of a number of larger towns including Newbury and Reading, as well as only a short distance south of 'Science Vale UK'; a significant area of economic growth that is well on the way to becoming a global hotspot for enterprise and innovation. Compton is therefore characterised by healthy levels of economic activity and low unemployment, with the working-age population dominating the population structure.
- 4.3. **Housing:** Much of western Compton is comprised of 1950s housing that was purposefully built for employees at the Institute for Animal Health. Most existing dwellings in the Parish are owner-occupied detached or semi-detached, comprising 36% and 40% respectively of the total stock of housing. Flats, maisonettes and apartments make up less than 10%. 20% of the housing stock in Compton is social housing, compared with 18.2% in England⁶.
- 4.4. In terms of new development, the council has produced a Housing and Economic Land Availability Assessment (HELAA) which makes preliminary assessments of the suitability and deliverability of potential sites to be allocated in the West Berkshire Local Plan Review. The HELAA⁷ demonstrates limited available land for housing development in Compton. Five sites are identified in the HELAA within the Parish, however three have been assessed as unsuitable and not developable with the next 15 years, and the remaining two assessed as only potentially developable in part.
- 4.5. **History:** Compton has existed as a settlement in some form for a considerable amount of time, with historic evidence of Stone Age, Bronze Age and Iron Age Occupation. Compton was recorded in the Domesday Book as being two separate large estates, and this history is still reflected today with the village being essentially divided into Compton and East Compton, separated by the old railway line. This has resulted in the village's distinctive settlement pattern which is noted for its pattern of generous open spaces within the settlement, many of which are linked visually or physically and lead the eye into the surrounding countryside.
- 4.6. East Compton is a cluster of residential houses and cottages outside the village boundary. It was originally sited around and opposite the church, although in more recent times there has been development northwards on Downs Road from the former Red Lion public house, now a private dwelling and close to the junction of Downs Road with the Aldworth Road, to Greyladies House. The buildings in the landscape outside the village are mainly farms and barns; New Farm, Woodrows Farm, Cheseridge, with Church Farm and Stocks Meadow

⁴ The designated Compton Neighbourhood Area

⁵ 2011 Census data

⁶ 2011 Census data

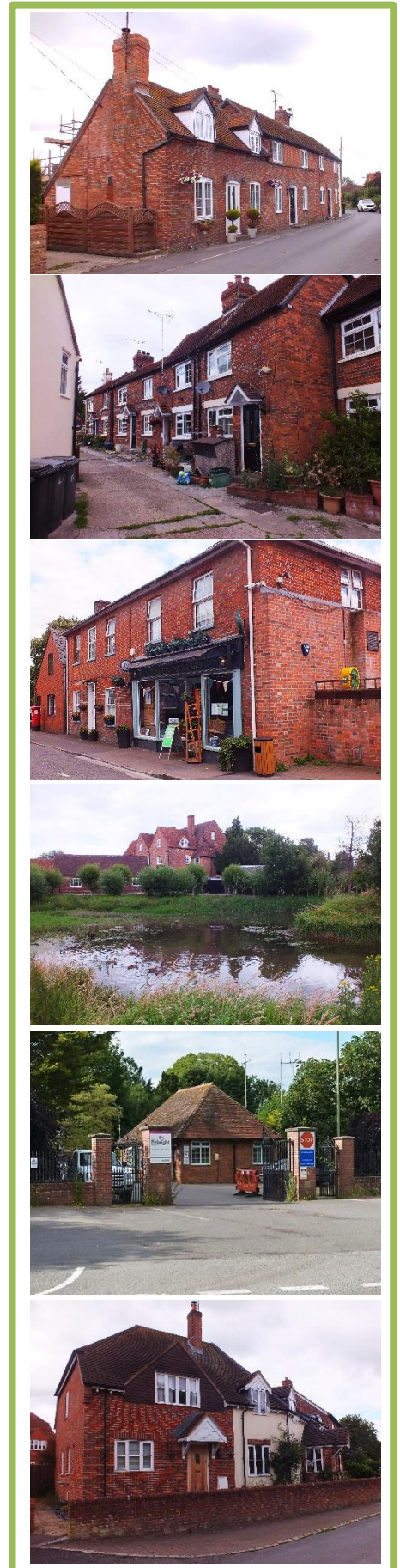
⁷ <https://info.westberks.gov.uk/helaa>

Farm and Barn closer to the village. Most of these remain as working farms although some of the buildings are now used for other purposes. For further information on the history of Compton please see the book, *The Story of Compton: A Berkshire Downland Village* by Linnett McMahon & David Mankin (ISBN: 9780953949007).

4.7. Compton Conservation Area (see appendix 2) was designated in 1984 and extends north from the High Street, wrapping around Cheap Street and Horn Street. There are a number of buildings in this historic core of the village that are Grade II Listed (see appendix 2) including The Manor House on the High Street, Compton House and Yew Tree House. There is one Grade II* Listed Building in the Parish, this is the Church of St Mary and St Nicholas to the east of the village. The scheduled monument of Peterborough Castle lies to the south of the Parish.

4.8. As well as the designated assets across Compton, there are also a number of non-designated heritage assets of archaeological interest, that are detailed within the West Berkshire Historic Environment Record⁸ (HER). Archaeological assets provide the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them and so hold a high level of importance in understanding the history of the Parish. Many of the archaeological records identified on the HER relate to large agricultural field systems. Within the village itself there are a significant number of unlisted 18th and 19th century buildings which hold importance evidence of the historical growth of the village, including the Compton CofE Primary School, dating back to the mid-Victorian era.

4.9. **Business and Economy:** Compton has a rich history as a working village, and while farming and racehorse training has always been an important industry for the rural village, there has always been a broad range of substantially sized, international-level companies, particularly science-based, in Compton. In the 1800s, to facilitate the growing use of iron farm machinery, Bakers and Sons Foundry was developed, growing into a substantial business, and employing 90 local villagers producing all manner of goods from horseshoes to farm equipment to street cleaning machines. In the 1920s the company began to experience financial difficulties, eventually leading to its closure after



⁸ https://www.heritagegateway.org.uk/Gateway/Results_Application.aspx?resourceID=1030

the war. Following this, various businesses used the site up until the foundry's demolition, with some of the site used for house building (now White Walls Close). The rest of the site has been repurposed and is now the UK HQ of Baxters Healthcare. In 1937, landowner Alfred Barclay sold the Manor Farm Estate of 1500 acres to the Agricultural Research Council (ARC), which later expanded into a further 500 acres between Compton and Ilsley. Renamed the Institute for Research on Animal Diseases, the organisation had a huge impact on village life, building over 100 houses for staff. Villagers were reported to welcome the employment opportunities. In 1975 there were 350 staff, easily the major employer in the village. After being renamed the Institute for Animal Health, it continued to add and improve its services.

- 4.10. In 1993 Compton produced one of the first breakthroughs in the understanding of BSE. The site's last major addition was the Edward Jenner Institute for Vaccine Research. The facility at Compton was renamed the Pirbright Institute in 2012 and closed down in 2015, with the company's operations moving to the Surrey base at Pirbright.
- 4.11. The influence of the Institute in the village was significant and is still evident today. Many families associated with employment on the Pirbright site have remained in Compton, and the population remains characterised by healthy levels of economic activity and low unemployment. Almost 75% of the population who are aged 16-74 years are in employment, higher than the average in West Berkshire. The majority of those in employment are employed in managerial, professional or technical occupations and travel outside the village to work. Further significant-sized businesses have moved to Compton, most of them with scientific backgrounds, such as Ridgeway Biologicals, Carbosynth, Baxter Healthcare and MSD Animal Health, who are attracted by the facilities in the village and good transport links. Carbosynth, a growing company that has recently merged with another German company, has two locations in the village and is keen to remain here.
- 4.12. **Landscape and Local Environment:** The Parish of Compton is located in the heart of the North Wessex Downs AONB, the third largest AONB in the country which crosses through Wiltshire, Berkshire and Oxfordshire⁹ and as such is surrounded by vast expanses of agricultural land and countryside. The parish sits within the AONB Landscape character area of the Compton Open Downland, described in the West Berkshire Landscape Character Assessment (2019)¹⁰ as being: *"a rolling downland landscape, characterised by flat-topped hills intersected by concealed dry valleys. Fields are large and often without physical division, forming large geometric blocks of arable land. The horse racing industry is a prominent feature of the landscape. The area is comparatively well-settled, with some villages, including East Ilsley and Compton, set within the lower dry valleys. Prehistoric barrows, ancient tracks and medieval villages are visible features within the present landscape.*
- 4.13. Within Compton village itself however, there are a number of existing green spaces (see appendix 3) including:
- Recreation Ground: The recreation ground lies in the middle of the village and provides the main public open space in the village
 - Cricket Ground: located within the Pirbright site

⁹ North Wessex Downs AONB Management Plan 2014-2019
<http://www.northwessexdowns.org.uk/uploads/docs/manplan/North%20Wessex%20Downs%20AONB%20Management%20Plan%202014-19%20for%20WEB.pdf>

¹⁰ <https://info.westberks.gov.uk/CHttpHandler.ashx?id=47980&p=0>

- Downland School and Sports Centre
- Allotments: There are two allotment sites owned by the Parish Council, situated on School Road and at Newbury Lane
- Open green space behind Yew Tree Stables
- Green space at Gordon Crescent.

4.14. Much of Compton Parish has a low risk of flooding from rivers (i.e. in Flood Zone 1), however there is a band of significant flood risk (Flood Zone 3)¹¹ that follows the course of the River Pang and its tributaries (see appendix 4).

4.15. **Biodiversity:** West Berkshire supports a rich and diverse range of biodiversity and geodiversity assets (see appendix 5) which reflect both the underlying geology and soils. There are a number of Local Wildlife Sites in the Parish listed on the Thames Valley Environmental Records Centre list¹². These sites, which are home to a variety of important and rare habitats and species, include:

- Cheseridge Wood
- Compton Wood
- Dismantled Railway Line
- Ridgeway Footpath
- Hawk Croft Copse

4.16. **Transportation and connections:** The village of Compton lies seven miles north of the intersection of two arterial routes, the M4 London and the A34 Midlands to Southampton. It is therefore well connected by road, providing easy access to main urban centres such as Newbury, London, Oxford, Reading and Swindon. This easy access to highway routes and the loss of local employment has contributed to Compton increasingly becoming a commuter village. Bus services, provided by Newbury and District Buses are limited to the Parish, with almost all respondents stating that using a car was the most common way of travelling out of the village. There are weekday and Saturday bus services to and from Newbury, which also go to East and West Ilsley. There are five services each day in both directions operating every other hour and the journey takes approximately 40 minutes. Newbury bound



¹¹ Environment Agency Flood Risk Map

¹² <http://www.tverc.org/cms/sites/tverc/files/West%20Berks%20Living%20List%202019.pdf>

services are timed for shop and office workers, and first thing on weekday mornings they also serve Newbury College. Some mid-day services include Newbury Station.

- 4.17. While public transport is fairly limited, there is an extensive network of public Rights of Way, footpaths and Bridleways within the Parish that are valued by residents and wider users of the AONB network.
- 4.18. **Community Facilities and Education:** The village is active socially, culturally and in sporting terms with many varied groups and organisations. In terms of its Community, Education and Facilities activities, these are as follows:
- 4.19. *Schools:* The village accommodates successful primary and secondary schools. In addition, there is an active and well-supported 24 place pre-school facility at the village hall, however there is no scope to expand and modernise this facility at its existing site – see Compton Pre-School Technical Note. A former 40-place purpose-built nursery at the Pirbright site is currently sitting vacant. The Downs School is one of the principal secondary schools serving West Berkshire. The two schools have an excellent reputation and are often cited as a key reason for growing families moving to or remaining in Compton. Both schools are currently at or very near to capacity, with the primary school serving the village and surrounding area, and the secondary school again serving the village, but with a much broader catchment area almost to Newbury in the south, and Blewbury in the north.
- 4.20. *Community Facilities:* The physical facilities associated with community activities tend to be in different clusters. From east to west these are
- The Church
 - The Recreation Ground, Village Hall and Wilkins Centre
 - The 'High Street' Village Shop, Foinavon Pub, Hairdressers and Surgery
 - The Downs Leisure Complex
 - The Hut used by the Scouts Association and Girlguiding and surrounding land
- 4.21. The Doctors Surgery, part of the Downland Practice Surgery group, is a key element of the fabric of the village. It is directed and managed by an independent group of partners. Part of the NDP's role is to assist alignment of the practice's commercial direction with village needs and requirements. With respect to this, longer surgery hours would be beneficial to residents as at present it is open weekday mornings only. The Surgery management has recently announced that they intend to extend the services at Compton to include additional GP and nursing clinics. Other future upgrades also appear likely. A recent community video made by Compton residents raised 75% of the cost of the initial surgery upgrade.

VISION AND OBJECTIVES

5. DEVELOPING THE PLAN

5.1. The two main strands of evidence supporting the Compton Neighbourhood Plan are:

- The scoping research set out in the accompanying Evidence Report; and
- The wishes of the community as expressed through community engagement.

5.2. The Evidence Report, titled Issues Paper (February 2020) has been developed by the Steering Group to provide a record of the detailed research undertaken since the beginning of the NDP process to:

- Identify issues and problems;
- Take account of other plans, programmes and policies and understand the context they provide to Compton;
- Consider the actions needed to correct the problems; and
- Suggest a vision, objectives and policy responses from the evidence.

5.3. Its preparation was led by the topic areas raised by the residents of Compton, during the very initial consultation, to be of main concern. Working groups within the NDP Steering Group then carried the scoping research forward under five key themes: Population, Housing and Development; Business and Employment; Community, Education and Facilities; Environment and Greenspace; and Roads and Transport. Along with the information collected by the working groups, the Issues Paper also contains a number of key documents that formed a context to the evidence base, including:

- Community Council of Berkshire (CCB) Housing Needs Survey
- Compton Parish Plan (April 2005)
- Compton Village Design Statement (VDS)
- 'Pirbright Site Issues and Policy Objectives Interim Policy Statement' (September 2019) endorsed by Compton Parish Council on 7th October 2019

5.4. The views of local people are the real driver of the plan and the Compton NDP Steering Group, working on behalf of the Parish Council, sought to create a 'Parishioners' Plan - the input of the community who live, work and play in the Parish, as well as the stakeholders consulted throughout, was therefore critical and their comments are a key part of the evidence foundation and progress of the NDP.

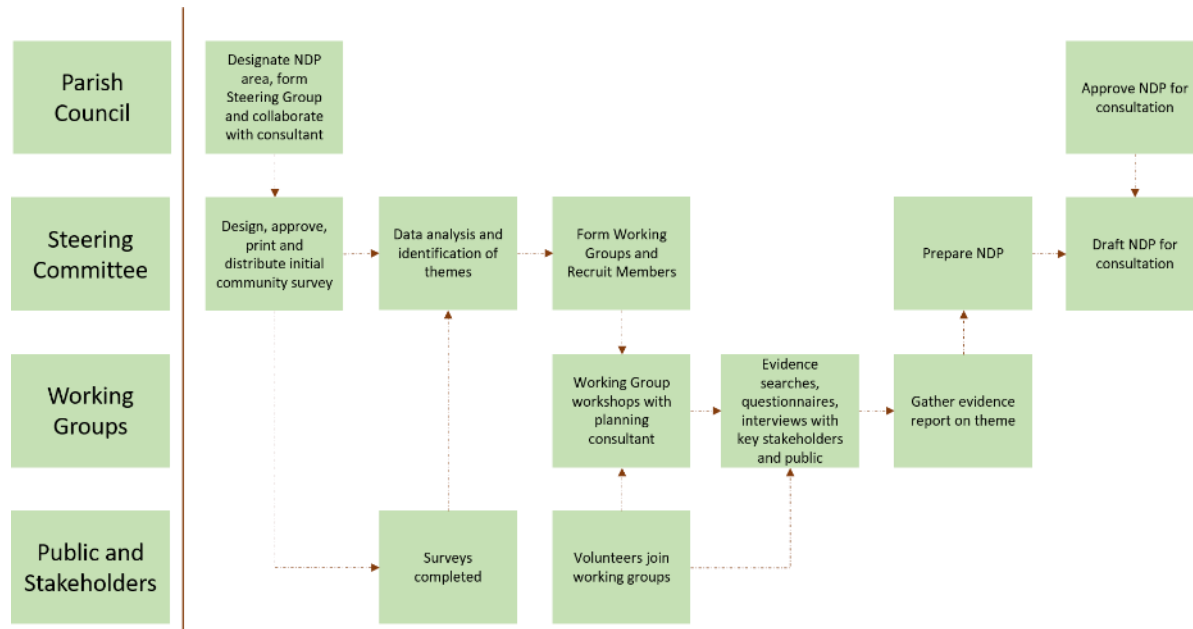
5.5. To do this, a number of consultations were carried out within the Parish. While the scoping research was going on, community engagement sought out the views and wishes of local people. This engagement continued throughout the development of the plan with the Steering Group keen to ensure local residents were kept informed and given opportunities to participate in the process. Examples of the consultation undertaken include:

- NDP Steering Group workshops and meetings, including with West Berkshire Council, Historic England and other consultant groups;
- NDP Steering Group meetings with local stakeholders including landowners and local housing associations
- Major initial, professionally-led survey and in-depth analysis;
- Continued smaller-level surveys and consultation with community and business leaders undertaken by the working groups;
- Regular updates in Compton's Compilations magazine;
- Village leaflet drops to all homes in Compton at critical points in the consultation process; and
- Attendance at village Fetes, Open Days and Pub meetings.

5.6. The main outcomes of the community engagement included the following:

- The identification of a range of initial aspirations;
- The subsequent identification of the primary objective for the NDP; and
- Confirmation of support for a set of policies and proposals that were being considered for inclusion in the NDP.

5.7. Figure 3 below, highlights the main strategy used in the preparation of the NDP. Further detail on the consultation and engagement that took place through the development of the plans, and the results of these various exercises, are gathered together in the Consultation Statement.



5.8. The overall approach has been that both evidence and community wishes should align or at least have good overlap, before draft policy is created. It was also felt wise to create the Vision and Objectives first and then let policy be checked against and conform with those, since the policies are intended to bring about both Vision and Objectives.

- 5.9. The designated neighbourhood area includes the HSA DPD Policy HSA23 allocation at the former Pirbright Institute. The Planning Practice Guidance¹³ confirms neighbourhood plans should not re-allocate sites that are already allocated through these strategic plans. However, the HSADPD Inspector was very clear that any change in circumstances at the site could be assessed and considered as part of the NDP process.
- 5.10. Based on the NDP evidence-base collected to date and consultation with the community, it has established that the following key issues relating to the site have not been adequately addressed within HSA DPD Policy HSA23 and the SPD – as summarised by the Pirbright Site Issues and Policy Objectives Interim Policy Statement (September 2019). Consequently, the NDP Steering Group considers that there is justification for the NDP to add further detail and interpretation on the HSA23 allocation through the creation of planning policies for the site in the NDP in respect of the following matters:
- The number of dwellings and the density of development;
 - The type of employment floorspace / land that should be delivered;
 - How an appropriate range of homes can be delivered, including to meet demonstrable local needs;
 - How construction at an appropriate density and typology of housing can assist with the transition to the open countryside to the north;
 - Which existing buildings and facilities should be retained and enhanced on the Site to achieve a healthy and inclusive community;
 - The high value of green space at the Site, including whether the Local Green Space Designation is appropriate;
 - The need to deliver a sustainable and well-designed place with community involvement at the heart of the design process.

¹³ ID: 41-044-20190509

6. NDP VISION

- 6.1. The NDP develops a shared vision for Compton to shape the development and growth of the local area. The NDP is aligned with the strategic needs and priorities of the wider local area covering a period up to 2037, consistent with the Local Plan Review. The NDP will include planning policies for development and use of land in the designated Neighbourhood Area, which includes the HSA DPD policy HSA23 allocation site.
- 6.2. Community comments and factual research should be regarded as the twin foundations of the policies in the Compton NDP. These two evidence bases were therefore considered together and used to generate the following vision and objective for the NDP.

The Vision Statement

“2037 Compton will have enabled self-sustaining development in a way that retains the rural character and beauty of the village, allowing people to live, work and play in the village for the whole of their lives.

Development will have been managed to deliver the necessary housing, facilities, and employment opportunities, providing for a diverse population, that is limited to a scale appropriate for a service village within the existing settlement. This will maintain the rural character of the village in the wider landscape control of the North Wessex Downs AONB.

The Parish will have responded to the Climate Emergency declared by West Berkshire, providing for long-term sustainability and significant adaptation to low carbon lifestyles.”

7. NDP OBJECTIVES

- 7.1. The vision was then incorporated into a set of objectives for the NDP, outlining what the Plan is aiming to achieve through its overall strategy and policies.

NDP Objectives

- 1.** To ensure the village remains small and well contained within its downland valley setting, retaining its feeling of remoteness and the special visual qualities of the AONB in which it sits.
- 2.** To support future development at a limited scale within the existing settlement, that will ensure Parish sustainability and a thriving community and business opportunities.
- 3.** To support West Berkshire's declaration of a Climate Emergency and ensure that all development in the Parish is built to be carbon neutral, mitigating and adapting to the effects of climate change, through use of low carbon building materials, energy efficient design, renewable energy generation, and low carbon transport measures.
- 4.** To ensure that existing employment space within the Parish is retained and to encourage provision of new employment space, in particular for the scientific and technological sectors.
- 5.** To enhance the lifestyle of the community by ensuring that the Parish of Compton is well supported with sports, social and educational facilities, providing for all age groups and addressing short-term key priorities of the Parish.
- 6.** To protect and enhance existing amenities and open space including the Rights of Way network that are valued for recreational and aesthetic value, allowing continued benefits to the physical and mental wellbeing and long-term sustainability of the community.
- 7.** To ensure the conservation and enhancement of the village's historic environment, including the Compton Conservation Area, through securing high quality, locally relevant design in all new development.
- 8.** To create integrated and safe green spaces in new developments that are linked to the existing green infrastructure network and wider AONB and to ensure conservation of key habitats with biodiversity net-gain across the Parish.
- 9.** To tackle transport problems, including parking, vehicle speed, public transport and necessary improvements to footpaths and pavements. To ensure that new development within the village does not worsen transport sustainability within the Parish.
- 10.** To encourage the comprehensive development of the Pirbright Site Allocation HSA DPD Policy HSA23, to deliver an appropriate residential-led scheme with employment floorspace, community facilities and green infrastructure, that integrates with the village and addresses the resultant infrastructure challenges that will be faced by the community.

PLANNING POLICIES

8. INTRODUCTION

- 8.1 The previous chapter laid out the key priorities as expressed by the Parish. These priorities were captured and formed the substance of the community Vision and Objectives.
- 8.2 This chapter now sets out the direction and action that the village will adopt to achieve those objectives. It includes the formal land-use policies of the Compton NDP, which together with the Core Strategy and NPPF will help manage development in the area until 2037. There are a total of 23 policies – C1 to C23 – the ‘C’ referring to Compton. These policies have been pulled together into a number of key themes as listed below, which reflect the community’s main concerns as documented in the Consultation Statement and Evidence Report:
- Key Policies
 - Housing and Development
 - Business and Employment
 - Community, Education, Facilities and Wellbeing
 - Local Environment
 - Roads and Transport
- 8.3 Within each policy the NDP has sought to explain what it will achieve, what is the evidence for support and what now needs to be done. It should be noted that some objectives cannot be translated into planning policies and so a series of community actions have also been identified, which represent a more immediate set of aspirations for the community.

KEY POLICIES

9. SPATIAL STRATEGY

Local Context

- 9.1. Although this Neighbourhood Plan covers the whole of the Compton Parish, many of the core issues and aspects relate specifically to the village of Compton itself and how it can best, and sustainably, evolve to meet the needs of the Parish.
- 9.2. The vision for the Parish of Compton focuses on the “feel” of the village and maintaining the strong rural community spirit that exists. Local residents and stakeholders are keen to avoid losing the character of the village in the face of growth.
- 9.3. The allocation of the Pirbright Site in the West Berkshire HSADPD is a major development in the AONB and is set to provide a residential-led development *“with the provision of approximately 140 dwellings, delivering an appropriate mix of dwelling sizes and types which conserve and enhance the character of Compton. An element of employment floorspace will be replaced within the site.”*

- 9.4. It is anticipated that this number of dwellings will represent a considerable change in the size and balance of Compton, introducing approximately 360 additional inhabitants and a population increase of around 20%, all with employment, leisure, amenity and vehicular needs.
- 9.5. It is recognised in the development plan that development of the site “*could potentially provide a greater level of growth than that normally expected in a service village, which will have implications for the distribution of development*” however at the point of adopting the CS, clarity on delivery and appropriate scale was not known.
- 9.6. Compton Parish Council commissioned the Community Council of Berkshire (CCB) to provide a ‘Report on Housing Need Compton’ in November 2016. It recognised there is significant aspiration for home ownership in Compton. The report recommended the development of a rural exception site to meet the affordable housing needs of local people, comprised of 12 homes with a mixture of 1, 2 and 3-bedroom properties, including both Shared Ownership and Affordable Rent tenures. As this number of homes can be accommodated within the allocated site at Pirbright, there is consequently no requirement for the NDP to allocate further land within the Parish for housing. However, this should not preclude other brownfield nor infill site applications within the settlement boundaries coming forward in the future.
- 9.7. In addition to the provision of housing, the allocated Pirbright Site also contains significant community and green space which play an important role for the neighbourhood and the residents, therefore, wish for this to be retained during the redevelopment.

C1: Development Strategy for the Parish

Proposals for infill development in the built-up area of Compton, outside of the HSA DPD Policy HSA23 Allocation, will be supported if they are within the settlement boundary defined by West Berkshire Core Strategy (see map below) and where such development:

- i. is of a scale and form in keeping with surrounding properties;**
- ii. respects residential amenity and provide suitable access;**
- iii. conserves and, where appropriate, enhances heritage assets and their settings;**
- iv. can be properly serviced and supplied with essential services such as water and drainage;**
- v. delivers a measurable net gain in biodiversity; and**
- vi. complies with the other policies within the development plan.**

Development should not be permitted in the open countryside unless it is for development permitted by the exceptions within national guidance.

Objectives Supported: 1...2...7

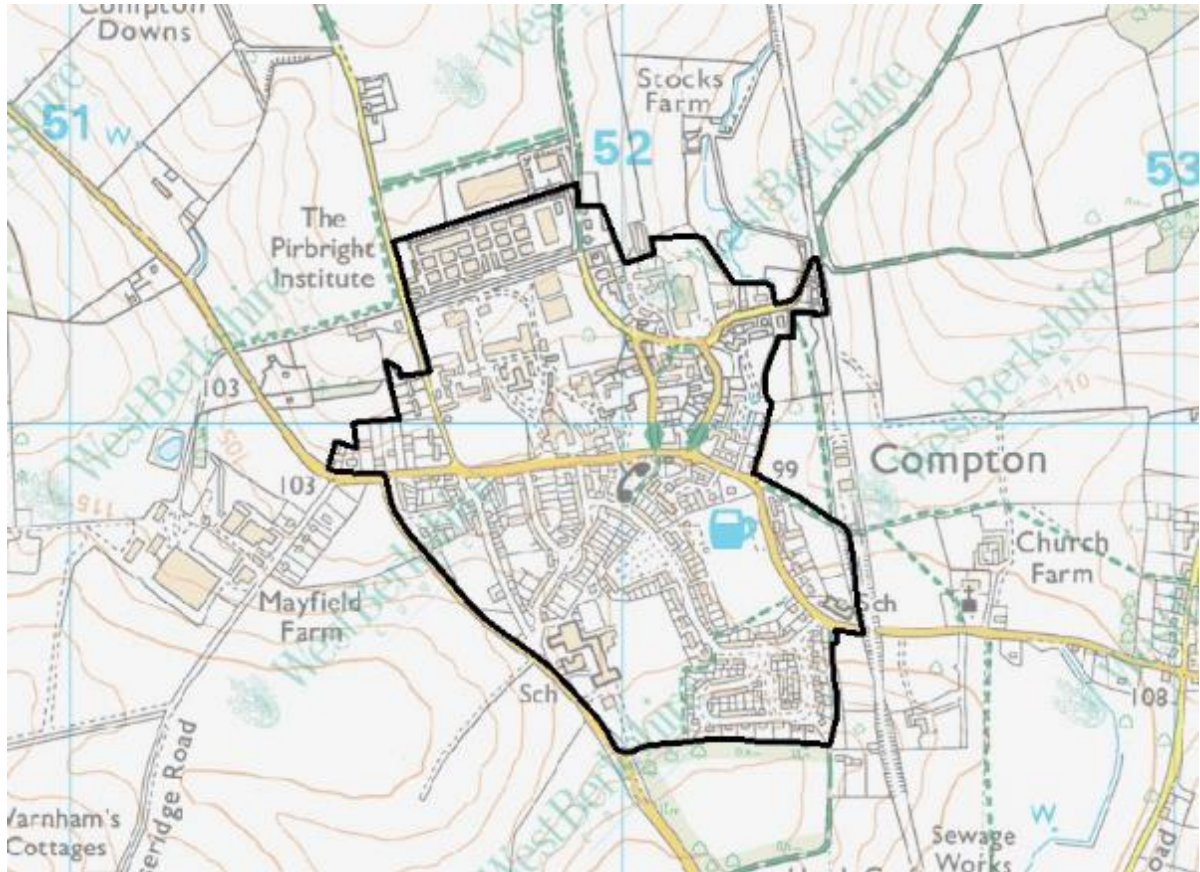


FIGURE 3: MAP OF COMPTON'S SETTLEMENT BOUNDARY (WEST BERKSHIRE LOCAL POLICY MAP 2015)

Justification of C1

- 9.8. The village of Compton is noted for its pattern of generous open spaces within the settlement, many of which are linked visually or physically and lead the eye into the surrounding countryside. The village also has a distinctive settlement pattern. The two settlements of Compton and East Compton, divided by the old railway line, have distinct rural characters that should be maintained.
- 9.9. Policy C1 seeks to ensure that this settlement pattern is maintained and reinforces the existing Spatial Strategy (ADPP1) within the West Berkshire Core Strategy. The policy is consistent with Policy CS1 (Delivering New Homes and Retaining the Housing Stock) of the Core Strategy which states that most development should take place on suitable, previously developed land within settlement boundaries or on other suitable land within settlement boundaries unless otherwise allocated.
- 9.10. Residential amenity is generally used to refer to the positive elements of an area that contribute to a resident's overall enjoyment and living conditions of a dwelling, for example, open land, key views, and interrelationship between built form. There are multiple potential effects of a development that can impact on the enjoyment of residents, including noise, daylight, outlook and visual amenity, all of which can impact on the way in which people use their homes. This policy therefore incorporates the social role of sustainable development to ensure well designed and healthy communities. In order to assess a development's impact on

the residential amenity of surrounding residents some key considerations are listed below. The West Berkshire Quality Design SPD¹⁴ also highlights and expands on a number of key amenity elements.

- Privacy: *How would the development proposals affect privacy levels?*
- Overbearing effects: *Would the scale of development and its proximity to other buildings result in an oppressive environment?*
- Natural light and outlook: *Would the development provide existing or proposed properties with sufficient outlook and natural lighting levels thereby avoiding significant overshadowing and enclosure?*
- Environmental effects: *Would the development cause or be exposed to any other environmental effects?*

C2: Development Strategy for the Pirbright Site Allocation HSA DPD Policy HSA23

The redevelopment of the Institute for a residential-led mixed-use scheme will be supported in accordance with HSA DPD Policy HSA23 provided that the quantum of residential development remains for approximately 140 dwellings in Areas B and C, with no development in Area A, shown in Figure 4 below. Any greater number of dwellings demonstrates it will not harm the character of the village and the community and, in relation to conserving and enhancing the landscape and scenic beauty in the AONB includes an assessment of:

- i. the need for the additional development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- ii. the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- iii. any detrimental effect on the environment, the landscape, health and safety of villagers, recreational opportunities, and local infrastructure, services and facilities, and the extent to which that could be moderated.

Objectives Supported: 1...2...5...7...9

¹⁴ <https://info.westberks.gov.uk/article/28786>



FIGURE 4: MAP OF Development Areas for the Pirbright Site Allocation HSA DPD Policy HSA23

Justification of C2

- 9.11. HSA DPD Policy HSA23(i) confirms the development of the former Pirbright Site will be residential-led with the provision of approximately 140 dwellings within Areas B and C. The examining Inspector confirmed this quantum was both viable and sound, including in the context of major development in the AONB where the development “*is in the public interest.*” This number of 140 dwellings will represent a considerable change in the size and balance of Compton by introducing an anticipated 364 additional inhabitants¹⁵ (a population increase of approximately 20%), impacting all aspects of the village community, infrastructure and facilities.
- 9.12. The term ‘approximately’ is not defined; however, it is also clear from the examining Inspector that a significant number of new dwellings in a relatively small settlement could have detrimental consequences. Not only on the AONB where planning permission should be refused for major development other than in exceptional circumstances and the character of the village but also on the community itself which consists of a dwelling stock of 639 dwellings. The proposed addition of 140 dwellings to this present stock represents a 22% increase. The developable area of the site within Areas B and C is based upon that within the adopted SPD which has been influenced by the location within the AONB and impact upon the landscape. In accordance with Core Strategy policy ADPP5, West Berkshire Council’s paramount consideration for the site is that development does not cause harm to the natural beauty and special qualities of the AONB. To calculate the indicative number of dwellings for the site, a

¹⁵ Based on the 2011 census data of 2.6 persons per household in the Parish of Compton (<https://www.nomisweb.co.uk/reports/localarea?compare=E04001164>)

standard density for the AONB was used (20 dwellings per hectare). Therefore, a density of 20 dwellings per hectare was applied to an area of seven hectares¹⁶. The HSA DPD glossary outlines that the approximate dwelling figures are given to allow for some flexibility at the detailed design stage

- 9.13. In consultations Compton residents have consistently expressed their strong opposition to proposals to construct far in-excess of 140 dwellings. Current proposals¹⁷ for ‘*up to 250 residential units*’ within Areas A, B and C would equate to a 79% increase above the size of the allocation and a 39% increase in the stock of dwellings at Compton; as well as extending residential development into the landscape sensitive Area A – which would not be in accordance with Policy HSA23.
- 9.14. The Pirbright Site requires complex buildings and groundworks remediation before the land is suitable for residential and other occupation, and to protect the health and safety of residents. This particularly applies to residual biological and radiological materials and water table issues as cited in the Homes England Remediation and Earthworks Strategy Report. The NDP supports the redevelopment of this brownfield site to avoid the risk of leaving a derelict site for an extended period. However, redevelopment must ensure that such remediation is conducted in line with best practice, taking into account all relevant legislation and regulatory bodies, thus ensuring that the land is completely decontaminated to legislative requirements before and during current building demolition and any new building works. Homes England’s remit is to unlock land where the market will not, by funding on-site infrastructure and land remediation on small sites through their Home Building Fund. This provides a strong basis for Homes England to secure the remediation and preparation of this challenging site for development in accordance with Policy HSA23.
- 9.15. Question 12 of the 2018 NDP Survey asked how many houses (in addition to 140 homes at the Institute) could sustainably be built within Compton Parish over the next 15 years. A total of 191 of the 414 returns (the vast majority) stated 1-25 homes and 61 of 414 stated 26-50 homes. These aspirations would result in an increase in housing stock of between 3.2% and 6.4% of the dwelling stock. These responses must be considered in context with questions 13 and 14 that offered the greatest support (72%) for smaller developments (nine dwellings or fewer) with a priority towards infilling or re-use of brownfield sites within the built-up area. The Institute is a brownfield site, however it should not be assumed that the whole of the curtilage should be developed, as confirmed by HSA DPD Policy HSA23 of the SPD, whereby a proportion of the theoretical additional 25 homes could be located within Areas B and C – thereby removing pressure on greenfield sites elsewhere. An open meeting held by the NDP Steering Group in February 2020 and its associated questionnaire has confirmed that, in general, resident sentiment has not changed and is similar to that of the original survey in 2018.

¹⁶ See West Berkshire Housing Site Allocations DPD Examination Document PS/04/05/33 ‘Summarise density work carried out for Pirbright Institute’

¹⁷ 20/01336/OUTMAJ for ‘Hybrid planning application seeking: 1) Outline planning permission (all matters reserved with the exception of access), for development comprising of up to 250 residential units (Class C3), the provision of landscaping, construction of access and street lighting, car and cycle parking, other associated infrastructure, sustainable drainage systems, engineering works and mitigation measures including the construction of internal roads. The proposal includes at least 1.1 hectares of employment land (Class B1) associated with the retention of the Intervet building and a playing field (Class D2) associated with the retention of the existing Cricket Pitch. 2) Full planning permission for the demolition of existing buildings, structures and hardstanding along with preparatory works including earthworks, remediation, utility works and associated mitigation measures. The change of use of land including the creation of public open space and wildlife area.’

9.16. HSA DPD Policy HSA23(iv) requires the overall density of the site to reflect the character of Compton (which has a range of densities between 11 and 21 dwellings per hectare¹⁸) with a distinction between different developable areas to reflect the built form pattern on the northern edge of the village and prevent an adverse impact on the AONB. The overall developable area (excluding Area A, landscape buffers and land within fluvial Flood Zones 2 and 3 below 103m AOD) is estimated to extend to approximately seven hectares equating to an overall density of around 20 dwellings per hectare based on 140 dwellings, which is already towards the higher end of the density ranges in the village. In preventing any adverse impact on the AONB and considering an increase in dwellings above 140 and therefore density, paragraph 172 of the NPPF states that *“Great weight should be given to conserving and enhancing landscape and scenic beauty in... Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.”* It goes on to state that *“the scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development unless exceptional circumstances exist”* which are then defined in national policy and reflected under Policy C2 which clearly sets out the basis for encouraging the appropriate redevelopment of this important brownfield site at Compton.

10. CLIMATE CHANGE

The Climate Issue

- 10.1. Human activities are estimated to have caused approximately 1.0°C of global warming above preindustrial levels and it is predicted that on the current trajectory, warming will likely increase to 1.5° above pre-industrial levels between 2030 and 2052¹⁹.
- 10.2. The UK Met Office predicts²⁰ that in a business-as-usual (high emission) scenario, Britain could experience summers as much as 5°C hotter by 2070, with a 50% chance that by 2050 they will be as consistently hot as 2018; the joint hottest on record together with 2006, 2003 and 1976²¹.
- 10.3. In West Berkshire, the impacts of climate change have become clear with more prevalent events of notable flooding impacting thousands of residents and homes, as well as an increasing trend of warmer and drier conditions.
- 10.4. The Committee on Climate Change²² has warned that energy use in homes accounts for about 14% of UK greenhouse gas emissions. These emissions need to fall by at least 24% by 2030 from 1990 levels if the UK is to meet targets for emissions reduction. The Committee states that *“the technology exists to deliver homes that are low-carbon, energy efficient and climate-resilient, with safe air quality and moisture levels. The costs are not prohibitive, and getting design right from the outset is vastly cheaper and more feasible than having to retrofit later.”*

¹⁸ See West Berkshire Housing Site Allocations DPD Examination Document PS/04/05/33 ‘Summarise density work carried out for Pirbright Institute’

¹⁹ Intergovernmental Panel on Climate Change. Global Warming of 1.5°C: Summary for Policy Makers, <https://www.ipcc.ch/sr15/chapter/spm>

²⁰ Met Office. UK Climate Projections 2018, www.metoffice.gov.uk/news/releases/2018/ukcp18-launch-pr

²¹ Met Office (August 2018). Was summer 2018 the hottest on record? www.metoffice.gov.uk/news/releases/2018/end-of-summerstats

²² Committee on Climate Change (Feb 2019). UK housing: Fit for the future? www.theccc.org.uk/wp-content/uploads/2019/02/UKhousing-Fit-for-the-future-CCC-2019.pdf

Local Context

- 10.5. The National Planning Policy Framework (NPPF) states “Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures, in line with the objectives and provisions of the Climate Change Act 2008” (Para 149 and footnote 48).
- 10.6. West Berkshire Council declared a Climate Emergency in July 2019 and has committed to taking bold climate action to work towards carbon neutrality across the district by 2030.
- 10.7. The Council has published an Environment Strategy 2020-2030 outlining the Strategic Objectives of the district. This includes reaching carbon neutrality by 2030; promoting responsible economic growth; healthy communities; climate change resilience; and sustainable transport.
- 10.8. The NDP seeks to support this vision by ensuring future development strongly focuses on sustainability.

C3: Provision of well-designed energy efficient buildings and places

The design and standard of all new development must aim to meet a high level of sustainable design and construction and be optimised for energy efficiency, targeting zero carbon emissions. All residential and commercial development, including conversions and change of use, must:

- i. Achieve at least 19% improvement on the carbon emissions target set by Building Regulations (Part L);**
- ii. Be sited and orientated to optimise passive solar gain and where appropriate the installation of visually attractive renewable energy (solar) measures will be encouraged;**
- iii. Use high quality, thermally efficient building material;**
- iv. Include the installation of energy efficiency measures such as loft and wall insulation and double glazing; and**
- v. Alterations to existing buildings must be designed with energy reduction in mind and comply with sustainable design and construction standards.**

The installation of any energy efficient measures must also comply with other policies of the development plan including design and residential amenity guidelines.

Objectives Supported: 3

Justification of C3

- 10.9. The purpose of this policy is to ensure that development delivers secure low carbon growth, increases future energy resilience and delivers on the Climate Emergency declared by West Berkshire Council.

- 10.10. Part L of the Building Regulations sets efficiency standards for new dwellings by requiring minimum performance level measures through energy and carbon dioxide. The energy performance standard for a 19% improvement on carbon emission targets has been set to match National Planning Guidance for local authorities that states that standards can be set above building regulation up to the equivalent of Level 4 of the Code for Sustainable Homes.
- 10.11. The Government is currently working on implementing The Future Homes Standard and at the start of 2020, consulted on two options for updating the Part L standards which would see either a 20% (option 1) or 30% (option 2) uplift on current standards of energy performance, meaning not only an improvement on energy efficiency but also higher specification for home builders and suppliers, future proofing new homes for low carbon heating systems. These new standards will be introduced by 2025, and the NDP seeks to accord to any changes made.
- 10.12. The emerging West Berkshire draft LPR includes a policy on climate change in support of the Borough's target for carbon neutrality by 2030. Upon adoption of the LPR, the NDP will be reviewed to ensure Policy C3 remains in general conformity with the Development Plan.

C4: District Heating

Major new development, of 10 dwellings or more or on a site of over 0.5ha, including the HAS DPD allocation HSA23 at the Pirbright Site, will be actively encouraged to incorporate the infrastructure required for a local district heating network in line with the following hierarchy:

- i Where there is an existing heat network, new developments will be expected to connect to it; and**
- ii Where there is no existing network, new developments will be expected to deliver an onsite heat network, unless demonstrated that this would render the development unviable.**

Objectives Supported: 3...9

Justification of C4

- 10.13. Heating and hot water make up around 40% of our energy consumption and 20% of greenhouse gas (GHG) emissions in the UK, for which gas has become the predominant source with 85% of UK households using natural gas for heating²³. However, Compton is not connected to the gas network and so most of the houses within the Parish run on oil heating. This has significantly higher carbon emissions than gas and so the development of a local district heat network provides opportunities to reduce carbon output and increase sustainability of the Parish.
- 10.14. District heating can be achieved by many different means and common low carbon heat sources include waste heat, large-scale water heat pumps, and potentially hydrogen. While district heating will not be suitable for all new development due to the requirement for a high

²³ West Berkshire Council Environment Strategy Supporting Information 2020 -2030

density for economic viability²⁴, the proposed development at Pirbright is of a scale sufficient enough to allow the opportunity to decarbonise the site.

- 10.15. The submission of technical evidence supporting the application would be required to demonstrate the proposal of district heating is technically possible and economically feasible within Compton.
- 10.16. For the purposes of applying Policy C4 'major development' is as defined at Annex 2 Glossary of the NPPF²⁵.

²⁴ Committee on Climate Change (2016) Next Steps for UK Heat Policy

²⁵ For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

HOUSING AND DEVELOPMENT POLICIES

11.HOUSING

- 11.1. It is recognised that Compton will grow in size but it is important that the rate of growth is controlled to ensure that it maintains its rural character in terms of density of houses, commercial units and open spaces and reduces the impact of a development on the village community and its infrastructure.
- 11.2. The following policies, in sections 11 and 12, therefore seek future development to be well designed and capable of blending seamlessly into the existing village.

C5: Housing within the HSA DPD Policy HSA23 Allocation at Pirbright Institute

The size mix and tenure of affordable homes at the site should take into account the recommendations of the CCB Report on Housing Need Compton and other up to date evidence of local need. Priority for affordable homes will be secured for households with a local connection

Objectives Supported: 2...9...

Justification of C5

- 11.3. CS Policy CS4 requires residential development to contribute to the delivery of an appropriate mix of dwelling types and sizes to meet the housing needs of all sectors of the community. The mix on an individual site should have regard to a number of considerations including the character of the area and evidence of need and demand.
- 11.4. CS Policy CS6 requires 30% provision of affordable housing on previously developed land. HSA DPD Policy HSA23(ii) requires a local lettings policy to be explored for the site to allow a percentage of the affordable housing provision to be reserved for people with local needs. It is understood that there can be no other priority given on HE grant-funded schemes other than those serving in the MOD unless the Section 106 Legal Agreement states otherwise and is dated prior to January 2017. All others must be allocated on a first come, first served basis. With non-grant funded schemes this rule does not apply. Consequently, it may be that local lettings may not be feasible for shared ownership / equity tenures.
- 11.5. The NDP vision is to provide a range of owned and rented housing of different types, in a sustainable mixed setting of energy efficient quality homes, recreational facilities, green spaces and work places, to suit and be affordable to each demographic, as defined by age and circumstances, and sympathetically designed to integrate with and protect the rural character of the village.
- 11.6. Compton Parish Council commissioned CCB to provide a 'Report on Housing Need Compton' in November 2016 (an appendix within the Issues Paper). It recognised there is significant aspiration for home ownership in Compton. Some of that will be met within any new

development at the Institute. It can be assumed that general development at the Institute will include mixed ownership tenures that will provide opportunities for Shared Ownership as well as outright purchase and may also include Right to Buy or even Starter Homes.

- 11.7. The Report recommended the development of a rural exception site to meet the affordable housing needs of local people. A site of 12 homes comprising a mixture of 1, 2- and 3-bedroom properties, including both Shared Ownership and Affordable Rent tenures is advised. Such units should come forward on-site as part of the redevelopment of the site in order to bring forward a range of homes to meet needs at the earliest opportunity. Delivery at the site could reduce the need to bring forward an exception site on greenfield land

C6: Hostel retention at the HSA DPD Policy HSA23 Allocation at Pirbright Institute

The redevelopment of the Site should include the retention and refurbishment of the Hostel complex (as identified on the map below) to deliver a range of one and two-bedroom homes, unless the viability and deliverability of the scheme would be significantly threatened.

Objectives Supported: 5...9

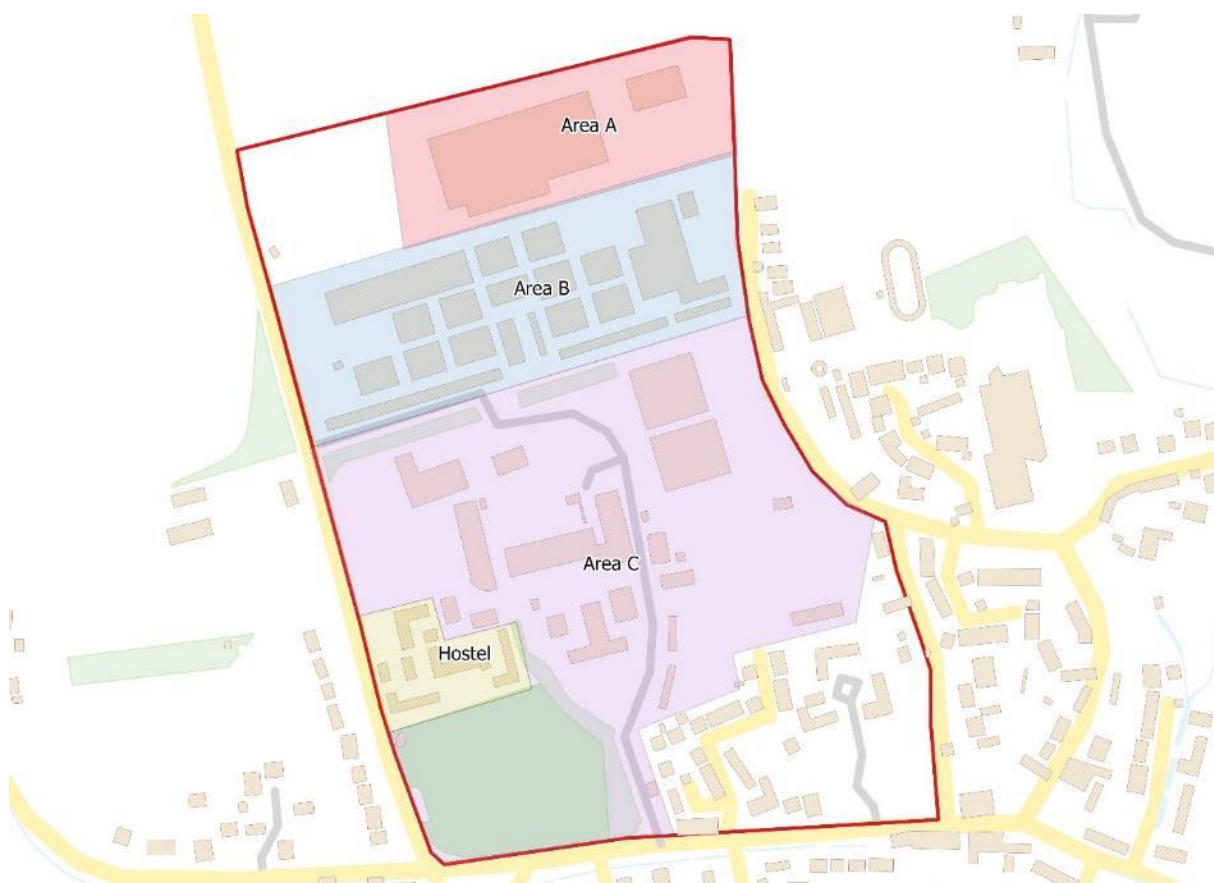


FIGURE 5: MAP OF HSA DPD POLICY HSA23 ALLOCATION INCLUDING LOCATION OF HOSTEL

Justification of C6

- 11.8. Paragraph 118 of the NPPF recognises the need to promote and support the development of under-utilised land and buildings especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively. In this case, Compton is located within the AONB and as a significant brownfield resource within the built-up area, all opportunities to effectively re-use existing buildings should be utilised to optimise its potential.
- 11.9. There is a range of existing buildings at the site. The Hostel complex, included within the site boundaries, was previously used as accommodation for students attending the Institute. It is believed to consist of at least twelve 1- or 2-bedroom flats/houses, some with shared kitchen and bathroom facilities. Until recently leased to Sovereign Housing to provide accommodation for single persons and young couples. The complex has an attractive external layout with paths and green spaces between blocks, vehicle access to Churn Road, car parking and with some accommodation overlooking the cricket pitch. This building is outside of the development areas within the Pirbright SPD. The retention and refurbishment of this Hostel accommodation should be considered as part of the redevelopment and could provide suitable accommodation to meet a range of housing needs. At the time of this document, a request from the NDP to HE to gain access to the inside of selected buildings has so far been refused.

C7: Development Density at the HSA DPD Policy HSA23 Allocation at Pirbright Institute

The density of the development provides an opportunity for a range of house sizes to meet local needs where a majority of open market homes will be 3 to 5 bedrooms, including the provision of suitable single-storey homes designed to M4(2) Category 2: Accessible and adaptable located to balance the desirability of single storey development close to the northern boundary of the site with that of the convenience of accommodation for older people near to village facilities and services..

Objectives Supported: 2...5...9

Justification of C7

- 11.10. The redevelopment of the Institute site has the potential to make a significant contribution towards meeting the supply demands for open market homes. The CCB Report outlined that a large number of the responses were from people with an aspiration to home ownership or people who own homes who aspire to larger homes. The Planning Practice Guidance confirms that affordable housing need includes those that cannot afford their own homes, either to rent or to own, where that is their aspiration. More recently, the NDP Survey found that only 47% of respondents said that their current home would meet their needs for the rest of their life. It established the four most required property sizes in the future to be 3-4-bedroom houses (22%), 2-3-bedroom houses (14%), bungalows (14%) and 5+ bedroom houses (13%). These top four categories covered a range of dwelling types, including retirement and disabled

housing, to maximise opportunities for residents to stay within the village through all stages of their lives.

- 11.11. The density of the HSA DPD Policy HSA23 allocation makes it possible to deliver a range of homes, including 3 to 5-bedroom homes in larger plots, thereby meeting housing needs and reflecting the character of Compton and assisting with the progression to a lower density on the northern edge of the development. The inclusion of a range of single-storey accommodation (i.e. bungalows) within Area B would help to achieve this transition to the restored landscape within Area A to the north. The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing (currently 14.6% over 65 years). Accessible and adaptable housing enables people to live more independently, while also saving on health and social costs in the future. It is better to build accessible housing from the outset rather than have to make adaptations at a later stage – both in terms of cost and with regard to people being able to remain safe and independent in their homes. A percentage of accessible and adaptable housing, designed to M4(2) Category 2, at the site will contribute towards providing housing for older people that provides safe and convenient approach routes into and out of the home and outside areas, suitable circulation space and suitable bathroom and kitchens within the home.

12. DESIGN

- 12.1. The NPPF confirms the creation of high-quality buildings and places is fundamental to the planning and development process. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible as to what is likely to be acceptable. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development. The NPPF also confirms that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 12.2. To support the achievement of good design, the Government has published²⁶ detailed guidance on the key of design in its National Design Guide in which it sets out the characteristics of well-designed places and demonstrates what good design means in practice. This will be taken into account in the master-planning and design of the development alongside any Local Design Guide for West Berkshire and update to the Compton Village Design Statement.

²⁶ <https://www.gov.uk/guidance/design>

C8: Design

All development, including conversions, extensions and new build, will be expected to have high standards of design, to assist in the creation of beautiful and distinctive places, and to reflect the guidance in the Compton Village Design Statement (and any subsequent updates made by the Parish Council) and comply to the parameters set out in table 1 below.

All development should incorporate the principles of the Governments National Design Guide (2019) and the National Model Design Code.

Objectives Supported: 2...3

TABLE 1: DESIGN PARAMETERS

1.	Retain or enhance the historic mix and interesting character of the village. Where possible, further housing development must be in small groups;
2.	Conserve important and open views out into the countryside from the village. Where these views are part of the setting of designated heritage asset, any potential development impact should seek to assess the contribution the view make on the asset's significance and how any impact has been avoided or minimised;
3.	New development must be proportionate in height to the existing surrounding structures;
4.	Leave appropriate space between buildings which play an important role in the conserving the rural character of Compton;
5.	Development should be landscape-led, with important landscape features, such as mature trees and hedgerows, forming an integral part of the development design.
7.	Development should seek to minimise the impact of light pollution to ensure that the intrinsic qualities of the Parish's Dark Skies are conserved and enhanced. If any lighting, including street lighting, private security lighting and house lighting, is found to be necessary, then this must be sensitively designed to reduce light spill and pollution and ensure adverse impacts are avoided. For example, through the use of lantern type fittings and warm, low level output bulbs.
8.	New development should maintain the pleasant visual character of the street scene by avoiding overbearing extensions and inappropriate in-filling which can have a terracing effect;
9.	Corner plots are particularly sensitive. Initial designs should be carefully considered to ensure that the public face of the development makes a positive contribution to the street scene;
10.	Ensure developments, however small, respect neighbouring properties in scale, siting, style and the use of materials. Within a particular design style, groups of buildings should include variations to ensure variety and interest;
11.	Ensure the provision of affordable housing in new development is of a 'pepper-pot' mix;
12.	Boundaries between properties and the highway are an important part of the street scene. The use of 'wrought' iron railings, low hedgerows, brick walls, and 'post and rail' fencing as a means of enclosure is encouraged;
13.	Although parking provision will vary with the type of new development proposed, for that which is set back from the footway, sufficient provision of off-road parking within the curtilage of the dwelling would be welcomed;

14.	Ensure all entrance driveways are designed for safe road access;
15.	Ensure vehicular and pedestrian access to properties are surfaced with appropriate materials, which offer good drainage and reflects the rural character of the village with the use of granite setts, or reconstituted stone products such as ‘conservation kerbs’, rather than standard concrete kerb- stones
16	Ensure development of properties, both within and adjoining the Conservation Area, are sympathetic in scale and design to that area. The selection of local materials (or their modern equivalent), such as soft ‘brindle’ or ‘heather’ brick and wooden doors and window frames, is also important;
17.	On listed buildings, second hand bricks may be a suitable solution. Mortar mixes and joint detailing should also be considered by the developer at the same stage as brick purchase;
18.	The visual impact of ancillary buildings, such as garages and garden buildings, on the immediate area should be carefully considered by developers;
19.	The use of distinctive features such as, colour and style of brickwork, brick & flint detail, dormer windows of the ‘Lady Wantage’ type, simple porches with pitched and tiled roofs and the gabled and semi-hipped type roof shape is encouraged;
20.	The development of commercial units should ensure the size of the group and their design blends in with their surroundings. Roof and wall colour will be particularly important;
21.	It is important that commercial units are naturally screened not only from the village but from the countryside as well;
22.	The size and frequency of all vehicular movement to and from commercial units on feeder roads and minor roads in and through the village must be carefully considered.

Justification of C8

- 12.3. Compton is located in an attractive rural setting. A Conservation Area covers the historic core of the village and contains many statutory Listed Buildings and much of the pre-1900s development which has a distinct quality and character. This character can be seen reflected throughout the rest of the village, with brick detailing, and predominant material choices following that of the traditional dwellings. While the modern Compton presents a variety of house styles in the newer estates, the community seeks to preserve and enhance the historical qualities that make Compton a unique village.
- 12.4. Compton’s location within the North Wessex Downs also places additional design constraints on new development, particularly in relation to the light pollution and protection of the Dark Skies. The Parish of Compton is lucky to benefit from some of the Darkest Skies within the NWD AONB²⁷, which add to the beauty, tranquility and sense of remoteness to a place. Light pollution from new and existing development has the potential to threaten the status of the Dark Skies if not sensitively designed and installed. Development should therefore seek to take all opportunities to reduce light pollution and lighting should only be installed where necessary.
- 12.5. The Revised National Planning Policy Framework paragraph 124 acknowledges that ‘good design is a key aspect of sustainable development, creates better places in which to live and

²⁷ https://www.northwessexdowns.org.uk/uploads/Dark%20Skies/Leaflet_MEDRES.pdf

work and helps make development acceptable to communities. An understanding of the existing built character, and examples of good design, help in providing a design framework for Compton, which has been established since the creation of the Compton Village Design Statement in 2005.

- 12.6. In April 2011, Compton Parish Council approved some updated design guidelines that supersede those in the Village Design Guidelines (pg13) (an appendix in the Issues Paper). These are the key issues that should be considered by developers in order to maintain and enhance the character of Compton. These guidelines are set out above in table 1, have been further updated as part of NDP policy 8.
- 12.7. In October 2019, the Government published its National Design Guidelines which give detailed guidance on achieving a wide range of high-quality design characteristics. These will be an important material consideration in any development proposals going forward.

C9: Design at the HSA DPD Policy HSA23 at the Pirbright Site

The redevelopment of the site will be informed by a design brief or masterplan that has been subject to public consultation undertaken broadly in line with the West Berkshire Statement of Community Involvement. This should be preceded by a design code in consultation with the community and this will be a condition of the outline permission in such circumstances. Those commissioning the project should aim to achieve high quality and sustainable design using the 'Building for a Healthy Life' assessment framework to take an innovative and creative solution for this site. The design framework should identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and supplies.

Objectives Supported: 3...9

Justification of C9

- 12.8. The redevelopment of the Institute is a development of strategic importance within a Service Village in the AONB, where great weight should be given to conserving and enhancing the landscape and scenic beauty. The redevelopment of the site is of greater significance than others in the village owing to its scale, location, and impact on sensitive areas or important assets and it is, therefore, crucial to achieve a well-designed place in the context of all relevant site constraints and opportunities.
- 12.9. In order to create a distinctive place, with a consistent and high-quality standard of design that is consistent with the objectives of the NPPF, the application should be informed by a detailed masterplan leading to a design code being established as a requirement of any Outline Planning Permission to guide the submission of the 'reserved matters'. The Pirbright site, being discreet,

offers an ideal opportunity to build a state-of-the-art development, using the latest eco building materials, energy efficiency measures, emission controls and central power/heat sources that will assist in transitioning to a low-carbon future in a changing climate.

- 12.10. It is expected that any developer would work closely with the community of Compton to develop a design code that successfully meets the objectives of the NDP, with all stages of the design process being subject to meaningful engagement with the local community and relevant stakeholders. West Berkshire Council should have regard to the outcome from these processes, in the exercise of development management functions, including any recommendations made by design review panels. **It is recommended that appropriately qualified and experienced design professionals such as registered architects, urban designers, landscape architects and public artists are engaged at an early stage of the development proposal to ensure all aspects of design are considered.**

BUSINESS AND EMPLOYMENT POLICIES

13. BUSINESS AND EMPLOYMENT

- 13.1. Compton has a rich history as a working village, and while farming and racehorse training has long been an important industry for the rural village, there has always been a broad range of substantially sized, international-level companies, particularly science based, in Compton. This gives the village a unique perspective that should be retained and developed further as a rural employment base while respecting and working with its AONB designation.
- 13.2. West Berkshires Core Strategy seeks to promote the growth of business development within the District's defined Protected Employment Areas (PEAs) and existing District centres (Policy CS9). There are no Protected Employment Areas within the Parish of Compton, but despite this, businesses remain attracted to the Parish because of its rural location and proximity to the Science Vale and strategic transport links. Compton sits just 10km from the Harwell Science and Innovation Campus and 16km from Milton Park, both major science clusters in Oxfordshire. As well as this, the Parish has easy access to the A34 corridor and Reading High-Tech M4 corridor, therefore an attractive location for promoting the start-up of SMEs.

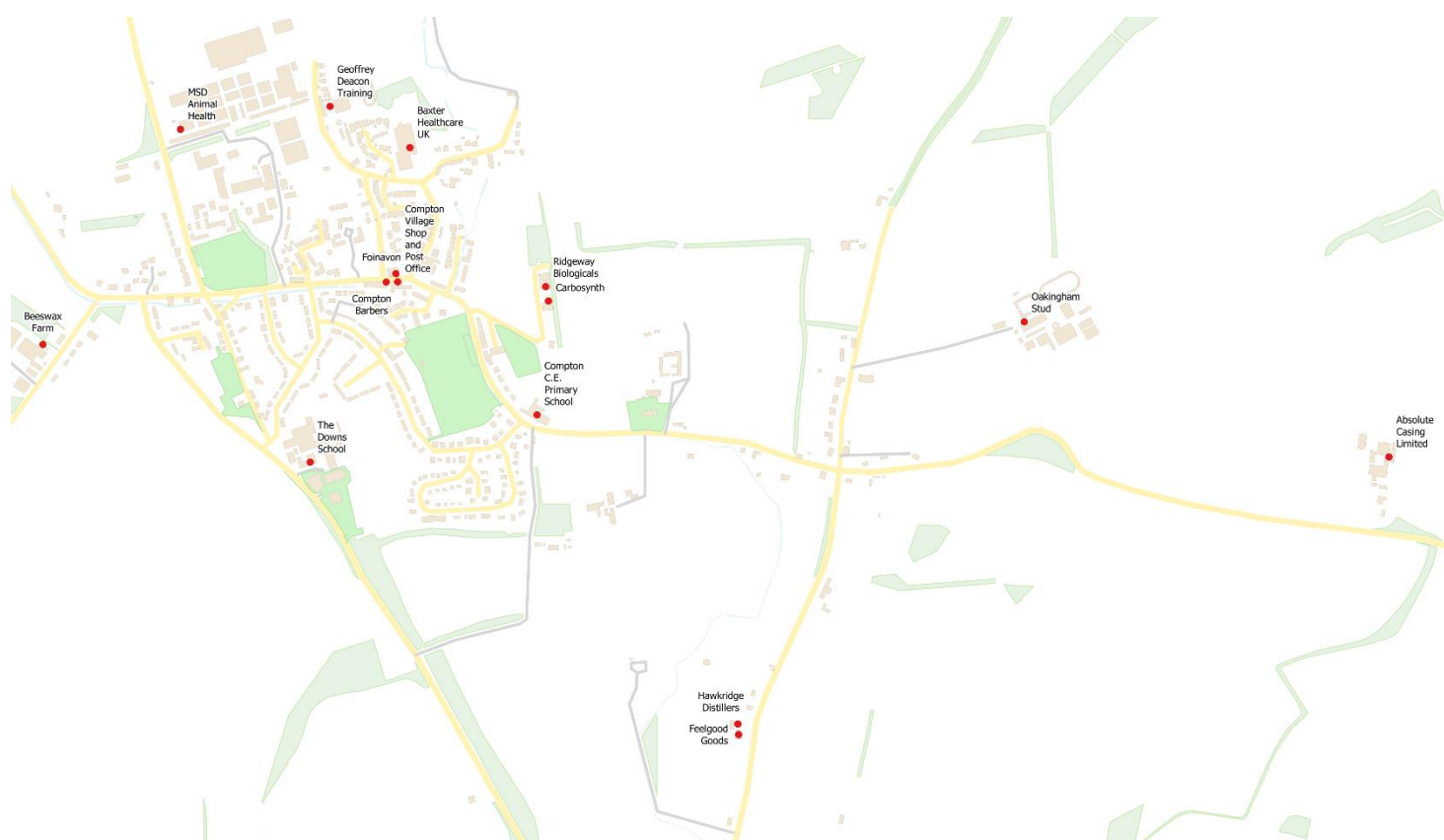


FIGURE 6: MAP SHOWING THE MAJOR EMPLOYMENT SITES WITHIN THE VILLAGE

- 13.3. The principle of maintaining local employment and encouraging successful business is strongly supported by residents of the Parish to ensure the village remains economically sustainable in the long term, supporting a thriving community. The NDP therefore aims to ensure that existing employment spaces within the Parish are retained and provision of new employment space for the scientific and technological sectors is encouraged. The community has identified

a number of key sites that currently provide an important focus for employment activities within the Parish, these are shown on figure 6 above.

- 13.4. West Berkshire Policy CS10 relates to the rural economy, supporting existing small and medium-sized enterprises including appropriate farm diversification, and resisting loss of such enterprises where it will negatively impact on the vitality of the surrounding area. The NDP supports and encourages this view.

C10: Existing employment facilities

Diversification of existing farms and equestrian businesses in the Parish will be supported through the reuse, conversion or adaptation of existing buildings and well-designed new buildings where economic benefits can be demonstrated, and where proposals conserve and enhance the landscape and scenic beauty of the AONB.

Local economic innovation and small-scale expansion of existing employment premises that creates a range of job types and higher added value employment will be encouraged where they:

- i. Adhere to the design policies set out in Policy C2 and C8, and respect surrounding landscape**
- ii. Do not adversely impact the locality and amenities of local residents.**
- iii. Provide car parking and servicing in accordance with West Berkshire policies.**

The redevelopment of existing employment sites for an alternative use will only be permitted when the following criteria are met:

- a) It is demonstrated that every reasonable attempt has been made to secure alternative non-residential employment use (including tourism use);**
- b) Evidence is provided to confirm that the property / land has been marketed for a meaningful period and that there is no interest in its retention for its current use or an alternative employment use;**
- c) The proposal would not result in the requirement for another building to fulfil the function of the building being lost or converted; and**
- d) The proposed use would not result in material harm to the environmental qualities of the site and to the surrounding countryside.**

Objectives Supported: 2...4...5

Justification of C10

- 13.5. The Policy provides protection for small-scale employment spaces, that are outside of West Berkshire's Protected Employment sites but still vital for the economy of the village and wider surroundings. Compton has a strong working community with a healthy rural economy and

there is the aspiration for it to remain as such, retaining existing jobs and employment spaces are therefore a principal priority for the plan.

- 13.6. Farm diversification emerged as a national response to the declining dominance of the land-based economy, allowing landowners to integrate their farm within the rural economy and making better use of the physical resources available. Many buildings are capable of conversion to provide an efficient working environment which requires only minor alterations to the structure or exterior of the building, allowing the traditional appearance and character to be retained. The re-use of farm buildings with architectural or historic merit will be particularly encouraged and small-scale extension or new build that improves the economic potential of farm diversification projects will be considered on their own merits.
- 13.7. The character of the working village would be jeopardised if the buildings still capable of commercial employment use were put to other uses. However, it is recognised that, as companies expand and adapt to future working patterns, their current buildings may become unsatisfactory and if extension or alteration is not appropriate, occupiers may need to vacate, leaving the existing building unused.
- 13.8. Policy C4 of the West Berkshire HSADPD allows for the conversion of existing redundant buildings to residential use. While the NDP conforms to this policy, it is considered that the re-use of employment space into new uses must be balanced against the importance of retaining buildings that are capable of helping the rural economy. Policy C10 therefore seeks to add a further level of protection for important employment spaces but ensuring all possible attempts are made to keep the building in employment use, including tourism. It would be expected that applications involving the loss of employment spaces are supported by written evidence to show that all reasonable attempts have been made to retain their use. The level of detail would depend upon the nature of the proposal but may include:
 - the nature and condition of the building or site and the cost of repairs, renovations or improvements needed to allow the facility to continue in operation;
 - the nature and location of comparable facilities;
 - evidence that the premises have been actively marketed for a significant period (at least six months) at a realistic commercial rent (or sale price) with no interest being shown from potential occupiers.

C11: HSA DPD Policy HSA23 Allocation Pirbright Business Hub

The redevelopment of the Pirbright Site shall provide an enterprise hub for a range of flexible employment floorspace including for small-scale business use, such as offices, research and development space, and light industry, aimed at those wishing to start and grow businesses, that are compatible in terms of amenity with a residential-led mixed-use scheme. There will be a preference for the re-use of existing buildings for this purpose and any proposals for new employment buildings should demonstrate why this is essential.

Objectives Supported: 4...5...9

Justification of C11

- 13.9. HSA DPD Policy HSA23(i) states an element of employment floorspace will be replaced within the Site, however the policy does not determine the quantum or type of floorspace. There is currently approximately 16,700sqm of employment floorspace at the site. There has always been a strong desire to retain a level of employment on the site as part of any future redevelopment to help keep Compton as a vibrant place to live and work, reflecting its history as a working village and the contribution of the Institute to the local rural and science economy. It is recognised that the redevelopment cannot provide equal quantity of employment floorspace, however there is great concern that the October 2017 EIA Scoping Report at Section 3 excluded any reference to employment floorspace on-site within the description of the proposed development.
- 13.10. The inclusion of employment floorspace, such as offices and small industrial units as part of a business hub for those wishing to start and grow business, remains essential to encourage job creation and support the existing employers in the village. While there is a range of local employers, the closure of the largest employment sites means that the majority of employed persons now travel out of Compton to their work. A range of primarily small-scale employment floorspace should be provided for use as offices, research and development space and light industry²⁸. Reflecting on the strong tradition of scientific businesses in the village and the wider local region, the NDP would encourage the provision of floorspace for “clean businesses”. Compton is ideally located to take advantage of the 2020 Thames Valley Berkshire LEP life Science Sector, and due to the range of existing structures on the site that could be suitable for continued employment use, the Pirbright site is considered the most suitable for such opportunities. A planning application should therefore demonstrate why it is not possible to re-use existing buildings to establish the enterprise hub.
- 13.11. As well as provision of small industrial or office spaces, the recent increase in home-working patterns, has significantly increased the desire to see hot-desking space provided for the community. The retention of existing buildings is expressly supported by the above policy and it is considered that the Pickled Pig building, as highlighted to be retained in Policy C13, could be used to provide such community business space for hot-desking within a business hub.
- 13.12. A business hub of this kind is based on a proven and viable model in nearby Parishes of Hurstbourne Tarrant and Hampstead Norreys, where the operators have seen more demand than they can currently cater for. The rural business hubs provide space for local corporate and self-employed employees to work on a flexible basis in purpose-built hot-desking and co-working space. The operators have confirmed their interest in taking on a business hub in Compton as a commercial operation should the opportunity become available.

COMMUNITY, EDUCATION, FACILITIES, AND WELLBEING POLICIES

14. COMMUNITY FACILITIES

- 14.1. Paragraph 92 of the NPPF (2019) states:

²⁸ Uses formally identified under Use Class B1a (offices), B1(b) (research and development) and B1(c) (light industry).

'To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- i. plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- ii. take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;*
- iii. guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;*
- iv. ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and*
- v. ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*

Local Context

14.2. Compton has a strong community, but currently lacks a quality focal point for community services and activities, with relatively few facilities in terms of its population. There is a church, recreation ground, village hall, village shop, the Hut used by the Scouts Association and Girlguiding, pub, hairdressers and surgery, and successful primary school, secondary school and nursery. A new burial ground opposite St Mary and St Nicholas Church has recently been granted planning permission, with the project progressing through detailed planning conditions and securing funding.

14.3. The NDP Survey 2018 and subsequent qualitative analysis has identified the following greatest evidenced priorities for community, education and facilities in Compton:

- i. Enhanced pre-school facilities. The pre-school submitted quite comprehensive feedback and included not only concerns for its own infrastructure but also for the wider community. As a charitable institution, it relies on fundraising and grants for survival; and with more young families moving to Compton, the pre-school anticipate a greater burden on resources in the future; moreover, it will have to cater for children from the surrounding area who have no such facility in their own villages so would ideally like to look for premises with more capacity. The pre-school currently has one room for up to 24 children of all abilities together and limited ancillary facilities. The Piglets Nursery, situated within the Pirbright Site is currently closed but offered a 16-place pre-school room with access to a garden, a second 12-place toddler room and a further 12-place baby room alongside a wider range of fit-for-purpose ancillary facilities, which have the potential to be brought back into use through future redevelopment.*
- ii. Enhanced 'Village Hall/Community Centre' type facilities, particularly to accommodate football pavilion and café/youth club. While the current usage of the Village Hall and Wilkins Centre is 'healthy', the requirement is based on two factors – the age of current premises and the inadequate space for indoor sports for the whole community. The current buildings, built in the late 1950s, have been refurbished over the years and, although old, are not in unreasonable condition.*

However, the NDP process is an opportunity to promote a step change in sports and social facilities, particularly given the fact that it underpins a village plan up to 2036, by which time existing facilities will be getting on for 80 years old. Additionally, the increase in population that will come with any future development will increase the pressure on, and capacity needed for these community facilities. Due consideration needs to be given to the positioning of any new facilities. There is an opportunity to 'centralise' facilities in some sort of village centre, however, there may be opportunities to relocate elsewhere in the village and therefore free up a potential development site on the currently occupied land.

- iii. Park/recreation ground upgrades, such as a skatepark or other 'youth' facilities, including upgrades to the existing Hut used by the Scouts Association and Girlguiding.

C12: Existing Community facilities

The loss of valued community facilities and services will be resisted. Development that results in the loss of any existing community facility will only be permitted where it is demonstrated that they are genuinely redundant and that their loss would not reduce the community's ability to meet its day-to-day needs;

Proposals for the alteration, extension or redevelopment of existing facilities within the Parish will be supported subject to the following criteria being met:

- i. the individual proposal will not generate unacceptable noise, fumes, smell or other disturbance to neighbouring residential properties;**
- ii. the particular proposal will not lead to traffic congestion or adversely affect the free-flow of traffic on the adjoining highway;**
- iii. access arrangements and off-street parking can be satisfactorily provided without impinging on adjoining residential and non-residential uses; and**
- iv. consultation has been undertaken with the Parish Council and other significant entities based in Compton, such as the schools, surgery and local business to ascertain any degree of overlapping interest and ensure agreement.**

Objectives Supported: 5...6...7...8

Justification of C12

- 14.4. Community facilities are essential to ensure and maintain a high quality of life for those that live, work and visit Compton. There is concern that new development within the Parish will put greater pressure on existing facilities, leading to their loss and consequently damaging the vitality of the existing community. It was evident throughout the community consultation that there was a strong feeling that the Parish should be doing all it can to protect as many of the existing services and facilities as possible to ensure that the established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.

- 14.5. This policy has therefore been designed to encourage development that will ensure protection for those facilities that already exist and limiting any further loss of important services and facilities which are valued by the community. For a building to be considered redundant, it is important that the original use of the building for that purpose no longer exists through for example, evidence of need, community value, economic viability and market signals. The NDP expects evidence to show that positive marketing of the site /building for its current and alternative community uses has been undertaken for at least 12-months. It is recommended that prior agreement of the marketing strategy, including fair and reasonable terms and price, is discussed with the local planning authority at the earliest possible stage.
- 14.6. Consultation has also revealed a willingness on the part of both the Head of the School(s) and the Business Manager of the Downlands Practice Surgery to be included in any new community initiatives. Regarding the primary and secondary schools, these are a key feature of family life in the village and an increase in population will most likely create challenging pupil intake issues. Regarding the surgery, this is also a key benefit to the village and needs to be retained. Both have separate business plans independent of the NDP, but opportunities should be taken wherever possible for aligning their facility needs with the NDP, to create further efficiencies in any cost/benefit analysis.

C13: Community uses at the HSA DPD Policy HSA23 at the Pirbright Site

- i. Any proposal to replace either the Piglets Day Nursery or Pickled Pig complex with a newer purpose-built facility will be supported on the basis that it is justifiable by a cost/benefit analysis at that time and complies with the following criteria: the particular proposal will not lead to traffic congestion or adversely affect the free-flow of traffic on the adjoining highway;**
- ii. access arrangements and off-street parking can be satisfactorily provided without impinging on adjoining residential and non-residential uses;**
- iii. adhere to the design policies set out in Policy C2 and C8, and respect surrounding landscape; and**
- iv. does not adversely impact the locality and amenities of local residents.**

Objectives Supported: 5...6...8...9

Justification of C13

- 14.7. HSA DPD Policy HSA23 references the potential for the site to accommodate community uses as part of a residential-led mixed use scheme. Consultation for this NDP and for the SPD highlighted a strong desire from the community to see some form of community use on the site, enhancing the village's social, sporting and educational facilities. It is important that as part of the mixed-use scheme, the planning application demonstrates consideration is given to community uses which are appropriate or necessary for Compton or contribute to social sustainability. Given the capacity and age issues of a range of existing community facilities raised in Section 14, there is a significant long-term benefit for the village in identifying and offering support to utilise the Pirbright Institute cricket pitch and adjacent land/buildings for new or refurbished community facilities. These would then be able to provide the additional community facilities necessary to serve the village to 2037. Policy C13 first requires consideration of the ability to re-use existing buildings for these purposes before offering flexibility for new-build facilities through criteria (i) to (iii).
- 14.8. Compton Pre-School is an important community asset, having just celebrated its 50th anniversary, the school promotes excellent community cohesion and is critical for many families in the village. The school currently uses the existing village hall for their operation, where the maximum occupancy has been calculated at c24 children. The current average capacity is about 85%, which means that at any one time there is capacity for an addition 3-4 children. Based on a proposal for 140 homes at the Pirbright site, it is estimated that an additional 11 children per year will require access to the pre-school, resulting in major and permanent over-subscription. The Piglets Day nursery facility on the Pirbright site, is expected to be able to accommodate up to 40 children across various rooms and its facilities provide a fit-for-purpose site that is more suitable for the needs of the Compton Pre-School over the plan period. The operator of the Compton Pre-School has indicated that the Piglets Day nursery site is of a size and location to meet the expected demand for the Parish and has confirmed their interest in moving their operation to the site and using the Piglets Day building as their new premises, subject to further financial clarification.
- 14.9. In addition to the re-use of the buildings for community uses as detailed above, the Pickled Pig building, where not occupied by the Piglets Day nursery, may also be used for flexible business space such as hot-desking by community members.
- 14.10. Community uses secured under Policy C13 will be controlled by the Section 106 Legal Agreement associated with any planning permission. The delivery of any community uses at the Site should consider the feasibility of community ownership and operation, including through a Community Land Trust.

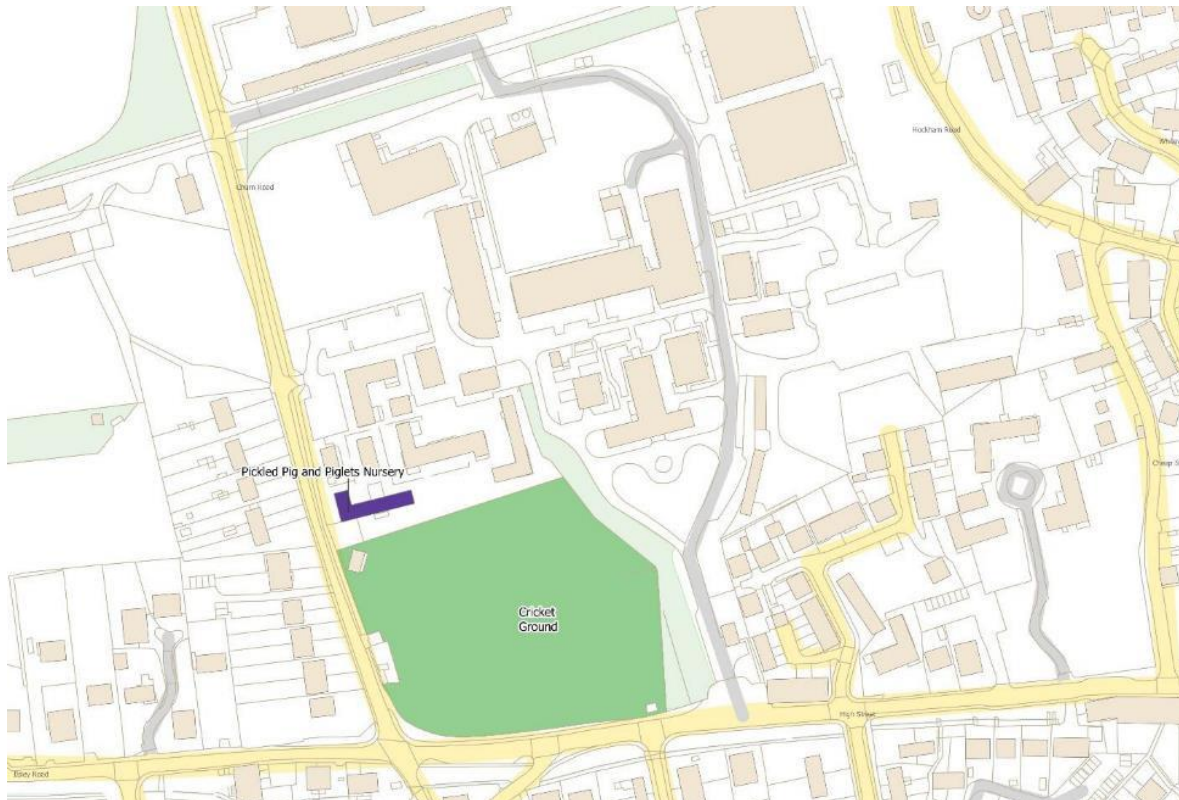


FIGURE 7: EXISTING COMMUNITY FACILITIES BUILDING/SPACES WITHIN THE HSA DPD POLICY HSA23 AT THE PIRBRIGHT SITE

15. OPEN SPACE AND RIGHTS OF WAY

Local Context

- 15.1 Access to high-quality open spaces not only provides health and recreation benefits to the people living and working nearby but also holds ecological value and contributes to the local green infrastructure; overall playing an important role in the achievement of sustainable development. This is recognised in Policy CS7 of the WBC Core Strategy which seeks provision of high-quality and multifunctional open spaces.
- 15.2 With its proximity to The Ridgeway and location in an AONB, the village is ideally positioned not only to provide recreational walking activities for residents but to attract further tourism through the NDP process. This is consistent with, and evidenced by, the Government’s ‘Landscapes Review’ report in September and its findings including accessibility of AONB to the general public.
- 15.3 Compton is surrounded by vast expanses of agricultural land, countryside and open space. There is an extensive network of Public Rights of Way and Bridleways (see appendix 6) within the Parish that are valued by residents and wider users of the AONB network.
- 15.4 Within the village itself, there are a number of recreational facilities and open spaces that the community is keen to ensure remain accessible and attractive for leisure use. These include:
 - Recreation Ground: The recreation ground lies in the middle of the village and arguably

provides the main public open space in the village adjacent to the Village Hall and Wilkins Centre;

- Allotments: There are two allotment sites owned by the Parish Council, situated on School Road and at Newbury Lane;
- Downland School and Sports Centre.

C14: Open space and recreation

Development proposals which involve the loss of existing open space and recreation facilities buildings and land will not be permitted unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or**
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or**
- the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.**

Objectives Supported: 6...7

Justification of C14

- 15.5. Paragraph 96 of the NPPF confirms access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. While Compton has a number of recreational facilities within the village, these are limited and will face significant pressure should the population increase, as with the other community facilities in the Parish. Protection of existing facilities is therefore vital to ensure an adequate supply.

C15: Public Rights of Way

The creation of new footpaths at new development sites, which increase connectivity throughout the village, will be supported.

Development proposals should not result in unacceptable harm to a Public Right of Way or the users of it. Where development affects a Public Right of Way, the application will be expected to demonstrate the mitigation measures that will be in place to address any adverse impacts.

Objectives Supported: 6...7...8

Justification of C15

- 15.6. Public Rights of Way form an important part of sustainable transport links which should be protected and enhanced (NPPF, para.98). The West Berkshire Rights of Way Improvement Plan 2010-2020 seeks to encourage the improvement and enhancement of the Rights of Way Network, setting out the key responsibilities of the Council and landowners in their

maintenance. Rights of Way and cycleways are supported under CS policy CS18 Green Infrastructure however, no individual detailed policy currently exists to exclusively protect the networks and their recreational value. The NDP therefore seeks to fill this gap through the above policy.

- 15.7. On the northern boundary of the Parish, The Ridgeway National Path crosses the landscape. This ancient route runs along the northern scarp of the downs and is peppered with barrow sites and hill forts, used since prehistoric times by travellers, herdsman and soldiers. With dramatic scenery and some major landmarks, it is a very attractive destination for walkers, rambles, horse riders and cyclists through the AONB. It is imperative that all design features within any future development of Compton village are highly sympathetic to the AONB status of the area and its surrounds to ensure that this well-used route and other landscape attractions are retained as rural destinations and that they remain well connected to future development through the creation of new footpaths

LOCAL ENVIRONMENT

16. LOCAL GREENSPACE AND BIODIVERSITY

- 16.1. The Parish of Compton is located in the heart of the North Wessex Downs AONB, surrounded by vast expanses of agricultural land and countryside. The natural landscape of the Parish is primarily open downland, which is characterised by flat-topped hills, valleys and large open fields. This valley setting within the AONB contributes significantly to the visual qualities of the Parish giving a sense of remoteness which, the residents are keen to ensure is retained long into the future. There is also a strong desire to ensure the village is well integrated into the existing network of green space of the AONB, allowing movement of biodiversity and people. Protection and improvement of the village's green areas are therefore essential.
- 16.2. Paragraph 99 – 100 of the NPPF allows communities to identify and protect green areas of particular importance as Local Green Space. The power has the effect of imposing similar controls to those that apply within the Green Belt, effectively protecting the site from most development.
- 16.3. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated and be capable of enduring beyond the end of the plan period. The Local Green Space designation should only be used where the green space is:
- *In reasonably close proximity to the community it serves;*
 - *Demonstrably special to a local community and holds a particular local significance, for example, because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and*
 - *Local in character and is not an extensive tract of land.*

16.4. Policies for managing development within a Local Green Space should be consistent with those for Green Belts. The provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, are not inappropriate development; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The following policy therefore seeks to protect valued areas of green space while being permissive of appropriate development that would enhance its use or enjoyment for the community.

C16: Local Green Space

The areas (as identified on the map below) are designated as a Local Green Space as defined in paragraphs 99 to 101 of the NPPF. New development will not be permitted on land designated as Local Green Space unless very special circumstances can be demonstrated.

- Cricket Ground at Pirbright
- Recreation Grounds (PC owned)
- Wilson Close Allotments (PC owned)
- Newbury Lane Allotments (PC owned)
- Land at Gordon Crescent (PC owned)
- Land at Meadow Close
- Grassed area in Manor Crescent

Objectives Supported: 1...6...7



FIGURE 8: MAP SHOWING LOCATION OF LOCAL GREENSPACES DESIGNATED UNDER POLICY C16

Justification of C16

- 16.5. These natural spaces are highly valued by local residents, not just for the recreational value they hold, but also for their landscape character, tranquility and positive opportunities for biodiversity. The justification for each site is considered in turn below:

The cricket ground at Pirbright

- 16.6. The cricket ground, located to the southwest of the Pirbright Site, is an area of open space which makes a positive contribution to the pattern of open spaces throughout the village and is highly valued by the local community given its historical significance and recreational value. The cricket ground has a close relationship to the Compton Conservation Area which should be conserved and enhanced, whereby the cricket ground forms a positive part of the Conservation Area setting and should be retained as part of the green infrastructure for community use and potential flood alleviation



FIGURE 9: CRICKET GROUND LGS ALLOCATION

- 16.7. The community engagement has revealed strong support for the creation of public access to this land. It has significant recreation potential and can deliver benefits for the wider community. It is therefore considered that opportunities should be taken to re-establish community utilisation of the cricket pitch commensurate with its status as Local Green Space

The Village Recreation Ground

- 16.8. The village recreation ground is located centrally within the village, owned by the Parish Council and well used for a wide range of activities including for the football club, village fetes and informal play. The land is the key community playing field setting and the only recreation ground within the village. It should therefore be retained as part of the green infrastructure for community use.



FIGURE 10: RECREATION GROUNDS LGS ALLOCATION

Wilson Close Allotments

- 16.9. The Wilson Close Allotments are managed by the Parish Council and assigned to individuals and families. The Allotments are well maintained and frequently visited. They form an invaluable community resource as well as a rich habitat for wildlife, enhancement of biodiversity and provide wildlife corridors.

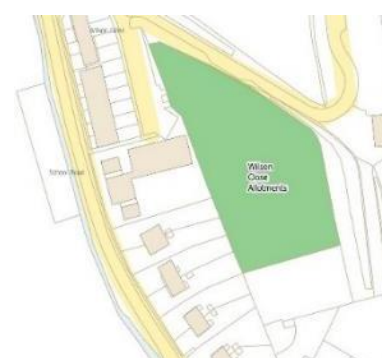


FIGURE 11: WILSON CLOSE ALLOTMENTS LGS ALLOCATION

Newbury Lane Allotments

16.10. As above, the Newbury Lane Allotments are also owned by the Parish Council and are assigned to individuals or families. They are very well maintained and form an invaluable community resource as well as a rich habitat for wildlife, enhancement of biodiversity and provide wildlife corridors.

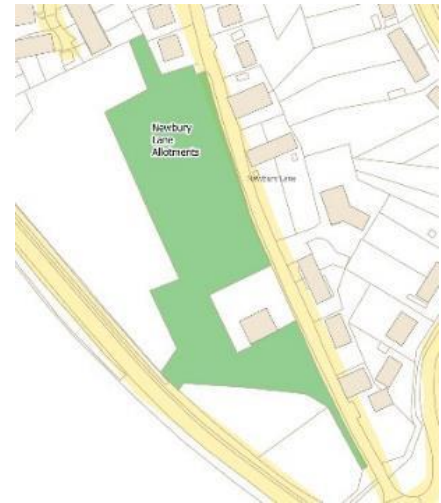


FIGURE 12: NEWBURY LANE ALLOTMENTS LGS ALLOCATION

Land at Gordon Crescent

16.11. This small area of open grass within the settlement provides an important buffer between the residential development along Gordon Crescent to the busy road. It provides natural space for informal play and leisure activities for nearby residents as well as being a natural wildlife corridor and an important part of the green infrastructure within the village.



FIGURE 13: GORDON CRESCENT LGS ALLOCATION

Meadow Close

16.12. This open area of grass adjacent to Meadow Close with scrub, hedgerow, and trees boundary acts as a buffer between the residential area of Meadow Close and Hockham Road. It is used as an informal play area by families. As it is adjacent to the Conservation area it helps maintain the character of the junction between the modern housing estate of Meadow Close and the 17th Century buildings that exist in the conservation area



FIGURE 14: MEADOW CLOSE LGS ALLOCATION

Manor Crescent

- 16.13. This is an open area of grass adjacent to Manor Crescent which acts as a buffer between the residential properties of Manor Crescent and the busy road. The space is used as an informal play area that fulfils a variety of functions that would be lost if it became part of the built environment. It preserves the rural and open character of the areas and provides valuable space for wildlife within the centre of the village.



FIGURE 15: MANOR CRESCENT LGS ALLOCATION

C17: Biodiversity

All new developments should maintain and enhance existing on-site biodiversity assets and provide for wildlife needs on site where possible. All new development must provide measurable net gains for biodiversity. Development proposals should be landscape-led, showing regard to the ecological, arboricultural and landscape surroundings at an early stage in the design process.

Development proposals that result in a loss or deterioration of green infrastructure that support protected habitats, priority habitats or species will not be supported.

Opportunities should be taken to incorporate trees in developments, secure appropriate measures for their maintenance and the retention of existing trees wherever possible.

Objectives Supported: 1...7

Justification of C17

- 16.14. Biodiversity plays an important role within our towns, villages and urban spaces as it helps to improve air quality, provides resilience to climate change, adds amenity value and supports wellbeing. However, biodiversity continues to decrease at an alarming rate. All new development within Compton must therefore seek to reverse this trend by minimising impacts and maximising opportunities for biodiversity net gains in accordance with paragraph 170(d) of the NPPF.
- 16.15. Doing so, involves thinking creatively and strategically about how green spaces can be designed into new development or enhanced if already existing. While there is limited space within the footprint of the settlement to produce new meadows or waterways, Compton is lucky enough to be surrounded by an expanse of green space and therefore ensuring green corridors are retained will allow flow of biodiversity through, and surrounding, the village. Enhancing connectivity in this way can go hand in hand with improving accessibility for people via walking and cycling routes. The DEFRA biodiversity metric²⁹ was introduced in 2012 and forms an

²⁹ <http://publications.naturalengland.org.uk/publication/5850908674228224>

established accounting tool for measuring biodiversity losses and gains that result from development projects. An update to the Biodiversity Metric is expected to be published in Spring 2021. Methods of achieving biodiversity net gain could also involve local actions including, but not limited to, the following:

- enhancement and creation of hedgerows;
- sensitively designed lighting to avoid light spill and glare into wildlife areas or habitat corridors;
- incorporate wildlife habitat into the building fabric such as with green roofs, bird and bat boxes/tiles, and planters;
- enhancing wet areas below the sewage ponds, especially for amphibia;
- restoring and increasing woodland areas; and
- restoring and maintaining hedgerows and shrub areas.

16.16. While important areas of green space have been designated as Local Green Space within this plan, there are many other much smaller elements of green infrastructure throughout the Parish that provide valuable spaces for biodiversity and amenity. These include existing hedgerows, areas of grassland, priority habitats and deciduous woodland that the NDP wishes to retain.

C18: Sustainable Drainage

New development and improvements in green and other infrastructure must manage flood risk and incorporate Sustainable Urban Drainage Systems (SUDS) as an integral part of the green infrastructure and street network, to reduce the runoff of surface water in line with WBCS Policy CS 16. The SUDS must (where the feature is communal rather than building specific) be designed as positive features of the development and must effectively mitigate any adverse effects from surface water run-off and flooding on people, property and the ecological value of the local environment.

Objectives Supported: 3...7

Justification of C18

16.17. This policy seeks to manage the risk of surface water flooding. While much of the Parish of Compton has a low risk of flooding, there is a band of significant fluvial and surface water flood risk (Flood Zone 3) that runs through the village, following the course of the River Pang and its tributaries. Future development will increase pressure on the drainage capacity of the village and therefore further attention needs to be paid to minimising any risk.

16.18. Developers have a responsibility to follow the sequential approach to the disposal of surface waters with proper provision for surface water draining to ground, water course or surface water sewers being given. The discharging of surface waters to the foul sewer can be a major contributor to sewer flooding and should therefore be avoided.

16.19. The Council has adopted a SUDs SPD which provides detailed guidance on how effective SUDs, as

required in this policy, can be designed and implemented.

ROADS AND TRANSPORT

17. SUSTAINABLE TRANSPORT

Local context

- 17.1. The village of Compton with its close proximity to the M4 and the A34 is well connected by road, providing easy access to main urban centres such as Newbury, London, Oxford, Reading and Swindon. Bus services on the other hand are limited, and much of life in the village is driven by car-usage.
- 17.2. Transport and road issues are amongst the most important aspects of village life that require improvement according to the NDP Questionnaire: traffic/speeding came first (175 responses), road conditions second (165) and parking was another popular response (102). Sustainability aspects supported were improved pedestrian and cycle routes (91 responses), increased parking provision (67) and improved transport (58).

C19: Sustainable Transport Network

New development should integrate with the current green infrastructure network and provide good access to public transport.

Support will be given to proposals that improve and extend the existing footpath and cycle path network, or create new cycle paths, allowing greater access to the village centre, employment spaces, schools, green spaces and the open countryside. The loss of existing footpaths and cycle paths will be resisted.

Objectives Supported: 3...6...8

Justification of C19

- 17.3. It is important that residents and visitors to the village have opportunities to move around on foot or cycle and so as a general principle, areas of development should connect with one-another, with simple clear street connections being preferred over small, unsafe cut-throughs. Opportunities should be sought to improve linkages between existing areas and to link them with any new development and so Policy C19, therefore, expects development to provide traffic-free routes throughout the village. Additionally, connections between housing and employment areas will aid the integration of various activities.

C20: Provision of Electric Charging Points

All new dwellings will be required to have an appropriately located charging point for electric vehicles.

Planning applications for the installation of charging facilities to places of work or leisure will be supported.

Objectives Supported: 3...8

Justification of C20

- 17.4. The government has announced that new diesel and petrol cars and vans will be banned in the UK from 2035 to help improve air quality, from which point all cars will need to be electric or hybrid.
- 17.5. A key element of the necessary infrastructure for low emission vehicles is the provision of electric charging points at homes, places of work, places of leisure and at general public (and private) car parks. This Policy seeks to secure such provision in new housing developments and supports provision elsewhere.
- 17.6. While the emphasis of the Policy is on charging points for cars, the Parish Council will encourage consideration to be given to provision for vehicle charging at non-domestic locations for e-bikes.

C21: Vehicle Parking Space in the Village

Proposals to establish new public car parking at a suitable location within the village or those that improve existing parking areas will be supported.

Objectives Supported: 2...8

Justification of C21

- 17.7. Within the village of Compton, there is a recognised need for greater parking spaces. In 2017, informal surveys of car parking demand along Burrell Road, Gordon Crescent, Manor Crescent and Westfields have been undertaken. These roads were laid out with relatively narrow carriageways and grass verges separating them from the pavement. As the village has transitioned from a working to a service economy more of these households have acquired multiple vehicles and their parking provision is under stress. Some verges have been converted into sustainably drained parking bays. Particularly on evenings and weekends vehicles are parked against the kerb and on the verges, on front gardens and on recreational green space, causing tyre damage to grassed areas. Both Manor Crescent and Burrell Road offer 'short cuts' that are often used to by-pass traffic disruption along the main thoroughfare, raising 'rat-run' and traffic speed perception concerns.
- 17.8. In the centre of Compton during business hours vehicles are parked by customers to the shops and by both employees and visitors to the businesses in the vicinity. On the High Street, there is generally a regular turnover of parked vehicles but on Cheap Street and especially Horn Street vehicles can be parked throughout the working day. School Road is busy with parked vehicles at the start and end of the Primary School day and around The Downs School, there are numerous informally parked vehicles in the daytime on verges and against the kerb. The local businesses, with many employees commuting into the area, have also expressed difficulties with a lack of parking.
- 17.9. Additionally, new upgrades to Compton's surgery which have recently been announced will mean that some medical services currently carried out at the Chieveley practice are likely to migrate to Compton. Given the parking issues at the Chieveley practice site, it is likely that their new arrangement will increase parking issues at Compton in the future as more patients

from outside the area will be treated at Compton.

- 17.10. The existing parking arrangements across the Parish are therefore no longer considered fit for purpose, and it is evident that without improved or increased vehicle parking spaces, traffic issues will continue to prevail across, presenting issues of safety and urbanisation. In follow-up consultations with residents, it has been suggested that additional off-road parking, perhaps associated with electric vehicle charging points, would be beneficial, and this idea has received good support from the community.
- 17.11. The idea of allocating land through the NDP was explored, however a lack of suitable Parish-owned land meant that such an allocation was not possible at the time of preparing the NDP. This policy therefore seeks to encourage proposals to come forward in the longer term for the provision of parking spaces to be used for the benefit of the community.
- 17.12. A transport study³⁰ was undertaken in 2010 to review the existing conditions in the village. This confirmed that there were significant verge and on-street parking on main roads throughout the village which restricted visibility and narrowed the highways. Consequently, recommendations were made to increase the quantum of parking bays as well as install a number of calming features. It is recognised that this study is now outdated and so the Parish Council will work to instruct further updated independent research in the future in order to help guide decisions on meeting local parking needs in appropriate locations.

C22: Residential Parking Standards

New development in the Parish must meet the adopted parking standards as set out in West Berkshire Development Plan. All new parking should be provided off-street unless an essential justification can be demonstrated.

Objectives Supported: 8

Justification of C22

- 17.13. As is highlighted above, parking is a central concern for the residents of Compton. Many households own multiple cars and the rather poor availability of town bus services has increased car ownership and parking space needs. Evidence from existing development is that there is excessive parking on streets and verges, making for unsafe pedestrian access on footpaths and a poor visual environment.
- 17.14. Given the existing parking problems within the area, as described above and in section 4.5 of the Evidence Report, development of new homes within the village will increase pressure on vehicle parking spaces, and as such an adequate provision of parking spaces within any new development is required. This policy seeks to reinforce Policy P1 of the HSADPD, which outlines the Council's parking standards.

³⁰ Report by i-Transport LLP- Review of existing transport conditions Western Compton

INFRASTRUCTURE CONTRIBUTIONS

18. COMMUNITY PRIORITIES

C23: Infrastructure Priorities

Qualifying development proposals should contribute to achieving the objectives in the Neighbourhood Plan through financial contributions made in accordance with West Berkshires CIL schedule, planning obligations or other relevant mechanisms. The contributions made will go towards the following Parish priority projects:

- Improvements to sustainable transport, including footpaths, cycle paths, bus services and electric vehicle charging points;
- Community car parking provision;
- Delivering the new burial ground opposite St Mary and St Nicholas Church;
- Appropriate upgrades to Community Facilities and Recreational Facilities as identified in Section 14.

Objectives Supported: 2...3...5...6...7...8

Justification of C23

- 18.1. Developers will be required to contribute towards the provision of local infrastructure, including public facilities and access routes, and to mitigate impacts of development proposals in order to make them acceptable in planning terms, in accordance with National and Core Strategy policy. This may include both CIL contributions and those made by section 106 agreement.
- 18.2. The purpose of this policy is not to add further burdens to development, nor to duplicate higher level policy. The policy, based on the wishes of the community and objective evidence from the Parish Council, is designed to set out local priorities and to provide certainty to developers by adding detail to the existing policy framework.

NON-PLANNING ACTIONS

19. INFORMAL ACTIONS

191. In addition to the plan's core planning requirement to seek to encourage sustainable growth at a scale appropriate to the service village and that protects and enhances the built and natural environment, the following complementary objectives and aspirations, to be pursued either locally or via outside agencies, have been identified. These originate from suggestions made by the local community throughout the Neighbourhood Plan consultations, as reviewed by the Neighbourhood Plan Steering Group.
192. These informal objectives are non-planning matters and so do not form part of the statutory Neighbourhood Plan, nevertheless, they are important to the community.

Objective A

193. To work with Thames Water to secure necessary improvements to foul water infrastructure capacity, including on-going maintenance to reduce leakage of groundwater into the system which leads to sewage overflowing during high groundwater.

Objective B

194. To work on a framework for the future management and maintenance of new community assets that come into Parish Council ownership through the use of Planning Obligations.

Objective C

195. **The neighbourhood plan identifies the following existing buildings and land at the Pirbright Site (as identified on Figure 7) as having strong potential for accommodating community uses to meet the identified needs:**
- **'The Piglets Day Nursery' should be retained, renovated and enhanced for community use as a replacement Pre School for Compton;**
 - **'The Pickled Pig' complex should be retained, renovated and enhanced for community use associated with the adjacent Cricket Ground**
 - **The Cricket Ground should be retained, renovated and enhanced as public open space for the community in a manner commensurate with its designation as a Local Green Space .**

20. MONITORING AND REVIEW

- 20.1. Monitoring of development plan documents is a legal requirement. West Berkshire Council currently produces an annual monitoring report (AMR) and will assess the overall performance of the Development Plan in West Berkshire, including all of the neighbourhood plans. This will meet the main requirements for monitoring.
- 20.2. However, the Parish will also be carrying out monitoring, which is intended to:
- Monitor the predicted significant effects of the plan
 - Track whether the plan has had any unforeseen effects
 - Ensure action can be taken to reduce / offset the significant effects of the plan
 - Ensure that the evidence base is up to date
 - Consider whether a review of the plan / new plan is needed.
- 20.3. As part of this, it is anticipated that the NDP Steering Group, with the Parish Council, will produce an annual Local Monitoring Report (LMR) and this will be supplied to West Berkshire Council.
- 20.4. This is particularly important given the West Berkshire Local Plan Review to 2036, which upon adoption, may require updates to be made to the NDP.

- 20.5. The conclusion of the LMR will allow the Parish Council to identify not only whether the policies are working, but also what other issues are emerging. It will also enable the Council to judge the effectiveness of mitigation measures proposed. In some cases, monitoring may identify the need for a policy to be amended or deleted, which could trigger a review of the NDP
- 20.6. In addition to plan monitoring, the Parish Council may review the plan document itself from time to time should circumstance change. Such a full review would be subject to essentially the same community engagement and consultation procedures as were undertaken to create this NDP.

GLOSSARY OF TERMS

Term/ Acronym	Definition
Affordable Housing	<i>Housing provided to eligible households whose needs are not met by the market. Eligibility is determined based on local incomes and local house prices. Affordable Housing includes social rented, affordable rented and intermediate housing. Affordable housing is that which must be rented at no more than 80% of the local market rent.</i>
Area of Outstanding Natural Beauty AONB	<i>A national designation to conserve and enhance the natural beauty of the landscape. The North Wessex Downs AONB covers 74% of West Berkshire</i>
Community Infrastructure Levy (CIL)	<i>Is a levy that local authorities can choose to charge on new development. The charges are related to the size and type of the new development. The money collected can be spent on funding infrastructure which the Council has identified as being required.</i>
Development Plan	<i>The Development Plan comprises of the West Berkshire Core Strategy (CS), Housing Site Allocations Development Plan Document (HSADPD), and the saved policies of the West Berkshire District Local Plan 1991- 2006. The Council are currently undertaking a review of their Local Plan, the Emerging Draft Local Plan Review to 2037 would replace the existing development plan once adopted.</i>
Green Infrastructure	<i>A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.</i>
Habitats Regulation Assessment (HRA)	<i>A Habitats Regulations Assessment (HRA) refers to the several distinct stages of Assessment which must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) to determine if a plan or project may affect the protected features of a habitats site before deciding whether to undertake, permit or authorise it.</i>
Housing and Economic Land Availability Assessment (HELAA)	<i>The HELAA is a technical document which seeks to provide information on potential housing and employment sites promoted by landowners/developers with details on whether they are available, suitable and achievable.</i>
Local Green Space	<i>A designation introduced by the NPPF (para.76). The NPPF states that the designation should only be used: where the green space is in reasonably close proximity to the community it serves, where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife, and where the green area concerned is local in character and is not an extensive tract of land</i>
Infill Development	<i>Minor development within settlement boundaries which may consist of development in a gap in an otherwise built-up frontage, development on previous undeveloped land or small-scale redevelopment</i>
Major Development	<i>For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non- residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.</i>
National Planning Policy Framework (NPPF)	<i>The NPPF sets out national planning guidance for the plan making and decision taking. The NPPF was published in March 2012 and later revised in 2018.</i>
National Planning Practice Guidance (NPPG)	<i>An online resource published by central Government which provides guidance on how to apply the NPPF.</i>

Rural exception site	<i>Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection.</i>
Settlement Boundary	<i>A spatial planning tool used to direct development into settlements and restrict it in the wider countryside, by mapping a boundary between the two</i>
Strategic Environmental Assessment (SEA)	<i>This is a generic term used to describe environmental assessment as applied to policies, plans and programmes. The European 'SEA Directive' (2001/42/EC) requires a formal environmental assessment of certain plans and programmes, including those in the fields of planning and land use.</i>
Supplementary Planning Documents	<i>These provide supplementary information in respect of the policies in Development Plan Documents. They do not form part of the Development Plan and are not subject to independent examination. The Council has produced a number of SPDs which can be found on the Planning pages of the Council's website</i>
Sustainable Development	<i>Development which meets the needs of the present without compromising the ability of future generations to meet their own needs. It means meeting the following four objectives at the same time, in the UK and the world as a whole:</i> <ul style="list-style-type: none"> • <i>social progress which recognizes the needs of everyone.</i> • <i>effective protection of the environment.</i> • <i>prudent use of natural resources.</i> • <i>maintenance of high and stable levels of economic growth and employment</i>
Sustainable Drainage System	<i>A sequence of management practices and control structures designed to drain surface water in a sustainable manner</i>

APPENDIX 1: HSA23 POLICY ALLOCATION AT THE PIRBRIGHT SITE – POLICY EXTRACT FROM THE HSADPD

Compton

Policy HSA 23

Pirbright Institute site, High Street, Compton (site reference COM004)

A Supplementary Planning Document (SPD) has been adopted for the site and this sets out a detailed framework to guide its future development. The SPD can be found at <http://www.westberks.gov.uk/spd>.

The site has a developable area of approximately 9.1 hectares, which is set out within the adopted SPD and is based on the outcomes of the Landscape Framework (2012) and Flood Risk Study (2012) including the exclusion of the far northern part of the site and part of the site to the south.

The site is to be comprehensively redeveloped delivering a residential led mixed-use scheme with a mix of employment floorspace, green infrastructure and community uses in accordance with the adopted SPD. Redevelopment of the site should incorporate an appropriate mix of uses which responds to the character and function of the village, as well as the wider landscape.

In addition, the development will be delivered in accordance with the following parameters:

- The development will be residential-led with the provision of approximately 140 dwellings, delivering an appropriate mix of dwelling sizes and types which conserve and enhance the character of Compton. An element of employment floorspace will be replaced within the site.
- A local lettings policy should be explored for the site to allow a percentage of the affordable housing provision to be reserved for people with local needs.
- Should the hostel site (off Chum Road) come forward for development in a timely manner with the allocated site, it must form an integrated element of the developable area.
- The overall density of the site will reflect the character of Compton. The northern part of the developable area (known as Area B) will be built to a lower density than the southern part (known as Area C) so as to reflect the built form pattern on the northern edge of the village and to prevent an adverse impact on the AONB.
- The existing access from the High Street will form the main access to the development with potential for a minor access from Chum Road. The rural character of Chum Road and Hockham Road will be retained and highway improvements should therefore be limited.
- Improvements will be necessary to the footways that front the site onto the High Street and additional pedestrian and cycle routes could be provided onto Hockham Road.
- Footpath, bridleway and pedestrian links will be created throughout the site to improve connectivity with the wider existing network and to provide linkages between the village centre and the site. The opportunity to reinstate the former east/west footpath through the site should be explored.
- A phase 1 contamination report and a preliminary risk assessment will be required and may lead to subsequent reports being required. In order to ensure a safe development, the site must be remediated to the appropriate level for the proposed land uses. Any remediation will need to take into account any plans or preferences for infiltration SuDS infrastructure in the proposed development.
- The scheme will be informed by an extended phase 1 habitat survey together with further detailed surveys arising from that as necessary. Appropriate avoidance and mitigation

2 Housing Sites

measures will need to be implemented, to ensure any protected species are not adversely affected.

- An archaeological desk based assessment will be required as a minimum and field evaluation if necessary to assess the historic environment potential of the site.
- A Flood Risk Assessment (FRA) will be required that should cover infiltration testing and details of SuDS to be implemented, together with groundwater modelling. A sequential approach to development on the site will be followed:
 - No development will be permitted within Flood Zones 2 and 3, including essential infrastructure and water compatible development.
 - In accordance with the Flood Risk Study (2012) ⁽⁴⁾ only less vulnerable land uses, water compatible or critical infrastructure development (in accordance with the NPPF) would be appropriate below the 103m AOD line, and more vulnerable land uses above this line, unless detailed modelling indicates otherwise.
- Land to the north of the site (known as Area A) will be restored and enhanced to make a significant positive contribution to the landscape character and local distinctiveness of the open downland landscape of the AONB. The landform will be carefully modified to remove incongruous features, as informed by the Landscape Framework (2012).
- The site will comprise a development design and layout that is in accordance with the adopted SPD for the site and is informed by a full detailed Landscape and Visual Impact Assessment (LVIA). This will include the protection of the area to the north (known as Area A) as outlined above and the retention of the cricket ground (as a community use) as Green Infrastructure. It will also explain how the special architectural and historic interest of the Compton Conservation Area and its setting has been taken into account.

4 Compton IAH Flood Risk Study (August 2012) Capita Symonds

APPENDIX 2: COMPTON CONSERVATION AREA AND HERITAGE ASSETS

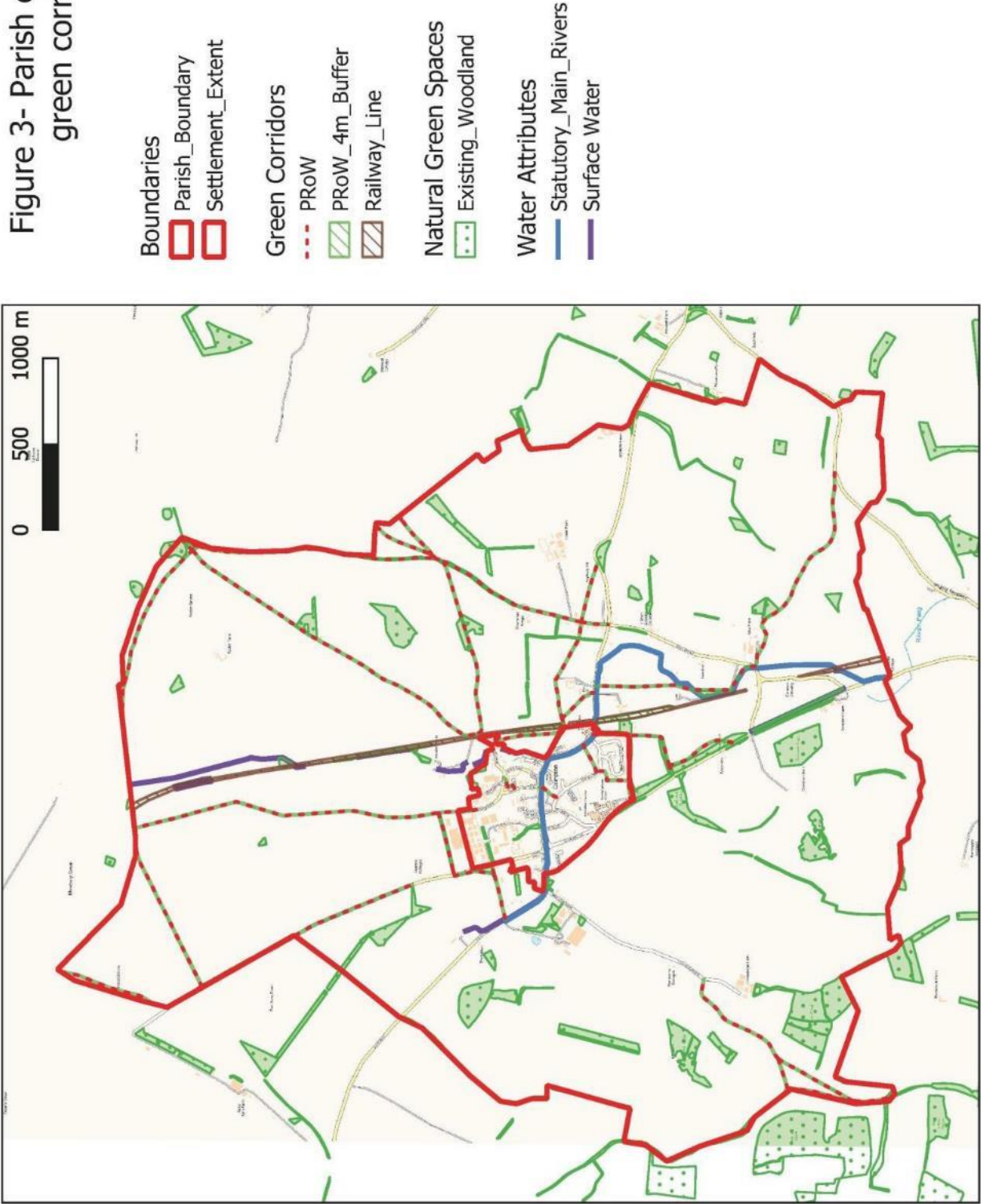
Conservation and Heritage Assets in Compton Parish

28/10/2021
1:16592



APPENDIX 3: EXISTING GREENSPACES IN COMPTON

Figure 3- Parish extent, with green corridors








APPENDIX 4: COMPTON FLOOD RISK

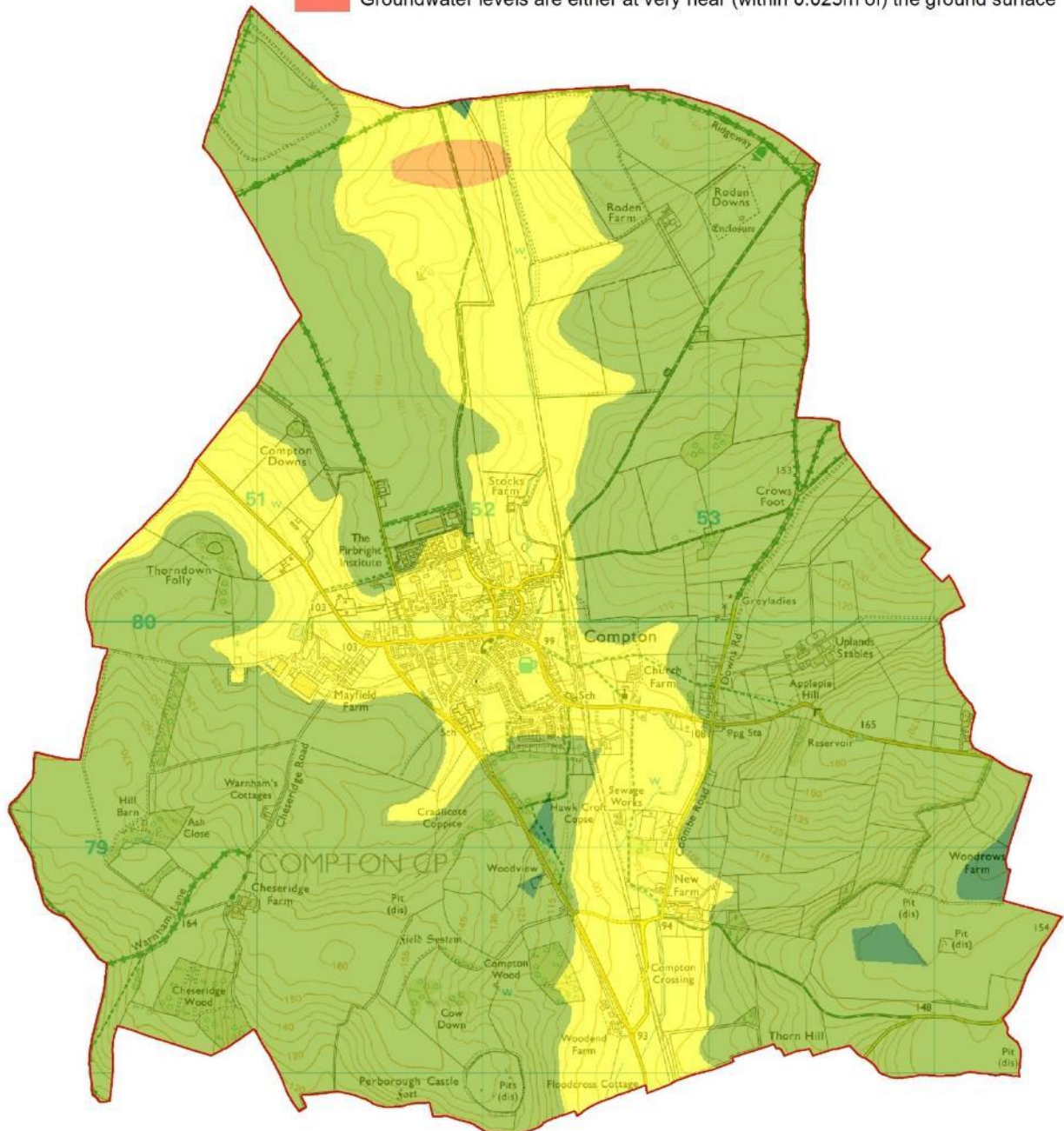
Fluvial Flood Risk in Compton Parish

09/07/2020
1:24591



Legend

-  No risk
-  Groundwater levels are at least 5m below the ground surface
-  Groundwater levels are between 0.5m and 5m below the ground surface
-  Groundwater levels are between 0.025m and 0.5m below the ground surface
-  Groundwater levels are either at very near (within 0.025m of) the ground surface



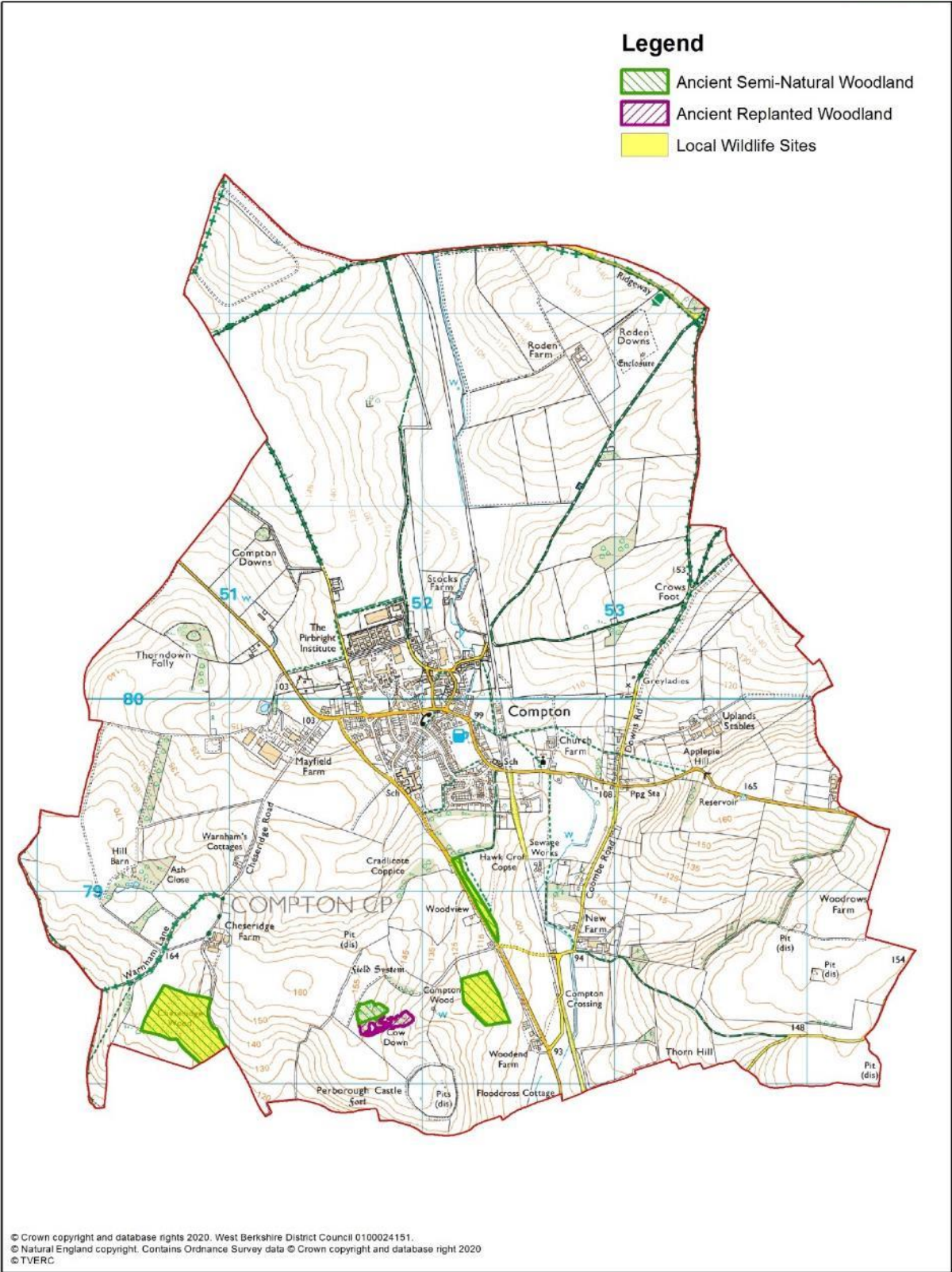
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APPENDIX 5: COMPTON ECOLOGICAL DESIGNATIONS

Ecological Designations within Compton Parish

09/07/2020

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APPENDIX 6: COMPTON SUSTAINABLE TRANSPORT

Public Rights of Way in Compton Parish

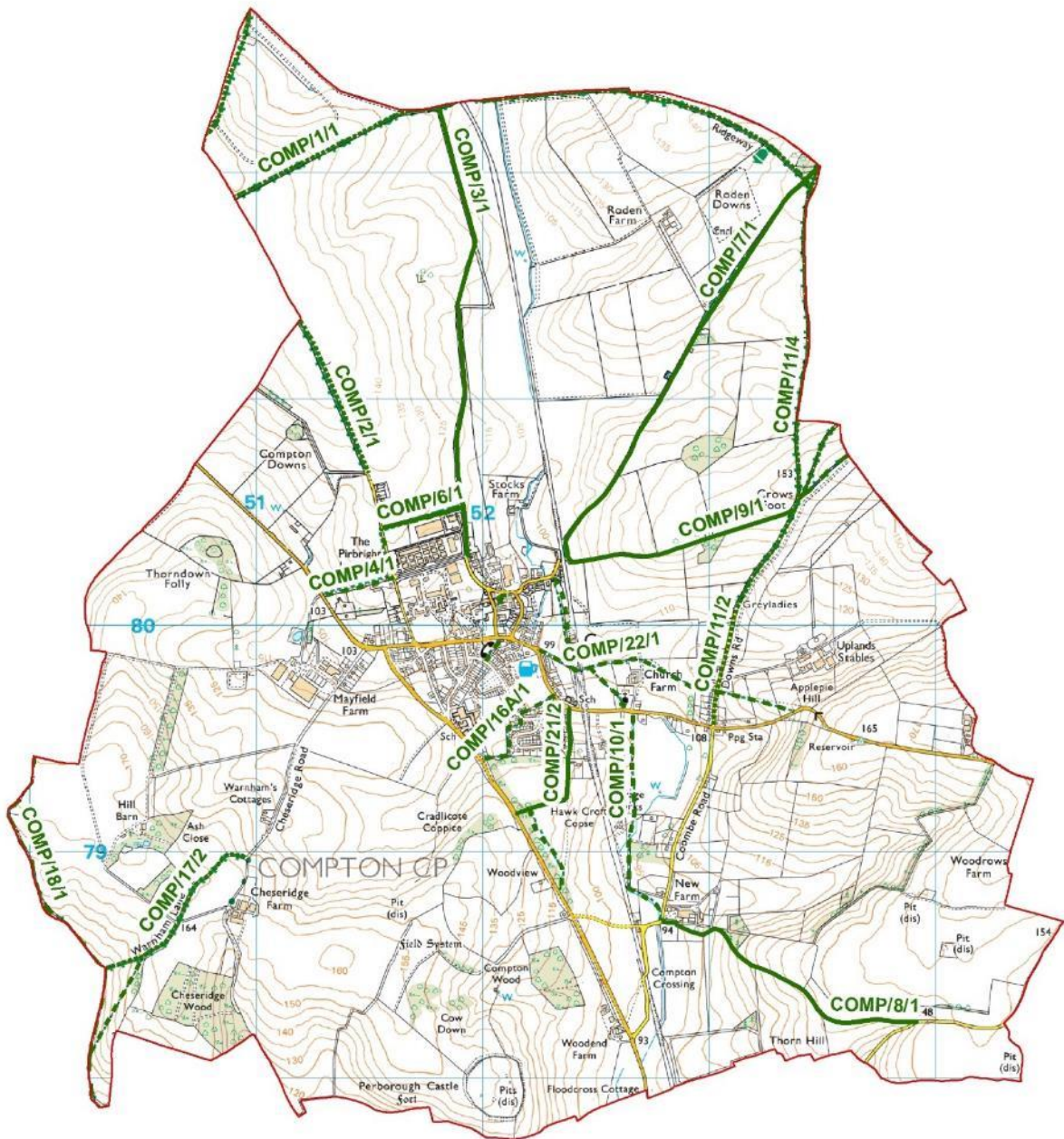
09/07/2020

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Legend

- ⋯ Byway
- Bridleway
- - - Footpath
- · - · Restricted Byway



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APPENDIX 7: COMPTON NDP STEERING GROUP MEMBERS AND RESEARCHERS

The plan was led by the Parish Council but produced with and by the local community. The following people contributed to the research for the Compton Neighbourhood Plan.

Current and previous members of the Steering Group include:

- Dave Aldis
- Alan Garmonsway
- Sue Garmonsway
- Sally Duckett
- Tim Lomax
- Peter McGeehin
- David Norbury
- Rupert Reid
- Chris Smith
- Grant Tuff
- Uwe Anton
- Peter Cundell
- Alan Howard
- Debbie Smith
- Geoffrey Deacon
- George Wilkins
- Georgina Smith
- Jason Highet
- Karla Jeremy
- Mark Pinfold
- Julie Middleton-Reid

Current and previous members of the Working Groups include:

- Shelley Bowdery
- Austen Rose
- Stephen Tweed
- Jo Ramshaw
- Mark Smith
- Penny Neate
- Gillian Collins
- Steve Knowles
- Alistair Bates
- Peter Callard
- Paula Pearce
- Sarah Cribb
- Peter Booroff
- Ian Hickling
- Harriet Saunders
- Anne Dalton
- Carolyne Culver
- Graham Connell
- Wendy Kissack
- Rashmi Knowles
- Carol Lewis

The planning Consultants: Fowler Architecture and Planning

- Aaron Smith BA(Hons) DipTP MRTPI
- Hollie Snyder BA(Hons)

Acknowledgements

The Compton NDP Steering Group would also like to acknowledge and thank the following individuals and Organisations for their time and support throughout the production of this Draft Report:

- Compton Village Shop – Harvey, Julie & Staff for displaying publicity materials and housing collection boxes for responses to surveys and feedback forms
- The Foinavon - Geoff & Staff for displaying publicity materials and providing meeting facilities
- Compton Barbers – Cintra for displaying publicity materials
- Compilations Parish Magazine – Editor, Pam Scott for including our updates and information in the magazine
- Newbury College Printing Services – printing leaflets, flyers and posters
- Lorraine Smith – for help in collating data
- Michael Griffin - for providing information reports
- Dr Sarah Marshman - for setting up the Compton NDP Website and administration in preparation for the Steering Group
- Compton Parish Council – for their support and funding
- Our group of Volunteers who have diligently distributed leaflets and flyers throughout the village
- Organisations, Businesses and members of Compton Village who have given information, feedback and support, responded to our questionnaires, and attended events



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Updates to the Constitution

Committee considering report:	Council
Date of Committee:	2 nd December 2021
Portfolio Member:	Councillor Howard Woollaston
Date Head of Service agreed report: <i>(for Corporate Board)</i>	5 th November 2021
Date Portfolio Member agreed report:	5 th November 2021
Report Author:	Sarah Clarke
Forward Plan Ref:	C4104

1 Purpose of the Report

- 1.1 The purpose of this report is to notify Council of the work undertaken by the Constitution Review Task Group (“the Task Group”) to date, as reviewed by the Governance and Ethics Committee at its meeting on 15 November 2021, and to propose:
- (a) an additional ordinary meeting of Council in March 2022;
 - (b) that the meeting of Council scheduled to take place on 3 March 2022 will deal purely with the 2022/23 Council budget and no other business;
 - (c) a response to Motions submitted by Councillor Lee Dillon proposing changes to the Constitution;
 - (d) certain changes to the Constitution.
- 1.2 This report is in anticipation of wholesale changes to the Constitution, as expanded upon below, to include making some or all of the proposals set out permanent.

2 Recommendations

It is Recommended that Council:

- (a) notes the progress made so far by the Task Group and that the temporary proposals contained in this report are anticipated to form part of the permanent proposals coming forward from the Task Group for amendments to the Constitution in due course;
- (b) agrees that the meeting of Council scheduled to take place on 3 March 2022 will be regarded as the 2022 Budget Meeting of Council;
- (c) approves a further ordinary meeting of Council on the 17th March 2022;
- (d) approves the rules of procedure for the 2022 Budget Meeting of Council detailed at Appendix C;

- (e) rejects the Motions submitted by Councillor Lee Dillon proposing changes to the Constitution but notes proposed amendments to related processes;
- (f) approves the proposals for the hosting of a themed debate once per year;
- (g) authorises the Council's appointed Auditors to make representations as appropriate at meetings of the Council's Governance and Ethics Committee and Council;
- (h) delegates to the Monitoring Officer the power to make minor amendments to the Constitution following (i) these changes, and (ii) organisational changes.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	None directly although the report proposes changes to the procedures to be followed at full Council when setting the budget. The Council is required to set a budget every year, and this report includes recommendations for how that will be transacted.
Human Resource:	None
Legal:	This report proposes changes to the Council's Constitution, and will ensure a clear and transparent decision making framework.
Risk Management:	There is a risk that any decision of Council could be challenged. Having clear rules governing the manner in which meetings will be conducted, should reduce the risk of challenges being successful.
Property:	None
Policy:	No policy implications.

	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		

Environmental Impact:		X		
Health Impact:		X		
ICT Impact:		X		
Digital Services Impact:	X			The recommendations in this report recognise the ability to engage effectively with residents via social media and digital technology.
Council Strategy Priorities:		X		
Core Business:	X			It is considered that the recommendations in this report will support the effective administration of business at Council meetings.
Data Impact:		X		
Consultation and Engagement:	<p>These proposals have been discussed with:</p> <p>The Governance and Ethics Committee</p> <p>The Constitution Review Task Group</p> <p>Joseph Holmes – Executive Director Resources</p> <p>Andy Walker – Head of Finance & Property</p> <p>Shiraz Sheikh – Service Lead, Legal and Democratic</p> <p>Melanie Ellis – Chief Management Accountant</p> <p>Leigh Hogan – Legal Services Manager</p> <p>Shannon Coleman Slaughter – Chief Financial Accountant</p>			

4 Executive Summary

- 4.1 It was agreed in July 2019 that a Task Group of the Governance and Ethics Committee would be created to review the entire Constitution to ensure that it remained fit for purpose. The Task Group first met in September 2019.
- 4.2 Work on progress was delayed by the pandemic, but is progressing. There have however been a number of motions submitted to Council regarding the Constitution, and these need to be considered, together with updates to ensure that the Constitution remains fit for purpose.
- 4.3 Specific changes discussed by the Task Group in relation to the discussion of the Council’s budget include:
- (a) the scheduling of an additional meeting of Council during February or March each year (“the Additional Meeting”) and re-designating the meeting/one of the meetings in March as “the Budget Meeting”;
 - (b) the adoption of new procedures for the Budget Meeting.

- 4.4 This report proposes adopting such changes for 2022 on the understanding that similar changes are likely to be proposed for future years within the wider overhaul of the Constitution being discussed by the Task Group.
- 4.5 This report also proposes changes to the Constitution as follows:
- (a) the hosting of themed debates;
 - (b) permitting the external auditors to speak at meetings of the Governance and Ethics Committee and of Council;
 - (c) an amendment to the Constitution to enable the Monitoring Officer to make minor changes to the Constitution to reflect organisational change.
- 4.6 This report also considers two Motions that were submitted by Councillor Lee Dillon, and makes recommendations in response.

5 Supporting Information

Introduction and Background

- 5.1 The Council is in the process of undertaking a comprehensive review of the Constitution and this report seeks approval to adopt certain aspects of that review.
- 5.2 The Task Group is a working group consisting of the following Members: Jeff Beck, Graham Bridgman (Chairman), Jeff Brooks, James Cole, David Marsh, Andy Moore, and Howard Woollaston. Councillor Geoff Mayes is a former member of the Task Group. The significant contribution of the Task Group to the updating of the Constitution and in the formulation of these proposals should be noted.
- 5.3 Initially the intention was to deal with each existing Part of the Constitution in turn, make any suggested amendments, and move on to the next Part. However, it quickly became apparent that there was considerable overlap and duplication between different Parts (for example similar, in many cases identical, rules as to meetings appear in Parts 4, 5, 6 and 7) and, instead, it was decided to seek to draft a common set of rules applicable to all formal meetings, with appendices dealing with any differences (eg between particular committees).
- 5.4 The move to remote meetings early in the pandemic enabled elected Members to continue to take important local decisions throughout the lockdown period, and whilst social distancing measures were in place. The rapid deployment of new technologies within the Council also presented new engagement opportunities, such as webinars and Facebook live events.
- 5.5 The Council will continue to host virtual engagement sessions, to maximise engagement opportunities with the communities that we serve. It has also been agreed that the themed debates would be a means by which important issues could be debated by elected members of the Council.
- 5.6 Following the meeting of Council in March 2021 that considered the 2021/22 Council Budget, the Task Group debated how best to deal with budget meetings to ensure that there was sufficient time available to debate the proposals. It was concluded that the current March meeting of full Council should be designated as the Budget Meeting, and only deal with the budget, and that an additional meeting, to be held at some point in

the early Spring prior to the Annual Meeting of full Council, should be added to the municipal calendar.

- 5.7 The proposals in this report seek to introduce those concepts for 2022, with the intention that a complete overhaul of the Constitution (which is likely to include making these proposals permanent) will be introduced in time for 2023.
- 5.8 A number of minor changes are also being proposed to ensure:
- (a) that the Council's external Auditors can address the Council's Governance and Ethics Committee and relevant meetings of Council when appropriate; and
 - (b) that the Constitution reflects the updated organisational structure following the introduction of a number of Departments being led by Service Directors in accordance with the changes proposed by SMR4.
- 5.9 A Motion was submitted to the Council meeting on 2 July 2019 by Cllr Lee Dillon ("the First Motion") in the following terms:

"This Council notes:

1. That more public questions are being asked at both Executive and Full Council meetings.

2. That the current time limit of 30 minutes results in some questions not being answered during the meeting they are tabled for.

3. Public Participation is important to a healthy local democracy and the Council should welcome public questions.

4. That petitions are an important tool for local campaigners to highlight issues.

5. That some petitions have requests for multiple actions but current rules only allow for full acceptance, rejection, or investigation by Full Council and the Executive rather than being able to accept certain actions within the petition.

Therefore Council resolved to:

1. Increase public question time at Full Council and Executive meetings to 45 minutes.

2. Increase time for petitions to be debated as follows:

300 - 500 signatures – 10 minute debate

500– 1000 signatures – 30 minute debate

Over 1000 signatures – minimum of 45 minutes but final debate time to be agreed by all group leaders.

3. *Allow Council or Executive to accept individual items within a petition without needing to accept all points, so that where we can take action we do.*

5.10 A further Motion was submitted to the Council meeting on 8 July 2021 by Cllr Lee Dillon (“the Second Motion”), which proposed:

“That the decision to end a meeting of Full Council rests with the Members in the Chamber deciding a suitable end time rather than any pre-set limit.”

5.11 Both Motions were referred by the Chairman of Council to the Task Group for consideration and report back.

5.12 Both Motions have been considered by the Task Group, with Cllr Dillon in attendance, and this report makes recommendations as to the response to them.

Proposals

5.13 The existing version of the Constitution has operated effectively for many years. However, there are many sections within it that which deal with the various meetings of Council, which sought to replicate a set of rules regarding the procedures to be followed during public meetings in each part. That has meant that over time, as amendments were made to different parts of the Constitution, variations and duplication have occurred.

5.14 The aim of the proposed changes is to ensure that the Council has a single set of core operating rules which will apply to all meetings. It is proposed that the Council adopt a table of meeting rules, which provides a quick reference guide to the rules, procedures and business to be transacted at the meetings of Council.

5.15 Following the meeting of Council which considered the Budget for 2021/2022, the Task Group considered how to better facilitate the effective discharge of business at the budget meeting of Council. It is anticipated that these proposals will be incorporated into the updated Constitution, but it is necessary to bring certain aspects forward now to allow some aspects to apply to the 2022 Budget Meeting of Council.

5.16 An initial draft of this Report was considered by the Governance and Ethics Committee at its meeting on 15 November 2021 and endorsed, subject to the Committee expressing a preference for one of two alternatives put forward in respect of managing the timetable for the 2022 Budget Meeting of Council (detailed further below).

Budget Meeting of Council

5.17 The standard schedule of meetings of Council results in Council meeting on five occasions each year: March (Budget Meeting), May (Annual Council), July, September, and December. It is now proposed that there be an additional meeting of full Council each year during February or March (“the Additional Meeting”).

5.18 The Additional Meeting has been proposed to ensure that the matters considered at the Budget Meeting will be limited to the budget, and that so far as the Budget Meeting is concerned:

(a) public questions will only be permitted if they relate to the budget;

- (b) there will be no Member Questions (since Members can raise issues relevant to the budget during the debate);
- (c) there will be no Chairman's remarks, petitions or motions (all of these being permitted at the Additional Meeting).

5.19 It is proposed that the agenda for the Budget Meeting will be limited to four substantive items, namely:

- (a) the Medium Term Financial Strategy (the MTFS);
- (b) the Investment Strategy;
- (c) the Capital Strategy;
- (d) the Revenue Budget.

5.20 The above items are, in the opinion of the Council's Chief Financial Officer (the Section 151 Officer), matters that must be considered and determined by Council in early March.

5.21 Consideration was given to two alternative proposals for time allocation for the budget debate. Under the first proposal there would be a maximum time available to debate each item of business, allocated in accordance with the political balance of the Council. Under the second the Task Group debated a less prescriptive option - that the Chairman of Council meet with the Group Leaders and Portfolio Holder for Finance and relevant officers prior to the Budget Meeting, to consider indicative timings at the meeting and in order to support the effective management of the Budget Meeting.

5.22 Following a debate at the Governance and Ethics Committee, the second option is recommended to Council for approval.

5.23 Under the proposals:

- (a) the Budget Meeting would commence at 17:30, with Public Questions being dealt with at that time. The Council would not however begin to consider the substantive reports on the agenda relating to the budget before 18:00.
- (b) proposed amendments to items on the agenda would be tabled by the Groups and submitted to the Section 151 Officer by no later than 17:00, three clear working days before the meeting. Proposed amendments not submitted by the deadline would not be accepted. The Section 151 Officer would add an opinion to the proposed amendments and distribute to all Councillors at least one clear working day before the meeting.

(Note – subject to minor amendments, the budget papers will have been available to Councillors since the meeting of the Executive prior to the Budget Meeting.)

- (c) the Administration would introduce the four reports with a maximum speech length of five minutes for each of the MTFS and the Investment Strategy, and ten minutes for each of the Capital Strategy and Revenue Budget items.
- (d) the proposer of an amendment can request that separate votes be taken on part of a proposed amendment and subject to comments from the statutory officers, the Chairman shall have discretion to allow this.
- (e) the seconder of a proposed amendment would have a right of reply in the event of a Closure Motion being proposed and carried.

- (f) there would be a meeting between the Chairman (and/or Vice Chairman of Council), the Group Leaders and the Portfolio Holder for Finance, together with relevant officers, to discuss the effective management of the Budget Meeting, seeking to establish indicative timings for items on the agenda, taking into account the political composition of Council and the likely elements of the debate. The resultant indicative timetable would then be distributed to Councillors as guidance.

5.24 Council is also asked to approve an Additional Meeting on the 17 March 2022. The meeting currently timetabled for 3 March 2022 will be the Budget Meeting.

Themed Debates

5.25 A meeting between the Leaders of the political groups and the Council's former Chief Executive had discussed and agreed in principle that there should be a facility for themed debates to take place between the political groups.

5.26 It is likely that this would occur during the September meeting or early autumn meeting. At this meeting, Members would be invited to consider the urgency of any questions submitted, and questions may receive a written response in accordance with existing rules due to a lack of time in the meeting.

5.27 It is recommended that the following guidelines be agreed for the debate:

- (a) the Leader of each Political Group (or their nominated representative) will be invited to make opening remarks;
- (b) there will be no formal time limit on speeches, but the allocation of time during the debate should be fair and will have regard to the political balance of the Council;
- (c) the Debate will be for a maximum of one hour.

5.28 The subject matter of the themed debates are to be agreed at a meeting of the three Leaders, which will take place at least six weeks prior to the debate. In the absence of agreement, the Chairman of Council will be asked to pick a theme for debate. Any theme to be debated should be of relevance to the residents of West Berkshire.

Motions

5.29 There are effectively two parts to the First Motion, which will be considered in turn.

Questions

5.30 The First Motion proposed that the time limit for questions be extended to 45 minutes at meetings of the Executive and Council.

5.31 The Council's Constitution currently permits questions to be asked at any ordinary meeting of the Executive or Council. Members of the public residing or working in the District, or their representative, can ask any question relating to the business of the Council, a matter for which the Council has responsibility or the wellbeing of West Berkshire.

5.32 There is a limit on the total time spent responding to questions in that the time allowed for public questions is 30 minutes, and the time for member questions is one hour unless the Leader or Chairman of Council permit the time to be extended. Any questions not answered within the relevant time will receive a written response.

- 5.33 The First Motion suggests that the time limit for public questions should be extended, but a review of what neighbouring authorities offered was undertaken and the results of that appear at Appendix A. It is clear that West Berkshire Council currently allows a similar time limit for questions as neighbouring authorities. However, it is also important to note that unlike some of those councils, West Berkshire Council does not limit the topic of questions that can be asked at meetings of the Executive.
- 5.34 Since the start of the pandemic, new technology deployed within the Council has facilitated engagement sessions with members of the public, such as the #Ask Lynne Facebook live sessions, during which, members of the public can submit questions on relevant subjects. For example, the June Facebook live reached 2,487 people. During this session, there were 13 questions, and a total of 37 questions and comments. The topics during that session ranged from how people can become more involved with the council, to the creation of family leisure facilities, the development of Northbrook Street, and mental health for young people.
- 5.35 Webinars have also been held regarding significant proposals, and examples of this include the Local Plan, Business Grants, the budget and Newbury Sports Ground. These have enabled focussed sessions to take place, and have provided the opportunity for questions to be asked of relevant Members and officers.
- 5.36 As shown in the table produced at Appendix B, between January and September 2021, 267 questions have been submitted to the Council at its public meetings.
- 5.37 It is clear that there are numerous mechanisms that facilitate engagement by the Council with those living or working in the district. A survey undertaken on polls run on social media indicated a preference for evening engagement sessions that were limited in duration to 30 or 40 minutes.
- 5.38 It is not considered that the current system for public questions, together with the additional opportunities for residents to engage with the Council, need to be extended at meetings of the Council. This recommendation is made having regard to the arrangements in other local authorities (which are more restrictive), and to the numerous channels by which residents and others can and do interact with the Council.

Petitions

- 5.39 The First Motion proposed changes to the manner in which Council deals with petitions. Under the current rules, a debate at Council can be triggered by the submission of a petition that contains a minimum of 1500 petitioners. That number can be reduced to 500 petitioners (per ward) where the petition relates to a local issue affecting no more than 2 electoral wards. The Leaders must agree that the subject for debate is a matter of significance to the people of West Berkshire and its surrounding area.
- 5.40 Under the existing rules, the petition organiser or their nominated spokesperson will have up to five minutes to present their petition and the petition will then be discussed by Councillors for a maximum of 15 minutes. The Council may decide to take the action the petition suggests, not to take the action requested for reasons put forward in the debate or to commission a further investigation into the matter.
- 5.41 The First Motion proposes to lower the number of signatories required to trigger a debate at Council, with a variable amount of time available to debate the subject depending on the number of signatories.

- 5.42 Where the Council receives any petition, it will consider the contents of that regardless of whether a debate is held at Council. For example, a petition could be submitted on a very narrow issue, such as a request that the Council review speed limits on a particular stretch of road. An example is the petition that was submitted to Council in September, which was been referred to the Highways Team for consideration.
- 5.43 The First Motion also requests that the Council be permitted to accept part only of a petition. The rules have been drafted as they are to ensure that the totality of any petition request is considered for two reasons:
- (a) first, any amendment to, or limitation of something sought within, a petition should have the agreement of all of the petitioners – a petitioner might sign a petition that seeks x, y and z on the basis that all three are required, not (eg) just x and y excluding z;
 - (b) second, if Members were unable to accept the totality of a petition, but wished to explore certain elements of it, that can already be achieved by a resolution to commission a further investigation into the subject of the petition.
- 5.44 In light of the above, it is not proposed to make any changes at this time to the manner in which the Council deals with petitions.
- 5.45 Following the debate in the Constitution Review Task Group, it was agreed that officers would however review the advice on the Council website to provide additional guidance to individuals wishing to submit a petition. The intention is that such guidance will assist individuals in drafting petitions effectively, and if desired, in a manner that would enable the Council to implement part of the petition if appropriate.

End times of Meetings

- 5.46 The Second Motion proposed that Members should be permitted to decide the end time of meetings. The decision to impose an absolute guillotine on the end time of meetings was introduced as a result of committee meetings which on occasion, continued through the night until the following morning.
- 5.47 It was considered that such meetings were unlikely to be the most effective, as it is almost certain that the impacts of tiredness would have a negative impact on the ability of anyone attending to participate effectively in the meeting, and would also have health and safety implications for those involved.
- 5.48 The Council is committed to improving levels of public engagement. If meetings were permitted to continue to run late into the night, that is likely to limit public engagement.
- 5.49 The Second Motion was submitted following the meeting of Council in March 2021. The changes outlined in this report, and anticipated in the final review by the Task Group, will ensure that there is sufficient time to consider and determine all matters on the agenda of the Council meeting that considers the budget.
- 5.50 In view of the above, it is proposed that the changes proposed in the Second Motion be rejected.
- 5.51 The Constitution Review Task Group considered that there should however be some discretion for the Chairman of Council to allow debate to continue for a short period after 10:30 at meetings of full Council where appropriate, and only in relation to a matter already under debate. The power to extend the meeting would rest with the Chairman,

and the debate should not continue for more than 15 minutes beyond the existing deadline.

External Auditors

5.52 This report also seeks approval to amendments to Part 7 of the Constitution, to ensure that the Council's external auditors (currently Grant Thornton) be permitted to address meetings of Governance and Ethics Committee and full Council.

Delegation

5.53 The Scheme of Delegation makes provision for powers to pass to other officers following organisational change. The Constitution also delegates the power to make minor amendments to the Constitution to ensure that legislative provisions are current and to correct typographical errors.

5.54 Recent organisational change has resulted in the creation of several Service Director Posts. Although powers have transferred to those officers, those posts are not identified within the current constitution.

5.55 It is therefore proposed that Council delegate to the Monitoring Officer the power to update the Constitution following organisational change.

6 Other options considered

6.1 Making the temporary changes proposed for the Budget and Additional Meetings permanent – rejected to allow all changes to form part of a comprehensive overhaul of the Constitution.

6.2 Not doing anything – rejected since the Council must keep the Constitution under review and it is suggested that changes are needed to develop the process by which the Council's budget is agreed.

7 Conclusion

7.1 The Task Group is working hard to progress the Constitution review.

7.2 It is considered important to update the procedure rules for the Budget Meeting of Council, to ensure that the process is clear and helps to support effective decision making at Council. These changes need to be introduced now to ensure that they are in place for the setting of the budget in 2022.

7.3 It is therefore recommended that Council approve the proposals detailed in section 2 of this report.

8 Appendices

8.1 Appendix A – Comparison of Procedure for Public Questions

8.2 Appendix B – Number of Questions asked at Meetings of West Berkshire Council between January and September 2021

8.3 Appendix C – Updated Procedure Rules for the Budget Meeting

Subject to Call-In:

Yes: No: X

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

Wards affected: All

Officer details:

Name: Sarah Clarke
Job Title: Service Director, Strategy & Governance
Tel No: 01635 519596
E-mail: sarah.clarke@westberks.gov.uk

Appendix A

Comparison of Procedures for Public Questions

Council	Time allowed – public questions	Questions per questioner	Max. Questions per topic	Time allowed – member questions	Questions per member	Comments
Wokingham ^[1]	30 mins	1 – max 200 words	10	20 mins	1 – max 200 words	Responses have a max 1 minute
Bracknell ^[2]	3 mins per 'submission' and max 30 mins	1				Call them 'submissions' and can be a statement
Test Valley ^[3]	15 mins per agenda item – max 3 mins per question			15 mins per agenda item		
RBWM ^[4]	9 mins per agenda item and max 3 mins per question			Chairman's discretion		
South Oxon ^[5]	15 mins – max 3 mins per question	?	?	?	?	Questions / submission <u>must</u> relate to the agenda item
Wiltshire ^[6]	The cabinet welcomes questions or statements from members of the public. However, the specific arrangements for public participation at cabinet meetings are a matter for determination by the Leader and will as such be kept under review.					Constitution last updated in 2010

^[1] <https://wokingham.moderngov.co.uk/documents/s47321/Section%205%20The%20Executive.pdf>

^[2] <https://democratic.bracknell-forest.gov.uk/ieListDocuments.aspx?CId=527&MIId=10758&Ver=4&Info=1>

^[3] <file:///C:/Users/jholmes1/Downloads/04f%20Part%204%20-%20Public%20Participation%20Scheme%20March%202020.pdf>

^[4] <https://rbwm.moderngov.co.uk/documents/s35817/Part3TheExecutiveCabinet210504.pdf>

^[5] <file:///C:/Users/jholmes1/Downloads/Constitution1November2020.pdf.pdf> - page 33 onwards

^[6] https://cms.wiltshire.gov.uk/documents/s182489/Part07_Cabinet_Procedure_Rules.pdf

APPENDIX B

Meetings and Number of Questions 2021

Date	Meeting	No of Questions
January	Health & Wellbeing Board	9
	Executive	32
February	Executive	23
March	Council	3
	Executive	38
April	Executive	22
May	Health & Wellbeing Board	5
June	Executive	32
July	Executive	15
	Council	16
August	Health & Wellbeing Board	5
September	Executive	38
	Council	29
Total		267

APPENDIX C

Procedure Rules for the Budget Meeting of Council on 3 March 2022

Conflict between Rules

- 1 In the event of any conflict between these Procedure Rules and other rules within Part 4 of the Council's Constitution, these rules shall take precedence.

Order of Business

- 2 The order of business shall be to:
 - 2.1 Elect a person to preside if the Chairman or Vice-Chairman is not present;
 - 2.2 Receive apologies for an inability to attend the meeting;
 - 2.3 Receive any declarations of interest from Members;
 - 2.4 Take public questions relating to the budget;
 - 2.5 Debate the proposed Medium Term Financial Strategy (MTFS);
 - 2.6 Debate the proposed Investment Strategy;
 - 2.7 Debate the proposed Capital Strategy;
 - 2.8 Debate the proposed Revenue Budget.

Prior Submission of Amendments

- 3 Proposed amendments to items on the Agenda must be tabled by the Groups, and they must be submitted to the Section 151 Officer by no later than 17:00, three clear working days before the meeting.
- 4 Proposed amendments not submitted by the deadline will not be accepted.
- 5 The Section 151 Officer will add an opinion to the proposed amendments and will distribute to all Councillors at least one clear working day before the meeting.

(Note – subject to minor amendments, the budget papers will have been available to Members since the meeting of the Executive prior to the Budget Meeting.)

Questions

- 6 Only public questions which relate directly to items of business on the Agenda will be accepted.
- 7 There will be no Member Questions.

Meeting Arrangements

- 8 Prior to the Budget Meeting, the Chairman of Council will invite the Group Leaders or their duly nominated deputies, together with the Portfolio Holder for Finance, to a pre-council briefing to support the effective operation of the Budget Meeting.

Right to Request Different Procedure for Voting on an Amendment

- 9 Prior to an amendment being voted upon, the proposer of the amendment may request that the Chairman permit that there be separate votes in respect of parts of the

amendment. Subject to any comments from the Council's Statutory Officers, it shall be within the Chairman's discretion to permit separate votes on items within a proposed amendment.

Rules of Debate - Closure Motions

10 At the conclusion of a speech of another Member, a Member may Move without comment that:

- 10.1 the debate be adjourned; or
- 10.2 the Meeting be adjourned; or
- 10.3 the Meeting proceed to the next business; or
- 10.4 the Meeting proceed immediately to Close of Debate.

11 Should the Closure Motion be Seconded and the Chairman consider that the question before the Meeting has been sufficiently discussed:

- 11.1 if the Closure Motion is to adjourn the debate or the Meeting, or to proceed to the next business:
 - the Chairman shall invite the Proposer to reply;
 - the Closure Motion shall be put to the vote, and if carried, the debate or Meeting shall stand adjourned, or the Meeting shall proceed to the next business, as the case may be;
- 11.2 if the Closure Motion is to proceed immediately to Close of Debate it shall be put to the vote and if carried the Meeting shall proceed immediately to Close of Debate.

Rules of Debate - Close of Debate

12 At the close of the debate on a Proposal, the following shall have the right of speech or reply in this order, but shall not introduce any new matter:

- 12.1 on a Motion or Recommendation:
 - the Secunder, if they have not already spoken;
 - the relevant Executive Member or Chairman of the relevant Body if they have not already spoken;
 - the Mover.
- 12.2 on an Amendment:
 - the Secunder, if they have not already spoken;
 - the relevant Executive Member or Chairman of the relevant Body if they have not already spoken;
 - the Mover;
 - the Mover of the original Motion or Recommendation who shall not otherwise speak on the Amendment.

2022/23 West Berkshire Council Timetable of Public Meetings

Committee considering report: Council on 2 December 2021

Portfolio Member: Councillor Howard Woollaston

Report Author: Stephen Chard

Forward Plan Ref: C4154

1 Purpose of the Report

1.1 To recommend a timetable of meetings for the 2022/23 Municipal Year.

2 Recommendation

2.1 To approve the timetable of public meetings for the 2022/23 Municipal Year.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	There are no financial implications associated with the publication of this report. The costs associated with holding meetings, Members' attendance and the publication of agendas will be met from existing budgets.
Human Resource:	None.
Legal:	None.
Risk Management:	None.
Property:	None.
Policy:	This report accords with the Council's policy of publishing its timetable of meetings.

	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		✓		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		✓		
Environmental Impact:		✓		
Health Impact:		✓		
ICT Impact:		✓		
Digital Services Impact:		✓		
Council Strategy Priorities:		✓		
Core Business:		✓		
Data Impact:		✓		
Consultation and Engagement:	Chief Executive, Executive Directors, Monitoring Officer			

4 Executive Summary

4.1 West Berkshire Council is required to publish its timetable of meetings for each Municipal Year following approval by Council. The timetable for 2022/23 is attached to the report at Appendix A.

5 Supporting Information

Introduction

5.1 The timetable of meetings for the Municipal Year 2022/23 is attached as Appendix A to the report and has been based on the following:

- Council meetings to be held in May, July, October, December and March. Two meetings have been scheduled for March 2023 – for the Budget Council meeting and an additional meeting, if necessary, to consider non-Budget items;
- Executive meetings have been arranged to take cognisance of democratic requirements and holiday periods but are usually held approximately every six weeks;
- Area Planning Committees (both Western and Eastern) to be held on a three weekly cycle with provisional dates included for District Planning Committees on a six weekly cycle. District Planning Committees will only be held if the meetings are required and additional meetings may be arranged to ensure that Planning timescales are adhered to;
- Three Overview and Scrutiny Management Commission meetings have been scheduled;
- Four Health Scrutiny Committees have been scheduled;
- Licensing Committee meetings have been set for June, November and February and additional meetings will be arranged on an ad hoc basis;
- Health and Wellbeing Board meetings are held in May, July, September, December and February;
- Governance and Ethics Committees have been arranged to meet deadlines for Council meetings and to facilitate the signing off of the Council's financial accounts;
- Personnel Committee meetings will be held in July, November, February and April;
- Four Corporate Parenting Panels are scheduled (June, September, December and March);
- Two District/Parish Conferences are scheduled each year (at the request of parishes these will be held on two different days of the week);
- Member Induction and Development sessions are normally scheduled in the timetable. The Member Induction and Development Sessions are due to be agreed at Council in March 2022 following which those sessions will be included on the timetable of meetings and republished.
- Joint Public Protection Committees have provisionally been included on the timetable but may be subject to change following discussions with colleagues in Bracknell Forest Council.

5.2 In addition the timetable, once agreed, is also shared with Town and Parish Councils and the Fire Authority so that it can be taken into consideration when their schedules of meetings are agreed.

6 Other options considered

6.1 None.

7 Conclusion

7.1 The schedule has been drafted to ensure that the number of meetings takes into account the volume of business demands. Early adoption will allow time for Members to put meetings into their diaries prior to the commencement of the Municipal Year. The timetable will also form the basis of a committee programme for administrative purposes.

8 Appendices

8.1 Appendix A – Timetable of meetings May 2022 to May 2023

Background Papers:

None.

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval



Wards affected: All

Officer details:

Name: Stephen Chard
Job Title: Democratic Services Manager
Tel No: (01635) 519462
E-mail: stephen.chard@westberks.gov.uk

West Berkshire Council – Timetable of Meetings - May 2022 to May 2023

	MAY 2022	JUN 2022	JUL 2022	AUG 2022	SEP 2022	OCT 2022	NOV 2022	DEC 2022	JAN 2023	FEB 2023	MAR 2023	APR 2023	MAY 2023
Mon				1									1 BH
Tues				2			1						2
Weds		1 E		3 E			2 W			1 E	1 W		3
Thurs		2 BH		4	1		3 X	1 C		2	2 C		4 Election
Fri		3 BH	1	5	2		4	2		3	3		5
Sat		4	2	6	3	1	5	3		4	4	1	6
Sun	1	5	3	7	4	2	6	4		1	5	2	7
Mon	2 BH	6	4 LIC	8	5	3	7 LIC	5	2 BH	6	6	3	8
Tues	3	7	5	9	6	4	8	6 CPP	3	7	7	4	9
Weds	4	8 W	6 D	10 W	7	5 E	9 D	7 E	4	8 W	8 HSC/D	5 E	10
Thurs	5	9 X	7 X	11	8	6 C	10	8 HWBB	5	9 X	9 DPC	6	11
Fri	6	10	8	12	9	7	11 PC	9	6	10 PC	10	7 BH	12
Sat	7	11	9	13	10	8	12	10	7	11	11	8	13
Sun	8	12	10	14	11	9	13	11	8	12	12	9	14
Mon	9	13 JPPC	11	15	12	10	14	12 JPPC	9	13	13 JPPC	10 BH	15
Tues	10 C	14 HSC	12	16 OSMC	13 HSC	11	15	13 HSC	10	14	14 HSC	11	16
Weds	11 E	15	13 E	17 D	14 E	12 W	16 E	14 W	11 E	15	15 E	12 W	17
Thurs	12	16	14	18	15	13	17	15 X	12 X	16	16 C	13	18
Fri	13	17	15 PC	19	16	14	18	16	13	17	17	14	19
Sat	14	18	16	20	17	15	19	17	14	18	18	15	20
Sun	15	19	17	21	18	16	20	18	15	19	19	16	21
Mon	16	20	18	22	19 JPPC	17	21 G&E	19	16 G&E	20	20 G&E	17	22
Tues	17	21 CPP	19 C	23	20 CPP	18 DPC	22	20	17	21	21 CPP	18	23
Weds	18 W	22 E	20 W	24 E	21 W	19	23 W	21 D	18 W	22 E	22 W	19 D	24 W
Thurs	19 HWBB	23	21 HWBB	25	22 X	20	24	22	19	23 HWBB	23 X	20	25 HWBB/ C
Fri	20	24	22	26	23	21	25	23	20	24	24	21	26
Sat	21	25	23	27	24	22	26	24	21	25	25	22	27
Sun	22	26	24	28	25	23	27	25	22	26	26	23	28
Mon	23	27 G&E	25 G&E	29 BH	26 G&E	24	28	26 BH	23 LIC	27	27	24	29 BH
Tues	24 OSMC	28	26	30	27	25	29 OSMC	27 BH	24 OSMC	28	28	25	30
Weds	25 D	29 W	27	31 W	28 D	26 E	30	28	25 D		29	26 E	31 E
Thurs	26	30	28		29 HWBB	27		29	26		30	27	
Fri	27		29		30	28		30	27		31	28	
Sat	28		30			29		31	28			29	
Sun	29		31			30			29			30	
Mon	30					31			30				
Tues	31								31				

<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="background-color: #FF00FF; text-align: center;">C</td><td>Council – 7.00pm ex cept Budget meeting which starts at 6.30pm</td></tr> <tr><td style="background-color: #FF0000; text-align: center;">X</td><td>Executive – 5.00pm</td></tr> <tr><td style="background-color: #0000FF; text-align: center;">G&E</td><td>Governance and Ethics Committee – 5.00pm</td></tr> <tr><td style="background-color: #00FFFF; text-align: center;">OSMC</td><td>Overview & Scrutiny Management Commission – 6.30pm</td></tr> <tr><td style="background-color: #00FF00; text-align: center;">HSC</td><td>Health Scrutiny Committee</td></tr> </table>	C	Council – 7.00pm ex cept Budget meeting which starts at 6.30pm	X	Executive – 5.00pm	G&E	Governance and Ethics Committee – 5.00pm	OSMC	Overview & Scrutiny Management Commission – 6.30pm	HSC	Health Scrutiny Committee	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="background-color: #FFA500; text-align: center;">HWBB</td><td>Health and Wellbeing Board - 9.30am</td></tr> <tr><td style="background-color: #FFFF00; text-align: center;">LIC</td><td>Licensing Committee – 4.30pm</td></tr> <tr><td style="background-color: #FFFFFF; text-align: center;">MDT</td><td>Member Dev elopment Training</td></tr> <tr><td style="background-color: #FFFFFF; text-align: center;">CPP</td><td>Corporate Parenting Panel – 6.00pm</td></tr> </table>	HWBB	Health and Wellbeing Board - 9.30am	LIC	Licensing Committee – 4.30pm	MDT	Member Dev elopment Training	CPP	Corporate Parenting Panel – 6.00pm	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="background-color: #00FF00; text-align: center;">W</td><td>Western Area Planning Committee – 6.30pm</td></tr> <tr><td style="background-color: #008000; text-align: center;">E</td><td>Eastern Area Planning Committee – 6.30pm</td></tr> <tr><td style="background-color: #00FF00; text-align: center;">D</td><td>District Planning Committee (provisional dates) – 6.30pm</td></tr> <tr><td style="background-color: #8B4513; text-align: center;">DPC</td><td>District/Parish Conference – 6.30pm</td></tr> <tr><td style="background-color: #00008B; text-align: center;">JPPC</td><td>Joint Public Protection Committee – 6.30pm</td></tr> </table>	W	Western Area Planning Committee – 6.30pm	E	Eastern Area Planning Committee – 6.30pm	D	District Planning Committee (provisional dates) – 6.30pm	DPC	District/Parish Conference – 6.30pm	JPPC	Joint Public Protection Committee – 6.30pm	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="background-color: #00008B; text-align: center;">PC</td><td>Personnel Committee</td></tr> <tr><td style="background-color: #000000; text-align: center;">BH</td><td>Bank Holiday</td></tr> <tr><td style="background-color: #FFFF00; text-align: center;">SH</td><td>School Holiday</td></tr> </table>	PC	Personnel Committee	BH	Bank Holiday	SH	School Holiday
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PC	Personnel Committee																																				
BH	Bank Holiday																																				
SH	School Holiday																																				

Public Meetings: All meetings are open to the public, with the exception of Corporate Parenting Panels
Venues: Most meetings are held at Council Offices, Market Street, Newbury.
Questions to Council and Executive: Questions must be submitted by 10.00am seven clear working days before the meeting.
District Planning: All stated dates are provisional subject to requirement.

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Item 22:

Motions submitted for debate at the Council meeting on 2 December 2021

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

Civility in Public Life

“The Council recognises the hard work that Councillors do to support their communities and believes they should be able to continue doing so without fear or intimidation. The Council also seeks to achieve greater diversity and inclusion across elected Members and particularly to attract more women candidates.

The Council is therefore committed to promoting civility in public life and supporting the well-being of its elected members.

The Council agrees with the UK Local Government Associations’ Joint Statement on Civility in Public Life, which reads:

“The intimidation and abuse of Councillors, in person or otherwise, undermines democracy; it can prevent elected members from representing the communities they serve, prevent individuals from standing for election and undermine public trust in democratic processes.

These harmful behaviours, whether occurring towards, between or by elected members are entirely unacceptable.”

This Council resolves to treat each other with the respect we all deserve, and commit to disagree with each other in a polite manner both in-person and online in accordance with our Code of Conduct”.

- (b) **The following Motion has been submitted in the name of Councillor Dominic Boeck:**

T Levels

“That this Council welcomes the Further Education White Paper which has been published by HM Government. This new plan will overhaul the technical education system, help plug skill gaps, level up opportunities and support our economic recovery.

The introduction of T Levels, which are high quality technical qualifications on a par with A Levels, is a much needed and once in a generation reform. Building on these reforms, the measures announced in the White Paper will put an end to the illusion that a degree is the only route to success and a good job, and that further and technical education are exciting and challenging options.

It puts employers at the heart of the skills system, where they will be given a central role in designing almost all technical courses by 2030, to make sure that the

Item 22:

Motions submitted for debate at the Council meeting on 2 December 2021

education and training people receive is directly linked to the skills needed for real jobs.

The Council also welcomes the Chancellor's 'Plan For Jobs', which includes measures such as the extension of the Kickstart Scheme – which has given 100,000 young people employment, including 13 opportunities to work within West Berkshire Council, and a further 12 with local external partners. The Chancellor's Plan for Jobs is working and the number of people in employment and average wages are continuing to rise as we recover from the pandemic”.

(c) The following Motion has been submitted in the name of Councillor James Cole:

“The Council has a clear commitment to delivering the objectives set out in its Environment Strategy. This commitment is reflected in its ambitions to ensure the Chestnut Walk development, being progressed through a Joint Venture with Sovereign Housing to deliver 8 affordable homes within Hungerford, achieves the highest possible environmental standards. The Council commits to achieving the highest possible environmental standards of this development balancing it against the best value of the disposal of its land”.

(d) The following Motion has been submitted in the name of Councillor Carolyne Culver:

Response to COP26 in Glasgow

“Council notes:

That COP26 in Glasgow concluded with the Glasgow Climate Pact, which recognises a crucial role for communities and local authorities. By “recognizing the important role of ... local communities and civil society, including youth and children, in addressing and responding to climate change, and highlighting the urgent need for multilevel and cooperative action” the Pact makes plain the need for action at every level of government and society.

That shortly before the Glasgow conference the UK government published its Net Zero Strategy, which includes the intention to establish a Net Zero Forum to coordinate the strategy with local government.

That COP26 failed to provide the national targets that could put the world on course for limiting global average temperature rise to 1.5C; failed to provide the carbon price mechanisms needed to shift the world economy away from fossil fuels; failed to provide the necessary finance for less developed nations to develop without fossil fuels or to deal with the loss and damage caused to them by wealthier nations that are historically responsible; failed to outlaw all loopholes in ‘offsetting’ mechanisms; and failed to commit to phasing out fossil fuels.

Council believes:

Item 22:

Motions submitted for debate at the Council meeting on 2 December 2021

That the chances for a strong outcome from COP26 were weakened by the UK government's mixed messages on climate action, not least the reduction in tax on internal flights, the continued commitment to new fossil fuel extraction in Cumbria and the North Sea oil fields, and cuts to overseas aid.

If we are to become a carbon neutral district we need new developments to be carbon neutral and we need to divest from all investment in fossil fuels.

Council resolves:

- 1.) *To write to Alok Sharma MP to thank him for his work so far and urge him to apply maximum pressure to all parties for the remainder of his presidency.*
- 2.) *To organise carbon literacy training and briefing sessions for council staff and members to ensure we are consistent in addressing the climate emergency across all our activities.*
- 3.) *To organise a second climate conference in West Berkshire which brings all stakeholders together.*
- 4.) *To work with other unitary authorities in Berkshire to divest staff pension funds from fossil fuels, including those who are merely transitioning because we only have nine years left to achieve carbon neutrality. Instead, invest in funds that are contributing to decarbonisation and adaptation to climate change.*
- 5.) *To require developers to submit a Climate Change Declaration with their planning applications to encourage them to build to higher energy efficiency standards.*
- 6.) *To write to our three local MPs urging them to lobby the government for the following:*
 - *Conduct an independent review into UK fossil fuel subsidies and set out a plan and timetable to phase these out.*
 - *Commit to no more coal, oil or gas extraction in the UK, and no more UK investments in fossil fuel extraction overseas.*
 - *Commit to no airport expansion across the UK, and for international aviation and shipping decarbonisation to be included in nationally determined contributions (NDCs) in future trade deals”.*

(e) **The following Motion has been submitted in the name of Councillor Jeff Brooks:**

Integrity of West Berkshire Council

“This Council will act with the utmost integrity at all times and will ensure that all of its actions put our residents first. Where mistakes are made we will put them right. Where injustices are apparent we will act to resolve them.

In everything we do, the needs of our residents will be uppermost in our policies and actions. We will never take short term gains over the interests of the people we are here to serve”.

Item 22:

Motions submitted for debate at the Council meeting on 2 December 2021

- (f) **The following Motion has been submitted in the name of Councillor Lee Dillon:**

Motion: Return to Fully Democratic Process

“West Berkshire Council needs to return to a fully democratic process in its decision making as soon as possible which must include all 43 members being able to attend meetings in person in order to be able to cast their vote in line with the proper conduct of Council business.

Council notes:

- *The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ceased in May 2021 which afforded councils the ability to debate and vote electronically.*
- *Since that time West Berkshire Council has attempted a hybrid solution, allowing some members to attend in person and other electronically; and requiring (as the law permits) for all those voting to be attending in person.*
- *The current Chamber, under coronavirus safety protocols, cannot accommodate all elected members, staff and public safely.*
- *This Council is continuing to therefore operate with restricted numbers of members, including at full Council meetings. This action, whilst supported in the short term, prevents the full and proper interaction of all 43 Councillors representing their wards in vital Council decisions.*

Accordingly Council resolves:

- *That all members will be able to attend every and any Council meeting with effect from, and including, the Council Budget meeting in March 2022.*
- *Council officers will ensure that a suitable venue is available should there be capacity restrictions in the Market Street Council Chamber due, for example, to legacy safety issues”.*

- (g) **The following Motion has been submitted in the name of Councillor Adrian Abbs:**

Motion: West Berkshire Council Pensions Divestment from Fossil Fuels

“Council notes:

- *The Berkshire Pension Fund has of the order of £27million invested in fossil fuels.*
- *Divesting this pension fund would be a clear and meaningful action that can be taken at a local government level to positively impact on this Council’s green agenda.*

Item 22:

Motions submitted for debate at the Council meeting on 2 December 2021

Fossil fuel investments are becoming increasingly less attractive because of the global transition to a more sustainable economic and environmental model.

Such investments are now being consistently out-performed by renewables.

In light of this, and supported by the statements below

- *Former Bank of England Governor Mark Carney warned in December 2019 that fossil fuel investments risk becoming “stranded assets” (i.e. worthless) as investors exit the sector.*
- *As continued investments in fossil fuels pose material financial risks to portfolios, funds have fiduciary duties to consider the benefits of decarbonising as part of their investment strategies.*
- *Pension funds have a legal duty to treat members ‘fairly as between them.’ Meaning that the longer-term interests of younger members who may well be affected more by the climate transition must be taken into account.*

This Council commits to:

- *Call on the Berkshire Pension Fund to divest from fossil fuels. This can be done through the Council’s representative on the pension fund advisory panel calling for the development, adaptation and adoption of responsible investment policies which:*
 - *Immediately freezes any new investment in publicly traded fossil fuel companies.*
 - *Divests the fund within three years from direct ownership of both primary fossil fuel corporations and any commingled funds that include fossil fuel public equities and corporate bonds*
 - *Actively seeks to invest in companies that are making significant attempts to reduce their greenhouse gas emissions and minimise climate risk.*
- *Recognise that fossil fuel investments should be considered as part of the council’s ‘carbon footprint’ and the divestment of the Berkshire pension fund is an important step we can take to reduce our impact on our community and the world”.*

(h) **The following Motion has been submitted in the name of Councillor Adrian Abbs:**

Motion: Helping West Berkshire Taxi trade go greener

“Overview:-

Given the Council’s declaration of a climate emergency at a district wide level, it is a critical part of the delivery to have any body, company or individual contributing to carbon emissions join West Berkshire Council in achieving its stated goals of net zero by 2030.

Item 22:

Motions submitted for debate at the Council meeting on 2 December 2021

Transport is amongst the largest contributors of carbon emissions and the taxi trade is one group over which West Berkshire Council has some direct influence.

During recent meetings with the trade body several key factors were established that have led directly to this motion and, should this motion be adopted, allow West Berkshire Council to encourage the whole trade in going greener at pace.

For the purposes of this motion "Taxis" refers to vehicles licenced for plying for hire on ranks or that can be hailed in the street and private hire vehicles which are vehicles licensed by the Council which must be pre-booked. "Licence fees" refers to those fees associated with Hackney Carriage and Private Hire Licences, plus Private Hire Operators (PHO) licences for both new vehicles / operators and renewal of licences.

Other direct benefits would also result from the adoption of this motion in and around taxi ranks where charging infrastructure is deployed.

- Street vendors that use car parks next to taxi ranks could use direct electricity feeds rather than the petrol and diesel generators currently used.*
- Reductions in noise from all vehicle types and street vendors would result from the removal of fossil fuel engines.*
- Improvements in Air Quality and specifically a reduction in Nitrous Oxide and fine particulate matter which would lead to a safer environment for all.*

Council notes:

- 95% of Taxis are still diesel according to the latest survey of the trade.*
- That 60% of those that recently responded to a consultation said they are considering changing their vehicle in the next 3 years.*
- That 80% of the journeys made in a taxi are less than 50 miles.*
- That 80% of taxi drivers drive less than 200 miles a day.*
- That poor air quality (especially in built up areas) is a significant risk to health.*
- That whilst 50% of respondents would consider electric for personal use, only 30% thought they might choose electric for work.*
- That to meet our climate emergency declaration goals by 2030, significant changes in transport modes are needed as quickly as possible.*
- That most battery electric vehicles suitable for use as a taxi have ranges of more than 200 miles.*
- That full plug-in hybrids often have a range on pure electric exceeding the average journey needed by taxi.*
- The upper end of the cost estimates for licences is £36K assuming all 60% of those thinking of a change do so in year 1.*

In order to help achieve this:

This Council will introduce an incentive scheme to help all forms of vehicle licensed by West Berkshire for public transport to go green. The incentive scheme would run until the 31 March 2025 and would result in the Council subsidising licence fees over a three-year period for each taxi.

Item 22:

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This scheme will introduce a zero-licence fee tariff for any taxi that is powered fully by electricity and a 50% reduction of the licence fee for any taxi that can do a minimum of 50 miles on electric power before switching to fossil fuel - known often as plug-in hybrids. The cost of this proposal for every 10% of fee take up would be a subsidy of:

- £6.5K fully electric
- £3.25K for hybrid

This Council commits to:

- *Introducing the subsidised incentive scheme within next year's budget.*
- *Providing (where practical) fast charging points next to taxi ranks to remove range anxiety for taxi drivers".*

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Item 23:

Member Questions to be answered at the Council meeting on 2 December 2021.

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

(a) Question to be answered by the Portfolio Holder for Internal Governance, Leisure and Culture submitted by Councillor Tony Vickers:

“How can we councillors justify to our constituents why planning ‘decisions’ by us are made entirely in public, but licensing ‘decisions’ by us are debated and framed behind closed doors?”

(b) Question to be answered by the Portfolio Holder for Adult Social Care submitted by Councillor Martha Vickers:

“Could this Council consider expanding the service it provides through its Family Hubs to ensure that those families most affected by the pandemic, particularly those in our areas of deprivation, have easy access to the support they so vitally need?”

(c) Question to be answered by the Portfolio Holder for Housing, Strategic Partnerships and Transformation submitted by Councillor Jeff Beck:

“Will the Portfolio Holder please update us with regard to the number of Rough Sleepers currently in West Berkshire, the support being offered and the number declining this assistance. Your Report upon the progress West Berkshire Council is making to deal with this problem, in both the short and medium terms will be appreciated, thank you”.

(d) Question to be answered by the Portfolio Holder for Environment and Waste submitted by Councillor Phil Barnett:

“In view of the promotion of planting trees in public places small saplings quickly become fully fledged mature trees.

Therefore can the Executive Member for highways and the Environment identify what maintenance and inspection regime is in place to reassure the public that quickly growing trees are safe and, where necessary, pollarding takes place at the appropriate time?”

(e) Question to be answered by the Portfolio Holder for Environment and Waste submitted by Councillor Martha Vickers:

“What can this Council do, in conjunction with its partners, to encourage local businesses to reduce their carbon footprint, particularly regarding the disposal of their rubbish?”

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