

Meeting of West Berkshire District Council

Thursday, 9 May, 2024

Summons and Agenda



To: All Members of the Council

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

on
Thursday, 9 May, 2024
at 7.00 pm



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

Date of despatch of Agenda: Tuesday, 30 April 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 within the last Municipal Year.
(Pages 9 - 10)

3. **PRESENTATIONS**

The Chairman to make presentations.
(Pages 11 - 12)



Agenda - Council to be held on Thursday, 9 May 2024 (continued)

4. ELECTION OF THE CHAIRMAN FOR THE MUNICIPAL YEAR 2024/2025

To elect the Chairman for the 2024/2025 Municipal Year.
(Pages 13 - 14)

5. ELECTION OF THE VICE-CHAIRMAN FOR THE MUNICIPAL YEAR 2024/2025

To elect the Vice-Chairman for the 2024/2025 Municipal Year.
(Pages 15 - 16)

6. MINUTES

The Chairman to sign as a correct record the Minutes of the Council meeting held on 29 February 2024 (To Follow) and 26 March 2024.
(Pages 17 - 32)

7. 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 33 - 34)

8. ELECTION OF THE STRONG LEADER OF THE COUNCIL

To elect the Strong Leader for the next three years.
(Pages 35 - 36)

9. APPOINTMENT OF THE EXECUTIVE BY THE LEADER OF THE COUNCIL FOR THE 2024/2025 MUNICIPAL YEAR

The Leader of the Council to announce the composition of the Executive for the 2024/2025 Municipal Year.
(Pages 37 - 38)

10. APPOINTMENT OF AND ALLOCATION OF SEATS ON COMMITTEES FOR THE 2024/25 MUNICIPAL YEAR

- The purpose of this report is to consider the appointment and allocation of seats on Committees for the next Municipal Year in accordance with the duty under section 15 of the Local Government Housing Act 1989, to ensure that this reflects the latest political make-up of the Council.
- The election of Councillors to West Berkshire Council usually takes place every four years but the political representation of members on committees needs to be considered on an annual basis.
- To agree the Council's Policy Framework for 2024/25 as set out in paragraph 5.22 of the report, reflective of the Policies reserved for Full Council.

(Pages 39 - 52)



Agenda - Council to be held on Thursday, 9 May 2024 (continued)

11. MEMBERSHIP OF OUTSIDE BODIES

For West Berkshire Council to make annual nominations to the following outside bodies:

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

(Pages 53 - 60)

12. MEMBER DEVELOPMENT PROGRAMME 2024/2025

To agree, the proposed Member Development Programme for 2024/25, which was considered and endorsed by the Member Development Group on 23 April 2024.
(Pages 59 - 66)

13. LICENSING COMMITTEE

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

(Pages 67 - 68)

14. PERSONNEL COMMITTEE

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

15. GOVERNANCE COMMITTEE

The Council is asked to note that since the last **ordinary** meeting of the Council, the Governance Committee met on 16 April 2024. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#).

16. 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.

17. SCRUTINY COMMISSION

The Council is asked to note that since the last **ordinary** meeting of the Council, the Scrutiny Commission met on 25 April 2024. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#).

18. HEALTH SCRUTINY COMMITTEE

The Council is asked to note that since the last **ordinary** meeting of the Council the Health Scrutiny Committee has not met.

Agenda - Council to be held on Thursday, 9 May 2024 (continued)

19. 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 2 May 2024. A copy of the Minutes of this meeting can be obtained from Democratic Services or via the [Council's website](#).

20. JOINT PUBLIC PROTECTION COMMITTEE

The Council is asked to note that since the last **ordinary** meeting of the Council the Joint Public Protection Committee has not met.

If you require this information in a different format or translation, please contact Ben Ryan on telephone 01635 503973.



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Item 1 – Apologies for Absence

Verbal Item

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Item 2 – Chairman’s Remarks

Verbal Item

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Item 3 – Presentations

Verbal Item

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Item 4 – Election of the Chairman for the Municipal Year 2024/2025

Verbal Item

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Council – 9 May 2024

**Item 5 – Election of Vice-Chairman for the
Municipal Year 2024/2025**

Verbal Item

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Agenda Item 6.

DRAFT

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

COUNCIL

MINUTES OF THE MEETING HELD ON

TUESDAY, 26 MARCH 2024

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

Also Present: Nigel Lynn (Chief Executive), Paul Coe (Executive Director – Adult Social Care), Joseph Holmes (Executive Director - Resources), Clare Lawrence (Executive Director - Place), Sarah Clarke (Service Director (Strategy and Governance)), Honorary Alderman Paul Bryant, Honorary Alderman Tony Linden, Honorary Alderman Anthony Stansfeld, Stephen Chard (Democratic Services Manager), Melanie Booth (Group Executive (Lib Dems)) and Benjamin Ryan (Democratic Services Officer)

Apologies for inability to attend the meeting: Councillor Antony Amirtharaj, Councillor Dennis Benneyworth, Councillor Lee Dillon, Councillor Paul Kander, Honorary Alderwoman Hilary Cole, Honorary Alderman Adrian Edwards, Honorary Alderman Rick Jones, Honorary Alderwoman Mollie Lock, Honorary Alderman Gordon Lundie, Honorary Alderman Graham Pask, Honorary Alderman Andrew Rowles, AnnMarie Dodds Executive Director – Childrens Social Care),

PART I

77. Chairman's Remarks

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

- Birchwood, Willows Edge and Notrees Care Home visits
- Greenfield House, Phoenix and Hungerford Resource Centre visits
- Invasion of Ukraine Memorial Event
- Hungerford Poetry Festival
- Magistrates Mock Trial Competition
- Thatcham Repair Café Visit

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

- Holocaust Memorial Event
- Newbury Repair Café

78. Minutes

The Minutes of the meeting held on 30 November 2023 were approved as a true and correct record and signed by the Chairman subject to the following amendment:

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- Within the Chairman's Remarks the reference to 'David Barlow' should state 'Councillor David Barlow'.

The Minutes of the meetings held on 19 December 2023 and 20 February 2024 were approved as true and correct records and signed by the Chairman.

79. **Declarations of Interest**

Councillor Carlyne Culver declared an interest in Agenda Items 19 and 20 as she was a member of Unison but reported that as her interest was a personal or another registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debates and vote on the matters.

80. **Petitions**

There were no petitions received.

81. **Public Questions**

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

82. **Membership of Committees**

Council **RESOLVED** to approve the following changes to the membership of Committees:

- Councillor Justin Pemberton replacing Councillor Owen Jeffery on the Licensing Committee.
- Councillor Jeremy Cottam replacing Councillor Louise Sturgess on the Licensing Committee.
- Councillor Billy Drummond replacing Councillor Louise Sturgess on the Governance Committee.
- Councillor Martin Colston replacing Councillor Laura Coyle as Mental Health Champion.
- Councillor Nigel Foot replacing Councillor Heather Codling on the Western Area Planning Committee.
- Councillor Stephanie Steevenson replacing Councillor Vicky Poole on the Thames Valley Police and Crime Panel.
- Councillor Martha Vickers appointed as alternative Member on the Thames Valley Police and Crime Panel.

83. **Motions from Previous Meetings**

Members noted the response to a Motion from Councillor Tony Vickers regarding Garage Blocks which had been tabled at a previous Council meeting. As the Motion had been discussed and responded to by the Executive at its meeting on 14 March 2024 it was not proposed to revisit the discussion on this item at this meeting.

Members noted the response to a Motion from former Councillor Steve Masters regarding the Rwanda Scheme which had been tabled at a previous Council meeting. As the Motion had been discussed and responded to by the Executive at its meeting on 14 December 2023 it was not proposed to revisit the discussion on this item at this meeting.

Members noted the response to a Motion from Councillor Adrian Abbs regarding 20 is Plenty which had been tabled at a previous Council meeting. As the Motion had been

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discussed and responded to by the Executive at its meeting on 2 November 2023 it was not proposed to revisit the discussion on this item at this meeting.

84. **Licensing Committee**

The Council noted that, since the last ordinary meeting of the Council, the Licensing Committee met on 8 January 2024.

85. **Personnel Committee**

The Council noted that, since the last ordinary meeting of the Council, the Personnel Committee met on 26 February 2024.

86. **Governance Committee**

The Council noted that, since the last ordinary meeting of the Council, the Governance Committee met on 29 January 2024.

87. **District Planning Committee**

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

88. **Scrutiny Commission**

The Council noted that, since the last ordinary meeting of the Council, the Scrutiny Commission met on 18 January 2024 and 6 February 2024.

89. **Health Scrutiny Committee**

The Council noted that, since the last ordinary meeting of the Council, the Health Scrutiny Committee met on 12 December 2023 and 12 March 2024.

90. **Health and Wellbeing Board**

The Council noted that, since the last ordinary meeting of the Council, the Health and Wellbeing Board met on 7 December 2023 and 22 February 2024.

91. **Joint Public Protection Committee**

The Council noted that, since the last ordinary meeting of the Council, the Joint Public Protection Committee met on 11 December 2023 and 11 March 2024.

92. **2024/25 West Berkshire Council Timetable of Public Meetings (C4445)**

The Council considered a report (Agenda Item 17) concerning the 2024/25 West Berkshire Council timetable of public meetings.

MOTION: Proposed by Councillor Jeff Brooks and seconded by Councillor Denise Gaines:

That the Council:

“Approve the timetable of public meetings for the 2024/25 Municipal Year”.

Councillor Brooks introduced the report by explaining that Members should be familiar with the timetable and that on the request of Councillor Owen Jeffrey most meetings, apart from the Licensing Committee, had been moved from a Monday evening to limit the number of clashes with Town and Parish Council meetings. Councillor Brooks thanked Stephen Chard and the Democratic Services Team for their hard work and added that it was business as usual.

Councillor Gaines had no further comments.

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Councillor Brooks added that the Executive meeting would start at 6pm going forward to allow for a full workday, which would help some Members attend.

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

93. **Establishment of Joint Committee - Berkshire Prosperity Board (C4499)**

The Council considered a report (Agenda Item 18) concerning the establishment of a Joint Committee – the Berkshire Prosperity Board.

MOTION: Proposed by Councillor Louise Sturgess and seconded by Councillor Jeff Brooks:

That the Council:

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

- 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.
- 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).
- 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 would be given to the six Berkshire Authorities from Government to replace LEP funding.

It is further recommended that Council:

- Approve the terms of reference for the BPB as set out in Appendix A to be added to the Constitution.
- 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.”

Councillor Sturgess introduced the report by explaining that the BPB had been set up in agreement with six Local Authorities: West Berkshire Council, Wokingham Borough Council, Reading Borough Council, Royal Borough of Windsor and Maidenhead, Slough Borough Council and Bracknell Forest Council. The BPB had six main aims which were health and inequalities, education and skills, affordable housing, strategic infrastructure, net zero and West Berkshire Council leading on sector development. The Councillor explained that in terms of funding, £240,000 per year would be received from the Government, which would replace the Local Enterprise Partnership (LEP) funding. £80,000 would be allocated to the program management elements of the Board, such as staffing with the accountable body. In addition, each authority was asked to contribute £10,000 of Revenue and £20,000 of UK SPF funding in 2024. The BPB would be set out with funding agreed for a year and then reviewed prior to 2025. Councillor Sturgess emphasised the strategic strength of the unitary authorities working together to make bids for major funding which was a key reason for the initiative and stated that although the needs varied in demand, historic connections meant the BPB would work well and help deliver for West Berkshire.

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Councillor Adrian Abbs queried the £80,000 figure for staffing as he felt this would not be adequate for six large councils.

Councillor Howard Woollaston questioned the quorum of six for the BPB, as he believed this would make the group unworkable, as there was no mention of an alternative Member.

Councillor Tony Vickers praised the collective effort and supported the exercise in co-operation, which he believed could reduce costs and staffing requirements.

Councillor Ross Mackinnon supported the report and highlighted it was the brainchild of Central Government. The Councillor hoped that if staffing was to be cut the Council could find new positions for staff. Councillor Mackinnon reiterated Councillor Woollaston's comments and asked the Executive to take them on board.

Councillor Brooks explained that the BPB was in no way a precursor to reforming Berkshire County Council. The BPB was to start small with a programme manager and would develop from there. The Councillor expressed that the LEP had not been effective in reporting to Council, although he acknowledged that it had delivered on schemes such as improvements to Newbury and Theale train stations. Councillor Brooks defended the quorum, as it would require all Members to be involved for the Board to function properly, however deputy leaders could be sent in absence of the leaders. It was noted that the BPB was not set up to eliminate jobs, but to develop bids for central government, a potential example being to improve the district's high streets.

Councillor Sturgess had no further comments.

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

94. **Statutory Pay Policy 2024/25 (C4491)**

The Council considered a report (Agenda Item 19) concerning the Statutory Pay Policy 2024/25.

MOTION: Proposed by Councillor Jeff Brooks and seconded by Councillor Ian Cottingham:

That the Council:

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

Councillor Brooks proposed the following **AMENDMENT**, which was seconded by Councillor Cottingham:

That the Council:

"It is recommended that Council adopt and approve the Statutory Pay Policy Statement for publication. It is further recommended that the Council delegate authority **to the Service Director, Strategy & Governance to update the Statutory Pay Policy to reflect any changes as a result of the pay award and to reflect any changes to the senior management structure**".

Councillor Brooks introduced the report by stating that each year the Council reviewed its pay policy. The Councillor explained that the review of the senior pay scales would happen for the 2025-2026 Pay Policy.

Councillor Carlyne Culver asked for the costing of the senior management restructure within the previous years for the Scrutiny Commission as this was promised to be cost neutral, however costs had become higher. The Councillor expressed concern for the

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junior levels of staffing, as it was believed that more pay would increase recruitment and retention. She respected senior members of staff, however there were significant levels of staff sickness due to stress. Councillor Culver added that several members of staff found it necessary to have second jobs.

Councillor Cottingham emphasised the importance of transparency and compliance, which was in the report and highlighted section four which gave an indicator of the ratios between the highest, lowest, and median pay levels. The Councillor indicated that the Council received benchmarking from Hayes, which had been taken on board to make sure the Council paid the appropriate salaries.

Councillor Brooks agreed to consider the issue of the restructuring costs. The Councillor agreed that West Berkshire Council had excellent senior staff, which encouraged better outcomes especially in regard to transformation. It was highlighted that there were other incentives that could be explored to attract and keep staff as it made no sense to continuously hire temporary workers.

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

95. **Creation of Service Director for Delivering Better Value and SEND Transformation (C4505)**

The Council considered a report (Agenda Item 20) proposing the create of a Service Director for Delivering Better Value and SEND Transformation.

MOTION: Proposed by Councillor Heather Codling and seconded by Councillor Ian Cottingham:

That the Council:

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

Councillor Codling introduced the report, emphasising the need for the Delivering Better Value in Special Educational Needs and Disabilities (DBV in SEND) program. Launched in 2021, this initiative had reached its crucial third phase, aiming to tackle the financial challenges faced by local authorities dealing with deficits in the high needs block. The goal was not just to ease financial strain but also to improve the efficiency and effectiveness of operations in the broader SEND system. The proposed solution involved creating a service director role dedicated to overseeing the DBV in SEND program for one year. Funding for this position would come from the DBV grant, ensuring financial sustainability and accountability.

Councillor Carlyne Culver expressed concerns about the looming threat of the high needs block deficit, potentially leading to a Section 114 notice. She sought clarification on the expected outcomes of the proposed role, its integration within the Council structure, and emphasised the need for robust evaluation mechanisms.

Councillor Paul Dick echoed these concerns, highlighting the historical trend of overspending on SEND and advocating for recruiting skilled personnel to improve service delivery.

Councillor Adrian Abbs expressed scepticism about using grant funds, emphasising the need to carefully evaluate previous tranches and adopt a cautious approach to expenditure.

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Councillor David Marsh felt there was a greater need for increased funding for frontline services rather than at a senior management level.

Councillor Dominic Boeck expressed the need for careful consideration when allocating resources, particularly the significant budget for the new service director role. It was important to ensure the optimal use of funds.

Councillor Brooks voiced support for the proposal, trusting in AnnMarie Dodds' leadership and endorsing her vision for transforming SEND services. He emphasised the potential of the proposed role to drive meaningful change and pledged thorough oversight of outcomes.

Councillor Biyi Oloko sought clarification on logistical aspects, particularly regarding staff recruitment and its impact on the service director's tenure.

Councillor Cottingham reiterated the challenges posed by the high proportion of children requiring SEND support. He emphasised the need for preventive measures and addressing underlying issues while supporting broader transformation efforts.

Councillor Codling provided further insight into the proposed service director role, emphasising the need for collaboration with other local authorities and outlining specific responsibilities. She reiterated the importance of reducing costs while improving service delivery. Councillor Codling assured attendees that comprehensive evaluation frameworks would be developed after the service director was appointed, ensuring accountability and effectiveness.

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

96. Notices of Motion

Councillor Ross Mackinnon raised a point of order regarding the procedure for referring motions to the Executive. He referenced Part Three of the Constitution, Paragraph 12.6.1, which suggested that motions falling within the Executive's remit should be referred without debate. Councillor Mackinnon proposed that the motions to be considered should be referred to the Executive based on this provision. Mrs Sarah Clarke advised that it was within the Council's purview to request the Executive's consideration on matters falling within their remit. Councillor Mackinnon queried the criteria used to determine whether motions should be debated in Council or referred to the Executive. Mrs Clarke explained that the decision relied on legal advice and considerations of whether the matters were within the Council's interest or beyond its remit. She assured that the motions scheduled for debate were appropriately within the Council's purview.

Councillor David Marsh reflected on the past practice of referring motions to the Executive and expressed surprise at the current inclination towards debating more motions in Council. The Councillor welcomed the shift towards increased debate in the Council Chamber, aligning with residents' expectations of democratic engagement.

The Council considered the under-mentioned Motion (Agenda item 21(e) refers) submitted in the name of Councillor Heather Codling relating to Care Leavers Protected Characteristic.

MOTION: Proposed by Councillor Codling and seconded by Councillor Justin Pemberton:

"Care Leavers Protected Characteristic

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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.

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

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- *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.”*

Councillor Codling expressed enthusiasm in bringing the motion forward, acknowledging the presence of care-experienced young people observing the proceedings via YouTube. She began by referencing the MacAlister report of 2022, an independent review of children's social care, which recommended that care experience be recognized as a protected characteristic. Councillor Codling highlighted the significant challenges and discrimination faced by care leavers throughout their lives, citing statistics from the review. She emphasised the Council's responsibility as corporate parents to support and nurture care-experienced individuals, ensuring they have the opportunity to reach their full potential. Councillor Codling concluded by urging the Council to support the motion and adopt its recommendations.

Councillor Pemberton, as a foster carer himself, expressed his deep commitment to protecting vulnerable young people. He acknowledged the ongoing nationwide movement advocating for the protection of rights for care-experienced individuals and emphasised the importance of the motion. Councillor Pemberton shared personal insights into the challenges faced by care leavers, highlighting the need for meaningful policies and support systems to aid their transition into independence. He urged all Councillors, regardless of political allegiance, to support the motion and ensure equality of opportunity for care-experienced people.

Councillor Boeck expressed satisfaction to see the motion presented before Council. He did however question the need to progress this via a motion. Despite agreeing with the importance of caring for children in care, Councillor Boeck felt the motion reiterated existing responsibilities of elected members as corporate parents. He raised concerns about the proposal for all councillors to act as mentors for care-experienced individuals, noting the specialised skills and understanding required for successful mentoring. Councillor Boeck questioned the effectiveness of adding a new tick box to the equality impact assessment form, suggesting that action could be taken without the need for a motion.

Councillor Read highlighted a recent study reported in The Guardian regarding the increased risk of care-experienced children entering the youth justice system. He shared statistics from the study, emphasising the challenges faced by care-experienced individuals, including excessive surveillance, unfair targeting for enforcement, mental health issues, and struggles in education. Councillor Read felt there was a disproportionate impact on care-experienced children and the failure of existing systems to support them effectively. The Councillor quoted David Graham, the national director of The Care Leavers Association, who had expressed concern over the high percentage of care-experienced children entering the youth justice system. Councillor Read concluded by urging action to support vulnerable young people as effectively as possible.

Councillor Paul Dick highlighted his experience as a teacher, headteacher, magistrate, and Chairman of the YMCA in Reading. He agreed with the sentiments put forward by the proposer and seconder of the motion and questioned the need for further debate, suggesting that the motion should be passed without delay.

Councillor Jeffery emphasised the importance of ensuring clarity in communication. He reassured Councillor Boeck regarding the role of mentors, citing the example of former Councillor, Mollie Lock, who had advocated for all Councillors to act as corporate parents. Councillor Jeffery highlighted the significance of the motion in sending a

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message of support to care-experienced individuals and commended the Council for engaging in debates on crucial issues. He acknowledged the efforts of Councillor Dick and expressed appreciation for his contributions.

Councillor Brooks acknowledged the historical context provided by Councillor Jeffery and expressed satisfaction with the direction of the debate. He urged the Council to pass the motion, highlighting the positive message it would send to care-experienced individuals. Councillor Brooks questioned the reluctance of some Members to engage in the discussion and emphasized the importance of taking action to address the issues raised.

Councillor Mackinnon noted the apprehension expressed by some Members but emphasised the importance of the motion in raising awareness and encouraging positive behaviour. He highlighted the support from other local authorities for similar motions and urged the Council to move forward with it.

Councillor Codling thanked the Council for the constructive debate and clarified that the motion was about addressing real issues. She emphasised the diverse forms that mentoring could take and expressed openness to providing training for Councillors interested in mentoring.

The Motion was put to the vote and declared **CARRIED**.

The Council considered the under-mentioned Motion (Agenda item 21(a) refers) submitted in the name of Councillor Justin Pemberton relating to Pets as Prizes.

MOTION: Proposed by Councillor Pemberton and seconded by Councillor Louise Sturgess:

"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.*

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- 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.*"

Councillor Pemberton recounted how residents had contacted him regarding the practice of giving pets as prizes, which shocked him. Referring to statistics from a poll conducted by Savanta on behalf of the RSPCA, he highlighted public concern over the outdated practice. Councillor Pemberton emphasised the welfare needs of pets and the responsibilities associated with their ownership. He commended West Berkshire Council for having banned giving pets as prizes on public land but argued that further action was necessary. He proposed extending the ban to events organized by town and parish councils and urged the Government to update legislation to prevent the practice entirely.

Councillor Ross Mackinnon expressed scepticism about the necessity of the motion, noting that the Council had already banned pets as prizes on public land. He questioned the need for further action and suggested leaving such decisions to individual town and parish councils. He shared concerns about pets being given as prizes, but questioned the relevance of the motion given the existing measures in place.

Councillor David Marsh gave his support for the motion and emphasised its importance in sending a clear message about animal welfare. He highlighted plans to bring the proposal to Newbury Town Council and expressed optimism about its potential impact.

Councillor Carlyne Culver voiced support for the motion and assured attendees that the upcoming Sheep Fair in East Ilsley would not involve giving away sheep as prizes. The Councillor criticised the lack of support for previous animal welfare initiatives, such as the Hedgehog petition, and called for updates on those matters.

Councillor Sturgess thanked fellow Councillors for their support and stressed the importance of collective action in advocating for animal welfare. She cited the strength in numbers and hoped that the motion would contribute to achieving an outright ban on giving pets as prizes. Reflecting on personal experiences and memories of seeing pets given away as prizes, she reiterated the need for protecting animals from unnecessary suffering.

Councillor Pemberton expressed gratitude for the support from Members. He highlighted the need for the motion, emphasising its dual purpose of urging town and parish councils to take action and pressuring the Government to update legislation. The Councillor stressed the importance of addressing the issue and urged for proactive measures to protect animal welfare.

The Motion was put to the vote and declared **CARRIED**.

The Council considered the under-mentioned Motion (Agenda item 21(b) refers) submitted in the name of Councillor Adrian Abbs relating to the Bond Riverside Culvert.

The Chairman informed the Council that should the motion be approved; under Procedural Rule 12.6.1 it would be referred to the Environmental Advisory Group and the Executive for consideration.

MOTION: Proposed by Councillor Abbs and seconded by Councillor Carlyne Culver:

"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.

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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*
- *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.*
- *Create a critical path committee made up of key stakeholders whose focus is drainage issues associated with the Culvert.*
- *The team reporting back to the Council on findings associated with ideas and plans coming from the Administration”*

Councillor Abbs spoke to the motion, noting its alignment with liberal principles of inclusion and consultation. He emphasised the need for a critical path committee to address the prominent issue concerning the culvert near Tesco. Councillor Abbs highlighted the extensive drainage area and the importance of mitigating potential problems through proactive measures. He advocated for Council to aid decision-making and facilitate the development of areas like Bond Riverside, in line with sustainable drainage policies.

Councillor Stuart Gourley sought to clarify several points regarding the motion. He addressed misconceptions about the Tesco culvert blocking development and emphasised the Council's commitment to finding solutions to drainage issues. Councillor Gourley stated the importance of sustainable drainage in all developments, including Bond Riverside, and highlighted ongoing discussions with the Environment Agency for flood alleviation funding. He reaffirmed the Council's dedication to collaborative efforts in achieving the regeneration of Bond Riverside.

The Motion was put to the meeting and duly **RESOLVED** that it would be considered by the Environmental Advisory Group and then the Executive.

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The Council considered the under-mentioned Motion (Agenda item 21(c) refers) submitted in the name of Councillor Alan Macro relating to the Cost of Care.

MOTION: Proposed by Councillor Macro and seconded by Councillor Heather Codling:

"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.*
- 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.*

Council therefore resolves 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.*

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- *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."*

Councillor Macro addressed the Council, highlighting that 65% of next year's budget would be allocated to the People's Directorate, mainly for Children and Family Services and Adult Social Care. He emphasised the forecasted dramatic increase in spending due to rising demands and costs associated with caring for individuals with disabilities. Despite the vital nature of these services, they received a disproportionate share of the budget compared to more visible services like waste management and road maintenance. Councillor Macro pointed out the decline in Government funding over the past decade and the financial burden placed on council taxpayers. He also highlighted the challenges faced by unpaid family carers and the need for urgent reform in social care funding.

Councillor Adrian Abbs thanked Councillor Macro for bringing the motion forward, acknowledging the urgent need for funding reform in social care.

Councillor Codling expressed support for the motion and emphasised the increasing pressure on Council budgets due to rising costs in high need areas.

Councillor Macro concluded by expressing gratitude for the discussion and support for the motion.

The Motion was put to the vote and declared **CARRIED**.

The Council considered the under-mentioned Motion (Agenda item 21(d) refers) submitted in the name of Councillor Stuart Gourley relating to Thames Water.

MOTION: Proposed by Councillor Gourley and seconded by Councillor Nigel Foot:

"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.*

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- *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.*

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."*

Councillor Gourley initiated the discussion by presenting a comprehensive overview of the sewage discharge crisis affecting various regions within West Berkshire. He cited specific areas such as Newbury, Clay Hill, Lambourn, and others that had been adversely impacted by contamination. Councillor Gourley highlighted the detrimental effects on public health, local ecosystems, and community well-being caused by prolonged exposure to sewage pollutants. This was an urgent situation, calling for immediate action to address the issue.

Councillor Ross Mackinnon expressed concern about the Council's procedural approach to addressing the sewage crisis. He advocated for swift intervention without the need for formal motions, citing the urgency of the situation and the imperative to prioritise practical solutions over bureaucratic processes.

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Councillor Phil Barnett provided additional insights into the extent of sewage contamination across West Berkshire. The Councillor stated the urgent need for intervention to alleviate the distress faced by affected residents and mitigate environmental damage.

Councillor Nick Carter voiced strong support for the motion, commending Councillor Gourley for bringing attention to the critical issue. He emphasised the Council's responsibility to safeguard public health and the environment, urging collaborative efforts to address sewage contamination effectively.

Councillor Howard Woollaston reiterated the urgency of the situation and questioned the need for prolonged debate. He urged Members to prioritise action over deliberation and emphasised the imperative of immediate solutions to mitigate the impact of sewage discharges on affected communities.

Councillor Tony Vickers stated the importance of thorough debate within the Council to demonstrate leadership and accountability. He commended Councillor Gourley for initiating discussion on a pressing environmental issue and urged Members to support proactive measures to address sewage contamination effectively.

Councillor Adrian Abbs raised concerns about the Council's resource allocation and prioritization of agenda items. He called for equitable debate practices to ensure that all pressing issues receive due attention and action from Council members.

Councillor Nigel Foot explained that since leaving the EU the government had allowed companies such as Thames Water to discharge water into the seas and rivers. The Councillor quoted the Office for Environmental Protection, which stated that the government were 'largely off track' in regard to their environmental goals and urged the policies to be implemented quickly. Councillor Foot argued that the state of the sewage treatment system was unacceptable for 2024, recalling raw sewage within resident's gardens.

Councillor Gourley concluded the discussion by reaffirming the urgency of addressing the sewage crisis in West Berkshire. He urged Members to support the motion, emphasising the need for collective action to hold responsible parties accountable and implement effective measures to mitigate contamination.

The Motion was put to the vote and declared **CARRIED**.

97. 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 9.20 pm)

CHAIRMAN

Date of Signature

Council – 9 May 2024

Item 7 – Declarations of Interest

Verbal Item

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Council – 9 May 2024

Item 8 – Election of the Strong Leader of the Council

Verbal Item

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Council – 9 May 2024

**Item 9 – Appointment of the Executive by
the Leader of the Council for the 2024/2025
Municipal Year**

Verbal Item

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Appointment of and Allocation of Seats on Committees for the 2024/25 Municipal Year

Committee considering report:	Council
Date of Committee:	9 May 2024
Portfolio Member:	Councillor Jeff Brooks
Date Portfolio Member agreed report:	25 April 2024
Report Author:	Sarah Clarke
Forward Plan Ref:	C4555

1 Purpose of the Report

- 1.1 The purpose of this report is to consider the appointment and allocation of seats on Committees for the next Municipal Year in accordance with the duty under section 15 of the Local Government Housing Act 1989, to ensure that this reflects the latest political make-up of the Council.
- 1.2 The election of Councillors to West Berkshire Council usually takes place every four years but the political representation of members on committees needs to be considered on an annual basis.
- 1.3 To agree the Council's Policy Framework for 2024/25 as set out in paragraph 5.22 of the report, reflective of the Policies reserved for Full Council.

2 Recommendations

- 2.1 That 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 5.1 are to be regarded as Members of the Liberal Democrat Group, Conservative Group and Minority Opposition Group respectively.
- 2.2 That the Council agrees to the appointment of the various Committees and to the number of places on each as set out in Table A, at paragraph 5.4.
- 2.3 That the Council agrees to the allocation of seats to the Political Groups in accordance with section 15(5) of the Local Government Act 1989 as set out in Table B at paragraph 5.14 of the report.
- 2.4 That the number of substitutes on each of the Committees and Commissions be as set out in Table C, at paragraph 5.17.

- 2.5 In respect of the District and Area Planning Committees, the substitute Members are all drawn from Members representing wards within the Committee’s area who are not appointed to the Committee. Where substitutes attend the District Planning meeting they need to be drawn from the same Area Planning meeting as the Member they are substituting for.
- 2.6 That the Council approves the appointment of Members to the Committees as set out in Appendix A and the appointments to Task Groups and Panels set out in Appendix B which are in accordance with the wishes of the Political Groups. Council notes the Membership of the bodies set out in Appendix C.
- 2.7 That the Council, in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended, agrees that the Council’s Policy Framework for 2024/25 be as set out in paragraph 5.22 of this report, and that any necessary amendments be made to the Council’s Constitution.
- 2.8 That the Council notes that other plans, policies and strategies requiring approval which are not included in the approved Policy Framework and which are not otherwise reserved by law to Council, will be the responsibility of the Council’s Executive in accordance with the Local Government Act 2000.
- 2.9 That the Council notes that Paragraph 6.2 of Article 6 of the Constitution will be amended to reflect any changes made to the Executive by the Leader of the Council at the Annual Council meeting.
- 2.10 That the appointment of two non-voting co-opted Parish/Town Councillors be made to the Governance Committee as detailed in Appendix A.
- 2.11 To re-appoint three Independent Persons (standards) namely Lindsey Appleton, Mike Wall and Alan Penrith, and to appoint Simon Carey as an Independent Person (Audit) to focus on the risk and audit functions of the Governance Committee.
- 2.12 To note the membership of the Health and Wellbeing Board as set out in Appendix C.
- 2.13 That authority be delegated to the Monitoring Officer to make any changes required to the Constitution as a result of the changes to the number of Members of the Council and following the appointments to Committees.
- 2.14 Council is asked to note the Council Bodies Rules as detailed at Part 6 of the Constitution, that are available via the link at Appendix E.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	No new implications arising from this report. Members Allowances are met from within existing budgets in accordance with the proposals agreed by Council.

Human Resource:	None			
Legal:	The allocation of seats to the Political Groups is in accordance with section 15(5) of the Local Government Act 1989 and related regulations mentioned in the report.			
Risk Management:	None			
Property:	None			
Policy:	The appointments and allocations will be made in accordance with the Council's statutory obligations. The Council's Policy making framework is reviewed annually.			
	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		
Consultation and Engagement:	The political groups have been consulted on aspects of this report.			

4 Executive Summary

- 4.1 This report sets out the membership of the Political Groups, the proposed size and membership of the Committees as well as the number of substitutes to be appointed for each of the bodies. It also sets out the 2024/25 Policy Framework.
- 4.2 The Council is required to appoint Committees and other Member bodies that are not part of the Executive. Membership of the Council's Committees is agreed annually at the May Council meeting.
- 4.3 Appointments to the Executive are a matter reserved to the Leader of Council, and are therefore not included in this report.

5 Supporting Information

Political Groups

- 5.1 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, the under-mentioned Members have given notice of their wish to be regarded as Members of the Political Groups set out below.

Liberal Democrat Group	Conservative Group	Minority Group
Antony Amirtharaj	Dennis Benneyworth	Adrian Abbs
Phil Barnett	Dominic Boeck	Carolyne Culver
Jeff Brooks	Paul Dick	David Marsh
Nick Carter	Clive Hooker	Clive Taylor

Patrick Clark	Paul Kander	
Heather Codling	Jane Langford	
Martin Colston	Ross Mackinnon	
Jeremy Cottam	Biyi Oloko	
Iain Cottingham	Richard Somner	
Laura Coyle	Jo Stewart	
Lee Dillon	Howard Woollaston	
Billy Drummond		
Nigel Foot		
Denise Gaines		
Stuart Gourley		
Owen Jeffery		
Janine Lewis		
Alan Macro		
Geoffrey Mayes		
Erik Pattenden		
Justin Pemberton		
Vicky Poole		
Chris Read		
Matthew Shakespeare		
Stephanie Steevenson		
Louise Sturgess		
Martha Vickers		
Tony Vickers		

5.2 It is proposed at recommendation 2.1, 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.

Appointment of Committees

5.3 In accordance with Paragraph 4.2.2 of the Constitution, the Council is required to appoint Committees and other Member bodies that are not part of the Executive or its sub-committees.

5.4 It is proposed that Council appoint the Committees set out in Table A, with the number of places shown for each.

Table A

Body	Number of Seats
Scrutiny Commission	9

Licensing Committee	12
District Planning Committee	11 <i>(five members of the Eastern Area Planning Committee and five Members of the Western Area Planning Committee as well as the Portfolio Holder for Planning)</i>
Eastern Area Planning Committee	9
Western Area Planning Committee	9
Personnel Committee	5
Appeals Panel	12
Governance Committee	9 <i>(two co-opted, non voting Parish Councillors and an Independent Person (Audit) will also be appointed to this Committee)</i>
Health Scrutiny Committee	5 <i>(Will additionally include two non-voting co-optees)</i>
Total	81

- 5.5 The Health and Wellbeing Board is subject to its own Membership requirements and is therefore not included in the above table. The boundaries for the Eastern and Western Area Planning Committees are set out in Appendix C.
- 5.6 In addition to the Committees in Table A above, the Council has appointed a Joint Public Protection Committee and a Joint Health Overview and Scrutiny Committee. West Berkshire Council has two seats on the Joint Health Overview and Scrutiny Committee and three seats on the Joint Public Protection Committee. Appointments to the Joint Public Protection Committee are in accordance with the Inter Authority Agreement, which states that this will reflect the political balance of the Council.
- 5.7 It is proposed that 12 Members be appointed to the Licensing Committee and the Appeals Panel, to ensure that there is a sufficient pool of Members trained and available to undertake the work of these Committees which frequently sit as a Sub-Committee or Panel.

- 5.8 It is recommended (at 2.2) that the Council agrees to the appointment of the various Committees and to the number of places on each as set out in Table A.
- 5.9 It is recommended (at paragraph 2.13) that authority be delegated to the Monitoring Officer to make any changes required to the Constitution as a result of the changes to the number of Members of the Council and following the appointments to Committees.
- 5.10 The Rules for Council Bodies were recently reviewed and approved by Council as part of the Constitution Review, and these are attached to this report for information at Appendix D.

Allocation of Seats

5.11 The political balance of the Council currently stands as follows:

	Number of Members No.	Political Composition %
Liberal Democrat Group	28	65.12%
Conservative Group	11	25.58%
Minority Group	4	9.3%
TOTAL	43	100

5.12 In allocating seats on Committees, the Council must give effect to the requirements for political balance on Committees as prescribed by section 15 of the Local Government and Housing Act 1989. These requirements apply only to voting members of the Committee.

5.13 This section creates a sequential test that must be adhered to when allocating seats to the Committees of Council, which provides as follows:

- (1) Not all seats on any Committee are to be allocated to the same political group.
- (2) The majority of seats on any Committee must be allocated to the majority group.
- (3) Subject to the satisfaction of the above statutory criteria, the total number of seats on ordinary Committees must be allocated to political groups in the same proportion as their representation on the Council.
- (4) Subject to all the above, the number of seats on each Committee must be the same proportion as the political group’s representation on full Council.

5.14 Having regard to the above, it is proposed that the seats on Committees should be allocated as follows:

Table B				
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Committee	Total Number of Seats	Liberal Democrat Group	Conservative Group	Minority Group
Scrutiny Commission	9	5	3	1
Health Scrutiny Committee	5	4	1	0
Licensing Committee	12	7	3	2
District Planning Committee	11	8	2	1
Eastern Area Planning Committee	9	5	3	1
Western Area Planning Committee	9	5	3	1
Personnel Committee	5	4	1	0
Appeals Panel	12	9	3	0
Governance Committee	9	6	2	1
<i>Number of committee seats based on % of Council</i>		52.8	20.7	7.5
Number of Seats Allocated	81	53	21	7
<i>Percentage of Seats on Council</i>		65.1%	25.6%	9.3%
Percentage of Seats Allocated	100%	65.4%	25.9%	8.7%

5.15 It is recommended that the Council agrees to the allocation of seats to the Political Groups in accordance with section 15(5) of the Local Government Act 1989 as set out in Table B above.

Substitutes

5.16 The Council is also required to determine the number of substitute Members that may be appointed in respect of each Committee.

5.17 The proposed number of substitutes for each Committee is detailed in Table C below.

Table C	
Scrutiny Commission	Up to 3 per Political Group
Health Scrutiny Committee	Up to 2 per Political Group on the Committee
Area Planning Committees	Up to 3 per Political Group
District Planning Committee	Up to 4 per Political Group – 2 from the Eastern Area of the District and 2 from the Western Area of the District
Licensing Committee	No substitutes permitted
Personnel Committee	Up to 2 per Political Group on the Committee
Appeals Panel	No substitutes permitted
Governance Committee	Up to 2 per Political Group

5.18 In respect of the District and Area Planning Committees, the substitute Members are all drawn from Members representing wards within the Committee's area who are not appointed to the Committee. Where substitutes attend the District Planning meeting they need to be drawn from the same Area Planning meeting as the Member they are substituting for.

5.19 It is proposed that the number of substitutes on Committees and Commissions be approved as set out in Table C.

Appointment to Committees

5.20 Appendix A is a full list of Committees and the nominations from each Political Group, including the Joint Public Protection Committee and the Buckinghamshire, Oxfordshire and Berkshire West Joint Health Overview and Scrutiny Committee.

5.21 It is proposed that the Council approves the appointment of Members to the Committees as set out in Appendix A, and the appointments set out in Appendix B which are in accordance with the wishes of the Political Groups.

Planning and Policy Framework

5.22 It is recommended that, in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended, the proposed Budget and Policy Framework for 2024/25 (Policies etc reserved to Council) contains the Budget, Policies, Plans and Strategies set out below:

- Investment and Borrowing Strategy;
- Medium Term Financial Strategy;
- Capital Strategy;
- Revenue Budget;
- Council Strategy;
- Local Transport Plan;
- Licensing Policy;
- Gambling Policy;
- Plans and strategies which together comprise the Development Plan;
- Joint Local Health and Wellbeing Strategy;
- Statutory Pay Policy Statement;
- Property Investment Strategy.

5.23 Other plans, policies and strategies requiring approval which are not included in the approved Policy Framework and which are not otherwise reserved by law to Council, will be the responsibility of the Council's Executive in accordance with the Local Government Act 2000.

Executive

5.24 Council are asked to note that the Constitution will be amended to reflect any changes made to the Executive Portfolios by the Leader of the Council announced at this Annual Council meeting.

Governance Committee

5.25 In addition to the elected Members who will be appointed on a proportional basis to the Governance Committee, it is recommended that two co-opted non-voting Parish/Town Councillors also be appointed. In addition two substitute (and also non-voting) Parish/Town Councillors will also be appointed to provide continuity.

5.26 It is also proposed that the Advisory Panel and three Independent Persons be retained.

5.27 Following the Redmond Review, it is also recommended that the Council appoint an Independent Person (Audit) to focus on the risk and audit functions of the Governance Committee. Details of the proposed re-appointment of Simon Carey to continue to fulfil this role during the municipal year 2024/25, are set out in the recommendations and at Appendix A.

- 5.28 It is recommended that Council appoint as non-voting co-opted Parish/Town Councillors to the Governance Committee the parish council representatives, and the substitute parish council representatives as detailed in Appendix A.
- 5.29 It is also proposed that Council re-appoint three Independent Persons namely Lindsey Appleton, Alan Penrith, and Mike Wall to assist with Standards matters.

Health and Wellbeing Board

- 5.30 The Health and Wellbeing Board is created under the relevant provisions of the Health and Social Care Act 2012. A number of regulations linked to Committees have been dis-applied in relation to this Committee such as the proportionality rules and rules pertaining to voting.
- 5.31 The membership of the Board is set out in Appendix C and a number of the Board Members have nominated a named substitute as set out in that Appendix.
- 5.32 Council is asked to note the membership of the Health and Wellbeing Board, including those Members nominated by the Leader of Council, which are set out in Appendix C.

6 Proposals

- 6.1 As detailed in this report, in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, 28 Members wish to be regarded as members of the Liberal Democrat Group, 11 Members wish to be regarded as members of the Conservative Group, and 4 Members wish to be regarded as members of the Minority Opposition Group.
- 6.2 Members, and where appropriate substitutes, will be appointed to 8 Committees totalling 81 seats. In this case 53 of these seats will be allocated to Liberal Democrat Members, 21 to Conservative Members and 7 to Minority Opposition Group. The Health and Wellbeing Board is not included in these appointments as it is subject to its own membership requirements.
- 6.3 It is proposed that the appointments to Committees are made in accordance with the wishes of the Political Groups and as fully set out in the recommendations and related Appendices.
- 6.4 The Council will continue to appoint two Parish/Town Councillors to the Governance Committee, three Independent Persons (Standards) and one Independent Person (Audit). Two substitute Parish/ Town Councillors will be appointed to the Governance Committee.

7 Other options considered

- 7.1 None as the Council is required to consider and review membership of committees on an annual basis.

8 Conclusion

- 8.1 Members are asked to agree the appointment of and allocation of seats on the Committees for the 2024/25 Municipal Year.
- 8.2 Members are asked to agree the Council's Policy Framework for 2024/25 as set out in Paragraph 5.22.

9 Appendices

- 9.1 Appendix A – Membership of Committees 2024/25 (To Follow)
- 9.2 Appendix B - Task Group and Panel Memberships 2024/25 (To Follow)
- 9.3 Appendix C – Membership of Health and Wellbeing Board (To Follow)
- 9.4 Appendix D - Wards covering each Planning Committee
- 9.5 Appendix E – Council Bodies Rules - [Part 6 - Council Bodies Rules - West Berkshire Council](#)

Background Papers:

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

Officer details:

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Tel No: 01635 519596
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Appendix D – Wards covering each Planning Committee

Wards within the Western Planning Area	Wards within the Eastern Planning Area
<i>Lambourn</i>	Basildon
Downlands	Pangbourne
Ridgeway	Bucklebury
Hungerford and Kintbury	Bradfield
Chieveley and Cold Ash	Aldermaston
Newbury Speen	Burghfield and Mortimer
Newbury Central	Theale
Newbury Wash Common	Tilehurst and Purley
Newbury Clay Hill	Tilehurst Birch Copse
Newbury Greenham	Tilehurst South and Holybrook
	Thatcham West
	Thatcham North East
	Thatcham Colthrop and Crookham
	Thatcham Central

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Appointments to Outside Bodies 2024/25

Committee considering report:	Council
Date of Committee:	9 May 2024
Portfolio Member:	Councillor Jeff Brooks
Date Portfolio Member agreed report:	25 April 2024
Report Author:	Sarah Clarke
Forward Plan Ref:	C4554

1 Purpose of the Report

- 1.1 The purpose of this report is to consider the appointment of seats on Outside Bodies for the next Municipal Year. Where necessary, such appointments must comply with the duty under section 15 of the Local Government Housing Act 1989, to ensure that these reflects the latest political make-up of the Council.
- 1.2 The election of Councillors to West Berkshire Council usually takes place every four years but appointment of members to a number of bodies needs to be considered on an annual basis.
- 1.3 These are:
 - Royal Berkshire Fire Authority
 - Thames Valley Police and Crime Panel
 - Local Government Association General Assembly

2 Recommendations

- 2.1 Council is requested to approve the appointments for the Municipal Year 2024/25, in accordance with Appendix A, of Member representatives to the following outside bodies:
 - Royal Berkshire Fire Authority
 - Thames Valley Police and Crime Panel
- 2.2 Council is also asked to note the appointments as detailed in Appendix A of Member representatives to the Local Government Association General Assembly.

3 Implications and Impact Assessment

Implication	Commentary			
Financial:	West Berkshire Council Members are not paid to attend Outside Body meetings, but any costs associated with meeting attendance will be met from within existing Members Allowances budget, where the Outside Body does not pay these costs.			
Human Resource:	None			
Legal:	The Council is required to appoint members to certain bodies, such as the Royal Berkshire Fire Authority and the Thames Valley Police and Crime Panel.			
Risk Management:	None			
Property:	None			
Policy:	Where appropriate, appointments will be made in accordance with Part 13 Appendix J (Protocol for Council Representation on Outside Bodies) of the Council's Constitution.			
	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		
Consultation and Engagement:	Corporate Board, Service Lead - Legal & Democratic			

4 Executive Summary

- 4.1 The Council is required to appoint representatives to a range of Outside Bodies. Other appointments (separate to this report) will be made via an Individual Decision as necessary.
- 4.2 Nominations to the three Outside Bodies; Royal Berkshire Fire Authority, Thames Valley Police and Crime Panel, and the Local Government Association General Assembly are required annually. Appointments, where appropriate, will be made in accordance with Appendix J to Part 13 of the Constitution (Protocol for Council Representatives on Outside Bodies).

5 Royal Berkshire Fire Authority

- 5.1 Members are responsible for setting the Fire and Rescue Service operating budget and determining how the service is run. Meetings of the Royal Berkshire

Fire Authority take place in the evenings, on a quarterly basis, and previously these have taken place at the Authority's Headquarters in Calcot, Reading. It should be noted that a Member appointed to the Fire Authority is expected to attend all Fire Authority meetings and to serve on at least one committee or working party.

5.2 Appointments to the Royal Berkshire Fire Authority are made on a proportionality basis based on the electoral roll. The Royal Berkshire Fire and Rescue Service have informed the Council that they require four Member appointments from West Berkshire Council. Under the Local Government and Housing Act 1989 the Council is required to allocate seats on the Fire Authority reflecting the political balance of the whole Council.

5.1 The Council's representatives in 2023/24 were Councillors Dennis Benneyworth, Jeff Brooks, Billy Drummond and Owen Jeffery.

6 Thames Valley Police and Crime Panel

6.1 The Panel comprises 18 elected members (one from each Authority) and two co-optees. Appointments of elected Members to the Panel are made in accordance with each Authority's own procedures, with a view to ensuring that the 'balanced appointment objective' is met, so far as is reasonable practicable.

6.2 The balanced appointment objective requires that the Panel should (when taken together):

- Represent all parts of the police area;
- Represent the political make-up of the authorities;
- Have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.

6.3 A Member shall be appointed to the Panel at the Annual Meeting of Council, subject to the following provisos that he/she:

Shall cease to be a Member of the Panel if he/she ceases to be a member of:

- The Authority;
- The political group in the Authority when the appointment to hold office was made.

6.4 The Council's representatives in 2023/24 were Councillors Vicky Poole (until 26 March 2024) and Stephanie Steevenson (from 27 March 2024) with Councillor Martha Vickers appointed as alternate Member.

7 Local Government Association General Assembly

7.1 The Local Government Association is a politically-led, cross-party organisation that works on behalf of councils to ensure that local government has a voice

with national government. It aims to influence and set the political agenda on issues relevant to councils in order to deliver local solutions.

- 7.2 The General Assembly acts as the 'parliament' of local government, with authorities in LGA membership entitled to have a minimum of one representative. It meets each summer at the LGA's Annual Conference. Membership is reviewed annually.
- 7.3 Four places are available to West Berkshire Council. There is no requirement that the Council allocate seats to the General Assembly in a politically balanced manner. However, the Local Government Association encourages authorities entitled to three or four representatives on the General Assembly to allocate one of those positions to the Opposition Group Leader.
- 7.4 The Council's representatives in 2023/24 were Councillors Jeff Brooks, Martin Colston, Lee Dillon and Ross Mackinnon.

8 Other options considered

- 8.1 Not to appoint representatives which is not recommended for the reasons detailed in the report.

9 Conclusion

- 9.1 That the Council should agree and note that the appointments to the organisations set out in this report be made in accordance with Appendix A.

10 Appendices

- 10.1 Appendix A – Proposed Appointments to Outside Bodies (To Follow)

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

Officer details:

Name: Sarah Clarke
Job Title: Service Director, Strategy and Governance
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Already have

Proposed Member Development Programme 2024/2025

Committee considering report:	Council
Date of Committee:	9 May 2024
Portfolio Member:	Councillor Jeff Brooks
Date Portfolio Member agreed report:	25 April 2024
Report Author:	Ben Ryan
Forward Plan Ref:	C4553

1 Purpose of the Report

To agree, the proposed Member Development Programme for 2024/25, which was considered and endorsed by the Member Development Group on 23 April 2024.

2 Recommendation

Council is asked to:

- 2.1 Agree the proposed Member Development Programme for 2024/25.
- 2.2 Authorise the Service Director – Strategy and Governance to regularly review and amend the Programme where necessary throughout the Municipal Year to ensure it remains relevant and fit for purpose.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	The Member Development programme will be delivered within the existing budget of £1350.
Human Resource:	The Member Development programme is established, managed and monitored by officers within Democratic Services. The delivery of sessions is cross-service, usually at Service Director level.

Legal:	The Member Development Programme establishes some training as mandatory as required by the Constitution.			
Risk Management:	Adopting a Member Development Programme will help ensure that Members make informed decisions.			
Property:	Not applicable.			
Policy:	The Member Development Programme will be delivered as part of the Member Development Strategy.			
	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:	The Member Development Group reviewed the draft Programme at its meeting on 23 April 2024.			

4 Supporting Information

Introduction

4.1 Traditionally a Programme of Member Development is run throughout the year to brief all Members on relevant current issues.

Background

4.2 The Member Development Group met on 23 April 2024 and considered the draft Member Development Programme for 2024/2025. This had been based on the training of previous years and highlighted areas of improvement by the LGA Peer Review.

Proposals

- 4.3 The key sessions will be mandatory for Members sitting on the relevant Committees and are as set out in Appendix A.
- 4.4 The Programme must remain flexible, with additional development sessions being added as and when a need is identified. To facilitate this, it is requested that the Service Director – Strategy and Governance be authorised to regularly review and amend the Programme where necessary throughout the Municipal Year to ensure it remains relevant and fit for purpose.

5 Other options considered

Various sessions were put forward for inclusion in the Programme and were considered by the Member Development Group at its meeting on 23 April 2024. The alternative option available to Council is to not adopt a Member Development Programme.

6 Conclusion

The proposed Member Development Programme will be considered by Council in May 2024 and will be in place for May 2024.

7 Appendices

7.1 Appendix A – Proposed Member Development Programme 2024/2025

Background Papers:

None.

Subject to Call-In:

Yes: No:

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

Wards affected: All Members will be invited to participate in the Programme.

Officer details:

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E-mail: Benjamin.ryan1@westberks.gov.uk

Proposed Member Development Programme 2024/2025

Session and content	Date and time	Delivered by
Mandatory sessions for all Members		
GDPR / Data Protection / Information Security / FOI	23 July 2024, 5:30pm, via Teams	John Black
Mandatory session for all Members appointed to a Planning Committee (All Members welcome)		
The Planning Process – annual update	May 2024	Planning and Legal Officers Bob Dray/Sharon Armour
Mandatory session for all Members appointed to the Licensing Committee (All Members welcome)		
The Licensing Process – annual update	June 2024	Licensing and Legal Officers (Moira Fraser / Sean Murphy / Beth Varcoe / Julia O'Brien) (External)
Mandatory session for all Members appointed to the Appeals Panel (All Members welcome)		
Appeals – annual update	11 June 2024, 5:30 pm, via Teams	School Transport Team (Nick Winter) HR (Paula Goodwin) Revenues and Benefits (Iain Bell)
Strongly Advised sessions for all Members		
Equalities, Diversity, and Inclusion	TBC	TBC
Code of Conduct and Standards Issues	April 2025	Sarah Clarke

Session and content	Date and time	Delivered by
Safeguarding – annual update	July 2024	Adult Services (Sue Brain / Paul Coe) Children’s Services (Dave Wraight/ AnnMarie Dodds) Building Communities Together Team (Alex O’Connor) TVP
Strongly Advised session for all Members appointed to the Scrutiny Commission (All Members welcome)		
Scrutiny of Adult Social Care	Tuesday 14 May 2024	CFGS
Strongly Advised sessions for all Members appointed to the Governance Committee (All Members welcome)		
Governance – annual update	Late June 2024	Sarah Clarke / Joseph Holmes
Fraud Awareness	25 September 2024 1hr 30mins 5:30pm, via Teams	Julie Gillhespey
Whistleblowing	2 October 2024 1hr 30mins 5:30pm, via Teams	Julie Gillhespey
Risk and Risk Management	January 2025	Catalin Bogos
Finance & Audit	February 2025	Joseph Holmes
Guide to the Decision-Making Process	February 2025	Sarah Clarke
Non-mandatory sessions (desirable for all Members to attend)		
The ‘Childrens Social Care’ Directorate and what they do	October/November 2024	AnnMarie Dodds, Dave Wraight

Session and content	Date and time	Delivered by
The 'Adult Social Care' Directorate and what they do	October/November 2024	Paul Coe, Jo England, April Peberdy, Maria Shepherd, Matt Pearce
The 'Place' Directorate and what they do		Clare Lawrence and Relevant Service Directors
The 'Resources' Directorate and what they do		Joseph Holmes and Relevant Service Directors
Corporate Parenting Responsibilities	December 2024	Rebecca Wilshire
Emergency Planning	March 2025	Carolyn Richardson
LGA Training		
Members to visit www.local.gov.uk/events to access upcoming events		

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Council – 9 May 2024

Item 13 – Licensing Committee

Item 14 – Personnel Committee

Item 15 – Governance Committee

Item 16 – District Planning Committee

Item 17 –Scrutiny Commission

Item 18 – Health Scrutiny Committee

Item 19 – Health and Wellbeing Board

Item 20 – Joint Public Protection Committee

Verbal Items

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