

Meeting of West Berkshire District Council

Tuesday 26 March 2024

Summons and Agenda



WestBerkshire
C O U N C I L

To: All Members of the Council

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

on
Tuesday 26 March 2024
at 7.00pm



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

Date of despatch of Agenda: Monday 18 March 2024

AGENDA

Part I

1. **APOLOGIES FOR ABSENCE**

To receive apologies for inability to attend the meeting (if any). **(Pages 7 - 8)**

2. **CHAIRMAN'S REMARKS**

The Chairman to report on functions attended since the last meeting and other matters of interest to Members. **(Pages 9 - 10)**



WestBerkshire
C O U N C I L

Agenda - Council to be held on Tuesday, 26 March 2024 (continued)

3. MINUTES

The Chairman to sign as a correct record the Minutes of the Council meetings held on 30 November 2023, 19 December 2023, 20 February 2024 and 29 February 2024. **(Pages 11 - 34)**

29 February 2024 minutes to follow.

4. 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 35 - 36)**

5. PETITIONS

Councillors may present any petition which they have received. These will normally be referred to the appropriate body without discussion. **(Pages 37 - 38)**

6. PUBLIC QUESTIONS

Members of the Executive to answer questions submitted by members of the public in accordance with the Council Procedure Rules contained in the [Council's Constitution](#). **(Pages 39 - 40)**

7. MEMBERSHIP OF COMMITTEES

The Council to agree any changes to the membership of Committees. **(Pages 41 - 42)**

8. MOTIONS FROM PREVIOUS MEETINGS

To note the following response to a Motion which had been presented to a previous Council meeting:

- Response to the Motion from Councillor Tony Vickers on the Garage Block Motion – Item 10, Executive, 14 March 2024. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#).
- Response to the Motion from Councillor Steve Masters on the Rwanda Scheme Motion – Item 13, Executive, 14 December 2023. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#).
- Response to the Motion from Councillor Adrian Abbs on the 20 is Plenty Motion – Item 9, Executive, 2 November 2023. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#). **(Pages 43 - 44)**



Agenda - Council to be held on Tuesday, 26 March 2024 (continued)

9. LICENSING COMMITTEE

The Council is asked to note that since the last ordinary meeting of the Council, the Licensing Committee met on 8 January 2024. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#). (Pages 45 - 46)

10. PERSONNEL COMMITTEE

The Council is asked to note that since the last ordinary meeting of the Council, the Personnel Committee met on 26 February 2024. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#).

11. GOVERNANCE COMMITTEE

The Council is asked to note that since the last ordinary meeting of the Council, the Governance Committee met on 29 January 2024. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#).

12. DISTRICT PLANNING COMMITTEE

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

13. SCRUTINY COMMISSION

The Council is asked to note that since the last ordinary meeting of the Council, the Scrutiny Commission met on 18 January 2024 and 6 February 2024. Copies of the Minutes of these meetings can be obtained from Democratic Services or via the [Council's website](#).

14. HEALTH SCRUTINY COMMITTEE

The Council is asked to note that since the last ordinary meeting of the Council, the Health Scrutiny Committee met on 12 December 2023 and 12 March 2024. Copies of the Minutes of these meetings can be obtained from Democratic Services or via the [Council's website](#).

15. HEALTH AND WELLBEING BOARD

The Council is asked to note that since the last ordinary meeting of the Council, the Health and Wellbeing Board met on 7 December 2023 and 22 February 2024. Copies of the Minutes of these meetings can be obtained from Democratic Services or via the [Council's website](#).



Agenda - Council to be held on Tuesday, 26 March 2024 (continued)

16. JOINT PUBLIC PROTECTION COMMITTEE

The Council is asked to note that since the last ordinary meeting of the Council, the Joint Public Protection Committee met on 11 December 2023 and 11 March 2024. Copies of the Minutes of these meetings can be obtained from Democratic Services or via the [Council's website](#).

17. 2024/25 WEST BERKSHIRE COUNCIL TIMETABLE OF PUBLIC MEETINGS (C4445)

Purpose: To recommend a timetable of meetings for the 2024/25 Municipal Year. **(Pages 47 - 52)**

18. ESTABLISHMENT OF JOINT COMMITTEE - BERKSHIRE PROSPERITY BOARD (C4499)

Purpose: This report seeks to establish a Joint (Prosperity) Committee (to be known as the Berkshire Prosperity Board) to enable Berkshire Authorities, through collaboration, to benefit from:

- Working to a shared vision of inclusive, green, and sustainable economic prosperity through working together collaboratively to address challenges and meet opportunities.
- Present a strengthened case to Government and private investors for greater investment into strategic projects, service delivery and initiatives across Berkshire.
- Act as a vehicle to commission the Thames Valley Berkshire Local Enterprise Partnership (LEP) Core functions and others in response to the Government's review of Local Economic Partnerships.
- Have a stronger, collective voice in lobbying Government and other agencies.
- Advantageously position Berkshire in readiness for potential devolution proposals to benefit from additional responsibilities and funding opportunities. **(Pages 53 - 76)**

19. STATUTORY PAY POLICY 2024/25 (C4491)

Purpose: The Council is required, in accordance with section 38 of the Localism Act 2011, to publish an annual pay policy statement. This report seeks to secure compliance with that duty, by seeking approval of the Statutory Pay Policy Statement for publication. **(Pages 77 - 96)**



20. CREATION OF SERVICE DIRECTOR FOR DELIVERING BETTER VALUE AND SEND TRANSFORMATION (C4505)

Purpose:

- 1.1 It is crucial that the Council has sufficient capacity at senior level to drive the SEND Transformation through the Delivering Better Value Programme (DBV). The programme will expedite transformation activity across the SEND system in West Berkshire. The transformation will enhance the operations of the organisation and the wider SEND system whilst responding to the financial challenges faced by the Council's High Needs Block (HNB) deficit. The increasing level of cost, demand, complexity of need, pace of change, accessibility and availability of current and potential services, and the latest inspection frameworks place new and increasing demands from children and families on the Council.
- 1.2 This report's purpose is to set out the proposed addition to the senior management structure in the People Directorate (Children's Services), focussing on the DBV programme, adding greater resilience in Children's Services (People Directorate) to respond to the SEND (Special Educational Needs & Disabilities) financial and operational challenges.
- 1.3 The proposed addition will bring additional capacity to Children's services for a fixed period of one year in line with the wider council senior directorate structures. The post holder will have senior management responsibility for all elements of the DBV programme. **(Pages 97 - 104)**

21. NOTICES OF MOTION

Please note that the list of Motions is shown under Item 21 in the agenda pack. **(Pages 105 - 112)**

22. MEMBERS' QUESTIONS

Members of the Executive to answer questions submitted by Members of the Council in accordance with the Council Procedure Rules contained in the [Council's Constitution](#). **(Pages 113 - 114)**

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

Council – 26 March 2024

Item 1 – Apologies for Absence

Verbal Item

This page is intentionally left blank

Council – 26 March 2024

Item 2 – Chairman’s Remarks

Verbal Item

This page is intentionally left blank

Agenda Item 3.

DRAFT

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

COUNCIL

MINUTES OF THE MEETING HELD ON THURSDAY, 30 NOVEMBER 2023

Councillors Present: Adrian Abbs, Antony Amirtharaj, Phil Barnett, Dennis Benneyworth, Dominic Boeck, Jeff Brooks, Nick Carter, Patrick Clark, Martin Colston, Jeremy Cottam (Chairman), Iain Cottingham, Laura Coyle, Carolyn Culver, Paul Dick, Lee Dillon, Billy Drummond (Vice-Chairman), Denise Gaines, Stuart Gourley, Clive Hooker, Owen Jeffery, Paul Kander, Jane Langford, Janine Lewis, Ross Mackinnon, Alan Macro, David Marsh, Geoff Mayes, Biyi Oloko, Erik Pattenden, Justin Pemberton, Vicky Poole, Christopher Read, Richard Somner, Stephanie Steevenson, Joanne Stewart, Louise Sturgess, Clive Taylor, Martha Vickers, Tony Vickers and Howard Woollaston

Also Present: Nigel Lynn (Chief Executive), Joseph Holmes (Executive Director - Resources), Sarah Clarke (Service Director (Strategy and Governance)), Clare Lawrence (Executive Director - Place), Paul Coe (Executive Director (People - ASC)), Dave Wraight (Service Manager - Youth Offending Team), Stephen Chard (Democratic Services Manager), Melanie Booth (Group Executive (Lib Dems)), David Cook (Principal Democratic Services Officer), Benjamin Ryan (Democratic Services Officer) and Honorary Alderman Tony Linden

Apologies for inability to attend the meeting: Honorary Alderman Keith Chopping, Honorary Alderman Adrian Edwards, Honorary Alderwoman Hilary Cole, Honorary Alderman Graham Jones, Honorary Alderman Rick Jones, Honorary Alderman Gordon Lundie, Councillor Heather Codling, Councillor Nigel Foot and Councillor Matt Shakespeare

PART I

45. Chairman's Remarks

The Chairman noted the sad death of Parish Councillor Bill Graham who was a representative on the Governance Committee. A one-minute silence had taken place at the Governance Committee on the 20 November 2023.

Councillor Lee Dillon added that a one-minute silence had taken place at the Executive meeting for David and Celia Barlow.

The Chairman reported that he had attended the following events since the last Council meeting:

- Lord Lieutenants Retirement Party
- Castle at Theale
- Greenham Trust Charity Awards
- Citizenship Ceremony
- RAF Welford Remembrance Service
- Thatcham Remembrance Service
- Royal Berkshire Archives - Welcomed HRH Duke of Gloucester
- The opening of the new building at the Willink School
- Faraday Road Football Pitch Opening
- Carers Rights Day
- Food Bank

COUNCIL - 30 NOVEMBER 2023 - MINUTES

The Vice-Chairman reported that he had attended the following events since the last Council meeting:

- The Old Library Event
- Berkshire Judicial Service
- Newbury Samaritans AGM
- Volunteer Centre Services Day
- Poppy Train
- Newbury Remembrance Service
- West Berkshire Toy Appeal

46. Minutes

The Minutes of the meeting held on 5 October 2023 were approved as a true and correct record and signed by the Chairman, subject to the following amendments.

- That Councillors Biyi Oloko and Dennis Benneyworth gave their apologies for the meeting and should not be recorded as absent.
- Within the concluding comments of Item 36 in the Minutes it should state 'brickbats' not 'bricks back'.
- Within the attendance it should read 'Quentin Webb' not Quinten Webb,
- Item 22 should read as 'Drummond' not 'Brummond'.

Under Item 38 of the Minutes, it should state that the Compton Referendum took place in February 2022 and not recently and cycle 'route' not 'out'.

47. Declarations of Interest

Councillors Richard Somner and Joanne Stewart declared an interest in Item 17, but reported that, as their interest was a personal or another registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

48. Petitions

There were no petitions received.

49. Public Questions

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#).

50. Membership of Committees

Councillor Dillon proposed a brief adjournment due to technical difficulties, which was seconded by Councillor Ross Mackinnon.

The proposal by Councillor Dillon and seconded by Councillor Mackinnon was put to a vote and was passed.

(Council adjourned at 19:23 pm and returned at 19:29 pm.)

Sarah Clarke explained that due to the notification of the formation of a new political group, Agenda Item 18 on the Appointment of and Allocation of Seats on Committees, would be withdrawn as the report was out of date and an updated report would be presented to Council, as soon as reasonably practicable, to reflect the creation of the new political group, of which notification had only arrived the day of Council.

Councillor Abbs expressed that he was disappointed that the proper allocation of seats could not be decided within the Council meeting, as it would waste Officer's time to deal with it in a future meeting. Ms Clarke explained that West Berkshire Council had a legal obligation to reflect the political balance of the Council and that the report for Item 18 dealt with a change to the political groups that had occurred in October. It was important

COUNCIL - 30 NOVEMBER 2023 - MINUTES

that Members of the Council and residents received full transparency in the form of a report that would confirm which Members would be part of which group. Seats on committees were allocated on that basis, as per the legislative framework. Ms Clarke stated that the report would come back to Council as soon as reasonably practicable, therefore the changes made within Item 7 were to reflect the decisions made in the previous Full Council meeting.

Councillor Abbs asked whether the new report would make it to the Extraordinary Council on the 19 December 2023 and stated that there was an official confirmation in the form of a note to the Chief Executive, on the Tuesday before the meeting, of which the Councillor had been informed was all that was needed.

The Chairman highlighted the importance of having the creation of a new political group officially noted within the agenda otherwise it would be unfair to ask Members to vote on a report they were not familiar with. The Chairman assured the Councillor that he would bring the report back to Council as soon as possible.

Council were advised of the following changes to the membership of Committees since the previous Council meeting:

- Appointment of Councillor Anthony Amirtharaj to the Western Area Planning Committee in place of Councillor Adrian Abbs.
- Appointment of Councillor Stuart Gourley as Substitute for the Western Area Planning Committee in place of Councillor Anthony Amirtharaj.
- Appointment of Councillor Laura Coyle to the Governance Committee in place of Councillor Ian Cottingham.
- Appointment of Councillor Justin Pemberton to the Health Scrutiny Committee in place of Councillor Stuart Gourley.
- Appointment of Councillor Billy Drummond as Substitute for the Health Scrutiny Committee in place of Councillor Justin Pemberton.
- Appointment of Councillor Vicky Poole to the Personnel Committee in place of Councillor Stuart Gourley.
- Appointment of Councillor Laura Coyle as Substitute of the Scrutiny Commission in place of Councillor Stuart Gourley.

51. Licensing Committee

The Council noted that, since its last ordinary meeting, the Licensing Committee had met on 6 November 2023.

52. Personnel Committee

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

53. Governance Committee

The Council noted that, since its last ordinary meeting, the Governance and Ethics Committee had met on 13 and 20 November 2023.

54. District Planning Committee

The Council noted that, since its last ordinary meeting, the District Planning Committee had not met.

55. Scrutiny Commission

The Council noted that, since its last ordinary meeting, the Overview and Scrutiny Management Commission had met on 11 October 2023 and 28 November 2023

56. Health Scrutiny Committee

The Council noted that, since its last ordinary meeting, the Health Scrutiny Committee had not met.

57. Health and Wellbeing Board

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

58. Joint Public Protection Committee

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

59. Statement of Licensing Policy - Review and Consultation (C4253)

The Council considered a report (Agenda Item 16) concerning the statement of Licensing Policy - Review and Consultation.

MOTION: Proposed by Councillor Dillon and seconded by Councillor Phil Barnett:

That the Council:

- “Consider the consultation responses.
- Resolve to adopt the policy with or without modification and that it comes into effect on the 1 December 2023.
- Resolve to delegate authority to the Service Lead (Public Protection) and the Monitoring Officer, in consultation with Chairman and Vice Chairman of the Licensing Committee to make any minor amendments to the policy arising from legislative changes and changes to the S182 guidance.”

Councillor Dillon informed the Council that, in accordance with the Licensing Act 2003, the Council was required to have a Licensing Policy in place and the policy needed to be reviewed at least every five years. The Councillor stated that the current policy was adopted in December 2018 and following a thorough review the document was re-ordered, reformatted and re-written. As a result, the changes suggested in the new iteration constituted minor modifications.

The changes included:

- The statement that each licence would have conditions attached to it.
- That licensees would be encouraged to work in partnership with a local Pubwatch scheme, if one was in place, and licensed premises would be encouraged to participate in schemes such as Ask Angela, Ask ANI and anti-drink spiking initiatives.
- Making use of Security Industry Authority licensed door supervisors, or stewards where appropriate to do so.
- Reference to the agent of change principles, which meant that someone responsible for a change in a vicinity would also be responsible for the impact of that change.
- Changes arising from the revised S182 guidance, which included changes to numbers and duration of temporary event notices.

COUNCIL - 30 NOVEMBER 2023 - MINUTES

Councillor Dillon noted that the amended draft policy agreed at the July 2023 Licensing Committee was subjected to a ten-week consultation period starting on the 12 July 2023 and running until the 20 September 2023.

Councillor Dillon was pleased to receive 47 responses to the consultation, which was considerably more than the three received in 2018 and expressed that they were laid out in Appendix B of the report.

Councillor Dillon thanked all those that took the time to respond and noted that at the Licensing Committee meeting in November, Members requested that in future the Council include those tasked with educating young people in the list of consultees and had asked Officers to ensure that this happened when the policy was next reviewed.

Councillor Dillon indicated that the changes arising from the consultation were set out in paragraphs 4.10 and 4.11 of the report and that the policy received cross party support at the Licensing Committee. He therefore proposed that the policy be adopted for publication on 1 December 2023.

Councillor Phil Barnett had expected the policy to have generated more discussion at Council. The Councillor expressed that Licensing Policy was a testament to a lot of hard work by Officers to make sure it was fit for purpose. The Councillor was pleased with the number of consultation responses received, which highlighted an effort, on the part of the Council, to work extensively with the local community. The Councillor encouraged Members to support the motion.

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

60. **Delivery of Public Health functions in West Berkshire (C4475)**

(Councillor Somner declared a personal interest in Agenda item 17 by virtue of the fact that he worked for the NHS. As his interest was personal and not prejudicial he was permitted to take part in the debate and vote on the matter).

(Councillor Stewart declared a personal interest in Agenda item 17 by virtue of the fact that her husband worked for the NHS. As her interest was personal and not prejudicial she was permitted to take part in the debate and vote on the matter).

The Council considered a report (Agenda Item 17) concerning the Delivery of Public Health functions in West Berkshire.

MOTION: Proposed by Councillor Janine Lewis and seconded by Councillor Martha Vickers:

That Council:

- Recommended that the high-level structure set out at Appendix A is implemented at the earliest available opportunity.
- Under this recommendation:
 - a) Council is asked to approve the recruitment of a Director of Public Health (DPH).
 - b) The DPH post will be hosted by Reading Borough Council and jointly funded by West Berkshire Council.
 - c) The DPH will oversee the delivery of public health functions in both Reading and West Berkshire.
 - d) The DPH will be a member of the Corporate Leadership Team in both local authorities.

COUNCIL - 30 NOVEMBER 2023 - MINUTES

- e)** Two PH teams will be formed – one in Reading Borough Council (RBC) and one in West Berkshire Council (WBC). There will be no shared Team. Selected posts will transfer to respective local authorities; these posts will be identified once the key principles have been agreed.
- f)** Those teams will have formal line management under the shared DPH.
- g)** A ‘dotted line’ will run between key posts, indicating regular discussion to agree actions through consensus and negotiation.
- h)** The RBC and WBC PH teams will formalise arrangements to share best practice, work collaboratively on shared agendas, share information and intelligence, etc. This will be captured in a Service Level Agreement. Those teams will also explore similar opportunities for shared work across Berkshire and potentially with other authorities. In West Berkshire, this will also include the establishment of a Public Health Board.
- i)** Further work will be required to agree the structure at team level.
- j)** Further work will be required to carry forward the wider recommendations in the LGA Report.
- k)** Targeted consultation with directly affected staff and Trades Unions will be undertaken if required”.

Councillor Janine Lewis explained to the Council that following the LGA peer review, it was determined that Public Health required its own DPH, and it was a statutory requirement to do so. The position was to be shared with Reading Borough Council and both authorities would have Public Health teams that would report directly to the DPH, who would report to both Chief Executives. Councillor Lewis added that the recommendation was based on the belief that the approach would support the correct focus on local challenges and resources appropriate to each area, champion Public Health within each Local Authority, ensure compliance with the relevant legal framework, support leadership based on Public Health principles and that failure to recruit a DPH would lead to legal breaches and negative impacts to the health of the population.

Councillor Ross Mackinnon expressed that he was happy with the principles of the report but was concerned about the lack of reporting line for the DPH to the Chief Executive of West Berkshire Council.

Councillor Dominic Boeck questioned how proper scrutiny was to be conducted on the transition from the current system.

Councillor Lewis answered that the report would go through Scrutiny. The DPH would be reported to by both teams from each Local Authority and the DPH would report to both Chief Executives.

Paul Coe explained that in the chart within the report, the dotted line represented the ‘pay and rations’ piece and the straight line represented the ‘reporting in principle’, and assured Councillors the DPH would be reporting to the Chief Executive.

Councillor Boeck asked how the Council would monitor the transition and Mr Coe added that once the position was agreed, a memorandum would be put in place to develop an understanding between the two Councils. Mr Coe stressed that the Public Health Board would become an important vehicle to bring further transparency on how the Public Health Grant would be used.

Councillor Boeck stated that the report was lacking in detail and if it had more detail it would allow for more confidence in the report.

COUNCIL - 30 NOVEMBER 2023 - MINUTES

The Chairman explained that the detail of the report was limited because much of the details were to be discussed with Reading Borough Council once the position was agreed.

Councillor Martha Vickers welcomed Councillors Boeck and Mackinnon’s comments, as it was important to scrutinise Public Health to make sure it would be delivered properly. The Councillor noted that Public Health impacted all residents’ lives and that it was good to have the opportunity to raise the profile of the matter. Councillor Martha Vickers had worked in the NHS and so had experience of both areas. The differing needs of both areas was something that needed to be scrutinised to make sure that it worked for the residents of West Berkshire.

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

61. Update on the Appointment of and Allocation of Seats on Committees for the 2023/24 Municipal Year (C4477)

Agenda Item 18 was not discussed by the Council for reasons expressed under Item 7.

Councillor David Marsh reiterated that the new arrangement should be recognised as soon as possible and asked whether this would be before March with a preference for the upcoming Extraordinary Council meeting.

The Chairman expressed that he would try and make sure that the report would be dealt with as swiftly as possible.

62. Members' Questions

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#).

(The meeting commenced at 7.00 pm and closed at 8.03 pm)

CHAIRMAN

Date of Signature

This page is intentionally left blank

DRAFT

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

COUNCIL

MINUTES OF THE MEETING HELD ON TUESDAY, 19 DECEMBER 2023

Councillors Present: Adrian Abbs, Antony Amirtharaj, Phil Barnett, Dominic Boeck, Jeff Brooks, Patrick Clark, Heather Codling, Martin Colston, Jeremy Cottam (Chairman), Iain Cottingham, Carlyne Culver, Paul Dick, Lee Dillon, Nigel Foot, Denise Gaines, Stuart Gourley, Clive Hooker, Owen Jeffery, Janine Lewis, Ross Mackinnon, Alan Macro, David Marsh, Geoff Mayes, Biyi Oloko, Erik Pattenden, Vicky Poole, Christopher Read, Matt Shakespeare, Louise Sturgess, Clive Taylor, Martha Vickers, Tony Vickers and Howard Woollaston

Councillors Present on Zoom: Dennis Benneyworth and Justin Pemberton

Also Present: Nigel Lynn (Chief Executive), Sarah Clarke (Service Director (Strategy and Governance)), Paul Coe (Interim Executive Director – People), Clare Lawrence (Executive Director - Place), AnnMarie Dodds (Executive Director - Children and Family Services), Stephen Chard (Democratic Services Manager), Melanie Booth (Group Executive (Lib Dems)), Jake Carpenter (Group Executive (Cons)), Gordon Oliver (Principal Policy Officer (Corporate Policy Support)), Honorary Alderman Tony Linden and Honorary Alderman Graham Pask

Apologies for inability to attend the meeting: Councillor Nick Carter, Councillor Laura Coyle, Councillor Billy Drummond, Councillor Paul Kander, Councillor Jane Langford, Councillor Richard Somner, Councillor Stephanie Steevenson, Councillor Joanne Stewart, Honorary Alderman Graham Bridgman, Honorary Alderman Hilary Cole, Honorary Alderman Adrian Edwards, Honorary Alderman Gordon Lundie, Honorary Alderman Rick Jones and Honorary Alderman Quentin Webb

PART I

63. Declarations of Interest

There were no declarations of interest received.

64. Withdrawal of Local Plan Review (C4478)

The Council considered a report (Agenda Item 3) concerning the proposed withdrawal of the West Berkshire Local Plan Review 2022-2039 (LPR) which was submitted to the Secretary of State on 31 March 2023.

The report outlined the current Administration's concerns about the strategic approach of the LPR in planning for new development in the District. These concerns were submitted by the Liberal Democrat Group (in Opposition) through the Regulation 19 consultation. The report explained these concerns which could not be addressed within the context of the current LPR and therefore, the need for the Council to develop a new local plan with an alternative spatial strategy to deliver new development.

The implications and risks associated with the withdrawal of the Local Plan Review in respect of appeals and unplanned development and the associated costs were addressed in the report. The report also outlined the process and financial cost of delivering an alternative new local plan.

MOTION: Proposed by Councillor Tony Vickers and seconded by Councillor Christopher Read:

COUNCIL - 19 DECEMBER 2023 - MINUTES

That the Council “withdraw the submitted Local Plan Review 2022-2039; and begin preparations for developing a new Local Plan for West Berkshire that reflects the aspirations of the Administration to plan positively for new development in the District”.

Councillor Jeremy Cottam, Chairman of Council, advised that before a vote was taken on the item, he would be asking the Council’s Monitoring Officer to provide advice regarding correspondence received today from Central Government relating to this item. However, debate would first be permitted on the item in accordance with the proposal that had been moved.

The Chairman then proposed a procedural motion to extend the speaking rights for Councillor Tony Vickers and Councillor Ross Mackinnon to a period of five minutes each (procedural motion 10.6 applied). This was seconded by Councillor Mackinnon.

The procedural motion was put to the vote and declared carried.

The Chairman confirmed that an extended speaking right was not afforded to the Minority Group as the time was allocated on a pro-rata basis.

Councillor Tony Vickers then introduced the report. The implementation of the LPR was one of the most important decisions the Council would take. However, the LPR submitted by the previous Conservative Administration was not an appropriate plan for the District and was objected to by the Liberal Democrat Group at the time. While the LPR did contain many good policies, far too much development was proposed for one site. He felt the submission of the LPR was an irresponsible action of the previous Administration which was taken prior to the May 2023 elections. It lacked serious political input.

Post the elections, the new Administration had explored ways to amend the LPR and avoid its withdrawal, but unfortunately this proved impossible. The withdrawal of the document was the only route available by which to make amendments.

The proposed action showed that the Liberal Democrat Administration was willing to make difficult decisions, but only after considering all available options. Concerns were recognised such as potential cost implications and risks, but it was considered that these could be dealt with.

Councillors on the Executive had already helped to identify in year savings for the Council that would not impact on front line services. These totalled well in excess of the potential costs that could be incurred by withdrawing the LPR. Councillor Vickers added that the costs of withdrawal would be one-off, whereas the benefit achieved from the savings would be felt year on year.

Councillor Vickers stated that he had been hands on with this process from the outset, including attending officer meetings with developers. He held a good knowledge of planning and development systems, and how best to achieve truly sustainable development.

He considered the current system to be ineffective and unfair, particularly on families. Government legislation was the main cause of this. The Council should be striving for high quality and affordable homes for its residents.

It was acknowledged that much of West Berkshire was protected, however the development of a number of houses on one site, by one developer was not appropriate. This was a matter of high concern for the area in question, North East Thatcham.

West Berkshire’s residents deserved better and the Council could do better for its residents. Councillor Vickers therefore proposed withdrawal of the LPR.

Councillor Read spoke as seconder. He was saddened to hear of the interference to the proposals from Central Government which did not take account of views from the people

COUNCIL - 19 DECEMBER 2023 - MINUTES

of West Berkshire. Objections to the level of development for North East Thatcham were very valid. They included a significant loss of wildlife habitat, a lack of a strategic gap that defined existing communities, increasing pressures on the biodiversity of Bucklebury Common, on the AONB and on local healthcare provision.

Councillor Read considered the interference from Central Government to be an injustice to local democracy.

Councillor Paul Dick had considered how the Local Plan had been developed over time. This had been with much cross-party support. He felt that the Liberal Democrat Group had changed its mind on proposals at a very late stage.

Anxiety had been expressed on the housing numbers proposed. Councillor Dick clarified that 1500 homes were proposed for Thatcham (not 2500) and the two sites in Theale of 60 and 40 homes were not a cause for major concern. The site for 60 dwellings was a former sewerage works.

The report mentioned other concerns including the need for greater use of brownfield sites, however these sites had not been identified previously. A more flexible approach to development was mentioned as were vibrant villages but without any accompanying detail.

It had become apparent that the Government was not going to permit withdrawal of the LPR. He felt there was full awareness amongst the Administration that this would be the outcome making this debate redundant. Councillor Dick felt that this uncertainty was of great concern for West Berkshire's residents.

Councillor Carolyne Culver voiced criticism of both main parties. She felt that the Conservatives should not have submitted the LPR so near to the local elections. While there had been cross party support at Planning Advisory Group, the action should have waited until after the elections.

She considered the Liberal Democrat proposal to be a cynical move with the strong awareness that the Government would block the move to withdraw the LPR. The report expressed concern of increased costs and this showed that the Administration was willing to take risks on this highly important matter. Alternative plans to develop in flood zones contradicted with highlighting flood risks in Thatcham.

The proposal also carried the risk of the Council operating without a Local Plan and updated key policies, such as for climate change.

The benefits of potential development in rural areas were not mentioned.

This proposal served to make members of the public aware of the risks that the Liberal Democrats were prepared to take.

Councillor Culver made reference to the Liberal Democrat's submission on the Regulation 19 consultation to the Planning Inspectorate, specifically on broadband where they stated that internet access was available in rural areas. However, people still needed to meet face to face and gain physical access to local amenities.

Councillor Culver held the view that the Council should retain the submitted LPR and make the best of it.

Councillor Dominic Boeck stated that it was clear that the Liberal Democrats had made a promise they knew they would be unable to keep, i.e. to fix the flawed Local Plan. However, it was not flawed. The LPR was produced following four years of hard work by officers and cross-party Members. This proposal was to cover up for the embarrassment of not keeping this promise with a clear expectation that Central Government would step in to prevent its withdrawal.

COUNCIL - 19 DECEMBER 2023 - MINUTES

If it had been withdrawn then the Council could have been without a Local Plan and would have no evidence of a five year land supply making it very difficult to defend applications at appeal.

The report outlined the risks, highlighted by Council officers, of withdrawal, including costs in the region of £1.6m to produce a new Local Plan.

The Administration had looked to push development from Newbury and Thatcham to local villages, with potentially no Local Plan in place. Proposals could have followed for the build of 2500 across West Berkshire, including in villages.

Councillor Boeck applauded the move by Central Government as this would keep a level of certainty of much needed homes for the District. The Administration needed to focus on what was best for West Berkshire's residents.

Councillor Owen Jeffery clarified that a viable village should include a public house, a church, a viable school and local employment opportunities reducing the need for residents to commute to work.

Councillor Jeffery pointed out that the LPR would result in the addition of a population the equivalent of Hungerford within Thatcham. Clearly not a good plan.

The Government intervention was a disappointment and was a negation of plans intended to benefit voters. A continuation of the submitted LPR could result in 2500 homes being built within an unsustainable location in Thatcham.

Councillor Alan Macro noted that the proposed 100 homes for Theale would be on top of the 429 dwellings already allocated and approved for the area. Overall, this would amount to a 30% increase in Theale.

Residents wanted Theale to remain a village and not become a town. They wanted to be able to make Doctors appointments and send their children to Theale Primary School. The submitted Local Plan would make this difficult. It would be far better for the LPR to be withdrawn for the benefit of residents in Theale and across West Berkshire.

Councillor Adrian Abbs, whilst on the Executive, was part of the discussion on viable villages. There was a need for a community led system with consultation with the public to assess local need and consider social aspects. The system should not be developer led.

If the LPR was withdrawn then there would be an opportunity to take this forward.

Councillor Heather Codling's Ward consisted of four rural parishes. Heavy traffic was an issue and this pressure would increase if the houses proposed for Thatcham were built. Would it be possible to get a doctors or dentist appointment?

Villages needed to be populated to help keep schools open and avoid closure, maintain pubs and local shops.

Development needed to be spread across the District.

Councillor David Marsh explained that he had previously objected to the draft plan due to concerns over the development continuing to be proposed in Sandford for 1500 homes.

However, he considered there were many positive points. A green thread went through the document, carbon neutral housing was a priority and 40% of housing would be affordable.

The report highlighted a number of risks, including financial, at a time when local authorities were facing financial difficulty. He was unclear on the location of brownfield sites and development in the countryside would be a concern to rural areas. A concern of

COUNCIL - 19 DECEMBER 2023 - MINUTES

withdrawal was a developer free for all. This would be as unsuitable a situation as what was intended for Sandford.

Councillor Biyi Oloko expressed his disappointment at this high risk proposal both as a Councillor and resident. This was a futile debate without purpose. However, the Government intervention was a blessing as it gave residents the opportunity to see how the new Administration was running the Council. There was the cost of £1.6m, but at a time when cuts of £1.75m were being proposed to front line services.

Councillor Howard Woollaston agreed that thankfully the Government had come to the rescue. If not, there would be the situation of a number of developers coming forward with proposals. Those rejected would go to appeal, be difficult to defend without a Local Plan and the Council would likely face costs.

Lambourn was a substantial village with many local amenities. This was not the case for many other villages without the facilities to cope with increased housing.

Councillor Martin Colston stated the LPR had been rushed through despite the concerns of many residents and parishes. There was a flawed settlement hierarchy that focussed on the three main towns at the expense of villages.

Affordable housing was needed in rural areas so that people could afford to live near to their workplaces, rather than having to live in towns and commute back. The right houses were needed in the right places. The LPR was at odds with Council priorities. The Liberal Democrats were fully supportive of this Motion.

Councillor Clive Taylor considered the difficulties from different sides. He held some sympathy with the views of the Administration and the impacts of the LPR for Thatcham and Theale. However, he was concerned at the number of speculative applications that could be received if the LPR was withdrawn and the impact this could have.

Councillor Clive Hooker was disappointed that this step was being proposed, particularly when considering the level of planning experience held by senior Members of the Administration. That experience should have used to prevent this withdrawal being put forward.

This was an insult to the hard work of the Council's planning officers who had been tasked with finding alternative options. The cost of withdrawing the LPR, alongside proposed budget cuts, was an insult to residents. Councillor Hooker believed this had sown a seed with voters well ahead of the next local elections.

Councillor Janine Lewis felt that more was needed in the Local Plan for the east of the District to help it develop, grow and flourish. While there had been some development in the area, the houses built were expensive. Some local amenities had been lost with others being stretched, such as doctors and dentists. Housing in the AONB was also expensive and not affordable to young people who were having to move away from their families. More needed to be done for them.

Councillor Phil Barnett described the significant changes that had been faced by Greenham over a number of years. These included from the Racecourse development and the ongoing development at Pinchington Lane. This had led to some enhancement of Greenham but a continuation of this practice could lead to Greenham becoming part of an enhanced Newbury.

It was therefore appropriate to seek to accommodate housing in other areas and make smaller villages more sustainable.

Councillor Ross Mackinnon expressed the view that the Liberal Democrats were feigning disappointment at the Government's intervention. He believed this was the gamble the

COUNCIL - 19 DECEMBER 2023 - MINUTES

Administration had been willing to take, and they had won. Earlier in the day, the Government had intervened to block the LPR withdrawal. The alternative, if this had not taken place, was a 'nuclear' option, wording used by the Administration. The proposed withdrawal was not in the best interests of residents. The only advantage, again in the words of the Administration, was to show residents they were serious.

Councillor Mackinnon did not believe the Liberal Democrats wanted to withdraw the plan. They were sure the Government would intervene and thankfully they had done so.

However, the fact that the Administration were willing to risk this 'explosion' meant they had lost their moral authority. Councillor Mackinnon felt the Liberal Democrats no longer had the right to complain about a lack of money when considering the significant costs of withdrawing the LPR and the ongoing costs this would incur from appeals. He believed the Administration had shown its true colours to voters and this would have a lasting impact.

Councillor Jeff Brooks referred to the accusation of cynicism. His response to that was that putting a plan in place four weeks prior to the local elections was cynical.

It was necessary to withdraw the LPR created by the Conservatives, but this had been stopped by the Conservative Government. The Liberal Democrats did not take the view that the LPR was too difficult to fix. They wanted to fix this flawed plan but had been stopped from doing so.

He gave some examples of why it was considered flawed. There would be no secondary school places for children living in the newly developed homes in Thatcham to attend. The land identified for a secondary school was only big enough to accommodate a relatively small number of children and was not viable.

Pressure on GP surgeries. The site for a GP surgery was not viable. In response to the Regulation 19 consultation, the existing local surgeries and the Integrated Care Board had stated the site as being too small.

This flawed Conservative plan created concerns for thousands of residents, but the Government prevented it from being withdrawn.

Councillor Lee Dillon stated that he had hoped this debate would lead to the opportunity to fix the flawed Local Plan prior to Examination. However, this option had been taken from locally elected Members by the Government.

It was important to consider why it was flawed. The Local Plan should be formed upon a sound evidence base. The LPR looked to development in towns but without associated infrastructure at a time when access to local amenities was already reducing. Urban development would result in greater levels of congestion.

The viability of villages would be put at risk. Local residents could be priced out of local housing. The Administration wanted better for West Berkshire's residents. This would include a manageable growth in towns and the ability for villages to flourish. People should continue to be able to live near to their families. It was important to help the rural economy.

The Liberal Democrats had committed to taking all available action to fix the flawed LPR. Options had been pursued but withdrawal was the only available option. The Administration had hoped this could be taken forward for the benefit of residents.

Councillor Dillon concluded by referring to the recent discourse on social media. He felt that Councillor Mackinnon, in trying to score political points, had lost integrity. Councillor Mackinnon had leaked an e-mail, sent to him in error, that he had agreed to delete.

COUNCIL - 19 DECEMBER 2023 - MINUTES

Councillor Mackinnon was permitted to speak to offer a personal explanation. As stated he had received an e-mail in error on 26 May 2023. He communicated this fact at the time and agreed to delete the e-mail, he did so. He then received the e-mail on a second occasion but did not communicate that. He stated that he had not acted dishonestly.

The Chairman then asked the Monitoring Officer for her advice following the receipt of the correspondence from Lee Rowley MP, the Minister of State for Housing, Planning and Building Safety.

Sarah Clarke read out the following statement:

Under Section 27 of the Planning and Compulsory Purchase Act 2004, the Secretary of State had the power to intervene if it was felt that a local planning authority was failing or omitting to do what was necessary for the preparation, revision or adoption of a local plan.

At approximately 3pm today, the Council received a letter from the Minister stating that the Secretary of State was exercising this power and was directing the Council to not take any steps to withdraw the Local Plan from Examination (in accordance with Section 27, Sub-section 2b).

Her opinion, as Monitoring Officer, was that should withdrawal of the LPR be passed then it could be contrary to this direction.

She added that the Secretary of State also held the power to intervene and take control of the local plan process from local planning authorities, including taking the plan through to Examination and Adoption. The Secretary of State would be entitled to recover its costs in these circumstances.

Her advice was that the Motion should not be passed as it would be contrary to the direction given by the Secretary of State, putting the Council at further risk of Government intervention and incurring financial implications beyond the Council's control.

Councillor Dillon made a point of clarification with regards the accuracy of the letter. It stated, in section one on page two, that the Council would need to respond by September 2023. The inclusion of this date was felt to be in error.

The Chairman then returned to Councillor Tony Vickers as mover of the Motion.

Councillor Vickers felt that there was no alternative but to withdraw the Motion. He did however respond to some of the points raised in debate. He clarified, that in response to the Regulation 19 consultation, he had not said development should be moved away from Newbury and Thatcham. Rather, development should be split into smaller sites in and adjacent to those areas.

The proposal for North East Thatcham was a serious flaw and needed to be addressed. It was not initially realised that fixing this flaw would result in having to withdraw the LPR. It was not a cynical step that had been taken as the Government's action could not be predicted. It was however not clear if the Planning Inspector would accept the plans for North East Thatcham.

The e-mail that had been referred to by Councillor Mackinnon contained only the initial thinking on some of the options before the new Administration in the very early days after the local elections.

Liberal Democrat Members had worked very hard to fix the Local Plan and avoid withdrawal. The risks were acknowledged.

COUNCIL - 19 DECEMBER 2023 - MINUTES

The Executive contained a number of well qualified colleagues who had analysed the Council's finances and found year on year savings. It was therefore not financially irresponsible to propose withdrawal of the LPR.

Councillor Vickers noted that some withdrawals had been permitted by the Government, of Conservative run councils.

Regrettably, Councillor Vickers moved to withdraw the proposed Motion and prevent any further intervention from Central Government. However, the Council still had until 12 January 2024 to consider any further action and withdrawal could still be pursued if the Council could demonstrate exceptional circumstances. Withdrawal could be managed by the Council.

Councillor Read, again with regret, seconded withdrawal of the Motion.

The Chairman added his agreement. The Council needed to avoid the risk of losing control of the local plan process and incurring significant financial implications. He accepted the withdrawal of the Motion.

The Motion to withdraw the submitted Local Plan Review 2022-2039; and begin preparations for developing a new Local Plan for West Berkshire was withdrawn.

65. **Creation of Service Director for Children's Social Care and Service Director for Education and Special Educational Needs and Disabilities (C4481)**

The Council considered a report (Agenda Item 4). The report explained that it was crucial for the Council to have sufficient capacity at senior level to continue the operations of the organisation, fulfil statutory responsibilities and respond to challenges that faced the Council. The changes to our services, expectations of our customers and partners, and the workings of the Council had all changed significantly in recent years. The increasing level of demand and complexity of need, pace of change, accessibility and availability of current and potential services, and latest inspection frameworks placed new and increasing demands from children and families on the Council.

The senior management structure of the Council had been subject to a variety of reviews over recent years. This report set out the proposed senior management structure across the Council, focussing on the need for greater resilience in Children's Services (People Directorate) to respond to the challenges facing Social Care, SEND (Special Educational Needs & Disabilities) and Education. As part of the SMR 2019 report, a decision on the Head of Service posts in Education and Children's Services was to be made in the future, as the original report had a single joint Service Director for Children and Young People.

The proposed structure would bring Children's Services in line with the wider Council senior directorate structures. The latest Council senior management structure was appended to the report.

MOTION: Proposed by Councillor Heather Codling and seconded by Councillor Martha Vickers:

That Council:

"Approve the creation of two Service Director (SD) posts in the Children's (People) Directorate; a Service Director Children's Social Care and a Service Director Education and Special Educational Needs and Disabilities (SEND).

Subject to the above recommendation, approve the latest senior management structure shown at Appendix B(ii).

COUNCIL - 19 DECEMBER 2023 - MINUTES

Note the deletion of the existing Head of Children and Family Services and Head of Education posts.”

Councillor Codling introduced the report. In October 2022, an independent review was conducted into the structure and delivery of education services in West Berkshire. A recommendation from that review was the creation of two Service Director posts, one for Children’s Social Care and the other for Education and SEND. These would replace the interim Heads of Service.

The financial and operational challenges being faced in these areas clearly demonstrated the need for greater strategic capacity to assist the Executive Director. The Service Directors would manage the increasingly complex demands and challenges being faced by the Directorate. These were high cost services with many areas of strategic responsibility and were subject to inspection regimes.

Approval to create these posts would bring the Council’s senior management structure for these services in line with comparative local authorities. The posts would be advertised internally and externally simultaneously. They would be widely advertised via a number of different mechanisms.

The Service Directors and Executive Director would be undertaking a full strategic review of the structure of Children’s Services which would include a zero based budgeting exercise. This would ensure services were fit for purpose and able to meet the needs of children and families.

Councillor Carolyne Culver voiced concerns of creating an overly vertical management structure, concerns she had also expressed at a prior debate on the Resources Directorate. Financial pressures were being felt and these high level posts attracted a high salary. It would have been useful for the report to provide some detail on the next level down of senior management. Scrutiny input would therefore be useful when the Senior Management Review was considered

Councillor Culver concluding by stating that she respected and valued the Council’s senior officers, she did however urge caution at the senior management structure, with an operational as well as strategic focus needing to continue.

Councillor Ross Mackinnon noted that this initiative had begun with the Conservative Administration. He was therefore pleased to see this coming through.

Councillor Martha Vickers fully reinforced the proposals before Council. Caring for and protecting young people, and supporting their carers were rightly among the most important functions held by the Council. It was therefore appropriate to have these posts in place to manage such serious areas of work.

Councillor Codling reiterated that a role for the Service Directors, with the Executive Director, was to review existing structures. She was very pleased to propose this additional leadership for the Directorate.

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

66. Update on the Appointment of and Allocation of Seats on Committees for the 2023/24 Municipal Year (C4477)

The Council considered a report (Agenda Item 5) concerning the Council’s duty, under section 15 of the Local Government Housing Act 1989, to review the allocation of seats as soon as practicable following any change to the groups. Following the formation of a new political group, known as the Minority Group, the report proposed a number of changes to the allocation of seats and appointments to Committees.

COUNCIL - 19 DECEMBER 2023 - MINUTES

MOTION: Proposed by Councillor Lee Dillon and seconded by Councillor Jeff Brooks:

That the Council:

“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 5.2 are to be regarded as Members of the Liberal Democrat, Conservative, and Minority Groups respectively.

Approves the allocation of seats to the Political Groups in accordance with section 15(5) of the Local Government Act 1989, as set out in Table A at paragraph 5.8 of the report.

Approves the changes to the membership of Committees detailed in Appendix A to this report.”

Councillor Dillon explained that the report was brought to this meeting of Council to give the Minority Group the opportunity to make amendments to their allocation of seats on Committees. This was the earliest opportunity to do so following discussion at the last Council meeting.

The amendments were detailed in Appendix A and included Councillor Adrian Abbs becoming a Member of District Planning Committee and the Western Area Planning Committee, with Councillor Carlyne Culver’s role changing to that of Substitute for both Committees.

At the last meeting of Western Area Planning Committee, Councillor Culver explained that she had decided to cease being a full Member of the Committee in order to give full focus to her role as Chairman of the Scrutiny Commission. She received a warm send off from fellow Western Area Members for her work to date.

Councillor Abbs, till recently Chairman of the Western Area Planning Committee, added his thanks to Councillor Culver for all her hard work on the Committee. He looked forward to returning to the Committee.

He noted that Councillor Patrick Clark was elected the new Chairman of Western Area Planning Committee at the special meeting held earlier in the evening. He congratulated Councillor Clark on his election. Councillor Abbs did however question the need to hold the special meeting when the membership was due for change.

Councillor Culver stated that she was very sorry to be stepping down from the Planning Committee. In her four and a half years on the Committee she had not missed a single meeting. She had learned much from her time on the Committee and enjoyed being a part of it. She thanked her fellow Committee Members and gave thanks to officers for all their hard work in what was a difficult area. However, she wanted to give full focus to her role as Scrutiny Chairman in order to perform it to the best of her ability.

Councillor Brooks had nothing to add as seconder to the Motion. It was a procedural report.

Councillor Dillon responded to the point raised about the Extraordinary Western Area Planning Committee. It was important to call this meeting as soon as possible in order to appoint a new Chairman. The election of Councillor Clark meant he was able to perform such tasks as chairing site visits, receiving officer briefings and approving call-in notices. It was expedient and efficient to hold this meeting in advance of Council.

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

In closing the meeting the Chairman took the opportunity to wish all present the best of the Season and a Happy New Year.

COUNCIL - 19 DECEMBER 2023 - MINUTES

(The meeting commenced at 7.00pm and closed at 8.25pm)

CHAIRMAN

Date of Signature

This page is intentionally left blank

DRAFT

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

COUNCIL

MINUTES OF THE MEETING HELD ON TUESDAY, 20 FEBRUARY 2024

Councillors Present: Antony Amirtharaj, Phil Barnett, Dominic Boeck, Jeff Brooks, Nick Carter, Heather Codling, Martin Colston, Jeremy Cottam (Chairman), Carolyne Culver, Paul Dick, Billy Drummond (Vice-Chairman), Denise Gaines, Stuart Gourley, Clive Hooker, Owen Jeffery, Paul Kander, Janine Lewis, Ross Mackinnon, David Marsh, Geoff Mayes, Biyi Oloko, Justin Pemberton, Vicky Poole, Christopher Read, Matt Shakespeare, Richard Somner, Stephanie Steevenson, Joanne Stewart, Louise Sturgess, Clive Taylor, Tony Vickers and Howard Woollaston

Councillors Present on Zoom: Adrian Abbs

Also Present: Nigel Lynn (Chief Executive), Joseph Holmes (Executive Director - Resources), Clare Lawrence (Executive Director - Place), AnnMarie Dodds (Executive Director - Children and Family Services), Stephen Chard (Democratic Services Manager), Jake Carpenter (Group Executive (Cons)), Nicola Thomas (Deputy Monitoring Officer), Benjamin Ryan (Democratic Services Officer) and Honorary Alderman Tony Linden

Apologies for inability to attend the meeting: Councillor Dennis Benneyworth, Councillor Patrick Clark, Councillor Iain Cottingham, Councillor Laura Coyle, Councillor Lee Dillon, Councillor Nigel Foot, Councillor Jane Langford, Councillor Alan Macro, Councillor Erik Pattenden, Councillor Martha Vickers, Honorary Alderman Paul Bryant, Honorary Alderman Keith Chopping, Honorary Alderwoman Hilary Cole, Honorary Alderman Adrian Edwards, Honorary Alderman Graham Jones, Honorary Alderman Rick Jones, Honorary Alderwoman Mollie Lock, Honorary Alderman Gordon Lundie, Honorary Alderman Graham Pask, Honorary Alderman Andrew Rowles and Honorary Alderwoman Emma Webster

PART I

67. **Declarations of Interest**

Councillor Heather Codling declared an interest in Agenda Items 4 and 5 by virtue of the fact that she was Ward Member for both Cold Ash and Hermitage, she was also a Parish Councillor and resident of Cold Ash, however she had no direct influence on the Neighbourhood Development Plan. She therefore 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.

Councillor Paul Dick declared an interest in Agenda Items 4 and 5 by virtue of the fact that he was Ward Member for both Cold Ash and Hermitage, he added that he was supportive of both plans. He therefore 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.

68. **Report by the Returning Officer on the Compulsory Polling District and Polling Place Review (C4439)**

The Council considered a report (Agenda Item 3) which sought Council approval for the parliamentary polling districts and polling places within West Berkshire.

COUNCIL - 20 FEBRUARY 2024 - MINUTES

MOTION: Proposed by Councillor Jeff Brooks and seconded by Councillor Stuart Gourley:

That the Council:

“in response to the Council's public consultation on the review of polling districts and polling places, is asked to approve the recommendations set out in Appendix A.

Agree that the existing polling districts remain unchanged with the following exceptions:

- Polling places in polling districts Lambourn 2 (Lambourn Memorial Hall), Newbury 6/Greenham 3 (Newbury Rugby Club), Thatcham 3 (Thatcham Memorial Hall), Thatcham 7 and Thatcham 8 (Moorside Centre), and Purley-on-Thames (Purley Memorial Hall) are now subject to further review and will be agreed by the Returning Officer in time for elections to be held in spring 2024.

Agree that the Returning Officer maintains delegated authority to agree any further changes to polling places”.

Councillor Brooks recommended approval of the recommendations.

Councillor Owen Jeffery described the situation within Colthrop and Crookham where some voters needed to travel to their polling station via a level crossing, but access was prevented when the level crossing gates were closed. Constituents were seeking an additional polling station to overcome this issue and Councillor Jeffery requested that this be considered prior to the General Election. He suggested that a caravan would be suitable.

The Chairman stated that this would be looked into by officers.

Councillor Tony Vickers was pleased to note that a more preferable location had been identified for the polling station in West Woodhay.

He was also pleased to note that use of the Wash Common Rugby Club as a polling station was being reviewed. Councillor Vickers felt that the Phoenix Centre would be more suitable.

Councillor David Marsh agreed that the Phoenix Centre was a better option. Access to the Wash Common Rugby Club was difficult for pedestrians.

Councillor Nick Carter highlighted comments he had received in relation to the Stratfield Mortimer polling station. There had been issues with queuing and there were no toilets. That said, the location was suitable. He felt these were matters for future consideration.

Councillor Phil Barnett explained that within the Newbury Greenham Ward, the polling station within Greenham had relocated to the West Berkshire Bowls Club. While it was a good location, it was some distance for those living in the south of the Ward. He requested that consideration be given to an alternative polling station.

Councillor Gourley, in seconding the report, stated that he was pleased to note the recommendations to review the provision in certain areas of the District.

Councillor Brooks stated that the comments raised by Members would be taken on board. He added, subject to the Motion being approved, that the Returning Officer would hold delegated authority to agree any further changes to polling places.

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

69. **Cold Ash Neighbourhood Development Plan (C4433)**

The Council considered a report (Agenda Item 4) concerning the Cold Ash Neighbourhood Development Plan (NDP). The NDP had been subject to independent

COUNCIL - 20 FEBRUARY 2024 - MINUTES

examination and the Examiner had recommended that it proceed to referendum, subject to modification. However, it was for Council to decide if the NDP would progress to referendum.

MOTION: Proposed by Councillor Tony Vickers and seconded by Councillor Heather Codling:

That the Council:

“endorse the Decision Statement on the Cold Ash NDP which concludes that the Cold Ash NDP, with the inclusion of modifications, meets the Basic Conditions.

Because the modified Plan meets the Basic Conditions, it is recommended that:

- (a) The Plan should proceed to referendum;
- (b) Upon a successful ‘yes’ vote at referendum, agreement is sought that the Cold Ash NDP is adopted immediately after the votes have been counted so that it becomes part of the development plan for West Berkshire; and
- (c) The authority to make minor alterations and corrections to the Cold Ash NDP as set out in Appendices D and E, prior to its proceeding to referendum, be delegated to the Service Lead, Planning and Economy, in consultation with the Portfolio Holder for Planning and Community Engagement.”

Councillor Tony Vickers commended the Parish document. He stated that, subject to approval, the referendum would take place on 2 May 2024 (the date of the Police and Crime Commissioner election).

He reiterated the recommendation that should the vote at referendum be ‘yes’ then the NDP be immediately adopted as part of the West Berkshire Local Plan.

Councillor Vickers noted the hard work of the Parish Council in producing the NDP with the support of Council officers.

Councillor Paul Dick commented on the many years of hard work by the Parish Council and Council officers to produce the NDP. He gave thanks to the Cold Ash Parish Councillors in attendance at the meeting.

The Chairman added his thanks to Parish Councillors.

Councillor Nick Carter agreed this was an excellent report. He advised that Stratfield Mortimer Parish Council was one of the first in the area to produce a NDP. He offered support to Cold Ash from Stratfield Mortimer should it be needed.

Councillor Codling added her thanks to the Parish Council for their extensive hard work. Only minor input had been requested by the Examiner and she was hopeful the document would proceed to referendum.

Councillor Tony Vickers encouraged other parishes to consider forming an NDP. This was something West Berkshire Council’s Members could encourage amongst their parishes.

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

70. **Hermitage Neighbourhood Development Plan (C4432)**

The Council considered a report (Agenda Item 5) concerning the Hermitage Neighbourhood Development Plan (NDP). The NDP had been subject to independent examination and the Examiner had recommended that it proceed to referendum, subject to modification. However, it was for Council to decide if the NDP would progress to referendum.

COUNCIL - 20 FEBRUARY 2024 - MINUTES

MOTION: Proposed by Councillor Tony Vickers and seconded by Councillor Heather Codling:

That the Council:

“endorse the Decision Statement on the Hermitage NDP which concludes that the Hermitage NDP, with the inclusion of modifications, meets the Basic Conditions.

Because the modified Plan meets the Basic Conditions, it is recommended that:

- (a) The Plan should proceed to referendum;
- (b) Upon a successful ‘yes’ vote at referendum, agreement is sought that the Hermitage NDP is adopted immediately after the votes have been counted so that it becomes part of the development plan for West Berkshire; and
- (c) The authority to make minor alterations and corrections to the Hermitage NDP as set out in Appendices D and E, prior to its proceeding to referendum, be delegated to the Service Lead, Planning and Economy, in consultation with the Portfolio Holder for Planning and Community Engagement.”

Councillor Tony Vickers commended this well produced document, a result of much hard work by the Parish Council. Hermitage had grown significantly and so the production of the NDP was important to help control future development in the area.

He was pleased to note the focus on sustainability in both this and the Cold Ash NDP.

Councillor Paul Dick paid tribute to the Hermitage Parish Councillors for their work in producing the NDP. He repeated his thanks to the Council officers for supporting the process.

Councillor Martin Colston was pleased to note the thoughtful consideration given to future development in the area.

Councillor Codling endorsed the recommendations of the report. She added her thanks to the Parish Council.

Councillor Tony Vickers commended the report to Council.

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

(The meeting commenced at 7.00pm and closed at 7.25pm)

CHAIRMAN

Date of Signature

Council – 26 March 2024

Item 4 – Declarations of Interest

Verbal Item

This page is intentionally left blank

Council – 26 March 2024

Item 5 – Petitions

Verbal Item

This page is intentionally left blank

Council – 26 March 2024

Item 6 – Public Questions

To Follow

This page is intentionally left blank

Council – 26 March 2024

Item 7 – Membership of Committees

Verbal Item

This page is intentionally left blank

Council – 26 March 2024

Item 8 – Motions from previous meetings

To note the following response to a Motion which had been presented to a previous Council meeting:

- Response to the Motion from Councillor Tony Vickers on the Garage Block Motion – Item 10, Executive, 14 March 2024. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#).
- Response to the Motion from Councillor Steve Masters on the Rwanda Scheme Motion – Item 13, Executive, 14 December 2023. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#).
- Response to the Motion from Councillor Adrian Abbs on the 20 is Plenty Motion – Item 9, Executive, 2 November 2023. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#).

This page is intentionally left blank

Council – 26 March 2024

Item 9 – Licensing Committee

Item 10 – Personnel Committee

Item 11 – Governance Committee

Item 12 – District Planning Committee

Item 13 – Scrutiny Commission

Item 14 – Health Scrutiny Committee

Item 15 – Health and Wellbeing Board

Item 16 – Joint Public Protection Committee

Verbal Items

This page is intentionally left blank

2024/25 West Berkshire Council Timetable of Public Meetings

Committee considering report:	Council
Date of Committee:	26 March 2024
Portfolio Member:	Councillor Jeff Brooks
Report Author:	Stephen Chard
Forward Plan Ref:	C4445

1 Purpose of the Report

1.1 To recommend a timetable of meetings for the 2024/25 Municipal Year.

2 Recommendation

2.1 To approve the timetable of public meetings for the 2024/25 Municipal Year.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	There are no financial implications associated with the publication of this report. The costs associated with holding meetings, Members’ attendance and the publication of agendas will be met from existing budgets.
Human Resource:	None.
Legal:	None.
Risk Management:	None.
Property:	None.
Policy:	This report accords with the Council’s policy of publishing its timetable of meetings.

	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?		✓		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		✓		
Environmental Impact:		✓		
Health Impact:		✓		
ICT Impact:		✓		
Digital Services Impact:		✓		
Council Strategy Priorities:		✓		
Core Business:		✓		
Data Impact:		✓		
Consultation and Engagement:	Chief Executive, Executive Directors, Monitoring Officer			

4 Executive Summary

4.1 West Berkshire Council is required to publish its timetable of meetings for each Municipal Year following approval by Council. The timetable for 2024/25 is attached to the report at Appendix A.

5 Supporting Information

Introduction

5.1 The timetable of meetings for the Municipal Year 2024/25 is attached as Appendix A to the report and has been based on the following:

- Council meetings to be held in May, July, September, November, February and March. The Budget Council meeting is proposed for 27 February 2025;
- Executive meetings have been arranged to take cognisance of democratic requirements. Meetings of the Executive are proposed to commence at the later time of 6.00pm;
- Area Planning Committees (both Eastern and Western) to be held on a monthly cycle with provisional dates included for District Planning Committees on a bi-monthly cycle. District Planning Committees will only be held if the meetings are required and additional meetings may be arranged to ensure that Planning timescales are adhered to;
- Five Scrutiny Commission meetings have been scheduled;
- Four Health Scrutiny Committees have been scheduled;
- Licensing Committee meetings have been set for July, November and January. Additional meetings will be arranged on an ad hoc basis;
- Health and Wellbeing Board meetings to be held in May, July, September, December and March;
- Governance Committees have been arranged to meet deadlines for Council meetings and to facilitate the signing off of the Council's financial accounts;
- Personnel Committee meetings will be held in July and January;
- Four Corporate Parenting Panels are scheduled (June, September, December and March);
- Two District/Parish Conferences are scheduled each year;
- Member Induction and Development sessions will be added into the timetable once dates have been confirmed. The document will then be redistributed and republished.
- Joint Public Protection Committees have provisionally been included on the timetable. These dates will be finalised in liaison with colleagues in Bracknell Forest Council.

5.2 In addition the timetable, once agreed, is also shared with Town and Parish Councils and the Fire Authority so that it can be taken into consideration when their schedules of meetings are agreed.

6 Other options considered

6.1 None.

7 Conclusion

7.1 The schedule has been drafted to ensure that the number of meetings takes into account the volume of business demands. Adoption will allow time for Members to put meetings into their diaries prior to the commencement of the Municipal Year. The timetable will also form the basis of a committee programme for administrative purposes.

8 Appendices

8.1 Appendix A – Timetable of meetings May 2024 to May 2025

Background Papers:

None.

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval



Wards affected: All

Officer details:

Name: Stephen Chard
Job Title: Democratic Services Manager
Tel No: (01635) 519462
E-mail: stephen.chard@westberks.gov.uk

West Berkshire Council – Timetable of Meetings - May 2024 to May 2025

	MAY 2024	JUN 2024	JUL 2024	AUG 2024	SEP 2024	OCT 2024	NOV 2024	DEC 2024	JAN 2025	FEB 2025	MAR 2025	APR 2025	MAY 2025													
Mon			1																							
Tues			2	PC			1	G				1														
Weds	1		3				2					2														
Thurs	2	HWB	4	X	1		3					3	X													
Fri	3		5	2			4	1				4	2													
Sat	4		6	3			5	2				5	3													
Sun	5		7	4		1	6	3	1			6	4													
Mon	6	BH	8	LIC	5	2	7	JPPC	4	LIC	2	6	3	7	5	BH										
Tues	7		9		6	3	8		5		3	7	4	4	8	6										
Weds	8	E	5	E	10	E	7	E	4	E	4	E	8	E	5	E	5	E	9	E	7	E				
Thurs	9	C	6		11	HWB	8		5		10		7	X	5	HWB	9		6	6	HWB	10		8	HWB	
Fri	10		7		12		9		6		11		8		6		10		7	7		11		9		
Sat	11		8		13		10		7		12		9		8		11		8	8		12		10		
Sun	12		9		14		11		8		13		10		9		12		9	9		13		11		
Mon	13		10	JPPC	15		12		9		14		11		10		13		10	10	JPPC	14		12		
Tues	14		11	HSC	16	G	13		10		15		12		10	HSC	14	PC	11	SC	11	HSC	15		13	
Weds	15	D	12		17	D	14		11	D	16		13	D	11		15	D	12		12	D	16		14	D
Thurs	16	X	13		18	C	15		12	HWB	17	DPC	14		12	X	16		13	X	13	SC	17		15	C
Fri	17		14		19		16		13		18		15		13		17		14		14		18	BH	16	
Sat	18		15		20		17		14		19		16		14		18		15		15		19		17	
Sun	19		16		21		18		15		20		17		15		19		16		16		20		18	
Mon	20		17		22		19		16		21		18		16	JPPC	20	LIC	17		17		21	BH	19	
Tues	21	SC	18	CPP	23		20		17	HSC/ CPP	22		19	G	17	CPP	21		18		18	CPP	22		20	
Weds	22	W	19	W	24	W	21	W	18	W	23	W	20	W	18	W	22	W	19	W	19	W	23	W	21	W
Thurs	23		20		25		22		19	X	24		21		19		23		20		20		24		22	X
Fri	24		21		26		23		20		25		22		20		24		21		21		25		23	
Sat	25		22		27		24		21		26		23		21		25		22		22		26		24	
Sun	26		23		28		25		22		27		24		22		26		23		23		27		25	
Mon	27	BH	24		29		26	BH	23		28		25		23		27		24		24		28		26	BH
Tues	28		25		30		27		24	SC	29		26	SC	24		28	G	25		25		29	G	27	
Weds	29		26		31		28		25		30		27		25	BH	29		26		26		30	DPC	28	
Thurs	30		27				29		26	C	31		28	C	26	BH	30		27	BC	27	C			29	
Fri	31		28				30		27				29		27		31		28		28				30	
Sat			29				31		28				30		28						29				31	
Sun			30						29						29						30					
Mon							30								30						31					
Tues															31											

C Council – 7.00pm ex cept Budget meeting which starts at 5.30pm	HWB Health and Wellbeing Board - 9.30am	W Western Area Planning Committee - 6.30pm	BH Bank Holiday
X Executive – 6.00pm	LIC Licensing Committee – 4.30pm	E Eastern Area Planning Committee – 6.30pm	SH School Holiday
G Governance Committee – 6.30pm	CPP Corporate Parenting Panel – 6.00pm	D District Planning Committee – 6.30pm	
SC Scrutiny Commission – 6.30pm	DPC District/Parish Conference – 6.30pm	PC Personnel Committee – 6.30pm	
HSC Health Scrutiny Committee – 1.30pm	JPPC Joint Public Protection Committee – 7.00pm		

Public Meetings: All meetings are open to the public, with the exception of Corporate Parenting Panels
Venues: Most meetings are held at the Council Offices, Market Street, Newbury.
Questions to Council and Executive: Questions must be submitted by 10.00am seven clear working days before the meeting.
District Planning: All stated dates are provisional subject to requirement.

This page is intentionally left blank

Establishment of Joint Committee – Berkshire Prosperity Board

Committee considering report:	Council
Date of Committee:	26 March 2024
Portfolio Member:	Louise Sturgess
Date Portfolio Member agreed report:	19 February 2024
Report Author:	Sam Robins / Clare Lawrence
Forward Plan Ref:	EX4499

1 Purpose of the Report

- 1.1 This report seeks to establish a Joint (Prosperity) Committee (to be known as the Berkshire Prosperity Board) to enable Berkshire Authorities, through collaboration, to benefit from:
- Working to a shared vision of inclusive, green, and sustainable economic prosperity through working together collaboratively to address challenges and meet opportunities.
 - Present a strengthened case to Government and private investors for greater investment into strategic projects, service delivery and initiatives across Berkshire.
 - Act as a vehicle to commission the Thames Valley Berkshire Local Enterprise Partnership (LEP) Core functions and others in response to the Government’s review of Local Economic Partnerships.
 - Have a stronger, collective voice in lobbying Government and other agencies.
 - Advantageously position Berkshire in readiness for potential devolution proposals to benefit from additional responsibilities and funding opportunities.

2 Recommendations

Council is asked to note the resolutions of the Executive dated 14th March 2024 to approve:

- 2.1 The establishment of a Joint Committee (to be known as the Berkshire Prosperity Board) from March 2024 to deliver a Berkshire-wide vision for inclusive green and sustainable economic prosperity.
- 2.2 A delegated authority for the Chief Executive, in consultation with the Leader of the Council, Executive Director of Resources and the Monitoring Officer to agree and

enter into an inter-authority agreement between the six Berkshire Local Authorities to facilitate decision-making by the Berkshire Prosperity Board (BPB)

- 2.3 The re-allocation of £10,000 of Council revenue funding and £20,000 UK Shared Prosperity Fund (UKSPF) funding in 2024/25, along with the collective allocation of £80,000 out of the shared £240,000 pot of grant funding that will be given to the 6 Berkshire Authorities from Government to replace LEP funding.

It is further recommended that Council:

- 2.4 Approve the terms of reference for the BPB as set out in Appendix A to be added to the Constitution.
- 2.5 Delegate authority to the Monitoring Officer, in consultation with the Leader of the Council, to amend the Constitution to make minor amendments to the terms of reference for the BPB and to amend Part 3 (meeting procedure Rules) and Part 6 (Council Bodies) to take account of the existence of the BPB.

3 Implications and Impact Assessment

Implication	Commentary
<p>Financial:</p>	<p>Government funding for Local Enterprise Partnerships (LEPs) ends from April 2024, and instead £240,000 in total of funding will be paid collectively to the 6 Berkshire Authorities. This report proposes for the 6 Authorities to commit £80,000 (in total) of that collective grant funding for the programme management of the Prosperity Board.</p> <p>Each Authority has been asked to re-allocate £10,000 of revenue funding in 2024/25, which was previously paid to the LEP, to the Prosperity Board to make progress against the 6 key themes. Previously £10,000 per year was added to the Economic Development Team revenue budget (13804 E086W) to be paid as an annual contribution to the LEP – the Prosperity Board is proposing that this contribution be re-allocated to the Prosperity Board.</p> <p>A further request is that £20,000 of UKSPF funding is allocated to support the administration and project management of the Prosperity Board in 2024/25. This will be a one-off payment making use of grant funding; it is not proposed at this stage that it be replaced by a revenue pressure in future years when the UKSPF is no longer in place. The £20,000 of one-off UKSPF funding will need to come from a corresponding reduction in budget for another UKSPF project. A separate paper is being drafted to confirm changes to the UKSPF investment plan which includes the</p>

Establishment of Joint Committee – Berkshire Prosperity Board

	<p>above funding.</p> <p>Details are provided in paragraphs 6.7 – 6.10.</p> <p>It is proposed that the Prosperity Board be set up with funding agreed for one year and reviewed prior to 2025/26.</p>			
Human Resource:	<p>The proposed Berkshire Prosperity Board will be programme-managed by consultants recruited for this purpose using the previously mentioned funding, therefore there are not significant Human Resource implications at this stage.</p> <p>Time will be required from the Executive Director – Place and the Economy Manager to attend the Prosperity Board. There will also be Resource implications in the delivery of projects / outcomes from the Board but this is not defined at this time.</p>			
Legal:	<p>The Executive has the power to enter a Joint Committee arrangement; Local Government Act 1972 s101/102. The Joint Committee will require a partnership agreement. It has been agreed that an independent firm of solicitors will be appointed to draft this on behalf of the Committee. This agreement will bind the Local Authorities in the decision making of the Joint Committee subject to the Governance of the individual Local Authority. Further details are provided in Paragraphs 6.2 – 6.6.</p>			
Risk Management:	<p>No risks identified in the setting up of a joint committee.</p>			
Property:	<p>There are no property related issues in the proposals in this report.</p>			
Policy:	<p>The Berkshire Prosperity Board is being set up in response to a change in Government policy on financial support for Local Enterprise Partnerships (LEPs), which has now been withdrawn and passed to Local Authorities to address local priorities for economic growth.</p>			
	Positive	Neutral	Negative	Commentary
Equalities Impact:		X		

Establishment of Joint Committee – Berkshire Prosperity Board

A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		The Board proposes to look at inequalities as one of its themes, however the setting up of a joint Committee is not considered to require an impact assessment at this time.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		The setting up of a joint Committee is not considered to require an impact assessment at this time.
Environmental Impact:	X			While there will be no immediate impact from the creation of the Prosperity Board, it will work towards having a positive impact on climate change.
Health Impact:	X			Health and Inequalities form none of the themes to be covered by the Prosperity Board, these will be considered at a strategic Berkshire level.
ICT Impact:		X		The setting up of a joint Committee is not considered to require an impact assessment at this time.
Digital Services Impact:		X		The setting up of a joint Committee is not considered to require an impact assessment at this time.

Council Strategy Priorities:	X			<p>The work of the Prosperity Board will contribute positively across the Council Strategy priorities, but particularly towards:</p> <ul style="list-style-type: none"> - Tackling the Climate and Ecological Emergency - A Prosperous and Resilient West Berkshire - Thriving Communities with a Strong Local Voice
Core Business:		X		Potential for collaboration between Authorities to improve services but this is not known or definable at this time.
Data Impact:		X		There may be impactions for data sharing, but this is not known at this time.
Consultation and Engagement:	Berkshire Leaders, Chief Executives and Thames Valley LEP have been involved in the creation of the Prosperity Board.			

4 Executive Summary

- 4.1 This report proposes that a joint Committee is set up between the 6 Berkshire Local Authorities, to be known as the Berkshire Prosperity Board, and seeks to confirm how the Committee will be resourced and funded, along with defining its purpose and scope.
- 4.2 Berkshire Leaders and Chief Executives have collectively agreed to establish a Berkshire Prosperity Board to work collaboratively towards economic development, prosperity, health, and net-zero goals and provide a unified voice for Berkshire. The key specific proposals are:
- All 6 Berkshire Local Authorities will participate in the Prosperity Board.
 - It will focus across 6 priority subjects.
 - It will be a decision-making body, but decisions will be formally approved—by each Authority’s internal decision-making processes.
 - Wokingham Council will take on the function of accountable body.
 - Funding will be provided by Government funding, which was formally provided to the LEP, along with £10,000 of revenue from each Authority and £20,000 UKSPF funding in 2024/25 which was also previously provided to the LEP.

5 Supporting Information

Background

- 5.1 Collectively Berkshire Leaders and Chief Executives have been meeting to review the challenges and opportunities faced by the Berkshire economy. Leaders recognised that although, the Berkshire Economy is comparatively strong it faces several threats and has been experiencing declining productivity for several years. To respond to these challenges work has been undertaken by Berkshire Place Directors to explore options to create a vehicle to drive and deliver economic prosperity for Berkshire.
- 5.2 Initial discussions explored the option of a devolution deal with Government and how Berkshire might benefit from the financial and decision-making powers a deal might bring. Early in the process it was recognised that Berkshire's chance of securing a significant devolution deal was limited. Berkshire is disadvantaged by both the Government's Levelling Up agenda and because of priority being given to Local Authority areas with a Combined Authority and/or a directly elected mayor. The latter being something that Berkshire Leaders did not wish to pursue.
- 5.3 At the same time as this conversation began the Government announced that it would be ending Local Enterprise Partnership (LEP) funding from the end of March 2024, therefore discussions have been ongoing as to the future of the Berkshire LEP as part of this process. Berkshire authorities also discussed the future partnership arrangements with the LEP, in light of Government plans to transfer local economic leadership and budgets back to local authorities.
- 5.4 As discussions progressed leaders recognised that the structure of six unitary authorities, which has provided so much benefit to the Berkshire area, could be harnessed to promote Berkshire collectively and overcome the disadvantage Berkshire has in comparison with other larger counties and metropolitan areas, that speak with a single voice. It was acknowledged that by working together Berkshire Authorities can benefit from greater scale, and with that, more influence and greater ability to develop solutions through collaboration.
- 5.5 Berkshire Leaders have stated their intention to develop a Joint Committee to help deliver this economic ambition.
- 5.6 Collectively the Leaders have identified a programme that will focus on six thematic workstreams deemed key to the local economy. Including, health and inequalities, education and skills, affordable housing, sector development, strategic infrastructure, and net zero.

Berkshire's Economy

- 5.7 To date Berkshire is an economic success story – no other region in the UK has played a bigger role in driving the UK economy in recent decades. As the UK's Silicon Valley, nowhere has the potential to add more value to UK plc. We have three diverse sub-regional economies and strengths in growth sectors of the future, innovative and international businesses, a highly skilled workforce, and are well connected to London and other highly productive markets.

Establishment of Joint Committee – Berkshire Prosperity Board

- 5.8 Since 2008, our economy has experienced a financial crisis, the Covid-19 pandemic, and the impacts of the war in Ukraine and the Israel-Hamas war. We are facing economic headwinds linked to changing trading relationships with Europe, labour market shortages and high inflation. Furthermore, as a region, we are disadvantaged when competing for Government's Levelling -Up Investment programme. We therefore cannot be complacent – our economy is mature, but growth is slower than in the past, and we are moving into a period of further economic uncertainty.
- 5.9 Some of our communities, however, have not been able to contribute to and benefit from Berkshire's economic success, and wage growth has not kept up with economic growth. Despite Berkshire's overall economic success, communities in West Berkshire face significant challenges. Wage growth lags behind inflation, leading to financial constraints, and deteriorating health outcomes are evident; West Berkshire's health index value for "economic and working conditions" has fallen from 119.2 in 2015 to 116.0 in 2021. The local labour market has tightened since December 2021, with job vacancies rising by 26% and the economic activity rate declining by 1.6%. Housing affordability remains a major issue, with median house prices 10.5 times higher than median earnings, impacting the recruitment and retention of skilled individuals. These complex challenges underscore the need for a comprehensive approach to address issues related to wages, living costs, health outcomes, economic inactivity, and housing constraints in West Berkshire.
- 5.10 The Berkshire economy is mature, but the strains of growth are showing. Many of the companies headquartered in Berkshire face re-investment decisions post Covid-19 and Brexit. It is clear that some of them are not as committed to a future in the UK as the six Unitary Councils would want.
- 5.11 There are many opportunities with growing industries such as the film industry in and around Reading University and Bray, but the need to act to secure Berkshire's long-term future is clearly evident. The development of the Joint Committee will allow the Berkshire Unitary Authorities to share and effect an economic vision to collectively address challenges and seize opportunities, providing a greater voice than each Council would have individually, helping to lobby Government and secure more finance from both public and private investors, and to be an attractive location for inward investment.

Responding to changes to the Thames Valley LEP

- 5.12 Government will cease funding Local Economic Partnerships from April 2024. The Government requires that the core functions currently carried out by LEPs to be transferred to Local Authorities in a bid to empower local leaders and communities. Local Authorities will receive the funding for, and core responsibilities for, delivering these functions from April 2024. These core functions are as follows:
- Economic Strategy and Planning: This function is needed in the future to continue to provide evidence bases, data, and a Berkshire-wide economic strategy so that collective action can be prioritised and needs-led.
 - Business Voice: This is a core function required by Government going forward in each functional economic area. This function is needed in the future to provide representation to embed a strong, independent, and diverse local business voice

Establishment of Joint Committee – Berkshire Prosperity Board

into local decision-making on economic development issues. New guidance on how to set up a Business Board is due to be released by Government.

- Government Programme Delivery: This function is needed in the future to continue to monitor the final stages of government programmes at the Berkshire level and ensure compliance with programme guidelines.

5.13 Local Authorities will also be expected to take responsibility for commissioning the existing Growth Hubs and Skills Hubs.

5.14 Berkshire Leaders and the LEP have agreed that they want to continue working in partnership to support the Berkshire economy. The LEP will remain an independent company. Berkshire Leaders have agreed that funding received from Government for the core functions will be used to commission specialist organisations (such as TVB LEP) to deliver outcomes.

5.15 The development of a Berkshire Joint Committee with a nominated accountable body will allow Berkshire to accept funds from Government and together commission the core functions to address collective priorities.

Devolution

5.16 In the 2022 Levelling Up White Paper the government set out plans for encouraging local areas to apply for a devolution deal – called ‘County Deals’. These agreements devolve funding, additional responsibilities and decision making with a view to stimulating local economic growth.

5.17 Prior to the May 2023 local Elections, Berkshire Leaders submitted to Government an expression of interest in becoming a devolved Deal area, setting out the opportunities that Berkshire offers the national economy given the right support and investment.

5.18 Having a fully operational Joint Committee will strengthen Berkshire’s chances of being offered a Deal if Government decides to accelerate the devolution process in advance of the General Election. Although, as things currently stand, Berkshire will need to become a Combined Authority with limited concessions or a Mayoral Combined Authority to receive any significant investment from Government. However, with the likelihood of a General Election Government may change its approach, therefore at this stage Devolution is not the driver to move forward with a Joint Prosperity Board.

6 Proposals and reasons for recommendation

6.1 It is proposed that a Joint Committee is established, known as Berkshire Prosperity Board, between West Berkshire and all 5 other local authorities in Berkshire, for the purpose of delivering a common vision for inclusive green and sustainable economic prosperity.

Constitution, Secretarial and Accountable body

6.2 The Joint Committee’s role and purpose on behalf of the Partner Local Authorities relates to ensuring appropriate, effective, and formal governance is in place for the

Establishment of Joint Committee – Berkshire Prosperity Board

purposes of delivering a Berkshire wide Vision for economic growth and advancing partner Local Authorities aspirations for greater economic prosperity.

- 6.3 Core members of the Committee include, Bracknell Forest Council, Reading Borough Council, Slough Borough Council, The Royal Borough of Windsor and Maidenhead, West Berkshire Council and Wokingham Borough Council.
- 6.4 The Joint Committee will be a decision-making body which will discharge the decisions made by the Berkshire Leaders (in respect of those decisions delegated to the Board) and will be binding on the participating boroughs. Authorities will not, however, be prevented from discharging any functions on their own account as well.
- 6.5 The structure and constitution of the Joint Committee will need a decision to be approved through each of the participating Local Authority Democratic decision-making groups. Details of the function and procedure rules of the Joint Committee is contained in (Appendix A) along with the governance structure (Appendix B).
- 6.6 Wokingham Council has offered to take on the function of the Accountable Body. Bracknell Forest is likely to undertake the secretariate role, which is an extension of existing arrangements supporting Berkshire Leaders and Chief Executive meetings.

Funding

- 6.7 The proposal is for the 6 Authorities to jointly fund the establishment and the running of the Berkshire Prosperity Board. All Authorities currently contribute £10,000 per year to the LEP – it is proposed that this funding be re-allocated to the Prosperity Board in 2024/25 and used collectively to progress work on the 6 themes. As with any revenue payment this will need to be approved by the Financial Review Panel. Other costs are not yet known, with authorities providing “in-kind” support to the project. Bracknell Forest will initially provide the Secretariat function, and this will be provided on an open book basis, so that actual costs can be recovered at the end of year one.
- 6.8 Collectively the six Unitary Councils are due to receive £240,000 per year from Government, which was previously paid to the LEP. It is proposed that £80,000 of this collective funding will be allocated to the programme management elements of the prosperity board, with the Accountable Body employing relevant staff for this purpose. This will be supplemented by each authority contributing £20,000 UKSPF funding in 2024/25.
- 6.9 This paper is therefore proposing that West Berkshire agree to the allocation of £80,000 of the collective grant budget, along with £20,000 UKSPF funding in 2024/25 to this purpose.
- 6.10 Total funding for the Prosperity Board will therefore be £260,000 in 2024/25 – which is split equally among all 6 Berkshire Authorities, as shown in the below table (the £13,333 figure is simply to demonstrate that the collective allocation of £80,000 of former LEP grant funding will be made equitably):

Authority	Central Government Funding (previously LEP funding)	Revenue Contribution	UKSPF Funding	Total
West Berkshire	13,333	10,000	20,000	43,333
Reading	13,333	10,000	20,000	43,333
Windsor & Maidenhead	13,333	10,000	20,000	43,333
Bracknell Forest	13,333	10,000	20,000	43,333
Wokingham	13,333	10,000	20,000	43,333
Slough	13,333	10,000	20,000	43,333
Total	80,000	60,000	120,000	260,000

6.11 It has not yet been decided how to use the remaining £160,000 of central Government grant funding that the Berkshire Authorities are due to collectively receive, in place of the LEP funding (£240,000, less then £80,000 provided to the Prosperity Board).

Reasons for the Recommendation

6.12 Developing a Joint Committee and sharing common goals across a functional economic area will provide Berkshire Authorities with exciting new opportunities for collaboration on economic development, providing more flexibility and influence than a single council would have on its own, helping local authorities speak with one voice to secure more funding from Government and other agencies and sources to help get key projects and initiatives off the ground.

6.13 Berkshire Authorities, through collaboration, will benefit from:

- Working to a shared vision of inclusive and sustainable economic prosperity through working together to address challenges and meet opportunities.
- Having a strengthened case to Government and private investors for greater investment into strategic projects across Berkshire.
- Acting as a vehicle to commission the Thames Valley Berkshire Local Enterprise Partnership (LEP) and others in response to the Government’s review of Local Economic Partnerships.
- Having a stronger, collective voice in lobbying Government and other agencies.
- Advantageously positioning Berkshire in readiness for potential devolution proposals to benefit from additional responsibilities and funding opportunities.
- Working on six shared themes: Including, health and inequalities, education and skills, affordable housing, sector development, strategic infrastructure, and net zero.

6.14 The first official board would take place in April 2024 following the decision making for each of the six local authorities to establish the Board. The Board would meet four times a year. Each Council would lead on one of the six themes, with West Berkshire

Leader and Chief Executive leading on the sector development theme, and officers assisting Reading Borough Council's Leader and Chief Executive to support the infrastructure theme.

7 Other options considered

- 7.1 The main alternative approach is to continue to work on economic development in each unitary area as exists at the moment. This no change approach does not resolve matters relating to the functions passing to Local Authorities with the end of government LEP funding which takes place in April 2024. It also does not build a stronger voice for Berkshire and does not enable streamlined collective decision making.
- 7.2 The other main alternative option considered was to develop a Combined Authority/Mayoral Combined Authority and seek a formal Devolution Deal. At this stage the Berkshire Leaders did not wish to pursue this option.

8 Conclusion

- 8.1 Creation of a Berkshire Prosperity Board Joint Committee will create opportunities for collaboration between the 6 Authorities in Berkshire to work towards economic development, prosperity, health, and net zero goals, along with ensuring a single influential voice for Berkshire is maintained. It will be achieved primarily by utilising Government funding that the Authorities are due to receive, which was previously provided directly to the Thames Valley LEP.

9 Appendices

- 9.1 Appendix A – Functions and Procedure Rules for a Joint Committee
- 9.2 Appendix B – Governance Structure

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 Scrutiny Commission or associated Committees, Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only
-

Wards affected: All of West Berkshire

Officer details:

Name: Clare Lawrence
Job Title: Executive Director - Place
E-mail: Clare.Lawrence1@westberks.gov.uk

Appendix A – Functions and Procedure Rules for a Joint Committee

1. Functions

The Joint Committee will discharge on behalf of the Participating Local Authorities the functions listed below related to promoting economic prosperity in Berkshire:

- 1.1 Develop a shared, Berkshire-wide vision for inclusive and sustainable economic prosperity, together with a set of practical thematic priorities, that addresses the strategic challenges and opportunities that the area faces.
- 1.2 Agreeing to and making funding applications and/or investment bids to external bodies, in relation to economic prosperity for the benefit of the Berkshire.
- 1.3 Providing direction to the nominated Accountable Body Local Authority on the allocation of any funding awards to appropriate projects for the benefit of the geographical area of the participating local authorities, including, where applicable, approving the approach to the procurement to be undertaken by Accountable Body Local Authority.
- 1.4 Representing the participating local authorities in discussions and negotiations with regional bodies, national bodies, central government inward investors and others on matters relating to investment and funding for the benefit of Berkshire.
- 1.5 Co-ordinate work across the six participating authorities and other Berkshire Committees, networks, and other statutory providers where this can help to promote inclusive and sustainable prosperity and the delivery of priorities across the six programme themes.
- 1.6 Representing the participating local authorities in discussions and negotiations with regional bodies, national bodies and central government on matters relating to economic prosperity for the benefit of the local government areas of the participating authorities.
- 1.7 Provide the appropriate governance, accountability, and delivery mechanisms for any future Government funding and programme support, that could arise from the integration of the LEP, from future growth funding, from UKSPF Berkshire Wide programmes and from any subsequent devolution funding.
- 1.8 Seeking to influence and align government investment in Berkshire in order to boost economic growth within the local government areas of the participating authorities.
- 1.9 Agreeing and approving any additional governance structures as related to the Joint Committee, or any sub-Committees formed by the Joint Committee.
- 1.10 Inviting special representatives of stakeholders such as business associations, government agencies, the further education sector, higher education sector, schools, voluntary sector, and health sector to take an interest in, and/or seek to influence, the business of the Joint Committee including by attending meetings and commenting on proposals and documents.

2. Membership and Quorum

- 2.1 The membership will comprise of 6 members with each participating Local authority appointing one person to sit on the Joint Committee as a voting member.
- 2.2 Each participating local authority will make a suitable appointment in accordance with its own constitutional requirements. It is anticipated that, where practicable, the leader of each participating local authority will be appointed to the Joint Committee.
- 2.3 Where a Participating Local authority does not operate executive arrangements, the appointment of a voting member will be in accordance with the local authority's own procedures. It is envisaged that this will usually be one of its senior councillors.
- 2.4 In all cases, the appointed person must be an elected member of the council of the appointing Participating Local authority. Appointments will be made for a maximum period not extending beyond each member's remaining term of office as a councillor, and their membership of the Joint Committee will automatically cease if they cease to be an elected member of the appointing Participating Local authority.
- 2.5 Members of the Joint Committee are governed by the provisions of their own Council's Codes and Protocols including the Code of Conduct for Members and the rules on Disclosable Pecuniary Interests.
- 2.6 Each participating local authority will utilise existing mechanisms for substitution as laid down in their own Standing Orders. Continuity of attendance is encouraged.
- 2.7 Where a participating local authority wishes to withdraw from membership of the Joint Committee this must be indicated in writing to each of the Committee members. A six month notice period must be provided.
- 2.8 The quorum for the Joint Committee is six members. If the Joint Committee is not quorate it cannot transact any business. If there is no quorum at the time the meeting is due to begin, the start of the meeting will be delayed until a quorum is achieved. If no quorum is achieved after 30 minutes has elapsed, the Committee secretary will advise those present that no business can be transacted, and the meeting will be cancelled.

3. Chair and Vice-Chair

- 3.1 The Chair of the Joint Committee will be appointed for 12 months and will rotate amongst the participating local authorities.
- 3.2 Unless otherwise unanimously agreed by the Joint Committee, each Participating Local authority's appointed person will serve as chair for 12 months at a time. Where the incumbent Chair ceases to be a member of the Joint Committee, the individual appointed by the relevant local authority as a replacement will serve as Chair for the remainder of the 12 months as chair.
- 3.3 The Joint Committee will also appoint a Vice-Chair from within its membership on an annual basis to preside in the absence of the Chairman. This appointment will also rotate in a similar manner to the Chair.

3.4 At its first meeting, the Joint Committee will draw up the rotas for Chair and Vice-Chair respectively as well as the rota for the meeting schedule for the year.

3.5 Where neither the Chair nor Vice-Chair are in attendance, the Joint Committee will appoint a Chair to preside over the meeting where they are quorate.

3.6 In the event of any disagreement as the meaning or application of these Rules, the decision of the Chair shall be final.

4. Sub-Committees

4.1 The Joint Committee may establish working-groups to undertake elements of its work if required

5. Delegation to officers

5.1 The Joint Committee may delegate specific functions to officers of any of the participating local authorities.

5.2 Any such delegation may be subject to the requirement for the officer to consult with or obtain the prior agreement of an officer (or officers) of the other local authorities.

5.3 It may also be subject to the requirement for the officer with delegated authority to consult with the Chair of the Joint Committee and the Leaders of the one or more participating local authorities before exercising their delegated authority.

6. Administration

6.1 Secretariate support for the Joint Committee, and accommodation for meetings, will be provided by the participating local authority whose representative is Chair unless otherwise agreed by the Joint Committee. The costs of this will be reimbursed by contributions from the other participating local authorities as approved by the Joint Committee.

6.2 At its first meeting as Chair, the Joint Committee will agree the rotas for Chair and Vice-Chair respectively as well as the rota for the meeting schedule for the year.

7. Financial matters

7.1 The Joint Committee will not have a pre-allocated budget.

7.2 When making a decision which has financial consequences, the Joint Committee will follow the relevant provisions of the Financial Procedure Rules of the Accountable Body Local Authority.

8. Agenda management

- 8.1 Subject to 8.2, all prospective items of business for the Joint Committee shall be agreed by a meeting of the Chief Executives of the participating local authorities or their representatives.
- 8.2 It will be the responsibility of each report author to ensure that the impacts on all participating local authorities are fairly and accurately represented in the report. They may do this either by consulting with the monitoring officer and chief finance officer of each participating local authority or by some other appropriate method.
- 8.3 In pursuance of their statutory duties, the monitoring officer and/or the chief financial officer of any of the participating local authorities may include an item for consideration on the agenda of a meeting of the Joint Committee, and, may require that an extraordinary meeting be called to consider such items.
- 8.4 Each participating local authority operating executive arrangements will be responsible for considering whether it is necessary [in order to comply with Access to Information legislation regarding the publication of agendas including Forward Plan requirements] to treat prospective decisions as 'key-decisions' and/or have them included in the Forward Plan. Each participating local authority operating a Committee system will apply its local non statutory procedures.

9. Meetings

- 9.1 The Joint Committee will meet quarterly and as required to fulfil its functions.
- 9.2 A programme of meetings at the start of each Municipal Year will be scheduled and included in the Calendar of Meetings for all participating local authorities.
- 9.3 Access to meetings and papers of the Joint Committee by the Press and Public is subject to the Local Government Act 1972 and to the Openness of Local Government Bodies Regulations 2014. The Joint Committee will also have regard to the Local Authorities (Executive Arrangements) (Meetings and Access to information) (England) Regulations 2012, notwithstanding the fact that its provisions do not strictly apply to the Joint Committee for so long as the Committee has any members who are not members of an executive of a participating local authority.

10. Notice of meetings

- 10.1 On behalf of the Joint Committee, a Committee secretary will give notice to the public of the time and place of any meeting in accordance with the Access to Information requirements.
- 10.2 At least five clear working days in advance of a meeting the secretariate to the Joint Committee will publish the agenda via the website of secretariate's authority and provide the documentation and website link to the participating local authorities to enable the information to be published on each Participating Local authority's website. "Five Clear Days" does not include weekends or national holidays and excludes both the day of the meeting and the day on which the meeting is called.

10.3 The secretary to the Joint Committee will arrange for the copying and distribution of papers to all Members of the Committee.

11. Public participation

11.1 Unless considering information classified as 'exempt' or 'confidential' under Access to Information Legislation, all meetings of the Joint Committee shall be held in public.

11.2 Public representations and questions are permitted at meetings of the Joint Committee. Notification must be given in advance of the meeting indicating by 12 noon on the last working day before the meeting the matter to be raised and the agenda item to which it relates. Representatives will be provided with a maximum of 3 minutes to address the Joint Committee.

11.3 The maximum number of speakers allowed per agenda item is 6.

11.4 Where the number of public representations exceed the time / number allowed, a written response will be provided or the representation deferred to the next meeting of the Joint Committee if appropriate.

11.5 The Joint Committee may also invite special representatives of stakeholders such as business associations, government agencies such as DWP or Jobcentre Plus, the further education sector, voluntary sector, and health sector to take an interest in the business of the Committee including by attending meetings and commenting on proposals and documents.

11.6 The Chair shall have discretion to regulate the behaviour of all individuals present at the meeting in the interests of the efficient conduct of the meeting.

12. Member participation

12.1 Any elected member of the council of any of the participating local authorities who is not a member of the Joint Committee may ask a question or address the Committee with the consent of the Chair.

13. Business to be transacted

13.1 Standing items for each meeting of the Joint Committee will include the following:

- Minutes of the Last Meeting
- Apologies for absence
- Declarations of Interest
- Provision for public participation
- Substantive items for consideration

13.2 The Chair may vary the order of business and take urgent items their discretion. The Chair should inform the Members of the Joint Committee prior to allowing the consideration of urgent items.

- 13.3 An item of business may not be considered at a meeting unless:
- (i) A copy of the agenda included the item (or a copy of the item) is open to inspection by the public for at least five clear days before the meeting; or
 - (ii) By reason of special circumstances which shall be specified in the minutes the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

- 13.4 “Special Circumstances” justifying an item being considered as a matter of urgency will relate to both why the decision could not be made at a meeting allowing the proper time for inspection by the public as well as why the item or report could not have been available for inspection for five clear days before the meeting.

14. Extraordinary meetings

- 14.1 Arrangements may be made following consultation with Chair of the Joint Committee to call an extraordinary meeting of the Joint Committee. The Chair should inform the appointed Members prior to taking a decision to convene an extraordinary meeting.

- 14.2 The business of an extraordinary meeting shall be only that specified on the agenda.

15. Cancellation of meetings

- 15.1 Meetings of the Joint Committee may, after consultation with the Chairman, be cancelled if there is insufficient business to transact or some other appropriate reason warranting cancellation. The date of meetings may be varied after consultation with the Chairman and appointed members of the Joint Committee in the event that it is necessary for the efficient transaction of business.

16. Rules of debate

- 16.1 The rules of debate in operation in the Chair’s authority shall apply.

17. Request for determination of business

- 17.1 Any member of the Joint Committee may request at any time that:
- The Joint Committee move to vote upon the current item of consideration.
 - The item be deferred to the next meeting.
 - The item be referred back to a meeting of the Chief Executives of the participating local authorities for further consideration
 - The meeting be adjourned.

- 17.2 The Joint Committee will then vote on the request.

18. Urgency procedure

- 18.1 Where the Chair (following consultation with the appointed Members of the Joint Committee) is of the view that an urgent decision is required in respect of any matter within the Joint

Committee's functions and that decision would not reasonably require the calling of an Extraordinary Meeting of the Joint Committee to consider it and it cannot wait until the next Ordinary Meeting of the Joint Committee, then they may request in writing the Chief Executive of each participating local authority (in line with pre-existing delegations in each local authority's Constitution) to take urgent action as is required within each of the constituent local authorities.

19. Voting

- 19.1 The Joint Committee's decision making will operate on the basis of mutual cooperation and consent and will take into account the views of the special representatives. It is expected that decisions will be taken on a consensual basis wherever reasonably possible.
- 19.2 Where a vote is required it will be on the basis of one vote per member and unless a recorded vote is requested, the Chair will take the vote by show of hands.
- 19.3 Any matter (save for a decision under Rule 2.8 above) shall be decided by a simple majority of those members voting and present. Where there is an equality of votes, the Chair of the meeting shall have a second and casting vote.
- 19.4 Any two members can request that a recorded vote be taken.
- 19.5 Where, immediately after a vote is taken at a meeting, if any Member so requests, there shall be recorded in the minutes of the proceedings of that meeting whether the person cast his / her vote for or against the matter or whether he / she abstained from voting.

20. Minutes

- 20.1 At the next suitable meeting of the Joint Committee, the Chairman will move a motion that the minutes of the previous meeting be agreed as a correct record. The meeting may only consider the accuracy of the minutes and cannot change or vary decisions taken at a previous meeting as a matter arising out of the minutes.
- 20.2 Once agreed, the Chairman will sign them.
- 20.3 There will be no item for the approval of minutes of an ordinary Joint Committee meeting on the agenda of an extraordinary meeting.

21. Exclusion of Public and Press

- 21.1 Members of the public and press may only be excluded from a meeting of the Joint Committee either in accordance with the Access to Information requirements or in the event of disturbance.
- 22.2 A motion may be moved at any time for the exclusion of the public from the whole or any part of the proceedings. The motion shall specify by reference to Section 100(A) Local Government Act 1972 the reason for the exclusion in relation to each item of business for which it is

proposed that the public be excluded. The public must be excluded from meetings whenever it is likely, in view of the nature of business to be transacted, or the nature of the proceedings that confidential information would be disclosed.

- 22.3 If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks is necessary.
- 22.4 Background papers will be published as part of the Joint Committee agenda and be made available to the public via the website of each authority.

23. Overview and Scrutiny

- 23.1 Decisions of the Joint Committee which relate to the executive functions of a participating local authority will need to be in accordance with each of the six local authority's own democratic scrutiny procedures for agreement before implementation.
- 23.2 Decisions of the Joint Committee which relate to the executive functions of a participating local authority will be subject to scrutiny and 'call -in' arrangements (or such other arrangements equivalent to call-in that any Participating Local authority operating a Committee system may have) as would apply locally to a decision made by that participating local authority acting alone
- 23.3 No decision should be implemented until such time as the call-in period has expired across all of the participating local authorities.
- 23.4 Where a decision is called in, arrangements will be made at the earliest opportunity within the participating local authority where the Call-In had taken place for it to be heard.
- 23.5 Any decision called in for scrutiny before it has been implemented shall not be implemented until such time as the call-in procedures of the Participating Local authority concerned have been concluded.

24. Access to minutes and papers after the meeting

- 24.1 On behalf of the Joint Committee, the secretariate will make available copies of the following for six years after the meeting:
- (i) the minutes of the meeting and records of decisions taken, together with reasons, for all meetings of the Joint Committee, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information.
 - (ii) the agenda for the meeting; and
 - (iii) reports relating to items when the meeting was open to the public.

25. Amendment of these Rules

25.1 These Rules shall be agreed by the Joint Committee at its first meeting. Any amendments shall be made by the Joint Committee following consultation with the monitoring officers of the participating local authorities. Note that Rule 1 (Functions) may only be amended following a formal delegation from each of the participating local authorities.

26. Special Representatives

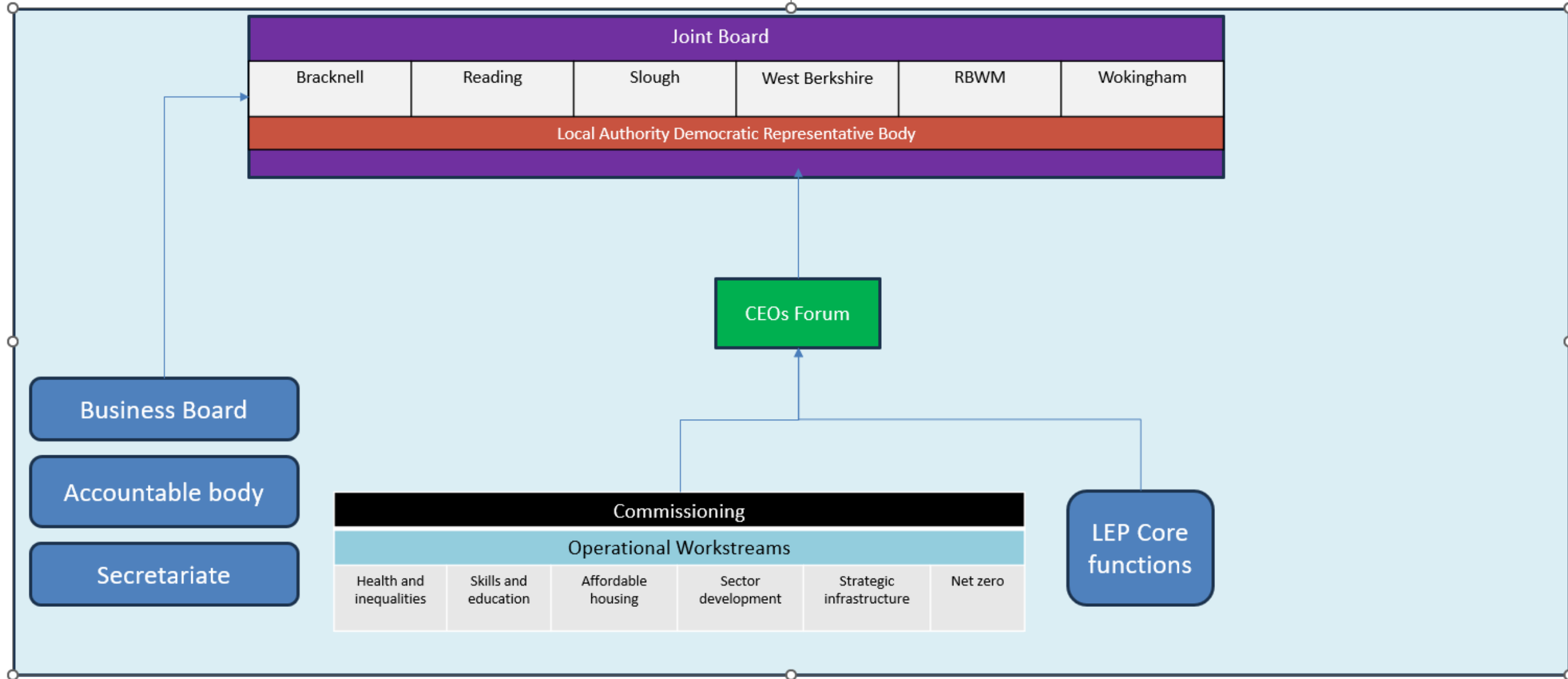
The Functions and Procedure Rules for the Joint Economic Committee set out that there will be a select number of ‘Special Representatives’ invited to attend meetings to ‘influence’ the work of the Committee as and when appropriate. These will be drawn from the following sectors and institutions:

Sector	
Higher Education Institutes	
Further Education	
Business (large)	
Business Support	
Business (small/medium-sized)	
Voluntary & Community Sector	
DWP	
Health	

This page is intentionally left blank

Appendix B – Governance Structure

Proposed initial structure – Berkshire Prosperity Board



- 1.1 The joint board decision making is subject to section 23 (Overview and Scrutiny) of the *DRAFT Functions and Procedure Rules for a Joint Board*.
- 1.2 The role of the secretariate is subject to section 6 (Administration) of the *DRAFT Functions and Procedure Rules for a Joint Board*.
- 1.3 The operational workstreams will report into each CEO lead and the contribution to the Joint Board will be subject to section 8 (Agenda management) and section 9 (Meetings) of the *DRAFT Functions and Procedure Rules for a Joint Board*.

This page is intentionally left blank

Statutory Pay Policy 2024/25

Committee considering report:	Council
Date of Committee:	26 March 2024
Portfolio Member:	Councillor Jeff Brooks
Date Portfolio Member agreed report:	11 January 2024
Report Author:	Paula Goodwin
Forward Plan Ref:	C4491

1 Purpose of the Report

- 1.1 The Council is required, in accordance with section 38 of the Localism Act 2011, to publish an annual pay policy statement. This report seeks to secure compliance with that duty, by seeking approval of the Statutory Pay Policy Statement for publication.

2 Recommendations

- 2.1 It is recommended that Council adopt and approve the Statutory Pay Policy Statement for publication. It is further recommended that the Council delegate authority.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	None.
Human Resource:	The report details HR implications within it.
Legal:	This report satisfies the Localism Act 2011 in respect of a pay policy statement.
Risk Management:	None.
Property:	None.
Policy:	Localism Act 2011.

	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		
ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:		X		
Core Business:		X		
Data Impact:		X		The Council is obligated to publish this anonymised salary data by the Localism Act 2011.
Consultation and Engagement:	Corporate Board, Operations Board, Personnel Committee			

4 Executive Summary

- 4.1 Section 38 of the Localism Act 2011 requires local authorities to publish an annual pay policy statement. The method of publication is at the discretion of the authority, but it is expected to comply with the principles set out in the Local Government Transparency Code. The statement must be approved by the full Council.
- 4.2 Council approved the annual publication of the statement, in principle, on 1st March 2012. This report seeks Council's approval, for publication of the 2024/25 pay Policy Statement.
- 4.3 The statement should set out the policies in relation to;
- Remuneration of its chief officer
 - The remuneration of its lowest paid employees (and our definition and reasons for defining it)
 - The relationship between the remuneration of its chief officers and those who are not chief officers.
- 4.4 The definition of chief officers includes the Chief Executive, the Monitoring Officer, the Section 151 Officer, Executive Directors, as well as those who report directly to any of these post holders. Thus, in West Berkshire Council, this definition would include all Service Directors.
- 4.5 Chief Officer remuneration includes salary, bonuses, performance-related pay, fees or allowances (including as returning officer), benefits in kind, etc. The policy should also state how chief officer salary will be determined on appointment and any arrangements for payments upon leaving office.
- 4.6 This matter should be considered at Personnel Committee recommending this policy to Council for adoption.

5 Other Options Considered

- 5.1 The Council could determine not to publish a pay policy statement but this is not recommended as there is a legal duty to publish this information.

6 Conclusion

- 6.1 It is recommended that the Pay Policy Statement should be approved and published on the Council website with effect from January 2024, to comply with our statutory duty under the Localism Act.

1 Appendices

- 7.1 Appendix A – Draft Statutory Pay Policy.

This page is intentionally left blank

Contents

1. Purpose	2
2. Definitions used in this document	2
3. Pay Policy from April 2024	3
4. Pay ratios in the Council.....	7
5. Pensions	7
6. Review.....	7
Appendix 2 – Additional Payments Scheme	12
<u>Additional Payments – General Approvals Flowchart</u>	16

CHANGE HISTORY

Version	Date	Change
4.0	January 2024	Annual review to reflect pay award

1. Purpose

This document covers the requirements to publish a pay policy statement under s38 of the Localism Act 2011. This Pay Policy Statement does not apply to employees working within schools.

2. Definitions used in this document

Chief Officers are defined in s43 of the Localism Act as

- the head of the authority's paid service;
- the monitoring officer
- a statutory chief officer, which under the Local Government & Housing Act 1989 means Director of Children's Services, Director of Adult Social Services, Director of Public Health, Chief Education Officer, Chief Social Worker and the Section 151 officer;
- a non-statutory chief officer which under section s2(7) of the 1989 Act means direct reports of the head of paid service (HOPS), a person for whom the HOPS is directly responsible, a person who as respects all or most of their duties is required to report directly or is directly accountable to the HOPS, or a person who as respects all or most of their duties is required to report directly or is directly accountable to the local authority themselves, or any committee or sub-committee of the authority;
- a deputy chief officer which under s2(8) of the 1989 Act means a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to one or more of the statutory or non-statutory chief officers.

In West Berkshire Council these posts are:

Chief Executive (Head of Paid Service)

Executive Director (Adult Social Care)

Executive Director (Children & Family Services)

Executive Director (Resources) (Section 151 Officer)

Executive Director (Place)

Service Directors:

- Service Director: Adult Social Care
- Service Director: Communities & Wellbeing
- Service Director: Development & Regulation
- Service Director: Environment
- Service Director: Strategy & Governance (Monitoring Officer)
- Service Director: Transformation

Heads of Service

- Head of Finance and Property
- Head of Education
- Head of Children and Family Services
- Head of Commissioning and Procurement
- Head of ICT

All Service Managers reporting to a Head of Service or Service Director.

All Service Leads.

Employees who are not chief officers: all other employees (including those employed on a casual basis) employed directly by the Council.

This policy does not cover the remuneration of other 'workers' employed by the Council, as employees of agencies or as self-employed consultants.

Lowest paid employee: minimum of £11.21 per hour. Notes on this definition are set out below:

Apprentices aged 16-18, may be paid on the age-related National Minimum Wage. The Apprentice NMW rate is not used. Apprentices have been excluded from this definition on the basis that they are in specific posts created for training purposes.

Median salary: £33,945 (full time equivalent). This is a measure of the 'average' salary for employees in the Council. It is defined as the 'midpoint' salary, such that there is an equal probability of falling above or below it.

Mean salary: £36,694 (full time equivalent). This is an alternative measure of the 'average' salary for employees in the Council. The arithmetic mean is defined as the sum of all the salaries divided by the number of salaries.

Highest paid employee: the Chief Executive is paid £160,562.

3. Pay Policy from April 2024

All jobs within the Council are paid on salary grades with five or more incremental points.

Job evaluation – employees grade M and below:

The Hay (Local Government) job evaluation scheme is used to establish the grade for each post relative to all other jobs within the Council. The job evaluation procedure is used to evaluate all new jobs and to re-evaluate existing jobs where there have been significant changes.

All jobs are assigned to a grade within the West Berkshire Council salary structure on the basis of the job evaluation score. The individual salary

scale points are based on the National Joint Council for Local Government Employees (Green Book) salary scale up to SCP42.

Salary structure – employees on Service Lead Grade (N) and above

The establishment of any post attracting a total remuneration (basic salary, contribution to car lease or equivalent and employer's pension contribution) package of £100,000 or more requires approval from Full Council.

A post level called Service Lead was established within the staffing structure in 2020 and may be used by Service Directors as they are appointed, as appropriate. Service Lead posts form part of the fourth tier of management but not all fourth tier posts will be Service Leads. Service Leads will normally report to a Service Director (third tier). A separate pay grade has been established for these posts.

Service Directors are paid on Grade O. Along with the remaining Heads of Service in an emerging structure, they constitute the third tier of management within the Council. Service Directors report to an Executive Director (second tier).

Where Heads of Service remain, they are paid on the HOS grade. Along with Service Directors, they constitute the third tier of management and may be allocated new responsibilities as required to meet the needs of the Council at this level, within their grade. Heads of Service report to an Executive Director (second tier).

The Executive Director (Place) and the Chief Executive are both paid on specific grades for those posts. The Executive Directors for Adult Social Care, Children and Family Services and Resources are paid on a grade for the posts. The different grades for the four Executive Director posts reflect the difference in responsibilities, including whether a statutory role is part of their post. All five posts (Chief Executive and Executive Directors) may be allocated new responsibilities as required to meet the needs of the Council within their grade. Officers designated as the Monitoring Officer (s5 and 5A LGHA 1989), the s151 Officer (Chief Finance Officer), the Director of Children's Services, or the Director of Adult Social Care will be paid an additional amount as follows:

- Executive Directors - £5,200 per annum
- Service Directors or Service Leads - £7,500 per annum

Salary on appointment – all employees

Appointments will normally be made to the minimum point of the grade. Heads of Service/ Service Directors and Managers may take into account the previous experience and skills of the employee to offer appointment above the salary minimum for the post.

Recruitment and Retention

The Council operates a Recruitment and Retention scheme of staff within Children and Family Services to support in improving the terms and conditions for social workers. The scheme provides social workers in the front line of safeguarding work with a 'golden handshake', further bonus payments and the opportunity to take extended paid leave ('sabbatical') after a three year's service, subject to certain qualifying conditions as an incentive to retain qualified and experienced social workers. Staff must have at least one years service, and have successfully completed their probation period to qualify for a payment of £3,000.

In April 2023 the Council introduced a Market Supplement Policy which forms part of the Recruitment and Retention Strategy with a focus on developing a strong, skilled and experienced workforce. The policy addresses recruitment and retention issues within the labour market by temporarily increasing the pay awarded to a post without altering the job evaluation determined grade for the post. Subject to qualifying criteria, successful market supplements should not exceed the value of £10,000. Payment of market supplements are awarded to posts rather than employees and are subject to tax, NI and pension contributions.

Incremental progression – all employees

Each employee progresses through the grade band for the post by the award of one increment (or spinal column point (SCP)) on 1st April each year until the maximum of the grade band is reached, subject to six months service in the grade band (whether that band has been attained by appointment, promotion or regrading) and satisfactory performance in the job.

Any existing employee who is appointed to a new post within the Council whose salary, on 1st April, would otherwise be less than one column point in excess of the salary they would have received on that day in their old grade band, will be entitled to an increment on that day even if he/she has not been 6 months in the new post, subject to satisfactory performance.

An increment may be withheld if an employee is subject to formal capability procedures during the year leading up to the 1st April.

An additional increment may be awarded in any one year to an employee, at the discretion of the Head of Service/ Service Director, on the grounds of special merit or ability, provided the maximum of the grade is not exceeded.

Additional payments – all employees

Additional payment may be made for additional hours, overtime, undertaking higher responsibilities, and for non-standard working arrangements such as stand-by or evening work, or for exceptional working conditions. Senior Managers are only entitled to overtime payments in exceptional circumstances where regular overtime cannot be practically compensated by time off in lieu, there is no other solution to ensuring the work is covered, the Executive Director believes the payment to be necessary and appropriate and it can be contained within the service budget. See Appendix 2 for details.

Car allowance payments for new senior managers ceased to be paid from November 2007. Some senior employees who were already in receipt of such allowances continue to receive them on a protected basis whilst in post.

Essential car users (defined as those who travel at least 1,500 business miles per annum) receive an allowance.

All employees can claim expenses for essential business travel at the rate of the cost of public transport, or a mileage rate. Subsistence expenses may be claimed at the rates recommended by HMRC.

Employees with a 'home' or 'community' workstyle under the Council's Hybrid Working Policy (introduced in April 2022) are paid a monthly allowance of £12.50. This is a contribution towards the cost to employees

of home working including set up of an appropriate work space, broadband charges and utility bills.

The Council does not operate a separate bonus scheme for its Chief Officers. With the exception of the Special Recruitment Payment mentioned in 3.1.7 and the hybrid working workstyle allowance mentioned in 3.1.18 above no other charges, fees or allowances or remuneration are payable to Chief Officers in connection with their responsibilities.

Fees for Returning Officer duties during elections are payable to the Chief Executive or their nominated representative acting as the Returning Officer. Fees for national elections are set by central Government and vary according to the type of election. Fees for local elections (parish and district elections) are set by the Council.

There are no benefits in kind, such as private health insurance, payable to Chief Officers.

Chief Officers are eligible to join the Local Government Pension Scheme in the same way as other employees.

Severance arrangements

Chief Officers are subject to the same redundancy payment and pension arrangements as other employees. These are set out in the Council's [Employer Statement of Policy on Discretionary Compensation](#).

There are a number of discretions available under the Local Government Pension Scheme, as a matter of policy, WBC does not exercise any discretion that would represent a cost to the Council. More information is available through the [Employer Statement – Local Government Pension Scheme Discretions Policy](#).

All redundancy or severance costs (including the cost of mandatory early payment of pension) of between £10,000 and £99,999 must be approved by the Executive. Severance costs linked to sickness absence can be approved by Head of Service/Service Director or above, with a maximum cost as defined in [Sickness Absence - Reporting and Management, Procedure and Guidance](#) .

An employee who has left the Council, with a redundancy or other severance payment under the discretionary compensation scheme, will not normally be re-engaged by the Council within two years of the termination date. In exceptional circumstances the HR Service Lead may make a decision, after consultation with the Chief Executive, the Monitoring Officer, the Section 151 Officer, and the Leader and Shadow Leader of the Council, to authorise re-engagement where it is in the interests of the Council to do so. (See the [Re- Employment Policy](#)).

4. Pay ratios in the Council

It is the Policy of the Council to ensure that the ratio of the salary of the highest paid officer and the lowest paid officer is well below the 20:1 ratio recommended as a maximum in the terms of reference for the 2011 Hutton Review of Fair Pay in the Public Sector.

As at 1st April 2023, pay ratios within the Council stand as follows:

- *Highest:lowest* = 7.44:1
- *Highest:median* = 4.73:1

5. Pensions

5.1 Council employees are entitled to join an occupational pension scheme. Scheme members contribute a percentage of their monthly salary and the council contributes an additional amount into the relevant scheme. Contribution rates vary according to the level of pay.

5.2 New employees are automatically enrolled onto the relevant pension scheme, but may choose to opt out. Employees who have opted out of the scheme may also choose to opt back in.

5.3 Most council employees are eligible to join the [Local Government Pension Scheme](#) (administered by [Berkshire Pensions](#)). Teachers are eligible to join the [Teachers' Pension Scheme](#).

6. **Review**

This policy will be reviewed at least annually and more frequently if necessary to respond to any changes.

Appendix 1 – Revised West Berkshire Pay Scales

These are correct at the time of publishing.

West Berkshire Pay Scales					
<u>Grade</u>		<u>SCP</u>	<u>1.4.23</u>	<u>Monthly</u>	
				-	
	B	2	£22,366	£1,863.83	
C		3	£22,737	£1,894.75	
		4	£23,114	£1,926.17	
		5	£23,500	£1,958.33	
	D	6	£23,893	£1,991.08	
E		7	£24,294	£2,024.50	
		8	£24,702	£2,058.50	
		9	£25,119	£2,093.25	
		10	£25,545	£2,128.75	
		11	£25,979	£2,164.92	
	F	12	£26,421	£2,201.75	
		13	£26,873	£2,239.42	
		14	£27,334	£2,277.83	
		15	£27,803	£2,316.92	
G			16	£28,282	£2,356.83
			17	£28,770	£2,397.50
			18	£29,269	£2,439.08
			19	£29,777	£2,481.42
		20	£30,296	£2,524.67	
		21	£30,825	£2,568.75	
		22	£31,364	£2,613.67	
		23	£32,076	£2,673.00	
		24	£33,024	£2,752.00	
		25	£33,945	£2,828.75	
I	H	26	£34,834	£2,902.83	
		27	£35,745	£2,978.75	
		28	£36,648	£3,054.00	
		29	£37,336	£3,111.33	
		30	£38,223	£3,185.25	
J		31	£39,186	£3,265.50	
		32	£40,221	£3,351.75	

		33	£41,418	£3,451.50
K		34	£42,403	£3,533.58
		35	£43,421	£3,618.42
		36	£44,428	£3,702.33
		37	£45,441	£3,786.75
		38	£46,464	£3,872.00
	L	39	£47,420	£3,951.67
		40	£48,474	£4,039.50
		41	£49,498	£4,124.83
		42	£50,512	£4,209.33
		43	£52,974	£4,414.47
M		44	£55,513	£4,626.12
		45	£57,449	£4,787.40
		46	£59,378	£4,948.15
		47	£61,326	£5,110.46
	N- Service Lead	48	£62,175	£5,181.27
		49	£64,474	£5,372.85
		50	£66,767	£5,563.90
		51	£69,060	£5,755.04
		52		
	N- Service Lead	53	£71,506	£5,958.82
		54	£72,592	£6,049.37
		55	£73,679	£6,139.91
		56	£74,766	£6,230.46
		57	£75,851	£6,320.92
		58	£76,937	£6,411.39
		59	£78,023	£6,501.94
		60		
		61		
HOS- phasing out		62	£81,090	£6,757.48
		63	£83,679	£6,973.29
		64	£86,244	£7,187.02
		65	£88,830	£7,402.49
		66	£91,405	£7,617.09
		67	£93,992	£7,832.64
	O- Service Directors	68	£97,571	£8,130.95
		69	£99,201	£8,266.77
		70	£100,830	£8,402.51

		71	£102,459	£8,538.24
		72	£104,088	£8,673.98
CORPD		73		
		74		
		75		
		76		
		77		
		78		
P-ED Place		79	£130,153	£10,846.11
		80	£131,239	£10,936.57
		81	£132,325	£11,027.12
		82	£133,411	£11,117.58
		83	£134,498	£11,208.13
	Q- ED People/Resource s	84	£135,583	£11,298.59
		85	£136,670	£11,389.14
		86	£137,755	£11,479.61
		87	£138,842	£11,570.15
		88	£139,927	£11,660.62
		89	£141,014	£11,751.17
CEX		90	£159,477	£13,289.71
		91	£160,562	£13,380.18
		92	£161,649	£13,470.73
		93	£162,734	£13,561.19

Appendix 2 – Additional Payments Scheme

Criteria for making service related additional payments

The scheme provides for additional payments to be made where:

- There is a clear service need to resolve organisational and/or staffing difficulties;
- Other organisational responses (e.g. restructuring or re-allocation of work) will not overcome the difficulties;
- No other provision exists for payments to be made under WBC Conditions of Service;
- Costs can be contained within service budgets;
- The relevant Executive Director is satisfied that payments are necessary and appropriate in all the circumstances.

If the above criteria apply, and other conditions and criteria are met (see sections below) additional payments may be made at the discretion of the Head of Service/ Service Director, in consultation with their Executive Director. Where the Chief Executive is agreeing these payments they should be made in consultation with the Leader of the Council.

Payment for Exceptional Working Patterns

The normal working week will be the working week or regular work pattern defined in the contract of employment, normally based on any five named days out of seven.

Some jobs require regular working patterns which, because of service demands, are particularly disruptive to social or domestic life and these jobs may therefore present difficulties of recruitment and retention e.g. week end working, split duty or sleeping in.

Others may require acceptance of occasional severe disruption to regular work patterns which are not commonly acceptable under normal basic pay arrangements. Where there is clear evidence that such circumstances present service delivery problems, additional payments, based on a maximum of time and a third of basic pay may be made at the discretion of the Head of Service/ Service Director in consultation with their Executive Director. Where the Chief Executive is agreeing these payments they should be made in consultation with the Leader of the Council.

Payment for night work

Time and a third may be paid for night work undertaken between the hours of 10pm and 6am.

Payment for stand-by duty

For some jobs, where stand-by duty is a regular requirement, specific stand-by payments may be written into the employment contract. The HR Service Lead or the relevant Head of Service/ Service Director will advise where these apply.

Where there is no contractual requirement or payment for stand-by duty, and stand-by duty is not reflected in the grading of the post, payment of one third of basic pay may be paid. Payment will be at the discretion of the Head of Service/ Service Director in consultation with their Executive Director. Where the Chief Executive is agreeing these payments they should be made in consultation with the Leader of the Council.

Payment for higher responsibility

WBC Conditions of Service provide for an employee, who for reasons other than annual leave of another employee, is called upon to undertake the duties and responsibilities of a higher graded post for a period of at least four weeks may, at the discretion of the Head of Service/ Service Director, receive an honorarium to reflect the additional duties and responsibilities.

In determining the appropriate level of additional payment, the Head of Service/ Service Director should take into account factors like:

- The difference between grading between the absent employee and the employee providing cover
- The duration of the period of absence
- The level of support provided to the covering employee
- Arrangements relating to the employee's normal duties;

Although not normally provided for in WBC Conditions, Heads of Service may, exceptionally, make additional payments to employees covering for absence resulting from annual leave. The above criteria are relevant in deciding to make payments in these circumstances, in particular, the duration of cover and the difference in grading.

Any such payments should only be made in consultation with their Executive Director. Where the Chief Executive is agreeing these payments they should be made in consultation with the Leader of the Council.

Payment for Regular Overtime

Some jobs require regular overtime working that cannot, practicably, be compensated by time off in lieu. These jobs may be held by employees above the normal ceiling for overtime payment (scp26).

Where regular overtime is a feature of the job (e.g. regular requirement for attendance at evening Council and/or Committee meetings), the Head of Service/ Service Director may agree the payment of a flat rate allowance that reflects the regular nature of the demand and the normal basis for calculating additional payments (time and one third). Any such payments should only be made in consultation with their Executive Director. Where the Chief Executive is agreeing these payments they should be made in consultation with the Leader of the Council.

Payment for Exceptional Working Conditions

WBC job evaluation takes account of physical aspects of jobs where they are a regular feature e.g. heavy and awkward working conditions. Normal pay reflects the conditions of

such jobs. However, in some jobs such conditions may occur only occasionally and will not, therefore, be reflected in grading.

In other jobs, employees may be required, from time to time, to work in particularly dirty or otherwise unpleasant circumstances.

Where job grading has not taken exceptional working conditions into account, additional payments may be made. Where the exceptional conditions extend over a period of time, payment of time and a third for hours worked in those conditions will be appropriate. In the case of a short, one-off situation, a payment for Other Exceptional Circumstances, as described below, may be paid.

Payment for election duties

Election fees are payable to some staff as and when elections are held for National Elections. The fees are set by HM Government and vary according to type of election.

Payment for Other Exceptional Circumstances

From time to time, other exceptional circumstances may arise that merit an additional payment e.g. short and unusual exposure to particularly unpleasant work conditions, reward for a sustained period of particularly heavy increased responsibility, or exceptional achievement. In such circumstances, an additional payment may be made. Although not a limit in truly exceptional circumstances, the normal ceiling of time and a third for additional payments should be taken into account when determining an appropriate additional payment.

Payment for Emergency Operations Centre (EOC) work

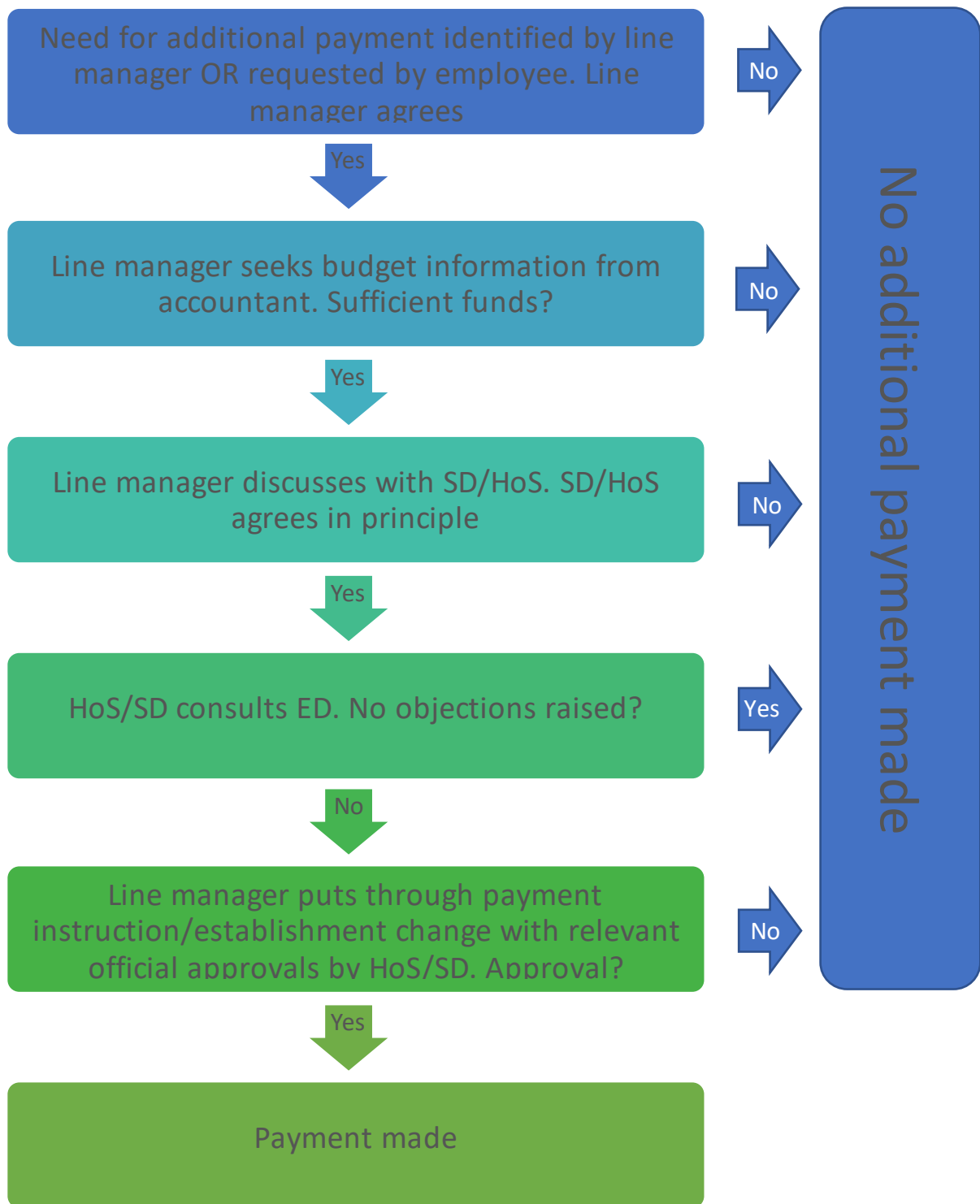
Where the Emergency Operations Centre (EOC) is set up to respond to an emergency, staff carrying out EOC work will be paid as follows:

- All hours worked on EOC duties outside 0800 to 1700 Monday to Friday will be paid at £18.35 per hour.
- Full time employees working the day shift (8am to 4pm) will receive an honorarium payment of £30 for each day shift worked.
- Part time employees working extra hours on the day shift will be paid £18.35 per hour for each additional hour worked in addition to the £30 honorarium payment for each day shift worked.
- The hours paid will include the time it takes to come in and go home if the employee would not have had to make this journey in normal circumstances (for example travelling back in for a midnight start or travelling at weekends). However employees cannot claim 'petrol costs'.
- These payments are payable to all employees regardless of grade.

Where employees who have worked weekends, late or night shifts would prefer to take the extra hours they worked as time off in lieu (TOIL) rather than receive £18.35 per hour they should inform HR by email.

Staff who had booked annual leave but come in for a day shift should swap their leave to another day. If the EOC work occurs towards the end of an annual leave period, and as a result, there is a need to carry forward leave after the end of the leave year, the employee should agree this with his/her line manager. The employee will receive the £30 honorarium for each day shift worked.

Additional Payments – General Approvals Flowchart



Creation of Service Director for Delivering Better Value and SEND Transformation

Committee considering report:	Council
Date of Committee:	26 March 2024
Portfolio Member:	Councillor Heather Codling
Report Author:	AnnMarie Dodds Executive Director of Children’s Services
Forward Plan Reference:	C4505

1 Purpose of the Report.

- 1.1 It is crucial that the Council has sufficient capacity at senior level to drive the SEND Transformation through the Delivering Better Value Programme (DBV). The programme will expedite transformation activity across the SEND system in West Berkshire. The transformation will enhance the operations of the organisation and the wider SEND system whilst responding to the financial challenges faced by the Council’s High Needs Block (HNB) deficit. The increasing level of cost, demand, complexity of need, pace of change, accessibility and availability of current and potential services, and the latest inspection frameworks place new and increasing demands from children and families on the Council.
- 1.2 This report’s purpose is to set out the proposed addition to the senior management structure in the People Directorate (Children’s Services), focussing on the DBV programme, adding greater resilience in Children’s Services (People Directorate) to respond to the SEND (Special Educational Needs & Disabilities) financial and operational challenges.
- 1.3 The proposed addition will bring additional capacity to Children’s services for a fixed period of one year in line with the wider council senior directorate structures. The post holder will have senior management responsibility for all elements of the DBV programme.

2 Recommendations

It is recommended that Council:

- 2.1 Approve the creation of the Service Director (SD) post in the Children’s (People) Directorate;
- 2.2 Note that the post is for one year fixed term, funded from DBV grant funding.

3 Implications and Impact Assessment

Implication	Commentary			
Financial:	<p>Immediate recruitment to the Service Director post at a full year cost of £135,560 assuming an appointment from April 2024 at mid-point.</p> <p>The post will be entirely funded using the DBV grant.</p>			
Human Resource:	<p>Effective and clear communication will be required prior to any recruitment processes being commenced.</p> <p>It is expected that the post will be advertised internally and externally immediately following approval.</p>			
Legal:	<p>The Head of Paid Service (the CEO) is required under the Constitution to report to full Council on the way the discharge of the Council's functions is co-ordinated, the number and grade of Officers required for the discharge of functions and the organisation of Officers (Part 2, Article 10.8). This report ensures effective compliance with that duty.</p>			
Risk Management:	<p>There is limited risk in the proposed model.</p> <p>Risk lies in failing to address the lack of strategic capacity in Children's services to deliver the required DBV SEND transformation programme.</p>			
Property:	<p>None.</p>			
Policy:	<p>This proposal is impacted by HR policies and procedures in relation to Job Evaluation, Pay and Grading, Organisational Change and Redundancy and Recruitment. The proposals already take account of these policies.</p>			
	Positive	Neutral	Negative	Commentary

Creation of Service Director for Delivering Better Value and SEND Transformation

Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			Once the post is created, it will be advertised internally and externally for all staff to be able to apply for as in all other posts. Once any new post is created, it will be evaluated based on up-to-date information.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			As above.
Environmental Impact:		X		None.
Health Impact:		X		None.
ICT Impact:		X		None.
Digital Services Impact:		X		None.

Creation of Service Director for Delivering Better Value and SEND Transformation

Council Strategy Priorities:	X			<p>A fairer West Berkshire with Opportunities for all.</p> <p>Thriving communities with a strong local voice.</p> <p>A more efficient Council will enable the new Council Strategy to be delivered in a more cost-effective way.</p>
Core Business:	X			<p>The SD role will improve the Council's overall strategic direction, SEND transformation, improved management of statutory functions, efficiency and core business for children and families (the customer).</p>
Data Impact:		X		None.
Consultation and Engagement:	<p>Internal communication has taken place and external partners have also been engaged. This has included SEND colleagues within the council; the Department for education via the review and sign off process for DBV submissions; other local authorities who are engaging in the DBV programme and school leaders via the Heads Funding Group, primary and secondary head teachers.</p>			

4 Executive Summary

- 4.1 The proposal is to create one Service Director (SD) post. The post will be a fixed term post for one year and will be equivalent to existing Service Director posts. The post holder will undertake the role of senior responsible officer (SRO) for the Delivering Better Value in SEND programme. This programme requires strategic leadership and subject specific knowledge relating to SEND transformation in line with the requirements of SEND and Alternative Provision Improvement Plan, Right support, Right Place, Right Time.
- 4.2 Following the LGA Corporate Peer Review the need to expedite SEND Improvement Activity was highlighted with specific commentary on the need to drive SEND and AP Transformation via the Delivering Better Value in SEND Programme. The capacity and existing capability within the organisation was recognised as a challenge to deliver necessary systemwide transformation whilst improving business as usual functions.
- 4.3 The creation of the SD post will provide increased strategic transformation capacity across the SEND system in West Berkshire. Managing the challenging and complex demands of the Delivering Better Value Programme primarily addressing the significant High Needs Block deficit.

5 Supporting Information

Proposal

- 5.1 At present strategic leadership of the DBV programme is delivered by Service Managers in West Berkshire's SEND services. As Such strategic capacity is limited and the DBV programme requirements impact on the delivery of business as usual. This further impacts the council's ability to appropriately prepare for the area SEND inspection.
- 5.2 The proposed directorate senior structure with 1 Executive Director, 2 x SDs and a DBV Service Director is consistent with the senior structure across similar sized local authorities who are participating in the DBV programme. It reflects the risks managed by the individual SD holding significant practice, financial and reputational risk across the SEND system. Recent financial and operational challenges across SEND have demonstrated the need to expedite transformation and for greater strategic leadership capacity. The SD will be responsible for the line management of additional posts recruited to the council on a fixed term basis to deliver elements of the DBV programme.
- 5.3 An indicative structure for the management of the DBV programme has been shared with the Department for Education advisors and to date has been deemed appropriate.
- 5.4 Appendix A shows the current 'To Be' proposed structure.

HR Process

- 5.5 Appointment to the role of the fixed term Service Director will be based on current recruitment and redundancy policies and will be advertised internally and externally as with all previous posts through a member appointment panel. Job descriptions will be provided, and the grades evaluated.

Financial Implications.

- 5.6 The cost of the new post will be entirely met from DBV grant funding.

6 Conclusion

- 6.1 These proposals bolster the ability to expedite transformation activity across the SEND system whilst further adding resilience and management capacity for Children's Services and will speed up the pace of change addressing the financial deficit in the High Needs Block.

7 Appendices

- 7.1 Appendix A – 'To Be' structures in People's Directorate - Children's Services.

Background papers

Job Description Service Director for Delivering Better Value on SEND
Diagnostic Overview for DBV in West Berkshire.

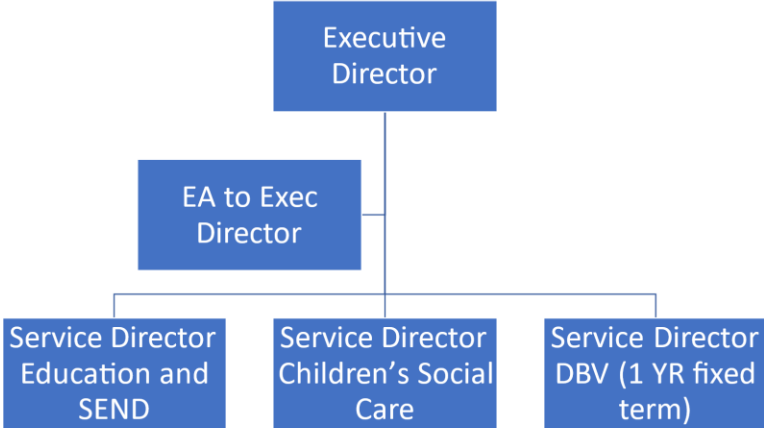
Subject to Call-In:

Yes: No:

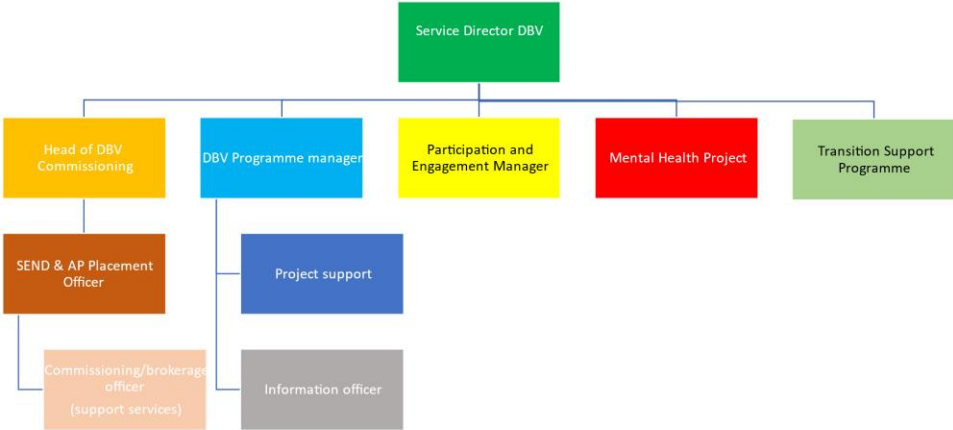
- The item is due to be referred to Council for final approval.
 - Delays in implementation could have serious financial implications for the Council.
 - Delays in implementation could compromise the Council's position.
 - Considered or reviewed by Overview and Scrutiny Management Committee or associated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

To Be Structure

People Directorate (Children's Services)



DBV Structure



This page is intentionally left blank

Item 21: Notices of Motion

Motions submitted for debate at the Council meeting on 26 March 2024

(a) **The following Motion has been submitted in the name of Councillor Justin Pemberton:**

Pets as Prizes

This Council notes that:

- *Animal ownership is a big responsibility, one that should be planned and well thought out. Animals – primarily goldfish, but also any other potential household pet – often do not have their welfare needs met both prior to, during and after being given as a prize, for example at fairs and other social events (licenced or otherwise).*
- *West Berkshire Council is to be applauded for having implemented a policy that precludes animals being given away as prizes on Council owned land, ensuring that the welfare of these animals is not compromised, as well as raising public awareness of the issue and leading the way on ending this outdated practice.*
- *The legislation in its current form is not fit for purpose and does not go far enough to ban (or otherwise address) a clearly outdated and barbaric practice.*
- *The Council should do all it can to promote good practice by urging the District's Town and Parish Councils to adopt our current policy of banning pets as prizes on land which they own and/or events which they manage.*

The Council therefore resolves:

- 1) *To ask the Leader of the Council to write to the Chairpersons of all Town and Parish Councils across the district to notify them that the Council already bans outright the giving of live animals as prizes, in any form, on West Berkshire Council land and events run or managed by it, and asks them to consider adopting the same policy, standards and guidelines.*
- 2) *To write to the Department for Environment, Food and Rural Affairs, urging that an outright ban on the giving of live animals as prizes on both public and private land be legislated for.*

(b) **The following Motion has been submitted in the name of Councillor Adrian Abbs:**

Bond Riverside – Culvert

Overview: -

This motion is design to help address key issue which has been blocking any form of development of what used to be called LRIE but was renamed to Bond Riverside.

Item 21: Notices of Motion

Motions submitted for debate at the Council meeting on 26 March 2024

By acknowledging some of the fundamentals associated with how plans for any future development at Bond riverside are constrained by sustainable drainage issues.

Council Notes

- *That the findings from the LRIE scrutiny commission found contract control had been inadequate*
 - *The Culvert at Tesco was*
 - *designed for its time*
 - *Is not something that West Berkshire council (WBC) have direct control over*
- *That the environment agency (EA) is the responsible body for water passing through and downstream of the culvert*
- *That it is now exceptionally difficult to get agreement from the EA to allow increases in volumes of water to be passed downstream for manmade drainage reasons*
- *That sustainable drainage legislation is increasingly required to be dealt with on site*
- *That dredging the culvert has no effect due to the water table*
- *That BNG (Biodiversity Net Gain) is becoming much more important*
- *That there has been a cumulative effective up stream since the Culvert was created from development both past and present*

THE MOTION

This Council therefore commits to:

- *Enter Dialog with third parties, residents whose land is next to the Culvert*
- *To work towards a solution that takes into account historical and potential future development of Bond River and associated areas whose run off goes into the Culvert.*
- *That the council will create a critical path committee made up of key stakeholders whose focus is drainage issues associated with the Culvert.*
- *That the team will report back to the Council on findings associated with ideas and plans coming from the administration*

(c) The following Motion has been submitted in the name of Councillor Alan Macro:

The Cost of Care

Council notes that:

- 1) *More and more councils are struggling to balance their budgets due to the soaring costs of social care.*

Item 21: Notices of Motion

Motions submitted for debate at the Council meeting on 26 March 2024

- 2) *Funding from central government has been severely reduced by 60% since 2011 and council tax now funds over 60% of West Berkshire Council's budget. This is an untenable shift in financial responsibility.*
- 3) *Despite a 27 per cent real-terms reduction in core spending power for councils since 2010/11, children's social care budgets increased by £1.5 billion in the last year alone as councils fight to ensure children's safety and wellbeing.*
- 4) *In his first speech as Prime Minister in 2019, Boris Johnson stated that the Government would "fix the crisis in social care once and for all" but that promise has been broken. Since the General Election in 2019 there have been five Secretaries of State for Health and Social Care, none of whom have kept that promise.*
- 5) *This council is forecast to spend almost £92M on Adult Social Care in 2023/24. This equates to £1.76M per week, with the highest adult care package currently costing £7,025 per week.*
- 6) *West Berkshire Children and Family Services is forecast to spend £3.7M beyond its budget for Children's and Family Services in 2023/24. The increase is partly due to increasing costs of care packages and placements and also to the increasing numbers of children needing help. Some individual children's care packages are costing as much as £9,000 per week.*
- 7) *The number of children requiring Education and Health and Care Plans to meet their needs is increasing on a monthly basis. The Dedicated Schools Grant (DSG) is forecasting a spend of £4.9M beyond its budget for 2024/25.*
- 8) *A recent Carers Trust survey noted that one-in-eight unpaid carers were caring for an extra 50 hours a week or more over the past year.*
- 9) *NHS organisations and charities have warned that the Government's newly announced ban on migrant care workers bringing dependents with them to the UK risks deepening the care sector's recruitment and retention crisis.*

Council believes that:

- a) *The proper provision of social care for children and adults is the hallmark of a civilised society and should be placed on an equal footing with NHS care and funded accordingly.*
- b) *The role of unpaid carers should be financially recognised and valued for the work that they do.*
- c) *A shift towards preventative social care is essential, ensuring individuals can remain in their homes longer and children and families receive early support tailored to their needs.*

Item 21: Notices of Motion

Motions submitted for debate at the Council meeting on 26 March 2024

Council therefore resolves to:

To ask the CEO and the acting Leader of West Berkshire Council to write to the district's MPs asking them to:

- *Urge the Government to properly fund social care via national taxation rather than the regressive council tax which unfairly penalises people on lower incomes.*
- *Ask the Government to provide additional funding for adult and children's services, reducing demand, stabilising placements, and enhancing outcomes for children and families.*
- *Call on the Government to urgently reform carers allowance and to provide a package of support for unpaid carers.*
- *Call on the Government to reject any proposals to change visa rules for health and care workers that would reduce the number of care worker visas issued.*

(d) **The following Motion has been submitted in the name of Councillor Stuart Gourley:**

Thames Water Motion

Council notes that:

- *In the first weeks of March almost 3500 (of recorded) hours of raw sewage was discharged into waterways across West Berkshire from Thames Water foul water sewers*
- *Many Thames Water monitors were offline, these monitors are used to monitor storm discharge into our rivers and waterways leading to the full duration of sewage discharges into our water ways being unknown.*
- *The full impact felt by residents of West Berkshire due to Thames Water failing to maintain their infrastructure across the District has been extremely significant. The result of this infrastructure decline has been sewage floods into our roads and waterways, and in a wide range of houses, gardens, and businesses of West Berkshire residents.*
- *Many residents have had to live with the effects of foul water sewer flooding for over 3 months now, and not for the first time.*
- *Our rivers have had to cope with the effects of raw sewage discharges consistently for many, many months, and years.*
- *Council also recognises the critical work of volunteers, charities, flood forums and campaigners across West Berkshire, in supporting and improving the habitat of our waterways, and for campaigning for an end to sewage discharges into those waterways.*

Item 21: Notices of Motion

Motions submitted for debate at the Council meeting on 26 March 2024

Council believes that:

- *The local environment, wildlife, and everyone who uses our rivers deserve the highest possible protection.*
- *The Government has reduced funding to the Environment Agency by 50% over the last 10 years. This Council believes that the Environment Agency needs to be properly funded to allow them to investigate and enforce action on water companies lack of investment in critical infrastructure, and to prevent these discharges into our waterways, and residents' properties.*
- *The levels of action by Thames Water to resolve short and long term issues are not enough and a lot more needs to be done, and done sooner.*

Council therefore resolves:

- *to ask the CEO, and the acting Leader of West Berkshire Council to write to the Thames Water CEO and demand for an action plan to be put in place across West Berkshire to resolve issues urgently across the area, and to set up a regular meeting with the Executive Director - Place, and relevant Service Directors, and Senior Thames Water Leadership to monitor, and track action in line with the urgency of each situation.*
- *to ask the CEO, and the acting Leader of West Berkshire Council to write to our MPs and the Secretary of State for Environment, Food and Rural Affairs, and demand an increase in funding for the Environment Agency in order to ensure that enforcement action can be taken where sewage spills are a regular and ongoing occurrence from water companies.*
- *to ask the CEO, and the acting Leader of West Berkshire Council to write to our MPs, and the Secretary of State for Environment, Food and Rural Affairs, and ask them to urge the Government to undertake a review of OFWAT to ensure that it is fit for purpose and also ensure that proper regulation of the water Industry is undertaken.*

(e) The following Motion has been submitted in the name of Councillor Heather Codling:

Motion on support for Care Experienced People

Firstly the term 'care-experienced' refers to anyone who has been, or is currently, in care, or is from a looked-after background – at any stage in their life, no matter how short. This includes adopted children who were previously looked-after.

Item 21: Notices of Motion

Motions submitted for debate at the Council meeting on 26 March 2024

Council notes that:

- *Care-experienced people face significant barriers that impact them throughout their lives;*
- *Despite the resilience of many care-experienced people, society too often does not take their needs into account;*
- *It recognises that care experienced people are a group who are likely to face discrimination and stigma across many areas of their lives including housing, health, education, relationships, employment and in the criminal justice system;*
- *Care-experienced people may encounter inconsistent support in different geographical areas;*
- *As corporate parents, councillors have a collective responsibility for providing the best possible care and safeguarding for the children who are looked after by us as an authority;*
- *The Public Sector Equality Duty requires public bodies, such as councils, to eliminate unlawful discrimination, harassment, and victimisation of people with protected characteristics.*

Council believes that:

- *All corporate parents should commit to acting as mentors, hearing the voices of looked after children and young people and to consider their needs in any aspect of council work;*
- *Councillors should be champions of the children in our care and challenge the negative attitudes and prejudice that exists in all aspects of society;*
- *Councils have a duty to put the needs of disadvantaged people at the heart of decision-making through co-production and collaboration.*

This Council therefore resolves to ask that Executive consider the following proposals to ensure that:

- *Future decisions, services and policies made and adopted by the Council should be assessed through Equality Impact Assessments to determine the impact of changes on people with care experience, alongside those who formally share a protected characteristic.*
- *In the delivery of the Public Sector Equality Duty the Council includes care experience in the publication and review of Equality Objectives and the annual publication of information relating to people who share a protected characteristic in services and employment.*
- *This Council will treat care experience as if it were a Protected Characteristic.*

Item 21: Notices of Motion

Motions submitted for debate at the Council meeting on 26 March 2024

- *The Council continues to proactively seek out and listen to the voices of care experienced people when developing new policies.*

The Council also resolves:

- *To formally call upon all other bodies to treat care experience as a protected characteristic until such time as it may be introduced by legislation, and to adopt the corporate parenting principles.*

This page is intentionally left blank

Council – 26 March 2024

Item 22 – Member Questions

To Follow

This page is intentionally left blank