

# DRAFT

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

## COUNCIL

### MINUTES OF THE MEETING HELD ON THURSDAY 18 JULY 2024

**Councillors Present:** Antony Amirtharaj, Dennis Benneyworth, Jeff Brooks, Nick Carter, Heather Codling, Martin Colston, Jeremy Cottam, Iain Cottingham, Laura Coyle, Carlyne Culver, Lee Dillon, Billy Drummond (Chairman), Nigel Foot, Denise Gaines, Stuart Gourley, Owen Jeffery, Paul Kander, Janine Lewis, Ross Mackinnon, Alan Macro, David Marsh, Justin Pemberton, Vicky Poole, Christopher Read, Richard Somner, Louise Sturgess, Clive Taylor, Tony Vickers (Vice-Chairman) and Howard Woollaston

**Also Present:** Nigel Lynn (Chief Executive), Paul Coe (Executive Director – Adult Social Care), AnnMarie Dodds (Executive Director - Children's Services), Joseph Holmes (Executive Director - Resources), Clare Lawrence (Executive Director - Place), Honorary Alderman Paul Bryant, Honorary Alderman Tony Linden, Stephen Chard (Democratic Services Manager), Melanie Booth (Group Executive (Lib Dems)), Councillor Adrian Abbs, Councillor Geoff Mayes, Councillor Biyi Oloko, Jake Carpenter (Group Executive (Cons)), Benjamin Ryan (Democratic Services Officer) and Nicola Thomas (Service Lead: Legal and Democratic)

**Apologies for inability to attend the meeting:** Councillor Phil Barnett, Councillor Dominic Boeck, Councillor Patrick Clark, Councillor Paul Dick, Councillor Clive Hooker, Councillor Jane Langford, Councillor Erik Pattenden, Councillor Matt Shakespeare, Councillor Stephanie Steevenson, Councillor Joanne Stewart, Councillor Martha Vickers, 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 and Honorary Alderman Andrew Rowles

#### PART I

##### 1. Chairman's Remarks

The Chairman informed Members of the very sad news that Honorary Alderman Jeff Beck had recently passed away. Jeff had dedicated 16 years as a West Berkshire Councillor during which time he was Chairman of Council in 2014 and Mayor of Newbury in 2011, roles he was extremely proud to have fulfilled.

Condolences were passed to Jeff's family and friends.

Council then held a one minute silence in memory of Jeff.

A number of other Members made comments in memory of Honorary Alderman Jeff Beck. Members were unanimous in stating that Jeff was a hugely admired and respected councillor who worked extremely hard for residents living both within his Ward and across West Berkshire, and was devoted to public service. Jeff's sense of humour was well remembered as was his firm eye for detail.

Jeff was well known across his Ward and was very well thought of by residents. He was a superb advocate for residents. His wife, Alma, had also been a hard working ward councillor.

Jeff was also remembered by all as a true gentleman and an excellent chairman.

Thanks were expressed to Jeff for being an excellent mentor. He set excellent standards that all councillors should aspire to. Members were honoured to have served alongside Jeff. He would be much missed.

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The Chairman then reported that he had attended 18 events since the last Council meeting, and highlighted his attendance at the following events:

- He commented on the two citizenship ceremonies he attended and the pride felt by those citizens.
- He was impressed by the knowledge displayed by the young people at the mock trials and was pleased to report that Trinity School were the eventual winners of the competition.
- The Chairman and Mrs Drummond thoroughly enjoyed the event held at Daisy's Dream. This was an excellent charity that offered support to children and young people who had suffered a close bereavement. He added that Daisy's Dream was his chosen charity for his year as Chairman.

The Vice-Chairman reported on his attendance at two events. He attended Educafe, a charity which performed such valuable work in supporting residents, and the 60<sup>th</sup> anniversary celebrations of the Volunteer Centre, which recognised the huge importance of the work performed by volunteers.

The Chairman then shared the recent successes for West Berkshire Council and its employees at West Berkshire's Training Consortium "Rising Stars" Apprenticeship Awards. He felt honoured to report that the Council received the award for the best large apprenticeship employer.

The Chairman also highlighted the achievements of individual staff members and congratulated the apprentices who received a nomination. In particular he congratulated Tom Allport, Apprentice Shared Lives Administrator, who received two awards; Functional Skills Learner of the Year and Apprentice of the Year.

### 2. Minutes

The Minutes of the meeting held on 9 May 2024 were approved as a true and correct record and signed by the Chairman.

### 3. Declarations of Interest

Councillor Richard Somner declared an interest in Agenda Item 20 by virtue of the fact that he was an employee of Royal Berkshire Hospital which was referenced in the report. However, he 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.

### 4. Petitions

No petitions were received.

### 5. Public Questions

It was agreed that the questions standing in the name of Mr William Richardson and Mr Simon Pike would receive written responses as they were unable to attend the meeting.

### 6. Membership of Committees

The following changes were proposed and approved to the membership of the Eastern Area Planning Committee:

Councillor Chris Read would replace Councillor Lee Dillon as a substitute on the Committee.

Councillor Janine Lewis would replace Councillor Jeff Brooks as a substitute on the Committee.

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### 7. **Motions from Previous Meetings**

Members noted that a response had been provided to the Motion from Councillor Heather Codling regarding 'Support for Care Experienced People' which had been tabled at a previous Council meeting.

Councillor Codling was pleased to note the progress being made in this area.

### 8. **Licensing Committee**

The Council noted that, since its last ordinary meeting, the Licensing Committee had met on 8 July 2024.

### 9. **Personnel Committee**

The Council noted that, since its last ordinary meeting, the Personnel Committee had met on 2 July 2024.

### 10. **Governance Committee**

The Council noted that, since its last ordinary meeting, the Governance Committee had met on 16 July 2024.

### 11. **District Planning Committee**

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

### 12. **Scrutiny Commission**

The Council noted that, since its last ordinary meeting, the Scrutiny Commission had met on 17 July 2024.

### 13. **Health Scrutiny Committee**

The Council noted that, since its last ordinary meeting, the Health Scrutiny Committee had met on 11 June 2024.

### 14. **Health and Wellbeing Board**

The Council noted that, since its last ordinary meeting, the Health and Wellbeing Board had met on 11 July 2024.

### 15. **Joint Public Protection Committee**

The Council noted that, since its last ordinary meeting, the Joint Public Protection Committee had met on 10 June 2024.

### 16. **Monitoring Officer's Annual Report 2023/24 - Conduct and Ethics (C4559)**

Council considered the annual report on matters relating to standards and conduct (Agenda Item 17). The report provided a summary of complaints or other problems within West Berkshire. In summary, the report highlighted that standards of conduct by councillors in West Berkshire remained high.

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

That the Council:

“note the content of the report, which will also be circulated to all parish/town councils in the district for information”.

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Councillor Brooks was pleased to note that only six complaints were received during 2023/24 in relation to district councillors and six in relation to parish councillors. This was a significant reduction from the number reported in the previous three years.

He felt this was a reflection of Members treating each other and residents respectfully. While there were disagreements between Members these were handled with respect in the majority of cases.

Councillor Brooks was hopeful that this positive trend would continue.

Turning to gifts and hospitality, Councillor Brooks advised of contact he had received from a member of staff asking why it was not necessary to declare all offers received and not just those with a value in excess of £25. This was a matter he would progress with the Monitoring Officer.

Councillor Jeremy Cottam explained that whilst Chairman he had received invitations to events from, for example, neighbouring local authorities. At such events he had accepted basic refreshments, particularly if held over the lunch period. He would always declare this, even though the value was well below £25, but he felt that it was appropriate to accept offers of hospitality in such circumstances. Offers of gifts or hospitality beyond this basic level would be rightly refused.

Councillor Ross Mackinnon advised that as part of his profession in finance he was a member of professional institutes where the guidance was to refuse any offers as there was the risk it could affect decision making.

Councillor Carlyne Culver expressed her thanks to the parish councillors for their high levels of good conduct. More specifically she thanked the parish council representatives who sat on the Governance Committee and its sub-committees for their input and advice.

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

### 17. **Governance Committee Annual Report - 2023/24 (C4574)**

Council considered the annual summary of the activities of the Governance Committee for the 2023/24 municipal year (Agenda Item 18). The report provided a summary of key areas that the Committee had considered during 2023/24 as well as some of the actions and changes that had occurred due to the Committee's activities.

**MOTION:** Proposed by Councillor Iain Cottingham and seconded by Councillor Jeremy Cottam:

That Council:

"note the report".

Councillor Cottingham highlighted the importance of having an effective internal audit team. He commended officers in this team for their hard work in publishing the 2023/24 accounts on time.

It was therefore a matter of concern to the Governance Committee that the Council's external auditors, Grant Thornton, had not signed off the Council's accounts as they were contracted and paid to do. As a result, KPMG would be auditing the Council's accounts moving forward, but this could incur additional costs.

Councillor Cottingham also highlighted the Committee's important work on risk management and advised that an update would be conducted in due course on the Risk Management Strategy.

Councillor Richard Somner queried the potential risk to the Council of the accounts not being subject to external audit or whether this was offset by a disclaimer. Councillor

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Cottingham explained that while a disclaimer had been issued, an independent deep dive review was needed of the Council's accounts. Until this was conducted there could not be complete assurance, although Councillor Cottingham stated his full confidence in the work of the Council's officers.

Councillor Ross Mackinnon had, in the past, worked as an external auditor for four years and as such was very disappointed that Grant Thornton had not conducted their work and had only issued a disclaimer rather giving an opinion on the Council's accounts.

Councillor Tony Vickers queried if action should be taken to reclaim the Council's costs. Councillor Cottingham asked Joseph Holmes to respond on this point as the Section 151 Officer.

Mr Holmes explained that a response was awaited from the Government on the Council's position with only receiving a disclaimer. He also clarified that Grant Thornton would only be paid for the work they had conducted.

Councillor Cottam, as seconder, added his disappointment when the accounts had been prepared by the Council's officers.

Councillor Cottingham explained that an initial assessment was awaited from KPMG and he looked forward to the outcome of this.

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

### 18. **Annual Scrutiny Report 2023/24 (C4556)**

The Council considered the annual scrutiny report for 2023/24 (Agenda Item 19). The report provided a summary of the work of the Scrutiny Commission and Health Scrutiny Committee, as well as the Buckinghamshire, Oxfordshire and Berkshire West Joint Health Overview and Scrutiny Committee.

**MOTION:** Proposed by Councillor Carlyne Culver and seconded by Councillor Justin Pemberton:

That Council:

"note the Annual Scrutiny Report for 2023/24".

Councillor Culver opened her presentation of the report by thanking her fellow Scrutiny Members (on both the Scrutiny Commission and Health Scrutiny Committee) for their work on the committees, and extended this to those Members who had sat on task and finish groups. She particular thanked Councillor Martha Vickers for her hard work in the role as Chairman of the Health Scrutiny Committee.

Councillor Culver extended her thanks to officers and representatives of external bodies who had attended meetings to give evidence and supply information.

Finally, she gave particular thanks to Gordon Oliver and Vicky Phoenix for their significant level of hard work in supporting the Scrutiny Commission and Health Scrutiny Committee respectively.

Councillor Culver then highlighted some of the areas of scrutiny work that had been conducted:

- Scrutiny of the work of Thames Water and the Environment Agency in relation to flooding and sewage concerns. Both organisations had been held to account by Committee Members as well as from members of flood forums, Action for River Kennet, and River Action.

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- The task and finish group that focused on healthcare in new developments had reported its findings, and the group focusing on Covid and recovery had just finalised its work. She thanked Councillor Paul Dick for chairing the latter of these groups.
- Detailed discussions of the Council's budgets.

Items for the future included:

- Follow up work with Thames Water and the Environment Agency.
- The attainment of children in receipt of free school meals.
- Task groups were due to be formed reviewing the Council's work in relation to the Sports Hub and on project management.

Councillor Culver added that this report was produced in line with a recommendation from the peer review. Further recommendations following the peer review were also being progressed, including ensuring that members of the public were aware of the opportunity to suggest scrutiny topics.

Councillor Nigel Foot thanked officers for the work conducted on health impact assessments, with West Berkshire Council being ahead of the curve in this area.

Councillor Ross Mackinnon paid tribute to Councillor Culver for all her hard work as Chairman of the Scrutiny Commission.

Councillor David Marsh highlighted the benefits of a non-Member of the Administration chairing the Scrutiny Commission. He added that there was constructive cross-party working within scrutiny.

Councillor Iain Cottingham felt that the corporate sector could learn from the Council's constructive approach to scrutiny.

Councillor Pemberton added praise for the role performed by Councillor Culver.

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

### 19. **Health and Wellbeing Board Annual Report 2023/24 (C4557)**

Council considered the annual report for 2023/24 (Agenda Item 20) which provided a summary of the work of the Health and Wellbeing Board. It outlined progress made in working towards the aims and objectives of the Joint Local Health and Wellbeing Strategy for Berkshire West and the implementation of the Delivery Plan for West Berkshire. The report demonstrated how the Board had continued to assess the health needs of the local population. It also showed how the Board had delivered in terms of integration of Health and Social Care through the Better Care Fund.

**MOTION:** Proposed by Councillor Heather Codling and seconded by Councillor Jeff Brooks:

That Council:

"note the Health and Wellbeing Board Annual Report for 2023/24".

Councillor Codling stated that she had only recently commenced chairmanship of the Board and gave thanks to Councillor Alan Macro for fulfilling the role over the past year. She also thanked John Ashton, the outgoing Director of Public Health, for his work in supporting the Board.

She highlighted the benefits achieved by the different health professionals and bodies who were represented on the Board. Areas of work included:

- What could be done to support people who were struggling as part of the cost of living crisis.

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- Reviewing pharmacy provision.
- Looking at housing standards and how lower quality housing could impact on the health and health outcomes for residents.

Priorities moving forward included:

- The support given to individuals at high risk of poor outcomes to live healthier lives.
- Helping families with children in early years.
- Promoting good mental health and wellbeing for all residents.

Councillor Brooks praised the Health and Wellbeing Board for its role in bringing together the different professionals and services for the benefit of residents. He considered that the Board would benefit from greater representation from housing colleagues.

Councillor Brooks commended Gordon Oliver for all his efforts in supporting the Board.

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

### 20. Notices of Motion

The Council considered the under-mentioned Motion (Agenda item 21 (a) refers) submitted in the name of Councillor Adrian Abbs relating to proportional representation (submitted on Councillor Abbs' behalf by Councillor Justin Pemberton).

Prior to the moving of the Motion, Councillor Jeff Brooks explained that it was being moved on Councillor Abbs' behalf at his request (Councillor Abbs being away on a long standing and pre-arranged holiday).

Councillor Pemberton was therefore doing so.

**MOTION:** Proposed by Councillor Justin Pemberton and seconded by Councillor Clive Taylor:

#### **“Overview**

*First Past the Post (FPTP) originated when land-owning aristocrats dominated parliament and voting was restricted to property-owning men.*

*Historically FPTP and the whole structure of elections, created absurd anomalies with the existence of “rotten boroughs” such as Old Sarum, Dunwich and Gatton. Old Sarum was by local reckoning “one man, two cows and a field” and yet returned two MPs to Westminster! Gatton, a village in Surrey, returned one MP yet had just one voter in it.*

*The 1832, 1867 and 1884 Reform Acts changed a lot of the more absurd abuses that surrounded the electoral system so vividly described by Charles Dickens in “Pickwick Papers”.*

*In 2019, 43.6% of the vote produced a government with 56.2% of the seats and 100% of the power.*

*Therefore, Council Notes that*

- *Internationally over **90 countries** use either a form of Proportional Representation or a mixed system to elect their primary chamber.*
- *PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland.*
- *PR ensures all votes count, have equal value, and that seats won match votes cast.*
- *PR would end minority rule.*
- *37 councils have already passed a motion to write to HM Government demanding a move to PR*

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- *PR is the national policy of the Liberal Democrats.*

### **The Motion**

*This Council therefore resolves to write to H.M. Government calling for a change in our outdated electoral laws and to enable Proportional Representation to be used for UK general elections.”*

The Chairman informed Council that the Motion would be debated at the meeting in order to facilitate the discharge of business in accordance with Procedural Rule 12.6.3.

**AMENDED MOTION:** Proposed by Councillor Justin Pemberton and seconded by Councillor Clive Taylor:

### **The Motion**

*This Council therefore resolves to write to H.M. Government calling for a change in our outdated electoral laws and to enable Proportional Representation to be used for UK general elections **under the Single Transferable Vote (STV) system and;***

***To call upon West Berkshire’s two MPs to push for a change to electoral law to implement Proportional Representation (under the STV system) and to promote the matter for debate within Parliament.”***

Councillor Pemberton referred to the recent General Election. The Labour Party won with a high majority but the turnout of voters was low. Councillor Pemberton also referred to the number of seats won by the Liberal Democrats in 2019 and the relatively high increase in 2024. However, there was only a 0.6% increase in the Liberal Democrat’s total share of the vote.

Councillor Pemberton felt that it was time for a changed system where elected representatives were more representative of the votes cast. He considered that the STV system would result in politicians changing their offering and appealing to a wider cohort of voters.

Should there be concern that this could result in the need for coalition governments, Councillor Pemberton referred to the most recent coalition government which was not unsuccessful.

Councillor Abbs felt that it was timely to be considering this Motion. He understood, at a national level, that the turnout of voters was only 52%, with the Labour Party receiving 35% of the votes cast. He was concerned that this was undemocratic.

While the first past the post system had some positive aspects, there were a number of negatives.

Councillor Abbs felt that this alternative election system would create a platform for greater political stability and the ability to set longer term plans.

Councillor Brooks noted that a similar Motion had been put at 37 other local authorities.

Councillor Ross Mackinnon noted that Council had considered a number of important Council functions at this meeting, but in his view this matter was a concern for Westminster and not the Council. If residents had concerns on this matter they could take it up with West Berkshire’s two MPs.

Councillor Lee Dillon declared an interest in paragraph two of the amendment as the MP for Newbury. He would therefore not participate in the debate or vote on the Motion.

Councillor David Marsh felt that the Motion could have benefited from making mention of local elections. He considered that the STV system could benefit local democracy and therefore West Berkshire’s residents. As well as potentially increasing the level of



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turnout. Nationally, this change would help achieve greater representation of parties with a significant number of votes.

Councillor Nick Carter felt that residents had other reasons for choosing not to vote. He questioned if low turnout related to the voting methodology.

Councillor Clive Taylor stated that while he was of course pleased at the outcome of the General Election, he was concerned that there was not a higher turnout. He added that it was important for voters to feel they could have a say and that their vote could make a difference. Councillor Taylor concluded by stating that he would raise this with Olivia Bailey, the Labour MP for Reading West and Mid Berkshire.

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

It was then debated.

Councillor Abbs reiterated the concern that a number of people felt it was not worth voting. Change was needed to give voters a greater choice.

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 David Marsh relating to companion bus passes.

**MOTION:** Proposed by Councillor David Marsh and seconded by Councillor Carolyn Culver:

That the Council notes that:

*“Companion bus passes enable people with disabilities that prevent them travelling alone, such as blindness, to take a companion, free of charge, on their journey. This could literally transform the lives of some of our residents.*

*West Berkshire Council offered a companion bus pass scheme until the “austerity” cuts of 2016. However, neighbouring councils continue to offer companion bus passes, in some cases allowing reciprocal travel between different authorities.*

*Companion bus passes are funded, in full or in part, by central government so reintroducing them would not put a large financial burden on council tax payers.*

*By failing to enable all its residents to enjoy the benefits of bus travel, West Berkshire is in effect discriminating against some of them.*

*Council accordingly resolves to:*

*Reinstate a companion bus pass scheme in West Berkshire at the earliest possible opportunity.*

*Explore the possibility of reciprocal arrangements with neighbouring authorities.”*

The Chairman informed Council that the Motion would not be debated at the meeting. It would be considered by the Transport Advisory Group and then the Executive, in line with Procedure Rule 12.6.1 of the Council’s Constitution.

Councillor Marsh presented the Motion and explained that people with a severe disability who could not travel independently needed to be accompanied by a companion. This was previously provided without charge, but currently companions needed to pay for the transport. The scheme remained without cost in many other local authorities.

A companion may not always be able to afford the fare, creating a restriction to the disabled person’s ability to travel. Councillor Marsh hoped the scheme, which would not be overly costly, could be reinstated as it would make a real difference to people’s lives.

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In response, Councillor Stuart Gourley advised that the matter would be considered at the next meeting of the Transport Advisory Group.

Councillor Gourley clarified that there was no central government funding for companion bus passes. The scheme, if reintroduced, would need to be funded from the Council's revenue budget.

He also added that central government would be reviewing the eligibility on concessionary travel and this guidance would be reviewed when received alongside the Council's approach.

### 21. **Members' Questions**

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

*(The meeting commenced at 7.00pm and closed at 8.45pm)*

**CHAIRMAN** .....

**Date of Signature** .....