

COUNCIL MEETING MINUTES - 29 JUNE 2010

Present: Councillor Khan (Mayor);

Councillors Ayub, Ballsdon, Bayes, Benson, Chowdhary, Cumpsty, Duveen, Eden, Edwards, Ennis, Epps, Gittings, Goodall, Hacker, Hanley, C Harris, T Harris, Hartley, Hoskin, Hussain, Janjua, Jones, Livingston, Lovelock, Lockett, Maskell, Orton, Page, Pugh, Ralph, Ruhemann, Rye, Rynn, Skeats, Stanway, Steele, Stevens, Swaine, Tickner, Townend, Warman, Watson, White and Willis.

Apologies: Councillor Beard

13. MINUTES

The Minutes of the meeting held on 25 May 2010 were confirmed as a correct record and signed by the Mayor.

14. QUESTIONS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH STANDING ORDER NO 9

Questions on the following matters were submitted:

	<u>Questioner</u>	<u>Subject</u>	<u>Answer</u>
1.	Calum Macleod	All Saint's School	Cllr Ralph
2.	Calum Macleod	August House	Cllr Ralph
3.	Calum Macleod	Year 3 Class Sizes	Cllr Ralph
4.	Margaret Wooldridge	School Admissions Process	Cllr Ralph
5.	Malcolm Powers	Private Rented Sector Regulations	Cllr Benson

(NB - The full text of the questions and replies was made available on the Reading Borough Council website).

15. QUESTIONS FROM COUNCILLORS IN ACCORDANCE WITH STANDING ORDER NO 10

Questions on the following matters were submitted:

	<u>Questioner</u>	<u>Subject</u>	<u>Answer</u>
1.	Cllr Goodall	Carbon Neutral Town	Cllr Swaine
2.	Cllr Goodall	Erleigh Road	Cllr Willis
3.	Cllr Epps	Residents Parking Proposals	Cllr Willis

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4.	Cllr Lovelock	Financial Decisions	Cllr Stevens
5.	Cllr Hoskin	Free Swimming	Cllr Stanway

(NB - The full text of all of the questions and replies was made available on the Reading Borough Council website).

16. COALITION AGREEMENT

The Chief Executive submitted a report introducing the joint coalition agreement between the Conservative and Liberal Democrat Groups on the Council, *Our Approach to Local Government in Reading*. The agreement was attached at Appendix A.

The motion set out below was moved by Councillor Cumpsty and seconded by Councillor Bayes and CARRIED.

The following amendment was moved by Councillor Lovelock and seconded by Councillor Hartley and LOST:

"Add a new paragraph 2.2 as follows:

'Following the pre-budget announcement by Michael Gove and Eric Pickles of the Coalition Government's decision to cut £1.6million from the 2010/11 Area Based Grant for Reading, this Council notes that this reduction has already negated the Reading Coalition's pledge (#1.2) to 'continue to work within the current agreed budget for 2010/2011'. This Council therefore requests the cabinet to come forward with urgent proposals about how this serious reduction to the current year's budget can be managed to avoid cuts to the following services which lose large amounts from the Area Based Grant as listed below:

- £406,000 from money spent on school improvement
- £317,000 from the Connexions service, which helps young school-leavers to find apprenticeships or full-time work, and other young people to plan their careers
- £202,000 from Positive Activities for Young People, which funds projects to keep teenagers off the streets, particularly in school holidays
- £100,000 from the Supporting People project, which provides homes for people with learning disabilities, mental health problems and physical disabilities in the community
- £84,000 from the Children's Fund for disadvantaged and disabled children
- £76,000 from other work with children, £27,000 of it from work on reducing Teenage Pregnancy - putting at risk the major reduction that Reading had achieved recently, and another £27,000 from transport to school
- £70,000 from the road safety budget
- £38,000 from services to children in care
- £30,000 from crime prevention.' "

The following amendment was moved by Councillor Orton and seconded by Councillor Edwards and LOST:

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"Add a new paragraph 2.2 as follows:

'That the Council reaffirms its commitment to retain the current eligibility criteria for social care for the elderly and vulnerable for 2010/11 and into the future beyond this financial year and undertakes to continue applying these fully, fairly and consistently.' "

A Division having been demanded, the voting was as follows:

For the

Amendment: (20) Councillors Ayub, Eden, Edwards, Ennis, Gittings, Hacker, Hanley, Hartley, Hoskin, Jones, Khan, Livingston, Lovelock, Maskell, Orton, Page, Ruhemann, Tickner Watson and White.

Against the

Amendment: (25) Councillors Ballsdon, Bayes, Benson, Chowdhary, Cumpsty, Duveen, Epps, Goodall, C Harris, T Harris, Hussain, Janjua, Lockett, Pugh, Ralph, Rye, Rynn, Skeats, Stanway, Steele, Stevens, Swaine, Townend, Warman and Willis.

The following amendment was moved by Councillor Tickner and seconded by Councillor Ruhemann and LOST:

"Add a new paragraph 2.2 as follows:

'That the Council reaffirms its commitment to the Reading Compact and that any proposals for changes in grant funding to the voluntary sector will only be progressed in line with Compact principles, particularly as regards openness, transparency and consistency.' "

The following amendment was moved by Councillor Gittings and seconded by Councillor Maskell and LOST:

"Add a new paragraph 2.2 as follows:

'That any proposed changes to refuse collection be required to demonstrate that they will contribute positively to Reading's recycling rates.' "

The following amendment was moved by Councillor Page and seconded by Councillor Hoskin and LOST:

"Delete all words after 'That' and insert the following words:

'Council notes that with the announcement that the Coalition Government intends to cut departmental budgets by 25% over four years, and taking account also of inflationary and demographic pressures, the Reading Coalition's statement that they 'are committed to maintaining and improving front line services' is unlikely to be sustainable, and therefore agrees that this document should not be endorsed at this time but be reviewed in the context of the Comprehensive Spending Review. This Council requests that the Leader and Deputy Leader present a revised report to a future meeting of the Council.' "

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Resolved:

That the joint coalition agreement, *Our Approach to Local Government in Reading*, be endorsed.

17. TREE STRATEGY

The Director of Environment, Culture and Sport submitted a report on a Tree Strategy, which set out policies and proposals for protecting, managing, maintaining and planting new trees in the Borough.

The report stated that Cabinet had approved the Draft Tree Strategy for publication and consultation at its meeting on 18 January 2010 (Minute 130 refers). Community involvement had taken place between February and April 2010 in conjunction with consultations on the LDF Sites and Detailed Policies Document and the Draft Station Area Framework Supplementary Planning Document. As a result of community involvement, some minor wording changes were proposed to the Draft Tree Strategy.

The following documents were appended:

- Appendix 1: A Summary of 98 representations received, with recommended responses
- Appendix 2: The Draft Strategy showing 'tracked' changes
- Appendix 3: The Final Strategy, proposed for adoption.

Appendices 1 and 2 had been placed on deposit in the Group Rooms, and Appendix 3 was attached to the report. All appendices had been made available on the Council's website.

The following motion was moved by Councillor Willis and seconded by Councillor Goodall and CARRIED:

Resolved:

- (1) That the results of community involvement on the Draft Tree Strategy be noted, and the recommended responses agreed, as set out in Appendix 1;
- (2) That the proposed changes to the Tree Strategy as set out in Appendix 2 be agreed;
- (3) That the amended final Tree Strategy (Appendix 3) be adopted and added to the Council's policy framework.

18. REGULATION OF SEXUAL ENTERTAINMENT VENUES

The Director of Environment, Culture and Sport submitted a report highlighting changes to the Local Government (Miscellaneous Provisions Act 1982, which if adopted by the local authority, required Sexual Entertainment Venues to be licensed.

The following motion was moved by Councillor Swaine and seconded by Councillor Skeats and CARRIED:

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Resolved:

- (1) That the amendment to Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982, as amended by Section 27 of The Policing and Crime Act 2009 to be adopted on the 1 September 2010, thereby requiring all Sexual Entertainment Venues to be licensed;
- (2) That the power to determine applications for Sexual Entertainment Licences, policy, fees, terms and conditions made under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as amended, be delegated to the Licensing Applications Committee and Licensing Applications Sub-Committee 3.

19. PROVISIONAL END OF YEAR FINANCIAL ACCOUNTS AND TREASURY OUTTURN REPORT

The Head of Finance submitted a report summarising the financial position at the end of the 2009/10 financial year and presenting the draft statement of accounts for approval prior to audit.

The report included a summary of outstanding debt owed to the Council as at 31 March 2010, and the Council's Treasury Outturn Report.

The following documents were attached:

- Appendix A: Outturn by Directorate/service (showing main budget variances)
- Appendix B: Annual Treasury Report 2009/10
- Appendix C: General Debtor Arrears (Accounts over 60 days old).

Copies of the Statement of Accounts had been placed in the Group rooms.

The following motion was moved by Councillor Stevens and seconded by Councillor Bayes and CARRIED:

Resolved:

- (1) That the unaudited Accounts for 2009-10 be approved;
- (2) That Council receive the end of year Treasury Outturn Report, attached as Appendix B.

20. DUTY TO PROMOTE LOCAL DEMOCRACY AND ENGAGEMENT: COUNCILLOR CALL FOR ACTION, AND PETITIONS SCHEME

The Monitoring Officer submitted a report on the implications for the Council of the Public Involvement in Health Act 2007 (the 2007 Act) and the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act).

The report stated that the 2007 Act included provision for any Councillor to refer a matter to the relevant Overview and Scrutiny Committee. This was the "Councillor Call for Action" which provided Councillors with the opportunity to ask for discussions

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of local issues of concern at scrutiny committees. This in turn built on the "Community Call for Action" provisions of the Police and Justice Act 2006.

The 2009 Act sought to create greater opportunities for community and individual involvement in local decision-making of local public authorities. In this respect, it introduced a statutory duty on local authorities to promote local democracy, and extended the duty to involve in the 2007 Act. It also introduced a requirement into the Local Government Act 2000 for the local authority to appoint a scrutiny officer. As reported to Cabinet and the CCEA Panel on 15 and 17 February 2010 respectively (Minutes 159 and 78 refer), the 2009 Act introduced a duty on local authorities to adopt a petition scheme, to respond to petitions on their activities, or other public services with shared delivery responsibilities with the local authority through the Local Area Agreement or other partnership arrangement.

The report also stated that the Department for Communities and Local Government (DCLG) had consulted on new powers for scrutiny committees in its consultation paper, *Strengthening Local Communities*, in 2009; and had consulted on the petitions duty in a subsequent consultation paper, *Listening to Communities*, in December 2009. The Cabinet and CCEA Panel meetings in February 2010 had agreed the Council's response to the latter. The new additional powers included calling senior public officials from within and outside the Council to account through the scrutiny process and making recommendations to a wider range of public bodies at a local and sub-regional level.

The report reviewed the Council's existing procedures, in light of the above Government legislation, and recommended amendments and adaptations to the Council's Standing Orders to incorporate the Councillor Call for Action provisions of the 2007 Act into the Council's Standing Orders and Overview and Scrutiny Procedure Rules. These were set out at Appendix A.

The report also had attached at Appendix B a draft Petitions Scheme, for adoption by the Council, and recommended amendments (also set out in Appendix A) to the Council's Standing Orders to incorporate the Petition Scheme in addition to the Council's long-standing arrangements for petitions.

The following motion was moved by Councillor Cumpsty and seconded by Councillor Bayes and CARRIED:

Resolved:

- (1) That the changes to the Council's Procedure Rules (Standing Orders) and the Overview and Scrutiny Procedure Rules, in Part 4 of the Council constitution, as set out in Appendix A, be agreed;
- (2) That the Head of Policy, Performance and Communities be given the responsibilities attached to the position of the Council's Scrutiny Officer, in accordance with Section 21ZA of the Local Government Act 2000, as amended by Section 31 of the Local Democracy, Economic Development and Construction Act 2009;
- (3) That the Petition Scheme attached at Appendix B be adopted and incorporated into Part 4 of the Council's constitution.

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21. NEW GOVERNANCE ARRANGEMENTS UNDER THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007

The Monitoring Officer submitted a report stating that the Local Government and Public Involvement in Health Act 2007 amended the Local Government Act 2000 to require every authority operating a Leader and Cabinet model of Executive to change its executive arrangements in accordance with a statutory timetable. County Councils were required to make these changes for June 2009, and Metropolitan and London Boroughs, for May 2010. All others - including Reading - had to start the process now in order to take the operative resolution by 31 December 2010, to implement in May 2011.

The report set out the requirements of the Act, and a timetable for implementation in Reading. Unitary Authorities had to review their current executive arrangements and choose between a "strong Leader" and Cabinet Executive model, and a directly elected Mayor model, to a three-stage process involving public consultation concluding in a specially-convened Council meeting to be held by the end of December 2010.

Arguments for and against the indirectly elected Leader and elected Mayor models were set out in Appendix A, and it was intended that these would inform the public consultation.

The following motion was moved by Councillor Cumpsty and seconded by Councillor Bayes and CARRIED:

Resolved:

- (1) That, on the basis of Appendix A, the "strong" Leader and Cabinet model be agreed as the basis for public consultation;
- (2) That a limited process of consultation be followed, involving:
 - Public notice in local paper
 - Council website
 - Consultation with Partners through:
 - LSP Forum
 - LSP meeting 14 September 2010
 - Reading CIC
- (3) That the timetable for consultation and decision set out in paragraph 5.2 be agreed, concluding with a special Council meeting, called either on 16 November 2010 to coincide with the LSP Annual Meeting, or on another date before the end of December 2010.

22. APPOINTMENT OF HONORARY RECORDER

The Chief Executive submitted a report on the proposed appointment of an Honorary Recorder.

The report stated that the Lord Chief Justice was keen to establish links between the judiciary and civil life and had been encouraging city and borough councils to

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consider appointing an honorary recorder of the city or borough. It was considered that this would formalise the relationship between the judiciary and local authority, promoting the role of judges to make Reading safe and secure, and contribute to building strong and proud local communities.

The appointee to the role of honorary recorder must be a serving circuit judge or recorder, and it was proposed that Her Honour Judge Zoe Smith, the Resident Judge at Reading Crown Court, be appointed to the position.

The following motion was moved by Councillor Cumpsty and seconded by Councillor Bayes and CARRIED:

Resolved:

That, subject to any observations by the Senior Presiding Judge for England & Wales, Her Honour Judge Zoe Smith be appointed Honorary Recorder of the Borough of Reading.

23. ROYAL MAIL BICYCLE DELIVERIES

Pursuant to Notice, a motion was moved by Councillor Eden and seconded by Councillor Gittings.

The following amendment was moved by Councillor Willis and seconded by Councillor Swaine and CARRIED:

"Delete the word 'notes' in the first line.

Re-word the two paragraphs following, as set out below:

- '1. Is committed to minimising the impact on the environment of delivering public services and the great contribution that the use of sustainable transport can make to this.
2. Notes with regret that the Royal Mail is planning to phase out most of its bicycle delivery both here in Reading and nationwide.' "

The amended substantive motion was then put to the vote and CARRIED as follows:

Resolved:

This Council:

1. Is committed to minimising the impact on the environment of delivering public services and the great contribution that the use of sustainable transport can make to this.
2. Notes with regret that the Royal Mail is planning to phase out most of its bicycle delivery both here in Reading and nationwide.

This Council resolves to:

1. Support the many ordinary postal workers, the trade union representatives and the Cycle Touring Club (CTC) who are calling

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for this decision to be reversed by the new Chief Executive, Moya Green of Royal Mail.

2. Instruct the Chief Executive of Reading Borough Council to write to Moya Greene of Royal Mail accordingly on behalf of the council, copying in the CTC's 'Keep Posties cycling' campaign.

24. CLIMATE CHANGE

Pursuant to Notice, a motion was moved by Councillor Hartley and seconded by Councillor Gittings.

The following amendment was moved by Councillor Swaine and seconded by Councillor Warman and CARRIED:

"Delete all words after 'This Council' and insert:

- '(1) Believes that climate change is one of the gravest threats we face, and that urgent action at home and abroad is required.
- (2) Notes the coalition Government's immediate scrapping of the third runway at Heathrow and a commitment to an ambitious programme of measures and policies for a low carbon and eco-friendly economy.
- (3) Notes the coalition Administration's commitment to promote green jobs and sustainability across the council and borough and desire to promote the climate change agenda as a high priority.
- (4) Notes the all-party commitment given to the Reading Climate Change Strategy.

This council resolves to:

- (1) Issue a report stating how the Council intends to deliver the next phase of Reading's Climate Change Strategy 2008-2013 in light of the new Government's ambitious commitment to addressing climate change.
- (2) Empower council employees at all levels to put sustainability at the heart of council business and operations and contribute to those aims
- (3) Show our commitment to the Friends of the Earth's Get Serious About CO 2 campaign by supporting its aims and where possible using Feed In Tariffs (Clean Energy Cash Back) to reduce fuel poverty and increase the uptake of renewable technologies such as solar panels, wood fuel and anaerobic digestion to generate energy.' "

The amended substantive motion was then put to the vote and CARRIED as follows:

Resolved:

This Council:

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- (1) Believes that climate change is one of the gravest threats we face, and that urgent action at home and abroad is required.
- (2) Notes the coalition Government's immediate scrapping of the third runway at Heathrow and a commitment to an ambitious programme of measures and policies for a low carbon and eco-friendly economy.
- (3) Notes the coalition Administration's commitment to promote green jobs and sustainability across the council and borough and desire to promote the climate change agenda as a high priority.
- (4) Notes the all-party commitment given to the Reading Climate Change Strategy.

This council resolves to:

- (1) Issue a report stating how the Council intends to deliver the next phase of Reading's Climate Change Strategy 2008-2013 in light of the new Government's ambitious commitment to addressing climate change.
- (2) Empower council employees at all levels to put sustainability at the heart of council business and operations and contribute to those aims
- (3) Show our commitment to the Friends of the Earth's Get Serious About CO 2 campaign by supporting its aims and where possible using Feed In Tariffs (Clean Energy Cash Back) to reduce fuel poverty and increase the uptake of renewable technologies such as solar panels, wood fuel and anaerobic digestion to generate energy.

25. ALL SAINTS INFANT SCHOOL

Pursuant to Notice, a motion was moved by Councillor Watson and seconded by Councillor Livingston.

The following amendment was moved by Councillor Ralph and seconded by Councillor Rye and CARRIED:

"Delete all words after 'This Council' and insert the following words:

'appreciates the efforts of parents, governors and supporters to expand All Saints Infant School. It notes:

- i) The significant reduction in the Area Based Grant from central government, necessitated by the massive deficit run up by the previous Labour government.
- ii) Questions raised by RBC officers concerning the suitability of August House for conversion to a primary school.

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- iii) The Diocese has declined to contribute funds to support the scheme.
- iv) The Council's need to retain full financial flexibility to reduce debt, incurred by the last Administration.
- v) A final decision will be announced at Cabinet on 12 July.' "

The amended substantive motion was then put to the vote and CARRIED as follows:

Resolved:

This Council appreciates the efforts of parents, governors and supporters to expand All Saints Infant School. It notes:

- i) The significant reduction in the Area Based Grant from central government, necessitated by the massive deficit run up by the previous Labour government.
- ii) Questions raised by RBC officers concerning the suitability of August House for conversion to a primary school.
- iii) The Diocese has declined to contribute funds to support the scheme.
- iv) The Council's need to retain full financial flexibility to reduce debt, incurred by the last Administration.
- v) A final decision will be announced at Cabinet on 12 July.

(The meeting closed at 10.57pm).