

# DRAFT

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

## COUNCIL

### MINUTES OF THE MEETING HELD ON

**TUESDAY, 8 MAY 2018**

**Councillors Present:** Steve Ardagh-Walter, Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck, Dennis Benneyworth, Dominic Boeck, Jeff Brooks, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Jason Collis, Richard Crumly, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Marcus Franks, James Fredrickson, Dave Goff, Paul Hewer, Clive Hooker, Carol Jackson-Doerge, Marigold Jaques, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Gordon Lundie, Tim Metcalfe, Ian Morrin, Graham Pask, Anthony Pick, James Podger, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb, Emma Webster and Laszlo Zverko

**Also Present:** John Ashworth (Corporate Director - Environment), Sarah Clarke (Acting Head of Legal Services), Martin Dunscombe (Communications Manager), Tandra Forster (Head of Adult Social Care), 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 Jeremy Bartlett, Councillor Graham Bridgman, Nick Carter (Chief Executive), Councillor Sheila Ellison, Honorary Alderman Royce Longton, Councillor Alan Macro, Honorary Alderman Andrew Rowles and Councillor Garth Simpson

**Councillors Absent:** Councillor Rob Denton-Powell and Councillor Manohar Gopal

## PART I

### 1. Chairman's Remarks

The Chairman welcomed Councillor Jeff Brooks back to the Chamber following the recent by-election in Thatcham.

Councillor Quentin Webb thanked Members for the honour of representing them as their Chairman for the past two years. He explained that his role had resulted in him attending many functions where he had tried to uphold the best possible conduct and dignity on all occasions.

He thanked the Vice Chairman, Councillor Carol Jackson-Doerge, and the past Chairmen who had deputised for him and supported him at the 150 functions he and they had attended. He stated that it had been a pleasure to attend the many organisations, local authorities, charities and schools that he and his escort, Councillor Marigold Jaques, had been invited to.

The Chairman commented that he had been fortunate to meet many dedicated people who were providing valued services to those they cared about and he wanted to thank them all. He made particular mention of the numerous citizenship ceremonies that he had the honour of attending. He thanked the Registrar and Shaw House staff and Officers for the perfect organisation and welcoming family friendly atmosphere they created.

The Chairman thanked Jude Thomas for the fantastic support that she had afforded him over the past two years. He noted the vast amount of administration and communications that went into supporting the civic duties the Chairman undertook. He also acknowledged

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the support he received from the wider Democratic Services Team as well as Officers from across the Council.

The Chairman stated that his attendance at many functions had been enhanced and made more enjoyable by being accompanied by his escort, close friend and colleague Councillor Marigold Jaques. He commented that her guidance, help and assistance could not be underestimated and he was very grateful for all she had done to support him.

The Chairman stated that the memories and kindness that had been extended to him during the events and functions would always be treasured. He wished the next Chairman well.

### **2. Presentations**

Prior to the presentations starting Councillor Graham Jones welcomed his friend and adversary Councillor Jeff Brooks back to the Chamber. He commented that the fact that Councillor Brooks had been made an Honorary Alderman was evidence of the respect he engendered across the Chamber.

Councillor Jones thanked Councillor Quentin Webb for the hard work and dedication he had put into the role of Chairman over the past two years.

Councillor Lee Dillon also thanked the Chairman for his past two years in office and thanked him for the fair way he had conducted Council meetings over that time. He stated that Councillor Webb had represented the Council with extreme pride.

The Chairman made a presentation to Councillor Tony Linden who had achieved 30 years' service to the Council.

Councillor Graham Jones explained that Councillor Linden had served the Council in two separate stints from 1983 to 1995 and then again from 2000 to the present day. During that time he had served on numerous Committees and had chaired the Health Scrutiny Panel and the Licensing Committee. He thanked Councillor Linden for all his hard work over the thirty years.

Councillor Emma Webster paid tribute to her fellow Ward Member for all the work that he had done. She commented that he was a seasoned campaigner who could be relied upon to campaign for the party across the District as well as helping out the party in neighbouring authorities. She stated that he was a hard working Ward Member and she was grateful for his support.

Councillor Linden thanked Councillors Jones and Webster for their kind words. He stated that he had enjoyed his years of service and thanked his fellow Members and Officers for their support.

### **3. Election of Chairman for the Municipal Year 2018/19 (C3334)**

The Motion was proposed by Councillor Emma Webster and seconded by Councillor James Fredrickson that Councillor Carol Jackson-Doerge be elected Chairman of the Council for the Municipal Year 2018/19. There were no further nominations.

Councillor Emma Webster in proposing Councillor Carol Jackson-Doerge for the role of Chairman stated that she was a passionate community campaigner who had fulfilled the role of Vice-Chairman admirably. Councillor Webster commented that it was apt that, in the centenary year that women were given the vote, the Council appointed a woman as their first citizen.

Councillor Ian Morrin commented that he had spoken to members of the community to get their impression of Councillor Jackson-Doerge. The feedback that he received was

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that she was a councillor who demonstrated great warmth and pride in her community. In addition to being a councillor she was also involved with the parish council, the church, community events and was a school governor. As a new councillor she had 'shown him the ropes' and shown him the hidden parts of the ward and had a great knowledge of various aspects of the Council. On a personal note and on behalf of Burghfield he was proud to propose her for the role of Chairman.

**RESOLVED that** Councillor Carol Jackson-Doerge be elected as Chairman of Council for the Municipal Year 2018/19.

The Chairman read and signed the Declaration of Acceptance of Office. Councillor Carol Jackson-Doerge thanked the Council for electing her and Councillors Webster and Morrin for their kind words. She stated that it was an honour and a privilege to serve the Council especially as she had served as Vice-Chairman for three years. She stated that she would continue to encourage residents to get involved in politics. She would use her skills to promote West Berkshire as a good place to live and work and demonstrate that the District was open for business. She would endeavour to follow in the footsteps of the highly respected councillors that had held the position before her.

The new Chairman thanked Councillor Webb for the great support he had shown her and commented that they had worked well together and she would endeavour to follow in his footsteps. Councillor Jackson-Doerge also paid tribute to Councillor Jaques for the support she had given the Chairman over the past Municipal Year.

### 4. **Appointment of Vice-Chairman for the Municipal Year 2018/19 (C3335)**

The Chairman requested nominations for the position of Vice-Chairman of Council for the Municipal Year 2018/19. In response to this request Councillor Peter Argyle was nominated by Councillor Hilary Cole and the nomination was seconded by Councillor Jeanette Clifford. There were no further nominations for the position of Vice-Chairman.

Councillor Hilary Cole stated that she was delighted to propose Councillor Argyle for the role. She noted that he had served as Chairman on two occasions with great enthusiasm and dedication and she therefore was confident that he would provide great support for the new Chairman.

He was first elected in 1997 and had served on a range of Committees. He had shown especial commitment to and interest in education and had served on the Berkshire Adoption Panel for many years.

Councillor Jeanette Clifford stated that Councillor Argyle was 'the best of men'. Throughout his years as a councillor he had shown a deep commitment to all children but especially those in care. When she had first been elected as a councillor, Councillor Argyle, the then Chairman, had welcomed all new councillors with great warmth and his gentle words and advice had been greatly received. Councillor Argyle was well known for his commitment to fair play and his infectious laugh. She was confident that the new Chairman and Vice Chairman would make a great team.

**RESOLVED that** Councillor Peter Argyle be appointed as Vice-Chairman of Council for the Municipal Year 2018/19.

The Vice-Chairman read and signed the Declaration of Acceptance of Office. Councillor Peter Argyle thanked the Council for electing him and Councillors Cole and Clifford for their kind words. He stated that he would do his utmost to fulfil the role to the best of his ability. He thanked Councillor Jackson-Doerge for all the work she had undertaken as Vice Chairman during the previous Municipal Year.

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### 5. Minutes

The Minutes of the meeting held on 1<sup>st</sup> March 2018 were approved as a true and correct record and signed by the Chairman.

### 6. Declarations of Interest

There were no declarations of interest received.

### 7. Appointment of the Executive by the Leader of the Council for the 2018/19 Municipal Year (C3336)

Councillor Graham Jones announced the appointment of Members to the Executive for 2018/19 as follows:

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

Councillor Graham Jones thanked the Executive for their hard work over the previous Municipal Year. He explained that he had opted to refresh some of the portfolios to better align them to Council activity. He had also created a new portfolio for Economic Development to ensure that this vital issue was woven into all Council activity.

Councillor Graham Jones also paid tribute to his Deputy Leader, Councillor Hilary Cole, who had worked tirelessly following the passing of Councillor Roger Croft. Councillor Jones also paid tribute to Councillor Croft who was still greatly missed.

### 8. Appointment of and Allocation of Seats on Committees for the 2018/19 Municipal Year (C3337)

The Council considered a report (Agenda Item 9) concerning the appointment and allocation of seats on Committees for the next Municipal Year and sought to agree the Council's Policy Framework for 2018/19 as set out in paragraph 6.1 of Appendix A.

**MOTION:** Proposed by Councillor Graham Jones and seconded by Councillor Lee Dillon:

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 B to this report are to be regarded as Members of the Conservative and Liberal Democrat Groups respectively.
- (2) agrees to the appointment of the various Committees and to the number of places on each as set out in paragraph 2.2 of Appendix B (Table A).

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- (3) 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 3.4 of Appendix B (Table B).
- (4) the number of substitutes on Committees and Commissions be as set out in paragraph 4.1 of Appendix B (Table C).
- (5) 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.
- (6) the Council approves the appointment of Members to the Committees as set out in Appendix C and notes the appointments set out in Appendix D which are in accordance with the wishes of the Political Groups.
- (7) 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, agrees the Council's Policy Framework for 2018/19 be as set out in paragraph 6.1 of Appendix B and that any appropriate amendments be made to the Council's Constitution (Paragraph 2.5.2) should this be necessary.
- (8) the Council, 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.
- (9) the Council 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.
- (10) the appointment of two non-voting co-opted Parish/Town Councillors and one non-voting substitute Parish/Town Councillor be made 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).
- (11) the appointment of two Parish/Town Councillors is made to the Governance and Ethics Committee's Advisory Panel namely Tony Renouf and Bruce Laurie.
- (12) re-appoint three Independent Persons namely Lindsey Appleton, James Rees and Mike Wall.
- (13) agrees the revised membership of the Health and Wellbeing Board as set out in paragraph 9.1 of Appendix B.
- (14) authority be delegated to the Monitoring Officer to make any changes required to the Constitution as a result of the appointments to Committees."

Councillor Graham Jones commented that some minor amendments were needed in respect of Appendix D. Councillors Dominic Boeck and Keith Chopping had stood down from the Joint Consultative Panel and had been replaced by Councillors Graham Bridgman and Rick Jones. The Standards and Effectiveness Group had also been disbanded.

Councillor Lee Dillon in seconding the report welcomed the new Chairman to the role.

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

### 9. 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 7.42pm.*

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### 10. **Recommencement of the Meeting**

*The meeting was reconvened at 7.51pm.*

### 11. **Monitoring Officer's Annual Report to the Governance and Ethics Committee - 2017/18 Year End (C3323)**

The Council considered a report (Agenda Item 12) 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 Keith Chopping in introducing the item reported that following the enactment of the Localism Act 2011 a number of changes were made to the Standards Regime. It was agreed that the Monitoring Officer would produce an annual report for the Governance and Ethics Committee and that it would be presented to Full Council at the Annual meeting. The report would also be circulated to all Town and Parish Councils. The report identified a number of key issues. He noted that one dispensation was granted during 2017/18. During 2017/18, 16 formal complaints were received by the Monitoring Officer. Fifteen of these complaints were about parish councillors and one complaint was about a district councillor. This was an increase on the number of complaints received in the previous year 2016/17 when only three complaints were received. However, the figure represented only a slight increase on the average number of complaints received per annum since 2009/10.

Councillor Chopping reported that although there had been a significant rise in the number of complaints since the previous year, there had been a number of related complaints. Councillor Chopping highlighted that three of the five complaints received in quarter two related to issues arising at a parish council, all four complaints received in Quarter 3 pertained to the same incident and three of the complaints received in quarter 4 related to the same issue. No further action was taken on ten of the complaints following the initial assessment. One complaint was withdrawn, one complaint was referred for investigation and four of the complaints were still being processed.

Councillor Chopping reported that a hearing had taken place in January 2018 in respect of a complaint received in 2016/17 (NPC1/17) which had been subject to an investigation. It was resolved by the Governance and Ethics Committee that a number of breaches of the parish councils' Code of Conduct had occurred.

Councillor Chopping drew Members' attention to the fact that the number of gifts and hospitality invitations recorded by Members remained very low. He reiterated the comments made by the Monitoring Officer that the number of complaints received in respect of alleged breaches of the Members' Code of Conduct during 2017/18 remained relatively low. It was therefore reasonable to conclude that standards of ethical conduct were high across West Berkshire at both District and at Parish / Town Council levels.

Councillor Jeff Beck explained that the role of the Governance and Ethics Committee was to keep Councillors 'on the straight and narrow'. He thanked the Monitoring Officer and her colleagues for all the work they put into this area of work.

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

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### 12. Updated Strategy for use of Capital Receipts (C3452)

The Council considered a report (Agenda Item 13) which updated the Council's Strategy for flexible use of capital receipts taking into account actual receipts in 2016/17 and 2017/18 and the actual and forecast costs of projects planned to be funded from capital receipts.

**MOTION:** Proposed by Councillor Anthony Chadley and seconded by Councillor Jason Collis.

That the Council:

- (1) "agrees that £3.06m of spend on activities and projects to transform Council services set out in this report should be funded from the total capital receipts available for this purpose;
- (2) agrees that the balance of £561,000 available capital receipts be transferred to the Council's Transformation Reserve to be allocated to future eligible projects by Budget Board."

Councillor Anthony Chadley in introducing the report reminded Members that as part of the 2015 Local Government Spending Review, the Government provided Councils with the flexibility to use Capital Receipts received in the financial years 2016/17, 2017/18 and 2018/19 to fund transformation and restructuring of services in order to achieve efficiencies and revenue cost savings. The 2018/19 settlement extended this flexibility for a further three years to 2021/22.

Councillor Chadley explained that capital receipts of £3.62m were available from the sale in 2016/17 and 2017/18 of Council assets. To date £3.06m of this sum had been spent or committed to date on projects to help transform Council services in order to achieve revenue savings. The details were set out on page 50 of the paperwork. It was proposed that the remaining £561k be transferred to the Transformation Fund to fund additional transformation projects, subject to approval by Budget Board.

Councillor Chadley reminded Members about the comments he had made at the March Council meeting where he stated that 'The Council's Transformation Fund was used wisely and was not to be used to offer sweeteners to residents. The Council would not make promises that appeared to offer a better result for residents but in the long term would leave them worse off. The Council would continue to investigate how it could generate new income, i.e. new money to pay for real costs. Every pound, every penny of the Transformation Fund would be used wisely with the aim of multiplying the pot, not throwing it away on short term, ill thought out 'vote winners.'

Councillor Jason Collis thanked Councillor Chadley for his stewardship of the Council's financial affairs.

Councillor Lee Dillon commented that he supported transferring the balance to the Transformation Fund but that the balance would now stand at £1.1m. He felt that some of this funding should be spent on issues that affected residents and should not be seen as political giveaways. At the March Council meeting he had proposed using some of the Transformation Fund to reduce the payments for residents for the green waste collection from £50 to £25 per annum which would benefit residents.

Councillor James Fredrickson stated that the £3m had been used to protect front line services. The Administration's proposals provided a pragmatic and effective solution to provide services that the residents relied on the most.

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Councillor Chadley thanked Councillor Dillon for his support to transferring the balance of the capital receipts into the Transformation Fund. He reassured everyone that the funding would be used to deliver real transformation.

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

### 13. **Licensing Committee**

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

### 14. **Personnel Committee**

The Council noted that, since the last meeting, the Personnel Committee had met on 7<sup>th</sup> March 2018.

### 15. **Governance and Ethics Committee**

The Council noted that, since the last meeting, the Governance and Ethics Committee had met on 23<sup>rd</sup> April 2018.

### 16. **District Planning Committee**

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

### 17. **Overview and Scrutiny Management Commission**

The Council noted that, since the last meeting, the Overview and Scrutiny Management Commission had met on 10<sup>th</sup> April 2018.

### 18. **Joint Public Protection Committee**

The Council noted that, since the last meeting, the Joint Public Protection Committee had met on 19<sup>th</sup> March 2018.

*(The meeting commenced at 7.00pm and closed at 8.05pm)*

**CHAIRMAN** .....

**Date of Signature** .....