



# **Meeting of West Berkshire District Council**

**Thursday, 27th September,  
2012**

***Summons and Agenda***

---

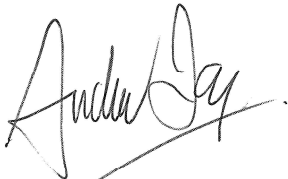


**WestBerkshire**  
C O U N C I L

To: All Members of the Council

*You are requested to attend a meeting of*  
**WEST BERKSHIRE DISTRICT COUNCIL**  
*to be held in the*  
**COUNCIL OFFICES, MARKET STREET,  
NEWBURY**

on  
**Thursday, 27th September, 2012**  
at the rising of the Special Meeting



Andy Day  
Head of Strategic Support  
West Berkshire District Council

Date of despatch of Agenda: Wednesday, 19 September 2012

---

## **AGENDA**

---

1. **APOLOGIES FOR ABSENCE**

To receive apologies for inability to attend the meeting (if any).

2. **MINUTES**

The Chairman to sign as a correct record the Minutes of the Annual Council meeting held on 10 May 2012, the Special Meeting on the 16 July 2012 and the Special Meeting on the 16 July 2012. **(Pages 1 - 14)**

3. **DECLARATIONS OF INTEREST**

To receive notice of any Declarations of Interest from Members.

4. **CHAIRMAN'S REMARKS**

The Chairman to report on functions attended since the last meeting and other matters of interest to Members.



**WestBerkshire**  
C O U N C I L

## **Agenda - Council to be held on Thursday, 27 September 2012 (continued)**

### **5. PRESENTATIONS**

The Chairman will make presentations to the outgoing Leader of the Council.

### **6. PETITIONS**

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

### **7. PUBLIC QUESTIONS**

Members of the Executive to answer the following questions submitted by members of the public in accordance with the Council's Constitution:

- (a) **Question to be answered by the Executive Member for Planning, Transport Policy, Property submitted by Mr Richard Garvie:**

"Can the council advise what steps are currently being taken to return the control tower at Greenham Common to public use?"

- (b) **Question to be answered by the Executive Member for Partnerships, Equality, The Visions, Communities submitted by Mr Richard Garvie:**

"Can the council confirm that an alternative facility will be provided for Newbury FC should Faraday Road be redeveloped?"

- (c) **Question to be answered by the Executive Member for Strategy, Council Plan, Housing submitted by Mr Richard Garvie:**

"What steps are the council taking to provide more affordable housing in Newbury?"

- (d) **Question to be answered by the Leader of the Council submitted by Mr Richard Garvie:**

"With Cllr Jones stepping down as Leader, can he explain what legacy he is leaving from his time as leader?"

### **8. LICENSING COMMITTEE**

The Council is asked to note that since the last meeting of the Council, the Licensing Committee met on 20 June 2012. Copies of the Minutes of these meetings can be obtained from Strategic Support or via the [Council's website](#).

### **9. PERSONNEL COMMITTEE**

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

### **10. GOVERNANCE AND AUDIT COMMITTEE**

The Council is asked to note that since the last meeting of Council, the Governance and Audit Committee met on 9 July 2012 and 10 September 2012. Copies of the

## **Agenda - Council to be held on Thursday, 27 September 2012 (continued)**

Minutes of these meetings can be obtained from Strategic Support or via the [Council's website](#).

### **11. DISTRICT PLANNING COMMITTEE**

The Council is asked to note that since the last meeting of the Council, the District Planning Committee met on 11 July 2012. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

### **12. OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION**

The Council is asked to note that since the last meeting of the Council, the Overview and Scrutiny Management Commission met on 29 May 2012, 26 June 2012, 31 July 2012 and 18 September 2012. Copies of the Minutes of these meetings can be obtained from Strategic Support or via the [Council's website](#).

### **13. STANDARDS COMMITTEE**

The Council is asked to note that since the last meeting of the Council, the Standards Committee met on 25 June 2012. Copies of the Minutes of this/ meeting can be obtained from Strategic Support or via the [Council's website](#).

### **14. ELECTION OF STRONGER LEADER AND ANNOUNCEMENT OF EXECUTIVE (C2543)**

Following the resignation of the current Leader of the Council the Council is asked to elect a new Executive Leader up until May 2015 and to receive notification from the Executive Leader on the number and names of Members appointed to the Executive for the remainder of the 2012/13 Municipal Year. **(Verbal Report)**

### **15. PRE PLANNING APPLICATION PROCESS ADVICE FEES (C2522)**

To seek Council authority to charge for pre planning application advice. **(Pages 15 - 24)**

### **16. LOCAL LISTING IN WEST BERKSHIRE (C2542)**

To inform Members of how a Local Listing process will operate in West Berkshire. **(Pages 25 - 40)**

### **17. PROPOSED MEMBER DEVELOPMENT PROGRAMME FOR 2012 TO 2015 (C2501)**

To agree the Member Development Programme for 2012/13 and to consider the delivery of Member Development until the next District elections in May 2015. **(Pages 41 - 46)**

### **18. CONSTITUTIONAL CHANGES**

To outline two issues which were recently discussed by the Governance and Audit Committee and to obtain a Council view on the way forward in each case. **(Pages 47 - 52)**

**19. CHANGES TO THE CONSTITUTION, PARTS 9 AND 10 (C2549)**

To consider changes to the Financial Rules of Procedure and Protocols in light of legislation changes and following a review by the Finance and Governance Group and Governance and Audit Committee. **(Pages 53 - 106)**

**20. APPOINTMENT OF INDEPENDENT PERSONS (C2541)**

To appoint the Council's Independent Person(s) in accordance with the Localism Act. **(Pages 107 - 112)**

**21. NOTICES OF MOTION**

- (a) **The following Motion has been submitted in the name of Councillor Geoff Mayes:**

“At the railway level crossing in Ufton Nervet there have been 8 deaths in recent years and many more near misses. This is currently a half-barrier crossing. This means it can still be accessed by pedestrians and vehicles passing around the barrier when it is down, endangering both themselves and those on the train. It is also possible for vehicles to drive onto the tracks and park there before the barriers descend as there are no CCTV cameras linked to the signalling centre to alert signallers of an obstruction on the track.

In November 2004 the Ufton Nervet rail crash disaster killed 7 and injured 130, and in May this year another man died on this crossing. If nothing is done to make this crossing safer there is a probability that more people will be killed or injured; we must get Network Rail to commit to improving this precarious situation.

I propose this Council resolves to press Network Rail to install a monitored crossing with full width barriers. This will provide CCTV so that the signaller can ensure the crossing is clear before lowering the barriers. I am requesting a letter to this effect to be written by Nick Carter, the Chief Executive of West Berkshire Council to David Higgins the Chief Executive of Network Rail before the end of October 2012.”

**22. MEMBERS' QUESTIONS**

There were no questions submitted in relation to items not included on the agenda.

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format, such as audio tape, or in another language, please ask an English speaker to contact Moira Fraser on telephone (01635) 519045, who will be able to help.