

# Individual Decisions

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

**28<sup>th</sup> May 2009**

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<b>Ref:</b>	<b>Title</b>	<b>Portfolio Member(s)</b>	<b>Page No.</b>
ID1723	<b>Nominations for Representation to Outside Bodies</b>	Councillor Graham Jones	3 - 14
ID1725	<b>Representation on Outside Bodies – Royal Berkshire Fire Authority and Thames Valley Police Authority</b>	Councillor Graham Jones	15 - 20



## Individual Executive Member Decision

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<b>Title of Report:</b>	<b>Nominations for Representation to Outside Bodies</b>
<b>Report to be considered by:</b>	Graham Jones as an Individual Executive Member Decision
<b>Date on which Decision is to be taken:</b>	28 May 2009
<b>Forward Plan Ref:</b>	ID1723

<b>Purpose of Report:</b>	<b>To consider nominations from the Conservative and Liberal Democrat Group for representation on Outside Bodies.</b>
<b>Recommended Action:</b>	<b>That the leader of the Council appoints representatives to the Outside Bodies as detailed on the attached Appendix A.</b>
<b>Reason for decision to be taken:</b>	The Council is required to make and re-new appointments to certain Outside Bodies on an annual basis.
<b>Other options considered:</b>	None
<b>Key background documentation:</b>	None

Portfolio Member Details	
<b>Name &amp; Telephone No.:</b>	Councillor Graham Jones
<b>E-mail Address:</b>	gjones@westberks.gov.uk
Contact Officer Details	
<b>Name:</b>	Moira Fraser
<b>Job Title:</b>	Democratic Services Manager
<b>Tel. No.:</b>	01635 519045
<b>E-mail Address:</b>	mfraser@westberks.gov.uk

## Implications

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<b>Policy:</b>	The proposals outlined in this report are not in contradiction to any of the Council's existing policies, including those outlined in the Council Plan.
<b>Financial:</b>	The possible payment of travelling and subsistence claims.
<b>Personnel:</b>	None
<b>Legal/Procurement:</b>	None
<b>Environmental:</b>	None
<b>Partnering:</b>	None
<b>Property:</b>	None
<b>Risk Management:</b>	None
<b>Community Safety:</b>	None
<b>Equalities:</b>	These Outside Bodies promote Social Inclusion in line with the Council's Equalities Strategy.

## Consultation Responses

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### Members:

<b>Leader of Council:</b>	Graham Jones
<b>Overview &amp; Scrutiny Commission Chairman:</b>	Brian Bedwell - has nothing to add.
<b>Policy Development Commission Chairman:</b>	N/a
<b>Ward Members:</b>	N/a
<b>Opposition Spokesperson:</b>	Jeff Brooks
<b>Local Stakeholders:</b>	The Outside Bodies
<b>Officers Consulted:</b>	Andy Day, David Holling, Robin Steel, Jo Naylor
<b>Trade Union:</b>	Not consulted

<b>Is this item subject to call-in.</b>	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by OSC or associated Task Groups within preceding 6 months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

## Supporting Information

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### 1. Background

- 1.1 The Council is required to appoint representatives to the Outside Bodies listed in Appendix A on an annual basis.
- 1.2 We have also received a request from the Pang, Kennet and Lambourn Countryside Projects to appoint an elected member on their steering group. The aim of the group is to enhance and protect the natural beauty of the Pang, Kennet and Lambourn valleys and to help people appreciate the countryside. The steering group will hold at least four ordinary meetings each year. The Constitution is attached as Appendix B.

## Appendices

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Appendix A - List of nominations for appointment to Outside Bodies

Appendix B - Pang, Kennet and Lambourn Countryside Projects Constitution



## APPENDIX A

Body	Description	No. of reps required	Nominations	Agreed
ACTVaR	Members to act as members of the Association of Councils of the Thames Valley Region	2 (+ 2 subs)	Graham Jones Pamela Bale Alan Law Royce Longton	
LGA General Assembly	Forum re-considers strategic policy of national significance to Local Government.	3 (Members)	Graham Jones Joe Mooney Jeff Brooks	
LGA Rural Commission	To provide a forum within the LGA for member authorities with an interest in rural affairs.	1 + 1 sub (Member)	Marcus Franks Royce Longton	
Pang, Kennet & Lambourn Valleys Countryside Projects	To enhance and protect the beauty of the Pang, Kennet and Lambourn Valleys and to help people appreciate the countryside	1 + 1 sub (Member)	Marcus Franks Royce Longton	







The Old Estate Office  
Englefield Road  
Theale  
Berkshire RG7 5DZ  
Tel: 0118 930 5336  
Fax: 0118 930 5336  
pang.kennet@fwag.org.uk

Nick Carter  
Chief Executive  
West Berkshire Council Offices  
Market Street  
Newbury  
West Berkshire  
RG14 5LD

31 March 09

Dear Mr Carter

As you will be aware West Berkshire Council granted our Projects a part reprieve by finding us £15,000 of support for the next financial year. As £15,000 is still a significant sum I would be very grateful if you could advise me on who would be the nominated council representative to our Project? I have enclosed a copy of our constitution to pass on to the elected member who would join our steering group. We would also need that members input in refining the Service Level Agreement with the Council and we also need to brief the member on the progress of the £400 K Heritage Lottery Bid for the River Lambourn in Newbury, which is currently being considered by the Heritage Lottery Fund.

We would like to invite the nominated member to our AGM provisionally on the 25<sup>th</sup> June 2009 at Englefield Estate offices followed by a site visit to see some of the work the Projects have been supporting.

I would be grateful if you could let me know what the situation is at your earliest convenience.

Many thanks for your time,

Yours sincerely

Karen Davies  
Biodiversity Project Manager



## **PANG, KENNET & LAMBOURN VALLEYS COUNTRYSIDE PROJECTS**

### **CONSTITUTION**

**Name:** The name of the association is PANG, KENNET & LAMBOURN VALLEYS COUNTRYSIDE PROJECTS.

**Aim:** To enhance and protect the natural beauty of the Pang, Kennet and Lambourn valleys and to help people appreciate the countryside.

1. Subject to the matters set out below the Projects and its property shall be administered and managed in accordance with this constitution by the members of the Steering Group, constituted by clause 7 of this constitution.
2. **The Projects objectives are:**
  - Conserve and enhance the biodiversity of the natural environment and landscapes in the project areas.
  - Promote environmentally responsible farming practices throughout the project areas.
  - Increase awareness of countryside and environmental issues through education and interpretation.
  - Involve all sectors of the community in caring for and appreciating the local environment and countryside.
4. **Powers:**

In furtherance of the objectives but not otherwise the Steering Group may exercise the following powers;

  - (a) power to raise funds and to invite and receive contributions provided that in raising funds the Steering Group shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of law;
  - (b) power to buy, take on lease or exchange any property necessary for the achievement of the objectives and to maintain and equip it for use;
  - (c) power subject to any consents required by law to sell, lease or dispose of all or any part of the property of the group;
  - (d) power to employ or contract such staff as are necessary for the proper pursuit of the objectives;
  - (e) power to co-operate with other voluntary bodies, charities and statutory authorities operating in furtherance of the objectives or of similar purposes and to exchange information and advice with them;
  - (f) power to establish or support any associations, charitable trusts or institutions formed for all or any of the objectives;
  - (g) power to appoint and constitute such advisory committees as the Steering Group may think fit;

- (h) power to do all such other lawful things as is necessary for the achievement of the objectives.

**5. Membership:**

- (a) Membership of the Group shall be open to individuals over the age of 18 years and any body representing a corporate or unincorporated association [any such body being called in this constitution a 'member organisation'] who are interested in furthering the work of the Group and who have applied and been elected by a majority of the Steering Group and who have paid any annual subscription laid down from time to time by the Steering Group.
- (b) Each member organisation shall appoint an individual to represent it and to vote on its behalf at meetings of the Group and may appoint an alternative to replace its appointed representative at any meeting of the Group if the appointed representative is unable to attend.
- (c) Every member and member organisation shall have one vote.
- (d) The Steering Group may by majority vote terminate the membership of any individual or member organisation, where the actions of that individual or member organisation, in the opinion of the Steering Group, would bring the Group into disrepute or do not fall within the spirit of this constitution. The individual or member organisation concerned shall have the right to be heard by the Steering Group, accompanied by a friend, before a final decision is made.

**6. Steering Group:**

- (a) The Steering Group shall consist of 3 officers: a chair, secretary and treasurer and up to 2 ordinary members. At the AGM of the Group, the members shall elect from amongst themselves a Steering Group who shall hold office from the conclusion of that meeting.
- (b) The Steering Group may in addition appoint co-opted members but so that there must be more elected members of the Steering Group than co-opted members. Each appointment of a co-opted member shall be made at a meeting of the Steering Group and shall take effect from the end of the meeting unless the appointment is to fill a place that has not been vacated in which case the appointment shall run from the date when the post becomes vacant.
- (c) All members of the Steering Group shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or re-appointed.
- (d) The proceedings of the Steering Group shall not be invalidated by any vacancy among their numbers or by any failure to appoint or any defect in the appointment or qualification of a member.
- (e) Not more than one third of the members of the Steering Group may be representatives of either a local authority or a landfill operator.
- (f) A member of the Steering Group shall cease to hold office if he or she;
- (g) becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs.

- (h) is absent without permission of the Steering Group from all their meetings held within a period of six months and the Steering Group shall resolve that his or her office be vacated; or
- (i) notifies to the Steering Group a wish to resign.
- (j) Any notice required to be served on any member shall be in writing and shall be served by the secretary or the Steering Group either personally or by post and any letter posted will be deemed to have been received within 10 days of posting.
- (k) No member of the Steering Group shall acquire any interest in property belonging to the Group [other than as a trustee of the Group] or receive remuneration or be interested [other than as a member of the Steering Group] in any contract entered into by the Steering Group.
- (l) Should the elected members of the Steering Group fall below 3, then a special general meeting must be called to elect replacement members.

**7. Meetings:**

- (a) The Steering Group shall hold at least four ordinary meetings each year. A special meeting may be called at any time by the Chairman or any two members of the Steering Group upon not less than 4 days notice being given to the other members of the Steering Group of the matters to be discussed but if the matters include an appointment of a co-opted member not less than 21 days notice must be given.
- (b) The Chairman shall act as chairman at meetings of the Steering Group. If the Chairman is absent from any meeting, the members of the Steering Group present shall choose one of their number to be chairman of the meeting before any other business is transacted.
- (c) There shall be a quorum when at least one third of the members or two in number of the Steering Group are present, whichever is the greater.
- (d) Every matter shall be determined by a majority of the votes of the Steering Group, the Chairman holding a casting vote where necessary.
- (e) The Steering Group shall keep minutes of their meetings and those of any sub-committee.
- (f) The Steering Group may make and alter rules for the conduct of their business. No rule may be made which is inconsistent with this constitution.
- (g) The Steering Group may appoint sub-committees, which remain under their authority and which must report promptly all their actions and proceedings.
- (h) The Steering Group shall cause the title to all lands and investments held by the Group to be administered by responsible trustees or corporations.

**8. Banking:**

- (a) The funds of the Group, including all donations and bequests, shall be paid into an account operated by the Farming & Wildlife Advisory Group in the name of the Group. All cheques drawn on the account must be authorised by two members of the Steering Group.

(b) The funds of the Group shall be applied only in furthering the objectives.

**9. Accounts:**

The Steering Group shall;

- (a) keep accounting records for the Group;
- (b) prepare annual statements of account for the Group;
- (c) arrange for the auditing or independent examination of the statements of account for the Group.

**10. AGM:**

- (a) There shall be an annual general meeting of the Group which shall be held in the month of May in each year or as soon as practicable thereafter.
- (b) Every annual general meeting shall be called by the Steering Group. The Secretary shall give at least 21 days notice of the meeting to all members of the Group.
- (c) Before any other business the members of the Group present at the annual general meeting have the right to vote for a chairman of that meeting other than the chairman of the Steering Group.
- (d) The Steering Group shall present to the annual general meeting the report and accounts of the Group for the preceding year.
- (e) Nominations for election to the Steering Group must be seconded and made by members of the Group in writing and must be in the hands of the secretary by 1 April in any year.
- (f) Should nominations exceed vacancies, election shall be by a show of hands at the AGM.
- (g) The Secretary or other person specially appointed shall keep a full record of proceedings at every general meeting.
- (h) There shall be a quorum when at least one tenth of the number of members, or 3 members, whichever is the greater, are present at any general meeting.

**11. Special general meetings:**

The Steering Group may call a special general meeting of the Group at any time. If at least two thirds of the members request such a meeting in writing stating the business to be considered, the Secretary shall call such a meeting. At least 21 days notice must be given. The notice must state the business to be discussed.

**12. Constitution:**

The Constitution may be altered by a resolution passed by not less than two thirds of the members present and voting at an annual general meeting. The notice of the

meeting must include notice of the resolution, setting out the terms of the alteration proposed.

**13. Dissolution:**

If the Steering Group decides that it is necessary or desirable to dissolve the Group it shall call a special general meeting of all members, giving not less than 21 days notice. If the proposal is accepted by a two thirds majority of those members present and voting, the Steering Group shall have the power to realise any assets held by or on behalf of the Group. Any assets remaining after the satisfaction of any proper debts and liabilities shall be given or transferred to such other institution or institutions having objectives similar to the objectives of the Group as the members of the Group may determine or failing that shall be applied for some other similar purpose.

**14. Liability:**

The Group and its Steering Group will not accept liability for any injury to members or guests or loss or damage to members' or guests' property or the actions of members or guests occurring during Group activities, however the injury, damage or action was caused.

**This Constitution is adopted on the date mentioned below by the persons whose signatures appear at the bottom of this document.**

## Individual Executive Member Decision

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<b>Title of Report:</b>	<b>Representation on Outside Bodies – Royal Berkshire Fire Authority and Thames Valley Police Authority</b>
<b>Report to be considered by:</b>	Graham Jones as an Individual Executive Member Decision
<b>Date on which Decision is to be taken:</b>	28 May 2009
<b>Forward Plan Ref:</b>	ID1725

**Purpose of Report:** To consider West Berkshire Council nominations to the Royal Berkshire Fire Authority and Thames Valley Police Authority.

**Recommended Action:** To agree the Council's representation on the Royal Berkshire Fire Authority and Thames Valley Police Authority

**Reason for decision to be taken:** The Council is required to make appointments to certain Outside Bodies on an annual basis

**Other options considered:** None

**Key background documentation:** None.

Portfolio Member Details	
<b>Name &amp; Telephone No.:</b>	Councillor Graham Jones
<b>E-mail Address:</b>	gjones@westberks.gov.uk
Contact Officer Details	
<b>Name:</b>	Moira Fraser
<b>Job Title:</b>	Democratic Services Manager
<b>Tel. No.:</b>	01635 519045
<b>E-mail Address:</b>	mfraser@westberks.gov.uk

## Implications

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<b>Policy:</b>	None
<b>Financial:</b>	Councillors are entitled to claim travel and subsistence allowances for attendance at these meetings. This can be met from within existing budgets.
<b>Personnel:</b>	None
<b>Legal/Procurement:</b>	None
<b>Environmental:</b>	None
<b>Partnering:</b>	None
<b>Property:</b>	None
<b>Risk Management:</b>	None
<b>Community Safety:</b>	None
<b>Equalities:</b>	Not required

## Consultation Responses

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### Members:

<b>Leader of Council:</b>	Graham Jones - no amendments required
<b>Overview &amp; Scrutiny Commission Chairman:</b>	Brian Bedwell - has nothing to add to the report
<b>Policy Development Commission Chairman:</b>	N/a
<b>Ward Members:</b>	N/a
<b>Opposition Spokesperson:</b>	Jeff Brooks - no amendments required
<b>Local Stakeholders:</b>	Royal Berkshire Fire Authority and Thames Valley Police
<b>Officers Consulted:</b>	Andy Day, David Holling, Corporate Board, Robin Steel, Jo Naylor
<b>Trade Union:</b>	Not consulted

<b>Is this item subject to call-in.</b>	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by OSC or associated Task Groups within preceding 6 months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	



## Supporting Information

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### 1. Background

#### 1.1 Background – Royal Berkshire Fire Authority

- 1.2 Five Members of the Council are required to serve as Members of the Royal Berkshire Fire Authority. Members are responsible for setting the Fire and Rescue Service operating budget and determining how the service is run. The Authority comprises 25 local councillors appointed by the six unitary authorities in the county: Bracknell Forest Borough Council (3 seats); Reading Borough Council (4 seats); Royal Borough of Windsor and Maidenhead (4 seats); Slough Borough Council (3 seats); West Berkshire Council (5 seats) and Wokingham District Council (5 seats).
- 1.3 Appointments to the Royal Berkshire Fire Authority are made on a proportionality basis based on the electoral roll.
- 1.4 At the Executive meeting held on 17 May 2007, it was agreed that the decision regarding Member representation would be delegated to Councillor Graham Jones, Leader of Council and Councillor Jeff Brooks, Leader of the Opposition.
- 1.5 The Leader of Council and Leader of the Opposition, working through their Group Executives, agreed that representation would be split 4-1 for the first two years of Council (2007-09) and 3-2 for the subsequent two years (2009-11).
- 1.6 The current representatives are Councillors Jeff Brooks, Paul Bryant, Adrian Edwards, Geoff Findlay and Emma Webster.
- 1.7 Meetings of the Royal Berkshire Fire Authority take place in the evenings, on a quarterly basis, at various venues in the County.
- 1.8 Councillors Owen Jeffery, Jeff Brooks, Emma Webster, Paul Bryant and Adrian Edwards have expressed an interest in representing West Berkshire Council on the Royal Berkshire Fire Authority.
- 1.9 On the 27 April 2009 West Berkshire Council's Monitoring Officer received a request from the Royal Berkshire Fire Authority 'to have greater certainty in its membership' and they therefore requested that the Council 'consider making those appointments for a period of 4 years or, if this is unacceptable, for such period as your authority determines'. Officers have considered this request and suggest that the Council align the appointment to the Council's election cycle. It is therefore proposed that the Councillors be appointed until May 2011 and that subsequent appointments be made for four year periods in line with local elections. These longer term appointments will be at the discretion of the Leader of the Council and will be reviewed if required.

### 2. Background - Thames Valley Police Authority

- 2.1 The Thames Valley Police Authority (TVPA) consists of 19 members, of whom 10 are elected Members (one each from the six Berkshire unitaries, Milton Keynes and Buckinghamshire County Council and two from Oxfordshire County Council). The membership of the TVPA is the responsibility of the TVPA Joint Committee, who

must have regard to the political balance across the Thames Valley area (based upon the total number of council seats held by each party). Should the Joint Committee decide that a change in membership of the TVPA is required the normal practice is for the Joint Committee to invite local authorities to nominate a representative who meets with the requirement for political balance.

- 2.2 The Joint Committee meet again in June 2009 to review the composition of the TVPA, taking account of any changes as a result of the local elections.
- 2.3 The current West Berkshire representative is Councillor Anthony Stansfeld.
- 2.4 Councillors Anthony Stansfeld has expressed an interest in continuing to represent West Berkshire Council on the Thames Valley Police Authority.

### **3. Conclusion**

- 3.1 That Members appoint representatives to the Royal Berkshire Fire Authority and Thames Valley Police as noted above.
- 3.2 That the term of office for the Royal Berkshire Fire Authority be agreed in line with paragraph 1.9

### **Appendices**

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Appendix A - Letter from Royal Berkshire Fire Authority dated 27 April 2009

# ROYAL BERKSHIRE FIRE AUTHORITY



My reference: CR/  
Your reference:

When dialling ask for: Caroline Redzikowska  
Direct telephone line: 0118 932 2284  
Email address: redzikowskac@rbfrs.co.uk

Mr David Holling  
Head of Legal & Electoral Services  
West Berkshire Council  
Market Street  
Newbury  
Berkshire  
RG14 5LD

**Royal Berkshire  
Fire Authority**  
103 Dee Road  
Tilehurst  
Reading  
Berkshire  
RG30 4FS

Telephone 0118 945 2888  
Fax 0118 932 2101  
Web [www.rbfrs.co.uk](http://www.rbfrs.co.uk)

*Clerk & Monitoring Officer*  
Caroline Redzikowska  
LLB (Hons) DipLG

Date: 27 April 2009

Dear David

## RE : Appointments to the Fire Authority

I write to advise that at the meeting of the Fire Authority on 16 April, the Authority considered a report regarding membership of the Authority. On the basis of the electoral roll figures I asked the Unitary Authorities for earlier this year, from the Annual Meeting of the Authority in June the Fire Authority will have 24 Members in fact, although the number of seats will remain at 25.

The Table below shows the breakdown.

	<b>Electorate Jan 2009</b>	<b>1:24213</b>	<b>Seats</b>
<b>Bracknell</b>	82,248	3.39	3
<b>Reading</b>	108,884	4.49	4
<b>Slough</b>	83,135	3.43	3
<b>Windsor and Maidenhead</b>	99,775	4.12	4
<b>West Berks</b>	114,517	4.73	5
<b>Wokingham</b>	116,786	4.82	5
	<b>605,345</b>		<b>24</b>

This has no effect on your Authority this year.

In addition to noting the above, the Fire Authority agreed that each appointing Authority should be asked to consider appointing their representatives for a period greater than 12 months and specifically for a period of 4 years. We consider it would most advantageous to the Fire Authority to have greater certainty in its membership and I would therefore be very much obliged if you would at, or before, the Annual Meeting of your Authority, when I presume you will next be making appointments to the Fire Authority, consider making those

appointments for a period of 4 years or, if this is unacceptable, for such period as your Authority determines.

I would be very much obliged if you could, as soon as possible following their appointment, confirm to myself or our Committee Manager Lynda Kenyon, who your appointees will be and their period of office.

In addition to the above, I am able to advise that I have been asked by the Fire Authority to review the electorate numbers on an annual basis and will therefore from now on be contacting you in January each year to ask for updated figures. I hope that this will not present with you any difficulty.

Yours sincerely

Caroline Redzikowska  
Clerk and Monitoring Officer