

Individual Decisions

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

1st October 2009

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Individual Executive Member Decision

Title of Report:	Representation on Coxedd and Pearce and Kimbers Almshouses
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	01 October 2009
Forward Plan Ref:	ID1931

Purpose of Report: To appoint a representative on the Coxedd and Pearce and Kimbers Almshouses following the resignation of one of the Council's appointed trustees.

Recommended Action: To appoint a replacement representative.

Reason for decision to be taken: This is one of the Council's outside bodies.

Statutory:

Non-Statutory:

Other:

Other options considered: None

Key background documentation: Correspondence with the clerk to the trustees dated the 04 July and 14 August 2009

Portfolio Member Details	
Name & Telephone No.:	Councillor Graham Jones - Tel (01235) 762744
E-mail Address:	gjones@westberks.gov.uk

Contact Officer Details	
Name:	Moira Fraser
Job Title:	Democratic Services Manager
Tel. No.:	01635 519045
E-mail Address:	mfraser@westberks.gov.uk

Implications

Policy:	None
Financial:	None
Personnel:	None
Legal/Procurement:	None
Environmental:	None
Partnering:	None
Property:	None
Risk Management:	None
Community Safety:	None
Equalities:	Not required For advice please contact Principal Policy Officer (Equalities) on Ext. 2441.

Consultation Responses

Members:

Leader of Council:	Graham Jones – no amendments required
Overview & Scrutiny Management Commission Chairman:	Brian Bedwell - no amendments required
Select Committee Chairman:	Carol Jackson-Doerge – no amendments required
Ward Members:	Not applicable
Opposition Spokesperson:	Jeff Brooks – no amendments required
Local Stakeholders:	Not applicable
Officers Consulted:	Not applicable
Trade Union:	Not required

Is this item subject to call-in.	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

1. Background

- 1.1 This Group of 16 Almshouses, provides accommodation for needy people of retirement age who have resided in the Newbury area for two years or more. The Council is required to appoint two representatives (who are not necessarily elected Members).
- 1.2 On the 21 July 2007 Mr Michael James and Mr Mr Lewendon were appointed as trustees for the life of this Council. At the meeting of the Trustees on the 25 June 2009, Mr David Lewendon resigned as a trustee with immediate effect. At the meeting Mr Peter Greenhalgh (Chairman of the Trustees) advised that following discussions Mr Stuart Durrant had offered to stand as a Trustee. The remaining Trustees considered his application and unanimously supported his application pending approval by West Berkshire Council.
- 1.3 The Council is asked to consider this appointment and if not supportive of this candidate put forward a further nomination. Candidates should have special knowledge of the area through residence, occupation or employment, with particular regard to the elderly. The group meet at least quarterly and the meetings usually start at 4.00pm and last for two hours.

Appendices

There are no Appendices to this report.

Individual Executive Member Decision

Title of Report:	Representation on LGA Rural Commission
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	01 October 2009
Forward Plan Ref:	ID1933

Purpose of Report: To appoint a new Member to represent the Council on the LGA Rural Commission.

Recommended Action: To appoint a replacement representative.

Reason for decision to be taken: This is one of the Council's outside bodies.

Statutory:

Non-Statutory:

Other:

Other options considered: None

Key background documentation: None

Portfolio Member Details	
Name & Telephone No.:	Councillor Graham Jones - Tel (01235) 762744
E-mail Address:	gjones@westberks.gov.uk
Contact Officer Details	
Name:	Moira Fraser
Job Title:	Democratic Services Manager
Tel. No.:	01635 519045
E-mail Address:	mfraser@westberks.gov.uk

Implications

Policy:	None
Financial:	None
Personnel:	None
Legal/Procurement:	None
Environmental:	None
Partnering:	None
Property:	None
Risk Management:	None
Community Safety:	None
Equalities:	Not required

Consultation Responses

Members:

Leader of Council:	Graham Jones – no amendments received
Overview & Scrutiny Management Commission Chairman:	Brian Bedwell – no amendments received
Select Committee Chairman:	Quentin Webb - is supportive of Councillor Cole being appointed as the Council's representative on this Outside Body.
Ward Members:	Not applicable
Opposition Spokesperson:	Jeff Brooks – no amendments received
Local Stakeholders:	Not applicable
Officers Consulted:	Andy Day and David Holling
Trade Union:	Not required

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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

1. Background

- 1.1 On the 28 May 2009 Councillor Marcus Franks was appointed as the Council's representative on the LGA Rural Commission. Councillor Royce Longton was appointed as a substitute. Since the decision was made Councillor Franks has indicated that he has had a change in personal circumstances and as a consequence he will no longer be able to attend the meetings. The LGA Rural Commission provides a forum within the LGA for member authorities with an interest in rural affairs and currently meets twice a year.
- 1.2 A vacancy has therefore arisen on this outside body. Councillor Royce Longton will still be the Council's appointed substitute on this body.
- 1.3 Please note that this decision is not subject to the six month rule (as set out in paragraph 5.15.1 of the Constitution) as there has been a material change in circumstances. Councillor Franks resigned his position as Portfolio Holder and this appointment relates directly to that role.
- 1.4 Councillor Hilary has indicated that she would be willing to represent the Council on the outside body.

Appendices

There are no Appendices to this report.

Individual Executive Member Decision

Title of Report:	Response to the South East Partnership Board's Consultation on the Partial Review of the South East Plan: Planning for Gypsies, Travellers & Travelling Showpeople
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	01 October 2009
Forward Plan Ref:	ID1935

Purpose of Report:

To confirm the recommendations made by the Berkshire Leaders' Group and confirmed by the Planning Policy Task Group

Recommended Action:

To support the Berkshire figures for additional pitches for Gypsies, Travellers and Travelling Showpeople within the partial review of the South East Plan reinforcing the advice previously submitted to the Regional Assembly by the Berkshire grouping for the period up to 2016.

To challenge the assumption that for the period beyond 2016, a 3% compound growth should be applied to these figures.

Reason for decision to be taken:

To respond to the South East Partnership Board's consultation on the Partial Review of the South East Plan: Planning for Gypsies, Travellers & Travelling Showpeople

Statutory:

Non-Statutory:

Other:
Other options considered:
Key background documentation:

Gypsy, Traveller & Travelling Showpeople Policy for West Berkshire

Portfolio Member Details	
Name & Telephone No.:	Councillor Hilary Cole - Tel (01635) 248542
E-mail Address:	hcole@westberks.gov.uk

Contact Officer Details	
Name:	Bill Jennison
Job Title:	Head of Countryside & Environment
Tel. No.:	01635 519560
E-mail Address:	bjennison@westberks.gov.uk

Implications

Policy:	The contents of the report are in line with the Council's Gypsy, Traveller & Travelling Showpeople Policy
Financial:	None, this is a consultation document only by the South East Partnership Board
Personnel:	None
Legal/Procurement:	Legal will have involvement with pitch provision for Gypsies, Travellers & Travelling Showpeople.
Environmental:	Assist in reducing occasions of unauthorised encampments.
Partnering:	Opportunities for partnership working with the Community Council for Berkshire and other Berkshire authorities.
Property:	Property will have involvement with pitch provision for Gypsies, Travellers & Travelling Showpeople
Risk Management:	Risk of Planning Permission by Appeal for the Council
Community Safety:	Assist in the control of unauthorised encampments.
Equalities:	Gypsies are recognised as an ethnic minority and their rights of equality protected under legislation

Consultation Responses

Members:

Leader of Council:	Graham Jones - No comments received
Overview & Scrutiny Management Commission Chairman:	Brian Bedwell - No comment
Select Committee Chairman:	Emma Webster - No comments received
Ward Members:	N/A
Opposition Spokesperson:	Royce Longton - No comments received
Local Stakeholders:	N/A
Officers Consulted:	Bryan Lyttle - No comment
Trade Union:	N/A

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

Supporting Information

1. Background

- 1.1 The Government has said that the key to a reduction in unauthorised encampments is to increase the supply of authorised sites. The Government is committed to increasing site provision, linked to firm, but fair use of enforcement powers against unauthorised sites and anti-social behaviour.
- 1.2 The approach provides for:
- (1) Local authorities to take the lead in assessing the accommodation needs of Gypsies, Travellers & Travelling Showpeople alongside those of their settled population.
 - (2) The locally assessed needs of Gypsies, Travellers & Travelling Showpeople to be incorporated into the Regional Spatial Strategy.
 - (3) Each local authority to play its part in meeting that need through the planning system by identifying appropriate sites in local plans.
- 1.3 The system works as follows:
- (1) The Housing Act 2004 requires local authorities to assess the need for Gypsy & Traveller accommodation in their areas when they assess the housing requirements of the rest of the population.
 - (2) Local authorities must then develop a strategy, which addresses the need arising from the accommodation assessment, through public or private provision.
 - (3) The Regional Planning Body, on the basis of local authority assessed need, determines how many pitches should be provided across the region. It specifies in the Regional Spatial Strategy (the South East Plan) how many pitches need to be provided by each local authority area, ensuring that collectively local authorities make provision in a way that is equitable and meets the assessed pattern of need.
 - (4) Local planning authorities will be obliged to identify sites in their Development Plan Documents (DPDs), in line with the requirement identified in the Regional Spatial Strategy. It will no longer be acceptable just to specify planning criteria for sites; local authorities will be expected to identify land.
 - (5) Where there is a clear need, if local planning authorities fail to identify sites in their Development Plan Documents, the Secretary of State has the power to direct them to do so.
- 1.4 In areas where there is a demand for authorised site provision, local authorities do not have to wait until the end of the planning process described above to provide more sites.

2. Gypsy, Traveller & Travelling Showpeople Accommodation Assessments for Berkshire

2.1 The six Berkshire authorities have worked together as a 'Berkshire Grouping' for the purposes of providing advice to the then, Regional Assembly on the Draft South East Plan Partial Review: Gypsies, Travellers and Travelling Showpeople. In October 2007 the Assembly was advised that based on the ACTVaR Gypsy and Traveller Accommodation Assessment (GTAA) a total of 78 additional pitches were required to be provided over the 10 years 2006-2016 in Berkshire.

2.2 Advice was submitted by the Berkshire authorities on two distribution options:

(1) Option A

(a) This option identified needs where they arose through the GTAA and existence of authorised sites. All the GTAA's, provided by local authorities in the Region have been assessed and independently audited by the Regional Assembly.

(2) Option B

(a) This option included the distribution of the number of pitches assessed for each local planning authority, but took account of planning, environmental and other identified factors.

(b) This second option, required by the Regional Assembly, led to a Berkshire consultation on stakeholder engagement on the Provision of Caravan Sites for Gypsies & Travellers. This was sent to all Council Members and Parishes in Berkshire for their views. From this, external consultants were appointed to undertake a Berkshire Gypsy & Traveller Pitches Distribution Study.

(c) The criteria from the study sought to protect and enhance the natural environment, including its biodiversity and landscape character, whilst making the best use of previously developed land. Access to services, education and employment are also key considerations. There is a presumption against inappropriate development in the Metropolitan Green Belt. The total number of new pitches for Berkshire remained the same at 78, as in Option A. Option B, however, amended the distribution to each unitary authority in Berkshire to take account of these factors. The distribution of the additional pitches in Option B was agreed at Berkshire Leaders' meetings for submission to the Regional Assembly for the period 2006-2016.

2.3 Two further options, (C) and (D), were introduced by the Regional Assembly. These were two variant re-apportionments of the additional number of pitches required and sought to spread the distribution of additional pitches across the region. There was also the requirement from the Assembly to include an assessment of Travelling Showpeoples' needs.

3. Government Office of the South East

3.1 Following the Regional Assembly's consultation in September to November 2008, the Assembly supported Option D for submission to the Government Office of the

South East (GOSE) in Spring 2009. The Gypsy and Travellers figures for Berkshire under Option D were confirmed as 77 in total, with minor redistribution within the county. These and the Travelling Showpeople figures for additional pitches are shown in Table H7a at 3.4.

- 3.2 On 8 June 2009, GOSE issued documentation relating to the Partial Review of the Regional Spatial Strategy for the South East – Provision for Gypsies, Travellers and Travelling Showpeople. The recommendations relate to new Policy H7: Provision for Gypsies, Travellers and Travelling Showpeople:
- 3.3 Local Planning Authorities will make provision in Local Development Documents (LDDs) to deliver 1,064 net additional permanent residential pitches for Gypsies and Travellers in the period 2006-2016, and 302 for Travelling Showpeople, as set out in table H7a which details pitch requirements by local authority. Local Planning Authorities will also make appropriate provision in Local Development Documents to meet requirements for transit and temporary stopping purposes.
- 3.4 Table H7a provides the detail for permanent residential pitch baseline and net additional pitch provision requirements 2006-2016.

TABLE H7a				
Permanent residential pitch baseline and net additional pitch provision requirements 2006-2016				
Unitary/District Authority	Gypsies & Travellers		Travelling Showpeople	
	2006 Baseline	Requirement	2006 Baseline	Requirement
Total South East	1,868	1,064	431	302
Bracknell Forest	15	15	17	2
Reading	0	7	11	2
Slough	40	7	0	1
West Berkshire	39	18	5	3
Windsor & Maidenhead	49	9	12	2
Wokingham	71	21	1	2
Berkshire Unitaries	214	77	46	12

- 3.5 It should be noted that whilst these figures relate to the period to 2016 the supporting text in the document states that allocations will be updated following a regional review of Gypsy, Traveller & Travelling Showpeople (GTTS) provision starting in 2011- 2012. Where LDDs look beyond 2016, onward requirements can be calculated on the basis of 3% compound growth for Gypsies and Travellers, and 1.5% for Travelling Showpeople. This is a significant statement as the above figures only apply until 2016 and whilst provision may be expected beyond 2016, the Assembly have not requested advice from local authorities or consulted on options beyond 2016. If the suggested 3% compound growth applies in Berkshire then this would require 100 further pitches to cover the period 2016 - 2026.
- 3.6 The Individual Executive Member Decision formally confirms the Council decision prior to the Examination in Public to be held by an Independent Panel in February 2010.

4. Recommendation and Response to Consultation

- 4.1 The Gypsies and Travellers figures to 2016 are identical to those already agreed by the Berkshire authorities and are a re-statement of the submitted advice. It is therefore appropriate that the Berkshire authorities (collectively and individually)

should now confirm their previous position by responding to the current consultation giving support for Policy H7 and Table H7a (Berkshire).

4.2 The Berkshire Leaders Group have considered this and made the following recommendations:

- (1) Supporting the Berkshire figures within this partial review of the South East Plan reinforcing the advice previously submitted to the Assembly by the Berkshire grouping for the period up to 2016.
- (2) Challenging the assumption that for the period beyond 2016, a 3% compound growth should be applied to these figures.
- (3) Any provision for Gypsies, Travellers and Travelling Showpeople post 2016 agreed now should be subject to careful monitoring and review prior to 2016.

4.3 The recommendations were supported and confirmed by the Planning Task Group.

Appendices

There are no appendices to this report.

Individual Executive Member Decision

Title of Report:	South East England Councils
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	01 October 2009
Forward Plan Ref:	ID1942

Purpose of Report: To consider a request to become members of South East England Councils.

Recommended Action: To agree to become members of SEEC and to request members to nominate a representative to it.

Reason for decision to be taken: To ensure that the Council is represented on this regional body.

Statutory:

Non-Statutory:

Other:

Other options considered: None

Key background documentation: Letter from SEEC dated 21 May 2009

Portfolio Member Details	
Name & Telephone No.:	Councillor Keith Chopping - (0118) 983 2057
E-mail Address:	kchopping@westberks.gov.uk

Contact Officer Details	
Name:	Andy Day
Job Title:	Head of Policy and Communications
Tel. No.:	01635 519459
E-mail Address:	aday@westberks.gov.uk

Implications

Policy: This proposal accords with the Council's policy of wishing to influence economic issues at a regional level.

Financial: The cost of joining SEEC will result in a saving of approximately of £9,000 over that previously paid to SEERA.

Personnel: N/A

Legal/Procurement: N/A

Environmental: N/A

Partnering: N/A

Property: N/A

Risk Management: N/A

Community Safety: N/A

Equalities: N/A

Consultation Responses

Members:

Leader of Council: Supports the Council's involvement in this organisation.

Overview & Scrutiny Management Commission Chairman: Not appropriate as this item is subject to call-in.

Select Committee Chairman: N/A

Ward Members: N/A

Opposition Spokesperson:

Local Stakeholders: N/A

Officers Consulted: Nick Carter

Trade Union: N/A

Is this item subject to call-in.	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

1. Background

- 1.1 As a result of the Government's Sub national review of Economic Development and Regeneration (SNR), changes have been made to the report architecture, and in particular the way in which regional planning, transport, housing and economic development functions are carried out across the English regions.
- 1.2 The most significant changes are a new "joint responsibility" between the Regional Development Agencies and a new body of local authority leaders from the region to develop and sign off a single regional Strategy. The new single strategy will replace the existing regional spatial and regional economic strategies. As a consequence of the new arrangements, the Regional Assemblies are also being abolished.
- 1.3 In the South East, the Regional Assembly (SEERA) has already been wound up and replaced by the South East England Councils (SEEC). The Development Agency and the new South East England Leaders Board (SEELB) are working together to establish new arrangements to discharge their joint responsibilities.
- 1.4 SEEC has been established to represent and promote the views and interests of local government in the region. It has a wide remit, not just to provide an input into the development and implementation of the Single Regional Strategy. It will, amongst other things, ensure effective representation of local authority interests on regional, national and international bodies, will scrutinise the activities of other agencies at the regional level and will provide a forum for the consideration and determination of regional issues including strategic policies and investment priorities.

2. Proposals

- 2.1 The Council has been asked to become a member of SEEC at a cost of £3,005 per annum and to appoint a member. The costs associated with being a member of SEERA in the past amounted to £12,198.

3. Recommendation

- (i) That the Council agree to become a member of SEEC at a cost of £3,005.
- (ii) That the Council appoint a member to SEEC.

Appendices

There are no Appendices to this report.