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Meeting of West Berkshire District Council

Thursday 6 December 2018

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 Council

to be held in the

Council Offices Market Street Newbury

on

Thursday 6 December 2018

at 7.00pm



Andy Day
Head of Strategic Support
West Berkshire District Council

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcast, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

Date of despatch of Agenda: Wednesday 28 November 2018

AGENDA

1. **APOLOGIES FOR ABSENCE**

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

2. **CHAIRMAN'S REMARKS**

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



Agenda - Council to be held on Thursday, 6 December 2018 (continued)

3. **PRESENTATION OF THE WEST BERKSHIRE COMMUNITY CHAMPION AWARDS (C3659)**

The Chairman will present the following Community Champion Awards for 2018:

- Pat Eastop Junior Citizen of the Year
- Volunteer of the Year
- Community Group of the Year
- Lifetime Achievement Award

4. **MINUTES**

The Chairman to sign as a correct record the Minutes of the Council meeting held on 13 September 2018. **(Pages 9 - 14)**

5. **DECLARATIONS OF INTEREST**

To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).

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 Portfolio Holder for Economic Development and Communications submitted by Mr Peter Carline:**

"What preparations are the council making for a no deal Brexit?"

- (b) **Question to be answered by the Portfolio Holder for Planning, Housing and Waste submitted by Mr Thomas Tunney:**

"Is it standard practice for the housing team to advise single parents struggling to pay their rent, to register as homeless, incur a CCJ when they get evicted and then get relocated to Slough miles away from their jobs and schools?"

- (c) **Question to be answered by the Leader of the Council submitted by Mr Thomas Tunney:**

"Why after Councillor Goodes was disqualified for non-attendance has there been no repayment of allowances paid to him?"



Agenda - Council to be held on Thursday, 6 December 2018 (continued)

- (d) **Question to be answered by the Portfolio Holder for Planning, Housing and Waste submitted by Mr Thomas Tunney:**
“What did the Council hope to achieve by issuing West Berkshire Homeless with an eviction notice on the portaloos deposited at one the the homeless camps?”
- (e) **Question to be answered by the Portfolio Holder for Planning, Housing and Waste submitted by Mr Thomas Tunney:**
“If the SWEP accommodation is not sufficient, rather than spending money on emergency accommodation, would the Council consider using the equipment owned by WBH to provide shelter in the perfectly sized and equipped council chambers and shower facilities?”
- (f) **Question to be answered by the Portfolio Holder for Corporate Services submitted by Mr James Thomas:**
“What steps is the Council taking to modernise IT service provisioning to save any of the circa £3m per annum it spends on Customer Services and ICT by embracing cloud-based software-as-a-service offerings for services like email and file storage?”
- (g) **Question to be answered by the Portfolio Holder for Finance, Transformation and Property submitted by Mr Steve Masters:**
“Rather than investing £100m on speculative commercial property investment, should the Council instead be spending that on local housing stock in order to change the lives of and keep the much needed younger people in the area to stem the demographic time bomb?”
- (h) **Question to be answered by the Portfolio Holder for Highways and Transport, Environment and Countryside submitted by Mr Steve Masters:**
“Can the Council confirm, for the benefit of Speen residents, that the proposed improvements to the verges (grass-crete) on Burchell Road and Digby Road are indeed imminent and will be completed within this current financial year (2018/19)?”
- (i) **Question to be answered by the Portfolio Holder for Highways and Transport, Environment and Countryside submitted by Mr Steve Masters:**
“Can the Council liaise with the emergency services and Sovereign Housing in order to carry out a risk assessment and explore options to ensure that emergency vehicles have clear and safe access to Talbot Close to reassure residents some of whom are frail and vulnerable?”
- (j) **Question to be answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture submitted by Mr Steve Masters:**
“With the current consultation underway for the latest round of proposed cuts to frontline services do council accept that several of the proposed cuts run contrary to and are likely to have a detrimental effect on the current priorities of the Health and Wellbeing Board?”



Agenda - Council to be held on Thursday, 6 December 2018 *(continued)*

- (k) **Question to be answered by the Leader of the Council/Portfolio Holder for Community Resilience and Partnerships submitted by Mr Eric Pattendon:**
“Would the Leader agree that not fulfilling your manifesto commitment to protect the neighbourhood wardens has increased the burden on policing at a time of rising crime?”
- (l) **Question to be answered by the Portfolio Holder for Planning, Housing and Waste submitted by Mrs Martha Vickers:**
“Can the portfolio holder explain why the showers and toilets at the unused council-owned football ground aren’t being utilised to help support homeless people?”
- (m) **Question to be answered by the Portfolio Holder for Planning, Housing and Waste submitted by Mr Tony Vickers:**
“What problems would the council envisage having to resolve if householders on benefits who wish to continue having their garden waste collected for free were given exemption from the charge?”
- (n) **Question to be answered by the Portfolio Holder for Corporate Services submitted by Ms Julie Wintrup:**
“Will there be a full public independent inquiry into the how the council breached EU law by entering into an unlawful agreement with St Modwen Developments Ltd?”
- (o) **Question to be answered by the Portfolio Holder for Corporate Services submitted by Ms Julie Wintrup:**
“How much has already been spent on defending the case brought by Faraday Development Limited including officer time and legal costs?”

8. **MEMBERSHIP OF COMMITTEES**

The Council to agree any changes to the membership of Committees.

9. **ADJOURNMENT OF THE MEETING**

At this point, the Council meeting will be adjourned to enable the Overview and Scrutiny Management Commission to meet to determine their Chairman and Vice-Chairman.

10. **RECOMMENCEMENT OF THE MEETING**

The meeting will be recommenced at the conclusion of the Overview and Scrutiny Management Commission.



Agenda - Council to be held on Thursday, 6 December 2018 (continued)

11. LICENSING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Licensing Committee met on 19 November 2018. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

12. PERSONNEL COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Personnel Committee met on 17 September 2018. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

13. GOVERNANCE AND ETHICS COMMITTEE

The Council is asked to note that since the last meeting of Council, the Governance and Ethics Committee met on 29 October 2018 (special) and 26 November 2018. Copies of the Minutes of these meetings can be obtained from Strategic Support or via the [Council's website](#).

14. DISTRICT PLANNING COMMITTEE

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

15. 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 9 October 2018. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

16. JOINT PUBLIC PROTECTION COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Joint Public Protection Committee met on 18 September 2018. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

17. GREENHAM BUSINESS PARK LOCAL DEVELOPMENT ORDER (C3417)

To consider the adoption of the Greenham Business Park Local Development Order. **(Pages 15 - 210)**

18. COUNCIL RESPONSE TO GARDEN WASTE PETITION (C3669)

To respond to the Garden Waste petition submitted to the Council at the Executive meeting on 18 October 2018. **(Pages 211 - 230)**

19. STATEMENT OF GAMBLING PRINCIPLES (C3430)

To bring the Council's revised Statement of Gambling Principles, further to endorsement by the Council's Licensing Committee on 19 November 2018, to Full Council for approval. **(Pages 231 - 282)**

20. STATEMENT OF LICENSING POLICY (C3431)

To bring the Council's revised Statement of Licensing Policy, further to endorsement by the Council's Licensing Committee on 19 November 2018, to Full Council for approval. **(Pages 283 - 326)**

21. LEISURE CENTRE FEES AND CHARGES 2019 (C3657)

To implement the contractual requirement for an annual price review for 2019 for the leisure contractor to come into effect from 1st January 2019. **(Pages 327 - 340)**

22. AMENDMENTS TO THE CONSTITUTION (C3260)

To consider a number of amendments to Parts 2, 3, 10, 11 and 13 of the Constitution. **(Pages 341 - 384)**

23. PROPOSED MEMBER INDUCTION AND DEVELOPMENT PROGRAMME - 2019/20 (C3632)

To give consideration to, and agree, the proposed Member Induction and Development Programme for 2019/20 following the forthcoming District Council Election in May 2019. The programme was considered and endorsed by the Member Development Group on 24 September 2018. **(Pages 385 - 400)**

24. 2019/20 WEST BERKSHIRE COUNCIL TIMETABLE OF PUBLIC MEETINGS (C3658)

To recommend a timetable of meetings for the 2019/20 Municipal Year. **(Pages 401 - 408)**

25. SUSTAINABLE DRAINAGE SYSTEMS (SUDS) SUPPLEMENTARY PLANNING DOCUMENT (SPD) (C3660)

- (1) To consider the representations (as attached in Appendix C) received in response to the consultation on the Sustainable Drainage Systems Supplementary Planning Document (SuDS SPD) undertaken between 11 June and 23 July 2018.
- (2) To consider whether any revisions need to be made to the SuDS SPD in light of these representations.
- (3) To consider the adoption of the SuDS SPD as attached in Appendix D. **(Pages 409 - 504)**



26. **NOTICES OF MOTION**

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

“That this Council adds its voice to the All Party Parliamentary Group for Nursery Schools, Nursery and Reception Classes and our own MP Richard Benyon to call on the Government to take action to ensure nursery schools are financially sustainable for the future when the current supplementary funding ends in England in March 2020.”

27. **MEMBERS' QUESTIONS**

Members of the Executive to answer the following questions submitted by Councillors in accordance with the [Council's Constitution](#):

- (a) **Question to be answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture submitted by Councillor Alan Macro:**

“Why is Newbury football club not being allowed to use the football ground until the replacement is available?”

- (b) **Question to be answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture submitted by Councillor Lee Dillon:**

“Will you make provision for a grant of £50k in each of the next two years to the Corn Exchange so that the funding-reduction is easier to manage?”

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.

