

DRAFT

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

COUNCIL

MINUTES OF THE MEETING HELD ON TUESDAY, 9 MAY 2017

Councillors Present: Peter Argyle, Howard Bairstow, Pamela Bale, Jeremy Bartlett, Jeff Beck, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Richard Crumly, Lynne Doherty, Billy Drummond, Adrian Edwards, Sheila Ellison, Marcus Franks, James Fredrickson, Clive Hooker, Carol Jackson-Doerge (Vice-Chairman), Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Alan Macro, Ian Morrin, Graham Pask, Anthony Pick, James Podger, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb (Chairman), Emma Webster and Laszlo Zverko

Also Present: John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Sarah Clarke (Acting Head of Legal Services), Andy Day (Head of Strategic Support), Martin Dunscombe (Communications Manager), Bryan Lyttle (Planning & Transport Policy Manager), Andrew Morrow (Senior Minerals and Waste Planning Officer), Shiraz Sheikh (Principal Solicitor), Richard Turner (Property Service Manager), Moira Fraser (Democratic and Electoral Services Manager), Gabrielle Mancini (Group Executive - Conservatives) and Jo Reeves (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Steve Ardagh-Walter, Councillor Lee Dillon, Honorary Alderman Geoff Findlay, Councillor Dave Goff, Councillor Manohar Gopal, Councillor Paul Hower, Councillor Tim Metcalfe, Honorary Alderman Joe Mooney, Honorary Alderman Andrew Rowles and Rachael Wardell

Councillors Absent: Councillor Rob Denton-Powell and Councillor Nick Goodes

PART I

1. Chairman's Remarks

The Chairman stated that it was with great sadness that the Council had learnt that Councillor Roger Croft had passed away on the 24th March 2017. He wished to record his and the Council's sincere condolences to both Roger's and his wife Zelda's families. He stated that he was a highly respected colleague and would be sadly missed. The Chairman asked all those present to observe a minute's silence to remember both Roger and Zelda Croft.

Councillor Emma Webster commented that the Councillor Croft was a man of action who sought to make a difference for his community who had not realised how much he was loved.

Councillor Alan Macro stated that Councillor Croft had always been very straightforward in all his dealings with him and described him as a very personable man. He also passed on condolences from Councillor Lee Dillon who had worked closely with Councillor Croft at both West Berkshire and Thatcham Town Councils.

Councillor Dominic Boeck commented that he had known the Crofts for 30 years and their families had grown up together. He noted Councillor Croft's tremendous contribution to the Council and his community.

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Councillor Gordon Lundie stated that Councillor Croft would be remembered for his loyalty, wit, creativity and friendship and he was so very sad that he could no longer call on him to discuss matters over a pint of beer. He commented that Councillor Croft had a quick mind and a sound business grasp, both great skills for the Council which had seen him rise rapidly through the ranks. He had been a natural choice as Councillor Lundie's deputy when he was elected Leader and he had been a great colleague to work with. Since becoming Leader, Councillor Croft had had to oversee difficult choices being made and he had come up with innovative ideas to offset some of the service reductions which would otherwise have to be made. Councillor Lundie commented that Councillor Croft had been blessed with a wonderful wife, children and grandchildren that he loved to spend time with. He stated that Councillor Croft was a skilled Leader, a reluctant Leader of the Council and a good friend.

Councillor Graham Jones stated that over the six years they had worked together at the Council he and Councillor Croft had become very good friends, serving as each other's Deputy Leader in their time served as Leader of the Council. He had welcomed the 'business brain' that Councillor Croft had brought to the Council, which had helped to focus thinking. He stated that he would remember Councillor Croft for his sense of humour, impatience to get things done and his great love of life. He was not a Councillor that was elected to make up numbers but instead wanted to get things done.

The Chairman thanked Vice Chairmen, Councillor Carol Jackson-Doerge and Councillor Jeanette Clifford, for their support over the 2016/17 Municipal Year.

The Chairman then reported that he, the Vice Chairmen and Councillors Edwards and Argyle had attended 178 events over the past year. He commented that representing the Council was a great honour. He thanked the Council for electing him and giving him the opportunity to represent them during the past year.

2. Presentations

The Chairman made the following long service presentations to Members for ten years' service:

- Councillor Howard Bairstow
- Councillor Hilary Cole
- Councillor Carol Jackson-Doerge
- Councillor Mike Johnston
- Councillor Alan Law

It was noted that although they had given their apologies for inability to attend the meeting Councillors Dave Goff and Paul Hewer had also served the Council for ten years.

The Chairman then made the following long service presentations to Members for twenty years' service:

- Councillor Peter Argyle
- Councillor Graham Jones

Finally the Chairman presented a long service award to Councillor Graham Pask for thirty years' service to the Council.

The Acting Leader of the Council, Councillor Graham Jones congratulated Councillor Pask on this significant achievement. Councillor Quentin Webb commented that Councillor Pask had been a wonderful co-ward member who had been a pleasure to work with.

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Councillor Graham Pask thanked the Council for the award and stated that it had been a great honour to represent his residents whom he thanked for electing him on no fewer than eight occasions.

Councillor Webb thanked Councillor Marigold Jaques, his Chairman's Lady for the 2016/17 Municipal Year, for the wonderful support that she had given him during his year in Office.

The Chairman then thanked Jude Thomas for all the support that she had afforded him during his year in Office.

3. **Election of the Chairman for the Municipal Year 2017/18 (C3154)**

The Motion was proposed by Councillor Emma Webster and seconded by Councillor Dominic Boeck that Councillor Quentin Webb be re-elected Chairman of the Council for the Municipal Year 2017/18. There were no further nominations.

Councillor Webster in proposing Councillor Webb for the role of Chairman noted that Councillor Webb had fulfilled the role expertly in 2016/17 and she had no doubt he would do so again.

Councillor Boeck commented that Councillor Webb was a very active Member in his community and a very hard working Councillor.

RESOLVED that Councillor Quentin Webb be re-elected as Chairman of Council for the Municipal Year 2017/18.

The Chairman read and signed the Declaration of Acceptance of Office. Councillor Webb thanked the Council for re-electing him and Councillors Webster and Boeck for their kind words. He stated that it was an honour and a privilege and that he would seek to continue to uphold the motto of 'forward together' in the best tradition of West Berkshire Council.

He was pleased to announce that Councillor Marigold Jaques had agreed to be the Chairman's Lady for the next Municipal Year too.

4. **Appointment of Vice-Chairman for the Municipal Year 2017/18 (C3155)**

The Chairman requested nominations for the position of Vice-Chairman of Council for the Municipal Year 2017/18. In response to this request Councillor Carol Jackson-Doerge was nominated by Councillor Graham Jones and the nomination was seconded by Councillor Emma Webster. There were no further nominations for the position of Vice-Chairman.

Councillor Graham Jones stated that Councillor Jackson-Doerge was held in high regard across the Chamber and was also a highly regarded in her community.

Councillor Webster noted that she was a passionate community campaigner who had a lot of energy, drive and determination which would serve her well in this role.

RESOLVED that Councillor Carol Jackson-Doerge be re-appointed Vice-Chairman of Council for the Municipal Year 2017/18.

The Vice-Chairman read and signed the Declaration of Acceptance of Office. Councillor Jackson-Doerge thanked the Council for re-electing her. She noted that this was a huge honour which she would not take lightly and she would support Councillor Webb to the best of her ability. She thanked her family and friends for their forbearance and encouragement over the last year.

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5. Minutes

The Minutes of the meeting held on 02 March 2017 were approved as a true and correct record and signed by the Chairman.

The Minutes of the extraordinary meeting held on the 23 March 2017 were approved as a true and correct record and signed by the Chairman subject to the inclusion of the following amendment:

“Item 6 - Minutes (23 March 2017)”

Page 29, Item 89 – Local Government Boundary Review, sixth paragraph:

Councillor Clive Hooker stated that when he had stood to be elected as a Ward Member for the Downlands Ward he understood that one of his main roles was to support the parish councils. Currently he attended around **30** parish council meetings per year. Increasing the size of the Downlands Ward to cover eight parish councils and three parish meetings would make it impossible for him to continue to attend all their meetings. It would be **geographically** difficult for him to attend meetings where his journey would be around 40 minutes in duration **as well as being financially difficult** and he felt that this change would diminish the service provided to residents.”

6. Declarations of Interest

Councillors Quentin Webb and Sheila Ellison declared an interest in Agenda Item 15 (West Berkshire District Council Housing Site Allocations Development Plan Document), and reported that, as their interest was a disclosable pecuniary interest, they would be leaving the meeting during the course of consideration of the matter.

Councillors Carol Jackson-Doerge, Alan Macro and Jeanette Clifford declared an interest in Agenda Item 15 (West Berkshire District Council Housing Site Allocations Development Plan Document), but reported that, as their interest was personal or an other registrable interest and not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

7. Monitoring Officer's Quarterly Update Report - 2016/17 Year End (C3083)

The Council considered a report (Agenda Item 8) which updated Members on local and national issues relating to ethical standards and drew attention to any complaints or other problems within West Berkshire.

MOTION: Proposed by Councillor Keith Chopping and seconded by Councillor Jeff Beck:

That the Council:

- (1) “notes the content of the report.
- (2) agrees to circulate the report to all Parish/Town Councils in the District for information.”

Councillor Chopping in introducing the item explained that there was a minor typographical error in the report which related to paragraph 12 of the Supporting Information on page 41 of the Agenda in that paragraph 12 appeared twice (first dealing with Gifts and Hospitality and then the Conclusion).

Following the introduction of the Localism Act 2011 a number of changes were made to the Standards Regime. It was agreed that as part of the governance arrangements, the

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Monitoring Officer would prepare a report for the Annual meeting of Full Council, detailing the number and nature of any complaints received and updating Members of any other matters of activity connected with the Code of Conduct.

Councillor Chopping noted that only one dispensation was granted in 2016/17. He commented that the number of gifts and hospitality received by Members remained relatively low.

Councillor Chopping highlighted that all elected Members of the West Berkshire Council had completed and submitted their Register of Interest forms. There had been a significant decrease in the number of complaints received in 2016/17, when there were only three complaints. Councillor Chopping explained that there would be some changes to the Parish Council representatives on the Governance and Ethics Committee and the Advisory Panel.

During the past year, the Standards Committee was merged with the Governance and Audit Committee to become the Governance and Ethics Committee and a revised Code of Conduct was approved by Full Council in September 2016.

Councillor Beck thanked Officers for the considerable amount of work they put into this Committee.

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

8. **Election of the Strong Leader (C3307)**

The Council considered nominations for the Strong Leader of the Council until May 2019.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Keith Chopping:

That the Council:

“appoints Councillor Graham Jones as the Strong Leader until May 2019”.

Councillor Hilary Cole stated that she regretted the tragic circumstances that she was having to make this nomination in. She was however delighted to be able to nominate Councillor Graham Jones who had a wealth of previous experience in this role as he had served as Leader from 2005 to 2012 and had also been the Leader of the Opposition from 2003 to 2005. His consensual and collegiate approach and the fact that he was well respected would serve him well in this role. Councillor Graham Jones had agreed to take up the role after discussions with his wife about the implications of doing so and Councillor Hilary Cole thanked Julie Jones for her forbearance.

Councillor Chopping stated that Councillor Graham Jones was a generous man, very approachable, a good communicator and more importantly a good listener: attributes which would help him to lead the Council through these difficult times.

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

Councillor Graham Jones thanked Councillors Hilary Cole and Chopping for their kind words and he thanked the Council for their continuing support. He commented that Councillor Roger Croft had done a lot of work and there was still a lot of work to be done in a climate of increasing demand and diminishing resources. He would continue Councillor Croft's legacy of seeking to maximise income and increasing community capacity.

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9. **Appointment of the Executive by the Leader of the Council for the 2017/18 Municipal Year (C3156)**

Councillor Graham Jones announced the appointment of Members to the Executive for 2017/18 as follows:

Leader of the Council and Strategy	Graham Jones
Deputy Leader, Planning, Housing and Leisure	Hilary Cole
Finance, Transformation and Economic Development	Anthony Chadley
Culture and Environment	Dominic Boeck
Children, Education and Young People	Lynne Doherty
Community Resilience and Partnerships	Marcus Franks
Health and Wellbeing	James Fredrickson
Adult Social Care	Rick Jones
Highways and Transport	Jeanette Clifford
Corporate Services	Keith Chopping

10. **Proposed New Model for Scrutiny (C3311)**

The Council considered a report (Agenda Item 11) which outlined proposed changes to the way that scrutiny operated within the Council.

MOTION: Proposed by Councillor Graham Jones and seconded by Councillor Hilary Cole:

That the Council:

“approves the proposed new model for scrutiny as outlined in sections 6 and 7 of the report and that this be implemented with immediate effect.”.

Councillor Graham Jones in introducing this item commented that scrutiny was a tool for improvement and should seek to consider both internal and external issues. He noted the responsibility that scrutiny had to monitor health care. He felt that this new model would be a better model to harness the extensive skills Members had. In addition he noted that this model allowed non-scrutineers to be appointed to specific scrutiny tasks if they had a special skill set or interest in a subject matter. He hoped that in addition to holding the Executive to account the two bodies could work together to develop policy where appropriate.

Councillor Alan Macro commented that the current model had only been in operation for a year but that it had not proved to be very successful. This was largely attributed to having limited resources available to undertake the work. He felt that the Council was not investing sufficient resources in this area of work. He also stated that the refusal to lower the threshold for calling items in from five to four Members hampered the ability to hold the Executive to account.

Councillor Emma Webster in her role as Chairman of OSMC thanked David Lowe, Charlene Hurd and Stephen Chard for all the work they had put into Scrutiny over the

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past Municipal Year. She stated that a lot of useful work had been undertaken by scrutiny but that it was felt that this new model would help to take the role of scrutiny forward. It would involve more people and allow the Council to draw on the professional expertise of Members. She encouraged Members to engage with their residents to see what issues they would like the Council to scrutinise.

Councillor Graham Jones concurred with Councillor Macro that the Council had enjoyed limited success with the existing scrutiny model and that was why a proposal was being tabled to change the model. He corrected Councillor Macro about call-in thresholds and explained that the threshold had not been increased it had remained at five for a considerable period of time. He stated that it was the role of all back benchers irrespective of their party to hold the executive to account. He was not aware of the Liberal Democrats approaching any Conservative Members about calling an item in recently. He acknowledged that resources to support scrutiny were limited but that he was confident that this model could be made to work.

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

11. **Appointment of and Allocation of Seats on Committees for the 2017/18 Municipal Year (C3157)**

The Council considered a report (Agenda Item 12) concerning the appointment and allocation of seats on Committees for the next Municipal Year and sought to agree the Council's Policy Framework for 2017/18 as set out in Paragraph 7.1 of Appendix A.

MOTION: Proposed by Councillor Graham Jones and seconded by Councillor Hilary Cole:

That the Council:

- "1. notes that under Paragraph 8 of the Local Government (Committees and Political Groups) Regulations 1990, notice has been received that the Members set out in paragraph 1.1 of Appendix A to this report are to be regarded as Members of the Conservative and Liberal Democrat Groups respectively.
2. notes the discussion and outcome of the proposed new model for scrutiny as outlined in paragraphs 6.1 to 6.4 of the report entitled "Proposed new model for Scrutiny" (Agenda item 11 refers) and if appropriate adjusts the seats and substitute numbers accordingly on Committees as set out in Tables A, B and C of Appendix A.
3. agrees to the appointment of the various Committees and to the number of places on each as set out in paragraph 3.2 of Appendix A (Table A).
4. agrees to the allocation of seats to the Political Groups in accordance with section 15(5) of the Local Government Act 1989 as set out in paragraph 4.6 of Appendix A (Table B).
5. agrees the number of substitutes on Committees and Commissions as set out in paragraph 5.1 of Appendix A (Table C).
6. agrees that In respect of the District and Area Planning Committees, the substitute Members are all drawn from Members representing wards within the Committee's area who are not appointed to the Committee. Where substitutes attend the District Planning Meeting they need to be drawn from the same Area Planning meeting as the Member they are substituting for.
7. approves the appointment of Members to the Committees as set out in Appendix C and in accordance with the wishes of the Political Groups.

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8. agrees, that the Council, in accordance with Regulation 4, Schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, and the Local Authorities (Functions and Responsibilities) (England) (Amendment No.2) Regulations 2008, the Council's Policy Framework for 2017/18 be as set out in paragraph 7.1 of Appendix A and that any appropriate amendments be made to the Council's Constitution (Paragraph 2.5.2) should this be necessary.
9. in accordance with Regulation 5, Schedule 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, approves that all other plans, policies and strategies requiring approval and not included in the approved Policy Framework be delegated to the Council's Executive.
10. agrees that Paragraph 2.6.5 of Article 6, setting out the Executive Portfolios, be amended to reflect any changes made by the Leader of the Council at the Annual Council meeting.
11. agrees to the appointment of two non voting co-opted Parish/Town Councillors and one non-voting substitute Parish/Town Councillor to the Governance and Ethics Committee namely Barry Dickens (co-opted non voting Parish Councillor), Geoff Mayes (co-opted non voting Parish Councillor) and Jane Langford (substitute co-opted non voting Parish Councillor)
12. appoints two Parish/Town Councillors and one non-voting substitute Parish/Town Councillor to the Governance and Ethics Committee's Advisory Panel namely Tony Renouf, Darren Peace, and Bruce Laurie (substitute)
13. re-appoints three Independent Persons namely Lindsey Appleton, James Rees and Mike Wall.
14. agrees the membership of the Health and Wellbeing Board as set out in paragraph 10.1 of Appendix A.
15. delegates authority to the Monitoring Officer to make any changes required to the Constitution as a result of the appointments to Committees.”.

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

12. **Adjournment of the Meeting**

RESOLVED that the meeting of Council be adjourned to enable the various Committees to determine their Chairmen and Vice-Chairmen.

The meeting was adjourned at 8.00pm

13. **Recommencement of the Meeting**

The meeting was reconvened at 8.08pm.

14. **West Berkshire District Council Housing Site Allocations Development Plan Document (C3227)**

(Councillor Alan Macro declared a personal interest in Agenda item 15 by virtue of the fact that he lived opposite one of the sites (THE009) identified as a housing site in the DPD. As his interest was personal and not a prejudicial or disclosable pecuniary interest he determined to take part in the debate and vote on the matter).

(Councillor Quentin Webb declared a disclosable pecuniary interest in Agenda item 15 by virtue of the fact that he owned a home in Hermitage Green and there was a proposal to change a settlement boundary that would affect his property. As his interest was a disclosable pecuniary interest he determined to leave the meeting, stood down as Chairman for this item and took no part in the debate or voting on the matter).

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(Councillor Sheila Ellison declared a disclosable pecuniary interest in Agenda item 15 by virtue of the fact that she owned land within one of the proposed changes to a settlement boundary. As her interest was a disclosable pecuniary interest she determined to leave the meeting, and took no part in the debate or voting on the matter).

(Councillor Carol Jackson-Doerge declared a personal interest in Agenda item 15 by virtue of the fact that she lived within the parish of Burghfield which was referenced in the report. As her interest was personal and not a disclosable pecuniary or other registrable interest she determined to take part in the debate and vote on the matter).

(Councillor Jeanette Clifford declared a personal interest in Agenda Item 15 by virtue of the fact that lived near to a site referenced in the report and she had been lobbied in respect of this site. As her interest was personal and not a disclosable pecuniary or other registrable interest she determined to take part in the debate and vote on the matter).

(Councillors Quentin Webb and Sheila Ellison left the meeting at 8.08pm and returned at 8.17pm)

Councillor Carol Jackson-Doerge in the Chair.

The Council considered a report (Agenda Item 15) which informed Members of the receipt of the Inspector's Report into the Examination of the West Berkshire District Council Housing Site Allocations Development Plan Document (HSA DPD). Members were also asked to adopt the West Berkshire Housing Site Allocations Development Plan Document which was attached as Appendix A to the report.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Alan Law:

That the Council resolves to:

- "(1) Adopt the West Berkshire Housing Site Allocations Development Plan Document as attached in Appendix A in accordance with Section 23 of the Planning and Compulsory Purchase Act 2004 (as amended).
- (2) Delegate authority to the Head of Development and Planning to agree any minor typographical and formatting refinements to the West Berkshire Housing Site Allocations Development Plan Document before publication".

Councillor Hilary Cole in introducing the report stated that the work on this document had started in September 2013 when the call for sites had been issued and the process was now finally coming to an end. The Planning Inspector's report concluded that all legal and regulatory requirements had been met and that the document provided an appropriate basis for the planning of the area providing that a number of modifications were made to the plan. These were summarised in paragraphs 6.3 of the summary report.

The Portfolio Holder thanked all the Officers that had been involved in the process and she also paid tribute to the former Portfolio Holders Councillors Keith Chopping and Alan Law and thanked them for their significant contributions. The HSA DPD had been subjected to a tortuous process, heated debate and extensive consultation and its adoption would mean that the Council would remain a plan led authority.

Councillor Alan Law commented that he was pleased to have the opportunity to second the report. In his opinion the long journey associated with this process had started in 2005. The production of the document had been a convoluted process and its production had not been assisted by the lack of stability at Central Government level. The goal posts had been moved on several occasions. He stated that the Council wanted to retain

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control over its planning destiny and this paper would achieve that. He thanked all those involved in its production, especially Officers, for their hard work and commended their stamina.

Councillor Emma Webster explained that this report had historically caused her great trouble and in fact at the November 2015 meeting she had spoken against the proposals. However she was pleased that Members and residents had had the opportunity to fully engage in the process and the Inspector at the Public Enquiry had devoted a full day to the Eastern Urban Area. Their comments had therefore been taken on board and they were respectful of the process even if they did not welcome the outcome. Councillor Webster acknowledged that it was important for the Council to have a plan and she would therefore be supporting this report.

Councillor Alan Macro too supported the need for stability around planning. The initial Core Strategy process had started under the Labour Government and when they changed their minds about the strategy the Council was set back two or three years in its development. The Liberal Democrat Group had raised objections to a number of sites within the HSA DPD. They were also concerned that some of the sites in the document would be brought forward and would be developed sooner than had originally been anticipated. They were especially concerned about the site on Lower Way in Thatcham and the Theale site. Both Theale and Thatcham had originally been given time to stabilise in terms of infrastructure.

Councillor Macro acknowledged that if the plan was not adopted it would be difficult to defend the Council's five year land supply and many other sites could be at risk of planning by appeal. His Group would therefore not be opposing the adoption of the HSA DPD.

Councillor Hilary Cole thanked Members for their support. Councillor Macro clarified that the Liberal Democrat Group would not be supporting the proposal they would however not be opposing it.

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

In accordance with Procedure Rule 4.17.3 it was requisitioned that the voting on the Motion be recorded. The names of those Members voting for, against and abstaining were recorded as follows:

FOR the Motion:

Councillors Peter Argyle, Howard Bairstow, Pamela Bale, Jeremy Bartlett, Jeff Beck, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Paul Bryant, Anthony Chadley, Virginia von Celsing, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Richard Crumly, Lynne Doherty, Adrian Edwards, Marcus Franks, James Fredrickson, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnson, Graham Jones, Rick Jones, Alan Law, Gordon Lundie, Ian Morrin, Graham Pask, Anthony Pick, James Podger, Garth Simpson, Richard Somner, Anthony Stansfeld, Emma Webster, Laszlo Zverko

ABSTAINED:

Councillors: Tony Linden, Billy Drummond, Mollie Lock and Alan Macro

(Councillors Sheila Ellison and Quentin Webb did not vote on this item)

15. West Berkshire Minerals and Waste Local Plan - Preferred Options Consultation (C3273)

The Council considered a report (Agenda Item 16) concerning approval of the publication of the Preferred Options Consultation for the West Berkshire Minerals and Waste Local

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Plan for a six week period in accordance with the West Berkshire Statement of Community Involvement. In addition approval was required for the publication of a number of supporting documents.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Graham Pask:
That the Council:

- “(1) publishes the Preferred Options Consultation Document, and supporting evidence (including the Sustainability Appraisal /Strategic Environmental Assessment report and Habitats Regulations Assessment), for a six week consultation in accordance with the West Berkshire Statement of Community Involvement.
- (2) grants delegated authority to the Head of Development and Planning, in consultation with the appropriate portfolio holder to agree any minor typographical and formatting alterations to the draft Preferred Options consultation document and supporting information prior to publication for consultation.”

Councillor Hilary Cole stated that now that the Housing Site Allocations Development Plan Document had been completed work was progressing on the Minerals and Waste Local Plan - Preferred Options. The report was seeking permission for the document to go out for a six week consultation. It was important that the Plan be adopted so that the Council could direct where it wished extraction to take place.

Councillor Alan Macro welcomed the restriction of extraction in the Area of Outstanding Natural Beauty. The geology of the District meant that extraction tended to be concentrated in the lower Kennet Valley. This had resulted in a large number of lakes in the area and there were no restrictions on the creation of additional lakes.

Residents near the extraction sites would also be concerned about the HGV movements to and from the sites and he was concerned that there were no policies in place to make more use of more sustainable modes of transport including making use of the canal. Councillor Macro welcomed the policies in respect of radio active waste.

Councillor Graham Pask noted that the report was only seeking permission to go out to consultation and he urged councillor Macro and the concerned residents to feed their comments into that process. He stated that the authority looked forward to receiving a good response to the consultation.

Councillor Hilary Cole reminded Members that this consultation was work in progress and that all the responses would be taken into account. She appreciated that HGV movements were an issue that caused great concern for residents and she therefore encouraged them to respond to the consultation.

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

16. **Stratfield Mortimer Neighbourhood Development Plan (C3286)**

The Council considered a report (Agenda Item 17) which asked Members to consider the officer recommendation that the examiner's decision on the Stratfield Mortimer Neighbourhood Development Plan (NDP) (i.e. that it should not proceed to referendum) was not followed and the NDP progress to referendum. This was as a result of new landscape evidence which West Berkshire District Council (WBDC) officers considered overcame the concerns raised by the examiner in his report.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Graham Bridgman:

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That the Council:

“agrees to the Stratfield Mortimer NDP progressing to referendum*”.

Councillor Hilary Cole in introducing the item noted that West Berkshire Council had a very proud record of working with town and parish councils. The introduction of the Localism Act 2011 enabled local communities to develop Neighbourhood Development Plans (NDP) which would be used to shape the future of their locality. The NDPs would be developed by the community with guidance from the local authority.

Stratfield Mortimer were the first parish to develop a NDP in West Berkshire and she applauded the Parish Council for their support of the process. She congratulated the Stratfield Mortimer NDP Steering Group for all their hard work. She thanked both groups for their resilience in progressing the NDP.

The Plan had been subjected to a forensic assessment by the Examiner who had recommended that the Plan did not proceed to referendum. Since then new evidence had come to light and the Council was now of the opinion that it could, under the legislation, support proceeding to referendum on the 22 June 2017. Representations on this proposal were sought between 03 March and 18 April 2017. Officers did not feel that any of the submissions received meant that the decision to proceed to referendum should be revisited.

Councillor Hilary Cole thanked Officers for all the work that they had put into supporting the process.

Councillor Graham Bridgman commented that this had been a long haul and the decision of the Examiner was unexpected. He stated that it had proved to be an interesting process and had involved a lot of hard work.

Councillor Bridgman applauded the Stratfield Mortimer NDP Steering Group for all their hard work. He thanked Planning Officers especially Bryan Lyttle and Laila Bassett for their endeavours. He stated that he had hoped that the referendum could take place in tandem with the General Election but sadly the legislation did not permit this.

Councillor Mollie Lock stated that she too would like to recognise the efforts of the Stratfield Mortimer NDP Steering Group. Councillor Lock noted that the Plan referred to a site for a school. However the Plan did not specify what would happen to the land if the school was not built within five years. She wished to see this land ringfenced for a school and that any time constraints should be removed.

Councillor Hilary Cole noted Councillor Lock's comments but she explained that the referendum had to go out as presented as the Plan belonged to the community and not to West Berkshire Council.

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

17. **Property Investment Strategy (C3283)**

The Council considered a report (Agenda Item 18) which set out a formal policy for the acquisition of commercial investment properties that would provide a balanced investment portfolio from which the Council could derive a long term, sustainable revenue stream. The report also conveyed the key elements and sought approval to implement a Property Investment Strategy. In addition approval was also being sought for the formal governance arrangements for the acquisition and disposal of commercial investment property and ongoing management of the investment portfolio. Members were also being asked to agree the acquisition and disposal of building assets up to a value of £10m by way of Delegated Authority.

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MOTION: Proposed by Councillor Dominic Boeck and seconded by Councillor Anthony Chadley:

That the Council resolves:

- “(1) To approve the Property Investment Strategy (set out in appendix C) as an addendum to the Council’s Investment and Borrowing Strategy 2017/2018.
- (2) To delegate to the Head of Legal Services in consultation with and having received agreement from the Property Investment Board to purchase investment property in accordance with the above Strategy up to a maximum of £10 million per transaction.
- (3) To delegate to the Head of Legal Services in consultation with and having received agreement from the Property Investment Board to dispose of property in accordance with the above Strategy up to a maximum of £10 million per transaction.
- (4) To delegate to the Head of Finance and Property in consultation with the Portfolio Holder for Property, authority to appoint suitable consultants in accordance with the Contract Rules of Procedure (Part 11 of the Constitution).”

Councillor Dominic Boeck in introducing the report thanked Officers for developing the Strategy. The proposal represented an opportunity for the Council to realise a favourable rate of return by investing in commercial property whether it be inside or outside the District. The strategy sought permission to invest up to £50m which would be borrowed from the Public Works Loan Board and should generate around £1m of surplus income annually. The cost assumptions were set out in Appendix E to the report. The report also set out the governance arrangements for the acquisition of properties. Any acquisitions that did not meet the agreed criteria would be brought to the Executive for approval.

Councillor Alan Macro stated that while he welcomed the proposal he was concerned that the Council had taken so long to start investing. He was concerned that the Government might intervene and increase borrowing costs and he was concerned about the possible impact on the investment returns if this happened before the portfolio was complete. He noted that Members were involved in the governance arrangements and hoped that this would be cross party.

Councillor Alan Law commented that while he supported the principle he had reservations about the Council’s expertise to deliver it. He accepted that consultants would be employed but commented that they were not subject to any risks. He also had concerns about the return on investment calculation and stated that outside of London voids tended to be in the 10 to 15% range and the calculation was based on voids of 5%. According to his calculations the authority would lose money if the properties were vacant for 30% of the year and this was not uncommon in a recession. This Strategy would cost the Council a lot of money if the Council did not get it right.

Councillor James Fredrickson commented that this was one of the most important changes in the Council’s history. He thanked John Ashworth, Shiraz Sheikh and Richard Turner for all their hard work in putting the Strategy together. The Council would proceed with caution and care and ensure due diligence was undertaken. The proposal would make the authority more resilient and it would be better placed to address the needs of residents.

Councillor Graham Jones stated that it was not important that the authority was not the first to adopt this approach and it was often useful to learn lessons from others. This Strategy would allow the authority to generate income which could be used to protect Council services in the future. The Council would proceed with appropriate caution.

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Councillor Anthony Chadley noted that he had alluded to this Strategy when he had introduced the budget in March 2017. He noted in response to Councillor Law's concerns that the authority would be purchasing going concerns which would help to reduce the issue of voids. The Strategy was based on clear financial evidence and took into account volatility over the past 35 years.

Councillor Boeck thanked Members for their support of this innovative initiative which would generate reliable secure income streams for the future. The legislation that underpinned this Strategy (the Local Government Act 2003) required authorities taking up the offer to consider three things namely; security, liquidity and yield and the proposal would meet these three requirements.

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

18. **Licensing Committee**

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

19. **Personnel Committee**

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

20. **Governance and Ethics Committee**

The Council noted that, since the last meeting, the Governance and Ethics Committee had met on 24 April 2017 and a special meeting had taken place on the same evening.

21. **District Planning Committee**

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

22. **Overview and Scrutiny Management Commission**

The Council noted that, since the last meeting, the Overview and Scrutiny Management Commission had not met.

(The meeting commenced at 7.00 pm and closed at 8.48 pm)

CHAIRMAN

Date of Signature