

Extraordinary Meeting of West Berkshire District Council

Thursday 23rd February 2023

Summons and Agenda



To: All Members of the Council

*You are requested to attend an extraordinary
meeting of*

WEST BERKSHIRE DISTRICT COUNCIL

to be held in the

**COUNCIL OFFICES, MARKET STREET,
NEWBURY**

on

Thursday 23rd February 2023

at 7.00 pm



Sarah Clarke
Service Director – Strategy & Governance
West Berkshire District Council

Date of despatch of Agenda: Wednesday, 15 February 2023

AGENDA

1. **APOLOGIES FOR ABSENCE**

To receive apologies for inability to attend the meeting (if any).
(Pages 5 - 6)

2. **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](#).
(Pages 7 - 8)

3. **REQUEST FOR APPROVAL OF THE LGBCE CONSENTED REORGANISATION
ORDER FOR THE GOVERNANCE ARRANGEMENTS FOR GREENHAM PARISH**



WestBerkshire
C O U N C I L

Agenda - Council to be held on Thursday, 23 February 2023 *(continued)*

Purpose: to seek authority from Council, to make the necessary Order altering the electoral arrangements in the parish of Greenham, as provided for in section 86 of the 2007 Act.

(Pages 9 - 44)

If you require this information in a different format or translation, please contact Stephen Chard on telephone 01635 519462.

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Extraordinary Council – 23 February 2023

Item 1 – Apologies for Absence

Verbal Item

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Extraordinary Council – 23 February 2023

Item 2 – Declarations of Interest

Verbal Item

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Request for approval of the LGBCE consented Reorganisation Order for the governance arrangements for Greenham parish

Committee considering report:	Council
Date of Committee:	February 2023
Portfolio Member:	Councillor Tom Marino
Report Authors:	Sarah Clarke and Anita Stanbury
Forward Plan Ref:	C4320

1 Purpose of the Report

- 1.1 Following a request from Greenham Parish Council that the Council undertake a community governance review (CGR) of the Greenham parish, this was undertaken during May to September 2022, in accordance with the Local Government and Public Involvement in Health Act 2007 (the 2007 Act) and associated guidance. Council approved the CGR, and the request for consent for the draft *West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)*, was sent to the Local Government Boundary Commission for England (LGBCE) by the required date of 01 October 2022.
- 1.2 Following receipt of the Letter of Consent on 24 November 2022 from the LGBCE (**Appendix D**); this report seeks authority from Council, to make the necessary Order altering the electoral arrangements in the parish of Greenham, as provided for in section 86 of the 2007 Act.

2 Recommendations

- 2.1 The Council resolves to:
 - a) Approve the draft *West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)*, with specific reference to section 4 of the Order, as final, as consented to by the LGBCE in its letter to the Electoral Services manager, dated 24 November 2022 **Appendix D**;

For clarity, Section 4 of the Order states:

- “(1) *The existing wards of the parish of Greenham shall be abolished.*
 (2) *The parish of Greenham shall again be divided into the two parish wards, which shall be named Common ward (polling districts GB1 + GB3) and*

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Racecourse ward (polling district GB2), as listed in the first column of table 1 in Schedule 1 (Names of parish wards and number of Councillors).

(3) Each parish ward shall comprise the area designated on the map by reference to the name of the parish ward (as indicated on the map legend) and demarcated by the respective colours (Common ward in blue and Racecourse ward in yellow). The polling district divisions, GB1, GB2 and GB3, (as indicated on the attached map) within the parish of Greenham shall remain unchanged.

(4) The number of Councillors to be elected for each parish ward is the number specified in relation to that ward in the second column of the relevant table 1 in Schedule 1. (Ten Councillors shall be elected for Common parish ward, and five Councillors shall be elected for Racecourse parish ward.)

(5) The alterations are contained within the boundary of the parish of Greenham, and do not affect any other parishes within the district.

(6) The alteration to incorporate Sandleford ward (polling district GB3), with only six (6) electors and five (5) parish Council seats (of which only one (1) is filled), into Common ward, with three thousand and twenty four (3024) electors and ten (10) parish Council seats, will ensure good governance across the whole of this area.

(7) The separation of the polling district GB2, with one thousand four hundred and seventy two (1472) electors, into a stand-alone ward, known as Racecourse ward, with five (5) parish Council seats, will improve governance for this area, and allow for the contrasting needs of this unique residential cohort.”;

- b) Delegate authority to Service Lead – Legal & Democratic Services to exercise all relevant powers under the 2007 Act in relation to the CGR, and to seal the final approved Order to complete that Order and give it effect.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	It is envisaged that the only costs to the Council will be in respect of officer time in implementation of the draft <i>West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)</i> , as consented to by the LGBCE, which will be met from within existing budgets.
Human Resource:	The draft <i>West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)</i> , as consented to by the LGBCE will have to be implemented within existing staff resources.
Legal:	The Council has power under section 82 of the Local Government and Public Involvement in Health Act 2007 to conduct CGRs.

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	<p>The Council will need to take the steps detailed in the 2007 Act to ensure that relevant parties are notified of the changes proposed by the reorganisation order if approved.</p> <p>A CGR must be conducted in accordance with the requirements set out in Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 (as amended) and guidance is issued by the Secretary of State under Section 100 (4) of the 2007 Act. These requirements are outlined in section 4.6 of this report.</p>			
Risk Management:	There are currently no risks envisaged with this.			
Property:	There are no property implications.			
Policy:	None			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		
Health Impact:		X		

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ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:		X		
Core Business:		X		
Data Impact:		X		
Consultation and Engagement:	Councillor Tom Marino, Greenham Parish Council Councillors, District Ward Councillors for Wash Common ward (GB3) Councillors David Marsh, Adrian Abbs, and Tony Vickers, Sarah Clarke (Monitoring Officer) and Joseph Holmes (Executive Director – Resources)			

4 Executive Summary

- 4.1 On 29th September 2020, Greenham Parish Council (GPC) submitted a written request for the West Berkshire Council (Council) to conduct a community governance review (CGR). The Greenham Parish consists of Common Ward and Sandford Ward. The Sandford Ward was formed following the 2018 Local Government Boundary Commission for England (LGBCE) district boundary review which came into being in 2019 (the Local Plan process had anticipated a significant increase in housing although that has not materialised to date due to delays in the broader planning process).
- 4.2 The Council meeting of 10 May 2022 resolved "...that the Council:
- (a) Proceeds with a CGR of the parish of Greenham, in accordance with the requirements of the 2007 Act and associated guidance, as described in the report.
 - (b) Approves the terms of reference in respect of the community governance review, including the proposed timetable, as set out in Appendix B to the report.
 - (c) Delegates authority to the Governance and Ethics Committee to consider and approve draft proposals following initial consultation.
 - (d) Delegates authority to the Service Lead — Legal & Democratic Services to approve minor amendments and/or typographical amendments pertaining to the final recommendations prior to submission to the Local Government Boundary Commission, save for the power to make substantive amendments which is delegated to the Governance and Ethics Committee.

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- (e) Delegates authority to the Service Lead - Legal & Democratic Services to exercise powers under the 2007 Act in relation to the CGR.”

4.3 The CGR process undertaken, involved a number of key stages, which can be summarised as follows:

11 May 2022	Terms of Reference published
19 May to 04 July 2022	First Consultation period
25 July 2022	Draft proposal approved by G&E Committee
28 July to 09 September 2022	Final Consultation period
10 to 30 September	Final Recommendations prepared for LGBCE
01 October 2022	Draft Reorganisation Order submitted to LGBCE
24 November 2022	WBC Reorganisation Order consented by LGBCE

4.4 Following the first consultation period, the draft proposal with recommendations were approved by Governance and Ethics (G&E) Committee on 25 July 2022, which resolved (as per the extract from the signed minutes in **Appendix B**) to:

- (a) “...approve the following draft recommendations arising out of the initial public consultation to proceed to second public consultation:
- Split Common ward (GB1) into two wards, with the current Racecourse development (GB2) area, becoming a separate “Racecourse ward”.
 - Reincorporate Sandleford ward (GB3) back into Common ward (GB1). This can be re-split into two separate wards, at such time as there are sufficient electors to warrant such a separation.
 - Allocate the 5 parish council seats currently allocated to Sandleford ward, to the proposed new Racecourse ward (GB2).
- (b) Following a second public consultation period, and provided that there are no requests for substantive amendments to the above proposals, then these proposals shall be sent to the Local Government Boundary Commission for England (LGBCE) for their review and formal consent.
- (c) On receipt of formal consent from the LGBCE, the approval for a reorganisation order for the governance arrangements for Greenham parish shall be requested for consideration by Council.”

5 Supporting Information

Introduction

5.2 On 29th September 2020, Greenham Parish Council (GPC) submitted a written request for the West Berkshire Council (Council) to conduct a Community Governance Review (CGR). The Greenham Parish consists of Common Ward and Sandleford Ward. The Sandleford Ward was formed following the 2018 Local Government Boundary Commission for England (LGBCE) district boundary review which came into being in

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2019 (the Local Plan process had anticipated a significant increase in housing but that has not materialised).

- 5.3 At the meeting of 10 May 2022, Council approved the CGR of GPC, and the proposed ToRs, which were implemented as prescribed by Council.
- 5.4 The G&E Committee approved the draft proposal and recommendations on 25 July 2022, for second consultation, and submission to LGBCE, should no substantive amendments be required.
- 5.5 A submission of the draft *West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)* was submitted to the LGBCE on 01 October 2022 for consideration. This was approved by LGBCE in a Letter of Consent (**Appendix D**) received by the Elections Manager of WBC, on 24 November 2022.
- 5.6 For the Order to be enacted, requires the approval of Council.

Consultation Process

- 5.7 WBC undertook a multi-pronged, proactive approach to ensuring as many residents as possible were made aware of the Community Governance Review, and as a result, were able to respond with their viewpoints and suggestions. This approach included:
 - (a) Leaflets posted to each residential home, individually;
 - (b) Posters placed on all Greenham Parish notice boards;
 - (c) The WBC Elections Manager, and the CGR Project Manager attended a GPC meeting personally to explain the CGR process, and to answer any queries;
 - (d) The background information and all pamphlets, leaflets and surveys were available for all WBC residents to engage with on the WBC (Consultation & Engagement Hub) [website](#) and the GPC website;
 - (e) All pamphlets, flyers and notices, included not only a web link, but also a QR code link to the survey;
 - (f) All pamphlets, flyers and notices, included information to enable residents to undertake the survey online, via postal service, or physically at the offices if required;
 - (g) A dedicated Outlook mailbox was set up for the CGR process for GPC. The details of this mailbox were also included on all pamphlets, flyers and notices. Any direct queries to this mailbox were responded to by either the Elections Manager, the CGR Project Manager, or Legal Services.

Round 1 Consultation Summary

- 5.8 A total of 79 responses were received in the first round of consultations. The responses to the 4 possible options given within the CGR were summarised in detail within the G&E Committee meeting of 25 July 2022, and are summarised briefly below:

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- (a) **Option 1** – To split Common ward into 2 wards, by potentially creating a “Racecourse ward” out of the Racecourse development (presently identified as electoral polling area GB2). **55% agreed or strongly agreed with this option.** 26% disagreed or strongly disagreed with this option. 19% neither agreed nor disagreed with this option.
- (b) **Option 2** – To retain Sandleford ward with a very small electorate (currently only 6) and 1 parish council seat, whilst reallocating the remaining 4 parish council seats from Sandleford ward to Common ward (or a new Racecourse ward). 32% agreed or strongly agreed with this option. 27% disagreed or strongly disagreed with this option. **41% neither agreed nor disagreed with this option.**
- (c) **Option 3** – To reincorporate Sandleford ward (electoral polling area GB3) back into Common ward (Electoral polling area GB1). 30% agreed or strongly agreed with this option. 25% disagreed or strongly disagreed with this option. **45% neither agreed nor disagreed with this option.**
- (d) **Option 4** – To retain the Greenham Parish ward boundaries and governance structures as they are, with no changes. 23% agreed or strongly agreed with this option. **58% disagreed or strongly disagreed with this option.** 19% neither agreed nor disagreed with this option.

5.9 The detailed results of the first round of consultation were shared in the publicly available Supplemental Agenda Item #9 of the G&E Committee on 25 July 2022 (Forward Plan reference GE4526). The link to this information was also shared publicly online, on the WBC Consultation Hub ([link included](#)).

5.10 The results and public inputs were carefully considered, in line with achieving good governance arrangements for the parish of Greenham, along with information relating to future elector numbers, planning direction, and guidance from LGBCE. These factors steered the draft proposals and recommendations, as put forward to, and approved by, [G&E Committee of Council on 25 July 2022](#).

Round 2 Consultation Summary

5.11 Round 2 consultations, elicited very limited responses; with queries from only 4 individuals received. Of these, two queries required further consideration.

5.12 The first request concerned checking with LGBCE the validity of a single parish ward crossing over 2 electoral divisions within the district, including a district ward boundary; should Sandleford ward be incorporated into Common ward within the parish of Greenham, i.e. combining electoral divisions GB1 and GB3 to form the “new” Common ward.

5.13 The Project Manager engaged with LGBCE on this matter, and received a response on 14 September 2022, to advise that this would not be an issue, as both electoral divisions and the respective district boundaries would remain as is, irrespective of the proposed amendments to the parish ward boundaries; and that they did not feel this would have any negative impact on the application for consent, relating to the draft *West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)*.

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- 5.14 The second query related to the population trend within the current Sandleford ward, and the potential for the number of residents (and of-age electors) to increase substantially within the next 5 years.
- 5.15 This query was raised with the Planning Policy Manager within the WBC Development and Planning unit; with the advice given, that the expected increase within the next 5 year period would be contained within Sandleford East Park, and would likely reach a maximum of 200 units, resulting in an increase of an estimated 400 electors of voting age by 2027. This would equate to only a third of the electors of the “Racecourse” area (GB2), and only a sixth of the electors of the current Common ward (GB1).
- 5.16 Having oversight from the 10 parish council seats within the current Common ward, will ensure this area continues to be well governed during the expected growth period. Retaining the services of only a single parish councillor lacks good governance logic, as a “future proofing” solution for this area; as it grows from 6 electors in 2023, to up to 400 electors over the 5 years to 2027. Once this area reaches sufficient numbers (likely in 2035 or later), alternative governance arrangements can be sought and implemented.

Next Steps

- 5.17 Once this process is completed a further, final, update will be made on the WBC (Consultation & Engagement Hub) website, to keep residents and the public in general informed as to the outcome of the CGR process.
- 5.18 Section 96 of the 2007 Act, details the process by which reorganisation orders may take effect, and further details regarding the steps required are included in the Guidance on community governance reviews issued by the Secretary of State and the Local Government Boundary Commission for England.
- 5.19 The Council will need to inform the following if the reorganisation order is approved:
- (a) the Secretary of State for Communities and Local Government
 - (b) the LGBCE
 - (c) the Office of National Statistics d) the Director General of the Ordnance Survey
 - (d) the Audit Commission
- 5.20 The Council will also need to take a number of additional steps to publicise the reorganisation order if approved. These will include:
- Depositing copies of the reorganisation order at the Market Street Council offices with a copy of a map showing the effects of the order that should be available during normal working hours;
 - The Council needs to produce a document setting out the reasons for the decisions it has taken (including where it has decided to make no change following a community governance review) and to publicise these reasons;
 - Consider other options for publicity, such as via Newsletters, the Council Website, public buildings, and other advertising as required.

6 Options

- 6.1 Having received the Letter of Consent from LGBCE to move forward with the requested amendments to governance and ward arrangements within the parish of Greenham following the CGR, the Council now has the option to:
- (a) Following the Letter, approve the draft Order, as consented to by the LGBCE;
 - (b) Decline to approve the Order, and terminate the process.

7 Conclusion

- 7.1 This report seeks approval of the draft *West Berkshire District Council (Reorganisation of Community Governance) Order 2022 (Appendix C)*.
- 7.2 Should the Order, be approved, Officers will be given delegated authority to seal the Order, to give effect thereto.
- 7.3 If the Council resolves to approve the Community Governance Reorganisation Order in respect of the proposals; these amendments would take effect from the next scheduled parish elections in May 2023.

8 Appendices

- 8.1 **Appendix A** – Signed Minutes of Council Meeting 10.05.2022
- 8.2 **Appendix B** – Signed Minutes of G&E Committee 25.07.2022
- 8.3 **Appendix C** – Final Draft WBC Reorganisation Order 01.10.2022
- 8.4 **Appendix D** – WBC Consent Letter from LGBCE 24.11.2022

Background Papers:

Boundary Commission Report re West Berkshire ([WBDC 2018 Boundary Review](#))

Subject to Call-In:

Yes: No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months
-

Request for approval of the LGBCE consented Reorganisation Order for the governance arrangements for Greenham parish

Item is Urgent Key Decision

Report is to note only

Wards affected: Common Ward and Sandford Ward (in the parish of Greenham)

Officer details:

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Document Control

DocumentRef:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

Change History

Version	Date	Description	Change ID
1			
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DRAFT

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

COUNCIL

MINUTES OF THE MEETING HELD ON

TUESDAY, 10 MAY 2022

Councillors Present in the Second Floor Meeting Area: Rick Jones (Chairman), Alan Law (Vice-Chairman), Adrian Abbs, Steve Ardagh-Walter, Phil Barnett, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Jeff Brooks, Jeff Cant, Hilary Cole, James Cole, Jeremy Cottam, Carolyn Culver, Lee Dillon, Lynne Doherty, Billy Drummond, Clive Hooker, Gareth Hurley, Owen Jeffery, Tony Linden, Royce Longton, Ross Mackinnon, Alan Macro, Thomas Marino, David Marsh, Steve Masters, Geoff Mayes, Biyi Oloko, Graham Pask, Erik Pattenden, Claire Rowles, Richard Somner, Joanne Stewart, Martha Vickers, Tony Vickers, Keith Woodhams and Howard Woollaston.

Also Present: Honorary Aldermen Paul Bryant, Adrian Edwards, Graham Jones and Quentin Webb, Honorary Alderwoman Emma Webster, Nigel Lynn (Chief Executive), Sue Halliwell (Executive Director (Place)), Joseph Holmes (Executive Director (Resources)), Andy Sharp (Executive Director (People)), Sarah Clarke (Service Director for Strategy and Governance and Monitoring Officer) and Vicki Yull (Principal Democratic Services Officer).

Apologies for inability to attend the meeting: Councillor Jeff Beck, Councillor Nassar Hunt, Councillor Andy Moore, Councillor Garth Simpson and Councillor Andrew Williamson, Honorary Aldermen Keith Chopping and Andrew Rowles.

PART I

1. Chairman's Remarks

Councillor Clive Hooker thanked Councillor Rick Jones, the Vice-Chairman, and Mrs Val Jones, the Vice-Chairman's Lady, for their support over the previous year. Councillor Hooker noted that Councillor Jones had stood in for him on a number of occasions and had done a magnificent job on his behalf in representing the Council. He also thanked Councillor Graham Pask who had stood in for both Councillor Hooker and Councillor Jones due to ill health. Councillor Hooker also expressed gratitude to the Chairman's Lady, Mrs Christine Hooker, who he said had been a supportive, patient and wonderful companion when accompanying him at many of the civic events he had attended.

Councillor Hooker referred to the gathering in Shaw House in May 2021 to film his and Councillor Jones Declarations of Acceptance of Office and the exchanging of chains. This had later been shown at the Annual Council meeting and was the first time a Chairman and Vice-Chairman of Council had been installed via a video. He explained it had been undertaken in this manner due to the exceptional circumstances caused by the Covid pandemic.

Councillor Hooker thanked Sarah Clarke, the Monitoring Officer, and Shiraz Sheikh, the Deputy Monitoring Officer, for their support, advice and briefings before and during Council meetings. He also thanked Jo Watt, Georgia Marshall and Vicki Yull for managing his diary and providing him with general assistance. Councillor Hooker referred to the change in Chief Executive during his term of office, and wanted to record his thanks to the previous Chief Executive, Nick Carter, for his services to West Berkshire Council.

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Councillor Hooker noted that the past year had seen a slow and steady recovery from the Covid pandemic which had been reflected in the reduced number of civic functions he had attended (55 in total). He commented that things had slowly reverted back to some normality, but the pandemic was still impacting on the way the Council operated with many staff continuing to work from home. He noted that most of the Council's meetings were being broadcast live on YouTube which had encouraged engagement with the public. Councillor Hooker thanked all Council staff for their patience, dedication and commitment through the transition period, and having run the business of Council in an efficient, caring and professional manner for the benefits of all residents in West Berkshire.

Councillor Hooker then referred to the civic functions he had attended during the year, many of which had been managed and staffed by volunteers. He wished to thank them for dedicating their time and commitment to the organisations and charities they had chosen to support. The volunteering theme had been reflected in the Community Champions Award Scheme, with some of the winners having dedicated their lives to organising events to raise large amounts of money to fund their chosen causes.

Since the last Council meeting in March Councillor Hooker had attended eight functions, including the swearing in of the new High Sheriff of the Royal County of Berkshire, Alka Kharbanda, in the Crown Court in Reading. Councillor Hooker was sure that members joined him in wishing her well in the office over the next year. He also expressed gratitude to Willie Hartley Russell, the outgoing High Sheriff, who had served the county unflinchingly during his time in office.

Councillor Hooker noted that Councillor Pask, whilst deputising, had planted a tree in Bucklebury on behalf of the Council as part of the Queens Platinum Jubilee Tree planting initiative.

Councillor Hooker then referred to some memorable occasions for him which included:

- Welcoming The Princess Royal to Berkshire for the British Horse Society Awards at Newbury Racecourse.
- The Duke of Edinburgh's Service of Thanksgiving at Reading Minster.
- The Reading and West Berkshire Motor Neurone Disease Association gathering at Englefield House.
- The Royal Berkshire Fire and Rescue Service ceremony at the home of the Lord-Lieutenant.
- The Newbury Remembrance Day Service in Market Square, and the Remembrance Service at RAF Welford.

Councillor Hooker ended by stating it had been an honour to represent West Berkshire on behalf of West Berkshire Council over the past year, and thanked members for the trust placed in him to carry out the role of Chairman. He said it had been a wonderful experience and a privilege.

Councillor Lynne Doherty, Leader of the Council, thanked Councillor Hooker on behalf of all Members for his excellent service as Chairman over the last year, and for the preceding two years as Vice-Chairman. Councillor Doherty also thanked the Chairman's Lady for her support to the Chairman during his terms of office.

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2. Presentations

The Chairman made a presentation to Councillor Hilary Cole who had achieved 15 years' service to the Council.

The Chairman explained that Councillor Cole was first elected in 2007 to the former Chievely Ward and had remained in office since that time. Over the years Councillor Cole had been involved with waste, countryside, emergency planning, trading standards, environmental health (now the JPP), leisure & culture, customer services, planning, adult social care, economic development, housing, transformation, and strategic partnerships. Councillor Cole had been Deputy Leader of the Council from 2017 to 2019, Vice-Chairman of Council in 2008, and had chaired the Safer Communities sub-partnership from 2009 until becoming an Executive Member. As Portfolio Holder for Countryside she had also chaired the (now defunct) Greener sub-partnership.

Councillor Cole stated she had enjoyed every minute of being both a Ward Member for Chievely and an Executive Member. It had been a pleasure and a privilege for her to serve both West Berkshire Council and her residents, and she thanked the Chairman for the honour of the long service award.

The Chairman made a presentation to Councillor Jeremy Cottam who had achieved 15 years' service to the Council.

The Chairman explained that Councillor Cottam was first elected in 1988 after winning a by-election in the former Thatcham West Ward. He continued to serve in that Ward until 1997 when he won the election standing in the former Thatcham East Ward. Councillor Cottam had chosen to stand down in the 2000 elections but came back to the Chamber in the 2019 elections when he was successfully elected to the Thatcham North East Ward. Councillor Cottam was also Chairman of Council in the 1999/2000 Municipal Year.

Councillor Cottam thanked the public and the residents of West Berkshire for their confidence and allowing him to serve them. He thought all Members had stood for election with the intent to make West Berkshire a better place to live and he hoped, little by little, the Council was managing to do that.

The Chairman made a presentation to Councillor Alan Law who had achieved 15 years' service to the Council.

The Chairman explained that Councillor Law was first elected in 2007 and had successfully served in office in the Basildon Ward ever since. Councillor Law was currently Chairman of the Overview and Scrutiny Management Commission, Chairman of the District Planning committee, and a member of the Eastern Area Planning Committee. He had held the Portfolio for Planning twice, from 2008 to 2012 and from 2015 to 2016, and was also the Portfolio Holder for Finance and Economic Development and HR from 2012 to 2015. Councillor Law had represented the Council as a partner governor on The Royal Berkshire Hospital Trust and was a founding Member of the Thames Valley Berkshire LEP. Councillor Law had gotten involved in local politics when a large developer had wanted to build 50 plus houses in two fields in his village, and he and his wife had produced the first Parish Plan for Streatley in 2005. Protecting and enhancing the rural environment and way of life was a key political motivation for Councillor Law.

Councillor Law stated he had always planned to have a second 'mini' career following retirement but had not thought it would be as a councillor. He thanked his predecessor and other councillors for encouraging him to stand for election to the Council, and expressed gratitude to the voters of Basildon for electing him four times.

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The Chairman made a presentation to Councillor Graham Pask who had achieved 35 years' service to the Council.

The Chairman explained that Councillor Pask was first elected in 1987 and had successfully served in office in the Bucklebury Ward ever since. Councillor Pask had been both Vice-Chairman and Chairman of the Environment Committee, the Group Leader in the mid-90s for six years, and the Opposition Spokesman for Children and Young People and then Adult Social Care. He had been the Portfolio Holder for Children and Young People, and then Partnerships and Community Safety. Councillor Pask was Chairman of Council in 2010/2011 and 2019/2020-2020/2021, and a member of Thatcham and then Eastern Area Planning Committee, chairing the Planning Committee latterly. He had been Chairman of the Bucklebury Common Advisory since 1987 and Snelsmore Common from the early 1990s.

Councillor Pask noted that there had been various iterations of the Bucklebury Ward and that it had also changed parishes occasionally. He thanked residents for their support at elections, and said he had tried to do his best for his residents, to listen and try to represent their point of view. It had been an honour and a privilege for him to have served and still be serving his residents in Bucklebury and the four parishes he currently represented.

Finally, the Chairman paid tribute to the Chairman's Lady, Mrs Christine Hooker, for her support, encouragement and patience which had enabled him to carry out the role of Chairman over the last year. He stated she had been a wonderful companion and had joined him at many events. He also paid tribute to the officers who had supported him during his time in office.

3. Election of the Chairman for the Municipal Year 2022/2023 (C4205)

The Motion was proposed by Councillor Lynne Doherty and seconded by Councillor Clive Hooker that Councillor Rick Jones be elected Chairman of the Council for the Municipal Year 2022/2023. There were no further nominations.

Councillor Doherty in proposing Councillor Jones for the role of Chairman stated that he had been involved in local politics for many years, firstly at a Parish level where he served as Chairman of Purley-on-Thames Parish Council for nine years. He had gone on to join West Berkshire Council via a by-election in January 2015, a process he successfully repeated in May 2015 when he secured his seat as a Ward Member for Tilehurst and Purley.

Councillor Doherty considered Councillor Jones to be a kind person who always tried to see all points of view and give them the consideration they deserved. During his time on the Council he had been actively involved in the People Directorate, holding Portfolios in adult social care and health and wellbeing. As the Chairman of the Health and Wellbeing Board Councillor Jones had shown endless patience and open mindedness, traits which Councillor Doherty felt sure would stand him in good stead over the coming year.

Despite stepping down from the Executive in 2019, Councillor Jones had continued to offer support in the health and wellbeing area, most notably through the work he had done promoting meaningful engagement with local communities in the voluntary sector. Councillor Bridgman had also expressed his gratitude to Councillor Jones for the foundation work he had done in setting up the Health and Wellbeing Board.

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Councillor Jones had, in the last year, been Chairman of the Licencing Committee, deputy to the Health and Wellbeing Portfolio, and an active member of the Governance and Ethics Committee. Councillor Doherty noted he had done all of this whilst continuing to serve his residents in Tilehurst and Purley and being the Vice- Chairman of Council.

Councillor Doherty had no doubt that Councillor Jones would make an excellent representative for Council as he performed the duties of Chairman over the coming year, and she was sure that Members would welcome him into the role.

Councillor Hooker stated that it gave him great pleasure to second this nomination. He fully endorsed the Leader's comments regarding Councillor Jones' qualities and suitability for the role of Chairman. Councillor Hooker noted that Councillor Jones had been exceptional in the role of Vice-Chairman and had fulfilled many obligations on behalf of the Council without question. His personality was one of calmness, fairness, quiet confidence, and he got on well with all people he interacted with. Councillor Hooker felt these were important qualities for the Office. He felt Councillor Jones, when deputising for him, had chaired Council meetings with fairness and neutrality, coupled with a gentle but firm control, and he was confident that Councillor Jones would continue to take that forward over the next twelve months.

RESOLVED that Councillor Rick Jones be elected as Chairman of Council for the Municipal Year 2022/2023.

The Chairman read and signed the Declaration of Acceptance of Office. The Chairman thanked the Council for electing him which he regarded as an honour, and he appreciated the confidence and trust placed in him to fulfil the requirements of the role. He committed to acting fairly when chairing Council meetings, and to represent and promote the Council as proactively as possible.

On behalf of all Members, Councillor Jones thanked the outgoing Chairman, Councillor Clive Hooker, for his diligent work and effort in representing the Council. He also thanked Mrs Christine Hooker for the support she had given to the Chairman over the past year.

4. **Appointment of Vice-Chairman for the Municipal Year 2022/2023 (C4206)**

The Chairman requested nominations for the position of Vice-Chairman of Council for the Municipal Year 2022/2023.

In response to this request Councillor Alan Law was nominated by Councillor Lynne Doherty and the nomination was seconded by the Chairman. There were no further nominations.

Councillor Doherty in proposing Councillor Law for the role of Vice-Chairman stated that he had been a very active Member of the Council for 15 years and she was therefore pleased to nominate him. In all the roles that Councillor Law had performed to date he was known for speaking his mind whilst being fair and open to new suggestions. Councillor Doherty believed those traits as well as his experience would make him an excellent support to the Chairman over the coming year.

The Chairman, in seconding the nomination, welcomed the support and guidance that Councillor Law would provide in the role given his knowledge and experience.

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Councillor Lee Dillon indicated that his Group would abstain from the vote to appoint Councillor Law as Vice-Chairman of the Council.

RESOLVED that Councillor Alan Law be appointed as Vice-Chairman of Council for the Municipal Year 2022/2023.

The Vice-Chairman read and signed the Declaration of Acceptance of Office. The Vice-Chairman thanked the Leader of the Council for nominating him and those Members of Council who had voted in favour of his appointment. He looked forward to supporting the Chairman throughout the forthcoming Municipal Year.

5. **Declarations of Interest**

Councillor Tony Linden declared an interest in Agenda Item 13, Minerals and Waste Local Plan – Main Modifications Consultation, and reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Tony Vickers referred to his recent resignation from Greenham Parish Council. This resulted in there being no conflict of interest for him with regards to Agenda Item 12, Community Governance Review relating to Parish of Greenham. He raised this as a matter of information for Members and not for the purpose of making a declaration of interest.

Councillor Claire Rowles declared an interest in Agenda Item 13, Minerals and Waste Local Plan – Main Modifications Consultation, and reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

6. **Minutes**

The Minutes of the meeting held on 3 March 2022 were approved as a true and correct record subject to the removal of Councillor Adrian Abbs personal interest as a Trustee of Stroke Care Newbury & West Berkshire.

The Minutes of the meeting held on 17 March 2022 were approved as a true and correct record.

Both were signed by the Chairman.

7. **Appointment of the Executive by the Leader of the Council for the 2022/2023 Municipal Year (C4207)**

Councillor Lynne Doherty, Leader of the Council, announced the appointment of Members to the Executive for 2022/2023 as follows:

Leader of Council District Strategy and Communications	Councillor Lynne Doherty
Deputy Leader of Council Health and Wellbeing	Councillor Graham Bridgman

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Adult Social Care	Councillor Jo Stewart
Children, Young People and Education	Councillor Dominic Boeck
Planning, Transport and Countryside	Councillor Richard Somner
Environment and Transformation	Councillor Steve Ardagh-Walter
Finance and Economic Development	Councillor Ross Mackinnon
Housing, Leisure and Culture	Councillor Howard Woollaston
Internal Governance and Strategic Partnerships	Councillor Tom Marino

Councillor Doherty paid tribute to Councillor Hilary Cole who had stepped down from her Executive role. Councillor Doherty highlighted that Councillor Cole had been an active member of the Executive for 13 years and referred to the extensive list of portfolio responsibilities Councillor Cole had taken on during that time. Councillor Doherty, as Leader of the Council, thanked Councillor Cole for her service to the Executive, and also personally thanked her for her valued friendship.

Councillor Doherty welcomed Councillor Thomas Marino to the Executive. She noted that Councillor Marino had been elected in 2019 and had been active since then on the Overview and Scrutiny Management Commission and as Chairman of the Governance and Ethics Committee. Councillor Doherty felt that Councillor Marino would bring fresh thinking and new ideas to the role and his portfolio areas.

Councillor Doherty referred to some smaller changes to the Executive with Councillor Steve Ardagh-Walter having taken on the Council's transformation agenda and Councillor Howard Woollaston having taken on housing.

Councillor Doherty thanked the Executive for their tireless work over the previous Municipal Year and said a special thank you to the Deputy Leader of Council, Councillor Graham Bridgman, for his support.

Councillor Lee Dillon passed on the thanks and well wishes of his Group to Councillor Hilary Cole.

Councillor Graham Bridgman thanked the Leader on behalf of the Council for her time and effort during the last year.

8. Appointment of and Allocation of Seats on Committees for the 2022/2023 Municipal Year (C4202)

The Council considered a report (Agenda Item 9) concerning the appointment and allocation of seats on Committees for the next Municipal Year in accordance with the duty under section 15 of the Local Government Housing Act, and which sought to agree the Council's Policy Framework for 2022/2023 as set out in paragraph 5.20 of the report. An amended version of the report had been circulated on 5 May 2022 with changes made to paragraphs 2.11 and 5.27 to confirm the Independent Persons appointed for 2022/2023. Appendices A and B for the report had been originally marked as to follow and were circulated on 9 May 2022.

MOTION: Proposed by Councillor Lynne Doherty 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 5.1 of the report are to be regarded as Members of the Conservative, Liberal Democrat and Green Party Groups respectively.
- (2) agrees to the appointment of the various Committees and to the number of places on each as set out in paragraph 5.4 of the report (Table A).
- (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 5.12 of the report (Table B).
- (4) agrees that the number of substitutes on Committees and Commissions be as set out in paragraph 5.15 of the report (Table C).
- (5) in respect of the District and Area Planning Committees, agrees that 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) approves the appointment of Members to the Committees as set out in Appendix A and notes the appointments set out in Appendix B which are in accordance with the wishes of the Political Groups.
- (7) in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended, agrees that the Council's Policy Framework for 2022/23 be as set out in paragraph 5.20 of the report, and that any necessary amendments be made to the Council's Constitution.
- (8) notes that other plans, policies and strategies requiring approval which are not included in the approved Policy Framework and which are not otherwise reserved by law to Council, will be the responsibility of the Council's Executive in accordance with the Local Government Act 2000.
- (9) notes that Paragraph 2.6.5 of Article 6 will be amended to reflect any changes made to the Executive by the Leader of the Council at the Annual Council meeting.
- (10) agrees the appointment of two non-voting co-opted Parish/Town Councillors to the Governance and Ethics Committee as detailed in Appendix A to the report.
- (11) appoints three Independent Persons (standards) namely Lindsey Appleton, Alan Penrith and Mike Wall and to appoint an Independent Person (Audit) to focus on the risk and audit functions of the Governance and Ethics Committee.
- (12) notes the membership of the Health and Wellbeing Board as set out in Appendix A to the report.

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(13) delegates authority to the Monitoring Officer to make any changes required to the Constitution as a result of the changes to the number of Members of the Council and following the appointments to Committees.”

Councillor Doherty commented that a minor amendment was needed in respect of Appendix A to reflect that Councillor Lee Dillon would become a substitute member for the Overview and Scrutiny Management Commission and that Councillor Adrian Abbs would replace him as a full member. Councillor Doherty thanked Members for their contributions and work on the various Committees.

Councillor Lee Dillon in seconding the report echoed the Leader's comments. He concluded with a plea for Opposition representation on the Joint Public Protection Committee.

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

9. **Appointments to Outside Bodies 2022/2023 (C4203)**

The Council considered a report (Agenda Item 10) concerning the annual nominations to the following Outside Bodies:

- Royal Berkshire Fire Authority
- Thames Valley Police and Crime Panel
- Local Government Association General Assembly

Appendix A to the report had originally been marked as to follow and was circulated on 9 May 2022.

MOTION: Proposed by Councillor Lynne Doherty and seconded by Councillor Lee Dillon:

“That the Council:

- (1) approves the appointments in accordance with Appendix A of Member representatives to the following outside bodies:
 - Royal Berkshire Fire Authority – Councillors Dennis Benneyworth, Jeff Brooks, Tony Linden and Biyi Oloko.
 - Thames Valley Police and Crime Panel – Councillor Claire Rowles.
- (2) note the appointments as detailed in Appendix A of Member representatives to the:
 - Local Government Association General Assembly – Councillors Dominic Boeck, Graham Bridgman, Lee Dillon and Lynne Doherty.”

Councillor Lynne Doherty stated there had been no changes apart from the nomination of Councillor Biyi Oloko to the Royal Berkshire Fire Authority.

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

10. **Monitoring Officer's Annual Report to the Governance and Ethics Committee 2021/2022 (C4152)**

The Council considered a report (Agenda Item 11) which provided an update on local and national issues relating to ethical standards, brought to the attention of Members any complaints or other problems within West Berkshire, and presented the Annual Governance and Ethics report. An amended version of the report was circulated on 5 May 2022 with changes made to paragraphs 5.9 and 5.10 regarding Independent Persons appointed for 2022/2023.

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MOTION: Proposed by Councillor Howard Woollaston and seconded by Councillor Tom Marino:

“That the Council notes the content of the report which would be circulated to all Parish / Town Councils in the District for information.”

Councillor Woollaston introduced the Annual Monitoring Officer’s report to the Governance and Ethics Committee (which had already approved it). It confirmed that the standards of ethical conduct across the district remained good and that the number of gifts and hospitality remained low as per the previous year.

Councillor Woollaston confirmed the report would be circulated to all Town and Parish Councils if approved. The report summarised the members of the Governance and Ethics Committee including the Independent Persons, explained its Terms of Reference, and outlined the Advisory Panel.

Councillor Woollaston noted there had been a total of 32 complaints submitted during 2021/2022 of which 27 were decided as ‘without foundation’. Of the 32 complaints, 20 were against District Councillors and the remainder against Parish Councillors. Two complaints were still under investigation, with the number of complaints having remained low and similar to the previous year.

Councillor Tony Linden requested an update on the recruitment and appointment of the Independent Persons for the Advisory Panel. The Monitoring Officer confirmed the appointee details were set out in the amended version of the report. It was noted that the recruitment for the Independent Person for audit was still ongoing.

Councillor Linden then highlighted the importance of Members adhering to the Code of Conduct.

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

11. **Community Governance Review relating to Parish of Greenham (C4216)**

The Council considered a report (Agenda Item 12) which set out the requirements and procedure to undertake a community governance review (CGR) of the Greenham Parish (consisting of Common Ward and Sandleford Ward), following a formal request from Greenham Parish Council and in accordance with the Local Government and Public Involvement in Health Act 2007 and associated government guidance. An amended version of the report and Appendix B had been circulated on 5 May 2022.

MOTION: Proposed by Councillor Howard Woollaston and seconded by Councillor Tony Vickers:

“That the Council:

- (1) proceeds with a CGR of the parish of Greenham, in accordance with the requirements of the 2007 Act and associated guidance, as described in the report.
- (2) approves the terms of reference in respect of the community governance review, including the proposed timetable, as set out in Appendix B to the report.
- (3) delegates authority to the Governance and Ethics Committee to consider and approve draft proposals following initial consultation.
- (4) delegates authority to the Service Lead – Legal & Democratic Services to approve minor amendments and/or typographical amendments pertaining to the final

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recommendations prior to submission to the Local Government Boundary Commission, save for the power to make substantive amendments which is delegated to the Governance and Ethics Committee.

- (5) delegates authority to the Service Lead - Legal & Democratic Services to exercise powers under the 2007 Act in relation to the CGR.

Councillor Woollaston in introducing the report referred to previous expectations that Sandlesford would be developed by 2023. This had resulted in Councillor Tony Vickers being elected as a Ward Member for Sandlesford by default given there were only six electors at the time and he was unopposed. Councillor Woollaston believed the proposals in the report would have cross party support, whilst noting that the recent appeal decision to grant planning consent for Sandlesford could result in this decision being revisited for either the 2027 or 2031 local elections.

Councillor Vickers added further to this by noting that the issue began with the allocation of Newbury Racecourse and Sandlesford as strategic housing sites in the 2012 Local Plan. Councillor Vickers highlighted that around 90% of the 1,500 new homes at Newbury Racecourse were in Greenham and already had a separate Polling District. It was his understanding that it was a simple matter to transform a Polling District to a Parish Ward and that it would be uncontroversial given that around 2,000 voters would live there by May 2023 (one third of the total number of voters in Greenham).

Outline consent for two thirds of the expected 1,500 homes in Sandlesford had been granted only the week prior to this Council meeting, and Councillor Vickers confirmed that half of these would be in Newbury. He had first raised the matter of the impact on Parish boundaries in 2012 with the (then) Chairman of Greenham Parish Council, and they had agreed that Sandlesford needed to be under a single local council to ensure a cohesive community. Councillor Vickers spoke to officers regarding the possibility of a CGR at that time, but a request to review the District Ward boundaries as a result of the increase to Greenham's population was not submitted until 2015.

Councillor Vickers advised that Parish electoral arrangements could not be adjusted until the district review had been completed. Weeks before the Boundary Commission finalised their proposals in December 2017 the planners had been insistent that Sandlesford could deliver 500 homes by 2023. This had resulted in the allocation of five Parish Councillors to the Greenham part of the Newbury Wash Common District Ward early in 2018 but no candidates were put forward for those positions in the local elections in 2019.

Councillor Vickers argued that, without this Motion, the same situation would occur in 2023 (and possibly in 2027) as he found it unlikely that enough new homes would be built in the Greenham part of the development until after that time. He noted that other developments could come forward in the current Sandlesford Parish Ward in the meantime and so it should not be removed entirely, but the reallocation of residents to the new Racecourse Ward was a sensible resolution to this matter.

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

12. **Minerals and Waste Local Plan - Main Modifications Consultation (C4182)**

Councillor Tony Linden declared an interest in this item by virtue of the casual work he undertakes at Chieveley Service Station. As his interest was personal and not a

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prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Claire Rowles declared an interest in this item by virtue of living alongside the River Lambourn. As her interest was personal and not a prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

The Council considered a report (Agenda Item 13) which set out how, following the submission of the West Berkshire Minerals and Waste Local Plan (MWLP) for Independent Examination under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 in July 2021, and the subsequent examination Hearing Sessions in February 2022, the Inspector had, at the request of the Council, recommended a number of Main Modifications to the plan in order for it to be found sound. The report also presented the Schedule of Proposed Main Modifications to the MWLP and supporting documentation and outlined recent advice from Natural England affecting the MWLP examination. The report also sought approval for the Main Modifications and supporting documents to be subject to public consultation, prior to the Inspector making final recommendations on whether the MWLP can be adopted.

MOTION: Proposed by Councillor Richard Somner and seconded by Councillor Hilary Cole:

“That the Council:

- (1) grants delegated authority to the Service Director (Development and Regulation) to:
 - (i) Agree any necessary amendments to supporting documentation for consultation and any other typographical, presentational, and consequential wording changes to the Minerals and Waste Local Plan prior to publication, in consultation with the Portfolio member for Planning, Transport and Countryside.
 - (ii) Publish the Schedule of Proposed Main Modifications to the Minerals and Waste Local Plan and supporting documents for a six week period in accordance with the West Berkshire Statement of Community Involvement and Section 20 (7C) of the Planning and Compulsory Purchase Act 2004 (as amended).
 - (iii) Following public consultation on the Proposed Main Modifications, consider and summarise the responses received and forward to the Inspector for consideration.
- (2) agrees that, following the receipt of a favourable report from the Inspector recommending adoption of the Minerals and Waste Local Plan, the Plan be brought back to full Council for adoption.”

Councillor Somner began his presentation by thanking the officers involved for the considerable amount of time and work that had gone in to creating the West Berkshire Minerals and Waste Local Plan. The Plan would provide the planning framework for minerals and waste development in West Berkshire; set out the long term vision for minerals and waste development to 2037, and; set out the policy context for assessing planning applications for minerals and waste development in the district. Councillor Somner confirmed that the Plan would replace all previous policies.

Following the submission of the Plan for independent examination under Regulation 22 of the Town and Country Planning Regulations, and the subsequent examination hearing sessions in February 2022, the Inspector had, at the request of the Council, recommended a number of Main Modifications to the Plan in order for it to be found appropriate.

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Councillor Somner set out how the purpose of this report was to agree the present schedule of proposed Main Modifications to the Plan and supporting documentation, and to outline very recent advice from Natural England affecting the Plans examination. Approval was sought from Council for the Main Modifications and supporting documents to be subject to public consultation prior to the Inspector making final recommendations on whether the Plan could be adopted.

Councillor Alan Macro indicated his Group would be supporting this Motion and added his thanks to officers for their work on this.

Councillor Hilary Cole advised that the Minerals and Waste Local Plan was vital to ensure the Council had a sound approach and she hoped the proposed Main Modifications would, following consultation, allow the Inspector to recommend it for adoption. Councillor Cole expressed her personal disappointment at the manner in which the recent advice from Natural England regarding projects and plans affecting protected sites was delivered with no prior notification or consultation. This had resulted in additional detailed work being required of officers and was not the way she expected a quango to communicate with partner agencies.

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

13. **Member Development Programme 2022/2023 (C4212)**

The Council considered a report (Agenda Item 14) setting out the proposed Member Development Programme for 2022/23 which had been considered and endorsed by the Member Development Group on 7 April 2022.

MOTION: Proposed by Councillor Howard Woollaston and seconded by Councillor Clive Hooker:

“That the Council considers the proposed draft Member Development Programme and ensuing resource implications and approves the Programme for the 2022/2023 Municipal Year.”

Councillor Woollaston introduced the annual report recommending the Member Development Programme. He confirmed it had been developed by officers in conjunction with representatives from all three political parties. Councillor Woollaston believed it was incumbent on Members to ensure they were kept abreast of developments and of the Council's business. The report proposed a total budget of £5k for member training and he invited Council to approve the Programme.

Councillor Hooker noted that the cross party Member Development Group met twice a year and held rigorous discussions to formulate a balanced training programme for all Members. He believed the draft Programme was broad and educational and invited Council to approve it.

Councillor Lee Dillon highlighted that members could receive training in their employment which replicated the training on offer to them as Councillors. He suggested this could be logged with those Councillors being released from the requirement to attend Council-provided sessions.

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14. Licensing Committee

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

15. Personnel Committee

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

16. Governance and Ethics Committee

The Council noted that, since its last meeting, the Governance and Ethics Committee had met on 25 April 2022.

17. District Planning Committee

The Council noted that, since its last meeting, the District Planning Committee had met on 13 April 2022.

18. Overview and Scrutiny Management Commission

The Council noted that, since its last meeting, the Overview and Scrutiny Management Commission had met on 22 March 2022.

19. Health Scrutiny Committee

The Council noted that, since its last meeting, the Health Scrutiny Committee had met on 5 April 2022.

20. Health and Wellbeing Board

The Council noted that, since its last meeting, the Health and Wellbeing Board had not met.

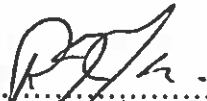
21. Joint Public Protection Committee

The Council noted that, since its last meeting, the Joint Public Protection Committee had not met.

(The meeting commenced at 7.00 pm and closed at 8.30 pm)

CHAIRMAN

Date of Signature


.....
19/7/2022
.....

DRAFT

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

GOVERNANCE AND ETHICS COMMITTEE

MINUTES OF THE MEETING HELD ON MONDAY, 25 JULY 2022

Councillors Present: Jeff Cant (Chairman), Jeff Beck, Rick Jones, Tony Linden, Geoff Mayes, Andy Moore and Biyi Oloko

Also Present: Shannon Coleman-Slaughter (Chief Financial Accountant), Julie Gillhespey (Audit Manager), Joseph Holmes (Executive Director - Resources), Bill Graham (Parish Council Representative), David Southgate (Parish Council Representative) and Sadie Owen (Principal Democratic Services Officer)

Apologies for inability to attend the meeting: Councillor David Marsh

10 Minutes

The Minutes of the meeting held on 27 June 2022 were approved as a true and correct record and signed by the Chairman.

11 Declarations of Interest

There were no declarations of interest.

12 Forward Plan

The Committee considered the Governance and Ethics Committee Forward Plan (Agenda Item 4).

Councillor Andy Moore noted that there was no detail on the forward plan relating to the work of the Constitution Review Task Group.

Joseph Holmes acknowledged the omission and reported that there would be reports coming to the Committee in September and November.

RESOLVED that: the Governance and Ethics Committee note the Forward Plan.

13 Internal Audit Annual Assurance Report 2020/21 (GE4226)

Julie Gillhespey, Audit Manager, introduced the report (Agenda item 4), and explained that the PSIAS required her to make a formal report annually to those charged with governance in the Council. The report included her opinion on the Council's governance, risk management and internal control framework, which remained robust.

Councillor Tony Linden queried whether there would be a follow-up audit to the unsatisfactory finding relating to the audit of Deprivation of Liberty Safeguards. Julie Gillhespey explained that this was not felt to be necessary as detailed in paragraphs 5.17-5.19 of the report, and that the unsatisfactory finding related to forthcoming legislation updates and a system update. Further, Councillor Jeffrey Cant added that he had received assurances from Julie Gillhespey that no adults were at any increased risk as a result of the findings.

In response to a query raised by Councillor Linden, Julie Gillhespey reported that a follow-up audit had been undertaken of the i-college with a finding of Satisfactory.

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Councillor Jeff Beck congratulated the audit team on their performance indicator of 86% which was up from 81% the previous year.

Councillor Beck requested a further update to the audit of Deprivation of Liberty Safeguards finding.

Julie Gillhespey commented that she would need to go back to the service, but would be able to provide a progress report at the next Governance and Ethics Committee meeting.

Councillor Moore queried the statement at section 5.4 of the report that stated that intelligence was gained from other sources of assurance, both internal and external.

Julie Gillhespey commented that there were no formal routes for receiving the information, rather it was information that became available during the year.

It was explained that in relation to the recruitment of a Senior Auditor there had been no interest when the post was initially advertised and consequently it would be re-advertised later in the year when the market had hopefully improved.

Councillor Rick Jones echoed Councillor Beck's comments in relation to performance and queried whether there was perceived to be an ongoing impact from Covid to audit work going forward.

Julie Gillhespey commented that the impact was receding a little due to the cessation of business grants, but that central government was now requesting business sign off in relation to certain grants, which was proving labour intensive for the team.

RESOLVED that: Governance and Ethics Committee note the report.

14 **2021/22 Draft Financial Statements Highlight Report (GE4236)**

Shannon Coleman-Slaughter, Chief Financial Accountant, introduced the report (Agenda Item 6), informing Members of the key highlights from the draft 2021/22 financial statements and progress by the Council's external auditors Grant Thornton in respect of the 2020/21 external audit.

It was explained that 2020-2021 there was a negative balance sheet which was partly caused by the pension liability. The pension liability had since reduced based on assumptions from Royal Berkshire Pension Fund (the Pension Fund), and consequently this had resulted in a positive balance sheet again. It was noted that this was a provisional result given that Deloitte's were yet to complete their audit of the Pension Fund.

Councillor Cant requested that Joseph Holmes express the Committee's considerable concern at the delay taken by Deloitte's in auditing the Pension Fund, and asked that the Section 151 Officer of the Pension Fund provide assurances that there would be no major movement in the pension liability arising from their delay.

Councillor Linden commented that an audit partner had recently been reprimanded and fined over a past audit, and queried whether this was likely to impact the Council.

Joseph Holmes did not anticipate the impact on West Berkshire Council to be too significant, particularly given the fact that Grant Thornton were the council's auditors.

Councillor Biyi Oloko queried what had caused such a delay for Deloitte's. Joseph Holmes agreed to report back with an update to Governance and Ethics Committee at its next meeting following a discussion with the pension fund.

RESOLVED that: Governance and Ethics Committee note the report.

15 **Financial Year 2021/22 Annual Treasury Outturn Report (EX4237)**

Shannon Coleman-Slaughter introduced the report (Agenda Item 7), which provided an overview of the treasury management activity for financial year 2021/22 as at 31st March

GOVERNANCE AND ETHICS COMMITTEE - 25 JULY 2022 - MINUTES

2022. It was highlighted that the long term borrowing had reduced due to the Council utilising short term funding as a consequence of low interest rates.

Councillor Moore queried whether overall borrowing would be any different had the Public Works Loan Board restrictions been in place earlier.

Shannon Coleman-Slaughter clarified that where borrowing had taken place to fund commercial property purely to obtain a yield would not have been allowed, however such investment was allowed at the time that it was made and consequently gave rise to a commercial property portfolio. The guidance restricted any further borrowing to invest in commercial property, but that already purchased could be retained.

It was clarified that the properties listed at Appendix B were either commercial properties which had been invested in by the Council in recent years, or properties retained as investments.

RESOLVED that: Governance and Ethics Committee note the report.

16 **Going Concern Assessment as at 31 March 2022**

Shannon Coleman-Slaughter introduced the report (Agenda Item 8), which summarised management's assessment of the Council's ability to function as a going concern; this determination supporting the preparation of the Statement of Accounts for 2021/22.

It was noted that there were no going concern issues raised at present.

Councillor Moore referred to the statement made at 4.2 (f) which recorded that the Council's private finance initiative (PFI), liability had reduced to £11.5 million, and queried what the liability related to.

Shannon Coleman-Slaughter reported that it was the waste PFI and dealt with the recycling centres. It was noted that it was an annual liability which reduced over time leading to no liability at the end of the contract.

Joseph Holmes noted that there were a few draft numbers within the report and the draft financial statements which may change slightly when the draft statements were published at the end of the week.

RESOLVED that: Governance and Ethics Committee note the Section 151 Officer's assessment, and propose the report is provided as a working paper to the external auditor confirming that the going concern assessment has been completed and that the conclusion maintains the assertion that the Council is a going concern as at the Balance Sheet date of 31 March 2022.

17 **Community Governance Review relating to Parish of Greenham - draft proposals (GE4256)**

Councillor Cant noted that Council had resolved on 10th May 2022 to delegate authority to the Committee to consider and approve the draft recommendation relating to the Governance Review of the Greenham Parish Council following initial consultation.

If approved by the Committee the draft recommendations would need to be consulted upon for a second 6 weeks period. Due to the summer period it was noted that there were no Governance and Ethics Committee meetings scheduled in August, and to schedule a further meeting in August would present various challenges.

Rescheduling to September would mean that the Council could not comply with Local Government Boundary Commission for England deadline of 1st October. Following consultation the recommendation would be referred to Local Government Boundary Commission for England. It was noted that the Boundary Commission deadline was 1st

GOVERNANCE AND ETHICS COMMITTEE - 25 JULY 2022 - MINUTES

October 2022 and consequently it was considered urgent for the paper to be considered at the meeting.

Anita Stanbury introduced the report (Agenda Item 9), and commented that it represented draft proposals stemming from an initial consultation, and recommendations for further consultation.

Councillor Linden queried if a decision was made that evening whether it would be in time to bring about the changes for the 2023 local elections.

Anita Stanbury confirmed that was the intention. It was clarified that were substantive changes required following the forthcoming consultation then it would be unlikely that changes would be made in time for the local elections.

Councillor Moore queried whether allocation of seats would be proportionate to population.

Anita Stanbury reported that there were currently approximately just over four thousand residents in the Greenham Parish, with only six located in the Sandleford ward.

It was noted that the Sandleford ward currently had an allocation of five parish council seats. It was suggested that were a 'Racecourse ward' to be created the Sandleford allocation of five parish council seats would be moved to the new ward to represent approximately fifteen hundred residents.

Ten parish council seats would then be allocated to the proposed 'Common ward' with a resident population of approximately three thousand.

In response to a query from Councillor David Southgate, Anita Stanbury noted that seat allocation was determined by the Local Government Boundary Commission for England and could not be amended by West Berkshire Council.

RESOLVED that: the Governance and Ethics Committee approve the following draft recommendations arising out of the initial public consultation to proceed to second public consultation:

- Split Common ward (GB1) into two wards, with the current Racecourse development (GB2) area, becoming a separate "Racecourse ward".
- Reincorporate Sandleford ward (GB3) back into Common ward (GB1). This can be re-split into two separate wards, at such time as there are sufficient electors to warrant such a separation.
- Allocate the 5 parish council seats currently allocated to Sandleford ward, to the proposed new Racecourse ward (GB2).

Following second public consultation period and provided that there are no requests for substantive amendments to the above proposals then these proposal shall be sent to the Local Government Boundary Commission for England (LGBCE) for their review and formal consent. On receipt of formal consent from the LGBCE, the approval for a reorganisation order for the governance arrangements for Greenham parish shall be requested for consideration by Council.

(The meeting commenced at 6.30 pm and closed at 7.15 pm)



CHAIRMAN

Date of Signature

26 September 2022

FINAL DRAFT

LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The West Berkshire District Council (Reorganisation of Community Governance) Order 2022

Made on [day] [month] [year] coming into force in accordance with article 1(2)

West Berkshire District Council (“the Council”), in accordance with section 82ⁱ of the Local Government and Public Involvement in Health Act 2007(e) (“the 2007 Act”), has undertaken a community governance review of the parish of Greenham and made recommendations dated 10 May 2022:

The Council has decided to give effect to those recommendations and, in accordance with section 93 of the 2007 Actⁱⁱ, has consulted with the local government electors and other interested persons and has had regard to the need to secure that community governance reflects the identities and interests of the community and is effective and convenient:

The Council in accordance with section 100 of the 2007 Act, has had regard to guidance issued under that section:

The Council makes the following Order in exercise of the powers conferred by sections 86ⁱⁱⁱ, 98(6)^{iv} and 240(10)^v of the 2007 Act.

The Council has undertaken the community governance review of the parish of Greenham, in accordance with the Terms of Reference approved by the Council at its meeting of 10 May 2022, Agenda item 12^{vi}.

Citation and commencement

1. – (1) This Order may be cited as the West Berkshire District Council (Reorganisation of Community Governance) Order 2022.

(2.) This Order shall come into force on the day after the date on which it is made.

Interpretation

2. In this Order –

“district” means the district of West Berkshire;

“existing” means existing on the date this Order is made;

“map” means the map marked “Map referred to in the West Berkshire District Council (Reorganisation of Community Governance) Order 2022” and deposited in accordance with section 96(4) of the 2007 Act: and any reference to a numbered sheet is a reference to the sheet of the map which bears that number;

ⁱ <https://www.legislation.gov.uk/ukpga/2007/28/section/82/enacted>

ⁱⁱ <https://www.legislation.gov.uk/ukpga/2007/28/section/93/enacted>

ⁱⁱⁱ <https://www.legislation.gov.uk/ukpga/2007/28/section/86/enacted>

^{iv} <https://www.legislation.gov.uk/ukpga/2007/28/section/98/enacted>

^v <https://www.legislation.gov.uk/ukpga/2007/28/section/240/enacted>

^{vi} https://www.westberks.gov.uk/media/52528/Community-Governance-Review-for-Greenham-Parish-2022-Report-to-Full-Council-on-10-May-2022/pdf/CGR_Greenham_Report.pdf?m=637880585608230000

“parish” means the Greenham Parish Council, as constituted within the Statutory Instrument (SI) 2018 No. 536, by Local Government, England within the West Berkshire (Electoral Changes) Order 2018;

“ordinary day of election of Councillors” has the meaning given by section 37 of the Representation of the People Act 1983; and

“registration officer” means an officer appointed for the purpose of, and in accordance with, section 8 of the Representation of the People Act 1983.

Effect of Order

3. This Order has effect subject to any agreement under section 99^{vii} (agreements about incidental matters) of the Local Government and Public Involvement in Health Act 2007 relevant to any provision of this Order.

Wards of the parish of Greenham and numbers of parish Councillors

4. (1) The existing wards of the parish of Greenham shall be abolished.
(2) The parish of Greenham shall again be divided into the two parish wards, which shall be named Common ward (polling districts GB1 + GB3) and Racecourse ward (polling district GB2), as listed in the first column of table 1 in Schedule 1 (Names of parish wards and number of Councillors).
(3) Each parish ward shall comprise the area designated on the map by reference to the name of the parish ward (as indicated on the map legend) and demarcated by the respective colours (Common ward in blue and Racecourse ward in yellow).
The polling district divisions, GB1, GB2 and GB3, (as indicated on the attached map) within the parish of Greenham shall remain unchanged.
(4) The number of Councillors to be elected for each parish ward is the number specified in relation to that ward in the second column of the relevant table 1 in Schedule 1. (Ten Councillors shall be elected for Common parish ward, and five Councillors shall be elected for Racecourse parish ward.)
(5) The alterations are contained within the boundary of the parish of Greenham, and do not affect any other parishes within the district.
(6) The alteration to incorporate Sandford ward (polling district GB3), with only six (6) electors and five (5) parish Council seats (of which only one (1) is filled), into Common ward, with three thousand and twenty four (3024) electors and ten (10) parish Council seats, will ensure good governance across the whole of this area.
(7) The separation of the polling district GB2, with one thousand four hundred and seventy two (1472) electors, into a stand-alone ward, known as Racecourse ward, with five (5) parish Council seats, will improve governance for this area, and allow for the contrasting needs of this unique residential cohort.

5. Order Date

1st April 2023 is the Order date for the purposes of the Local Government (Parishes and Parish Councils) (England) Regulations 2008.

New electoral arrangements will come into force at the first elections of Greenham Parish Council, following the making of the Order.

Sealed with the seal of West Berkshire District Council on [day] [month] [year].

^{vii} <https://www.legislation.gov.uk/ukpga/2007/28/section/99/enacted>

SCHEDULE 1

Article 4

NAMES OF PARISH WARDS (WITH POLLING DISTRICTS) AND NUMBERS OF COUNCILLORS (WITH ALIGNED NUMBERS OF ELECTORS)**Table 1**
Wards of the parish of Greenham

(1) Name of parish ward	(2) Polling districts	(3) Number of Councillors	(4) Number of Electors (as at September 2022)	(5) Number of Electors (in 5 years' time)
Common	GB1 + GB3	10 (ten)	3024 + 6	3192 + 8
Racecourse	GB2	5 (five)	1472	2772

SCHEDULE 2

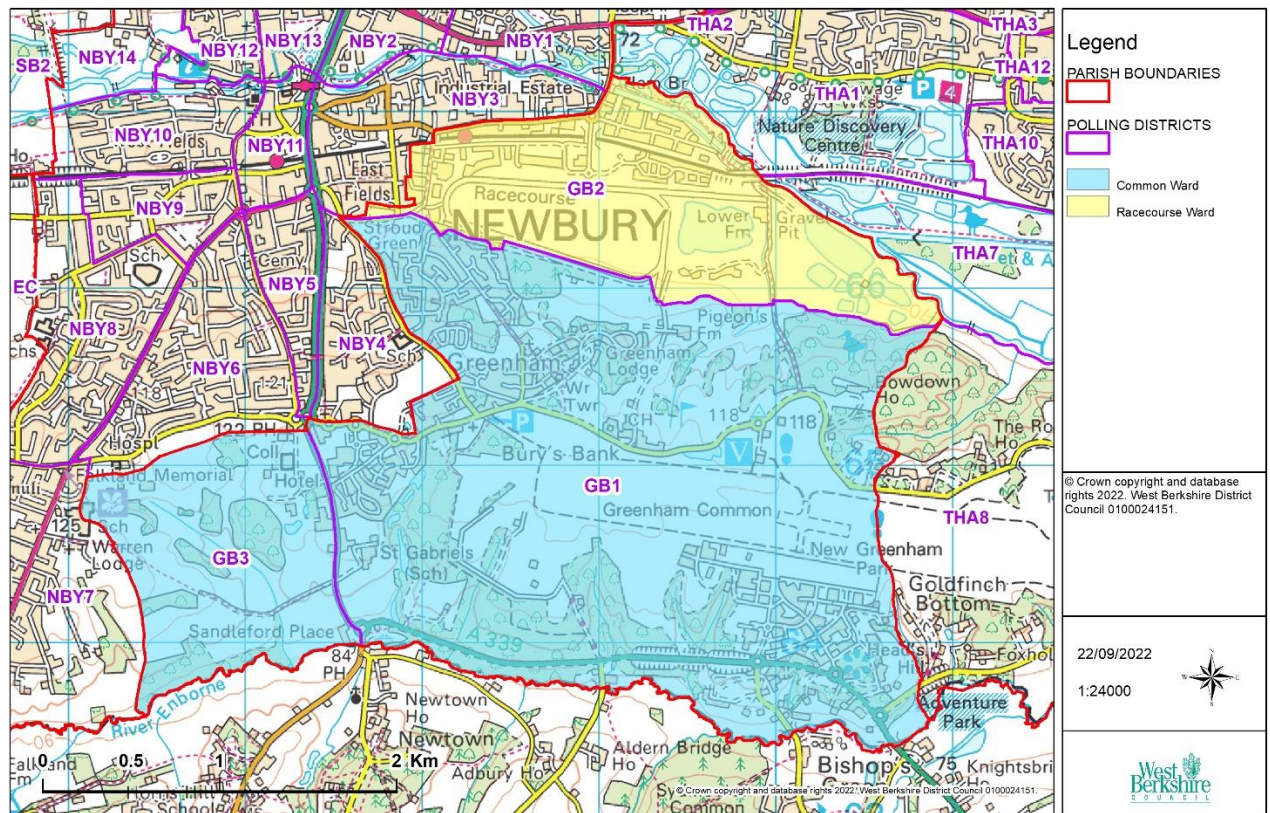
Article 4

ALTERATIONS OF AREAS OF PARISHES AND PARISH WARDS**Table 2**
Alterations to the parish and the parish wards of Greenham

(1) Area	(2) Number of Electors	(3) Parish from which omitted	(4) Parish ward from which omitted	(5) Parish to which added	(6) Parish ward to which added
Sandleford (GB3)	6	Greenham parish	Sandleford (GB3)	NA	NA
Racecourse (GB2)	1472	NA	Common (GB1 +GB2)	Greenham parish	NA

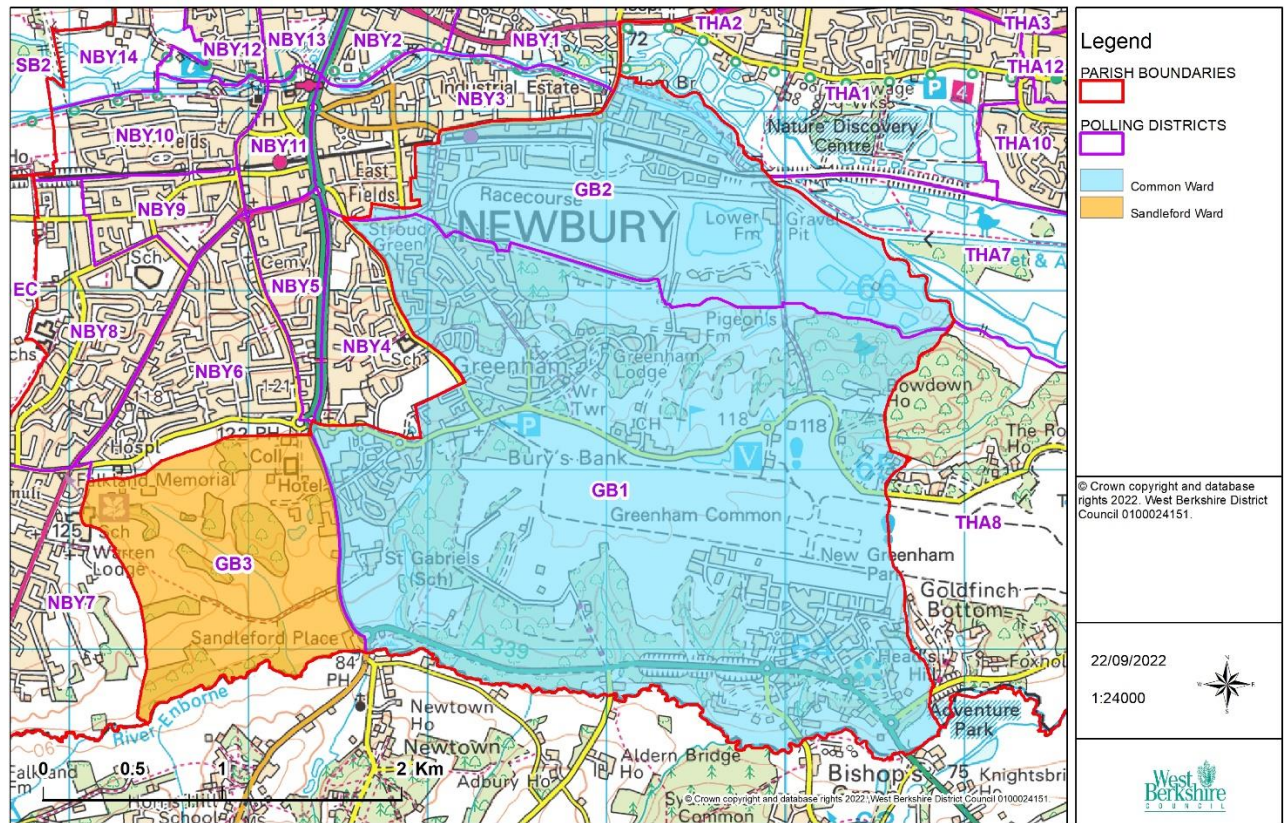
Map of the West Berkshire District Council (Reorganisation of Community Governance) Order 2022.

Greenham Parish - Council Proposed New Ward Structure



Map of previous wards of Greenham parish Council.

Greenham Parish - Council Current Ward Structure



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Clare Ockwell
Electoral Service Manager
West Berkshire Council
By email

24 November 2022

Dear Clare Ockwell,

Local Government and Public Involvement in Health Act 2007; Proposed changes to protected electoral arrangements in West Berkshire.

I refer to your email of 17 October 2022, requesting consent to change the parish warding arrangements for Greenham Parish.

Electoral arrangements for these parishes were provided for in the West Berkshire (Electoral Changes) Order 2018, and, as such, are a protected electoral arrangement under the Local Government and Public Involvement in Health Act 2007. Having considered your Council's request, the Commission hereby grants its consent for the Council to make changes to the parish electoral arrangements for the parishes of Greenham. This allows the Council to make an Order altering the electoral arrangements in these parishes, as provided for in section 86 of the Act.

I draw your attention to section 96 (7) of the Act concerning the bodies to be notified once the Council has made the Order.

Yours sincerely,

Jolyon Jackson CBE
Chief Executive
0330 500 1525
jolyon.jackson@lgbce.org.uk

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