

Notice of Meeting

Overview and Scrutiny Management Commission

Tuesday, 25 February, 2014 at 6.30pm
in Council Chamber Council Offices
Market Street Newbury

Date of despatch of Agenda: Friday, 14 February 2014

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact David Lowe / Charlene Myers / Elaine Walker on (01635) 519817 / 519695 / 5194

e-mail: dlowe@westberks.gov.uk / cmyers@westberks.gov.uk / ewalker@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



**Agenda - Overview and Scrutiny Management Commission to be held on Tuesday, 25
February 2014 (continued)**

- To:** Councillors Jeff Beck, Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), Sheila Ellison, Dave Goff, Mike Johnston, Alan Macro, Gwen Mason, Tim Metcalfe, Andrew Rowles, Garth Simpson, Tony Vickers, Virginia von Celsing, Quentin Webb, Emma Webster and Laszlo Zverko
- Substitutes:** Councillors Peter Argyle, Paul Bryant, George Chandler, Roger Hunneman, Carol Jackson-Doerge, David Rendel, Julian Swift-Hook and Keith Woodhams

Agenda

Part I	Page No.
1. Apologies for Absence <i>Purpose: To receive apologies for inability to attend the meeting (if any).</i>	
2. Minutes <i>Purpose: To approve as a correct record the Minutes of the meeting of the Commission held on 7th January and 21st January 2014.</i>	1 - 16
3. Declarations of Interest <i>Purpose: To remind Members of the need to record the existence and nature of any Personal, Disclosable Pecuniary or other interests in items on the agenda, in accordance with the Members' Code of Conduct.</i>	
4. Actions from previous Minutes <i>Purpose: To receive an update on actions following the previous Commission meeting.</i>	17 - 28
5. West Berkshire Forward Plan 12 February to 30 June 2014 <i>Purpose: To advise the Commission of items to be considered by West Berkshire Council from 12 February to 30 June 2014 and decide whether to review any of the proposed items prior to the meeting indicated in the Plan.</i>	29 - 30
6. Overview and Scrutiny Management Commission Work Programme <i>Purpose: To receive new items and agree and prioritise the work programme of the Commission for the remainder of 2013/14.</i>	31 - 38
7. Items Called-in following the Executive on 13 February 2014 <i>Purpose: To consider any items called-in by the requisite number of Members following the previous Executive meeting.</i>	



**Agenda - Overview and Scrutiny Management Commission to be held on Tuesday, 25
February 2014 (continued)**

8. **Councillor Call for Action**
Purpose: To consider any items proposed for a Councillor Call for Action.
9. **Petitions**
Purpose: To consider any petitions requiring an Officer response.
10. **Welfare changes** 39 - 46
Purpose: To examine the impact of the government's benefits changes

Andy Day
Head of Strategic Support

If you require this information in a different format or translation, please contact
Moira Fraser on telephone (01635) 519045.



This page is intentionally left blank

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

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

MINUTES OF THE MEETING HELD ON TUESDAY, 7 JANUARY 2014

Councillors Present: Peter Argyle (Substitute) (In place of Sheila Ellison), Jeff Beck, Brian Bedwell (Chairman), Paul Bryant (Substitute) (In place of Andrew Rowles), Dave Goff, Roger Hunneman (Substitute) (In place of Jeff Brooks), Alan Macro, Gwen Mason, Tim Metcalfe, Virginia von Celsing, Quentin Webb, Emma Webster and Keith Woodhams (Substitute) (In place of Tony Vickers)

Also Present: Councillor Pamela Bale (Highways, Transport (Operations), Emergency Planning, Newbury Vision & Deputy Conservative Group Leader), Councillor Hilary Cole (Planning, Transport (Policy), Culture, Customer Services, Countryside), Jon Winstanley (Highways and Transport - Project Manager), David Lowe (Scrutiny & Partnerships Manager) and Charlene Myers (Democratic Services Officer)

Apologies for inability to attend the meeting: Councillor Jeff Brooks, Councillor Sheila Ellison, Councillor Mike Johnston, Councillor Andrew Rowles, Councillor Garth Simpson, Councillor Tony Vickers and Councillor Laszlo Zverko

PART I

60. Declarations of Interest

Councillors Emma Webster, Peter Argyle and Brian Bedwell declared an interest in Agenda Item 3, and reported that, as their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

61. Items Called-in following an Individual Decision on 16 December 2014

Councillor Brian Bedwell introduced the item to the Commission and thanked Members for attending the meeting at late notice.

Councillor Macro was asked to present his reasons for the Call-in to the Commission, in doing so he explained that he was in favour of the proposed scheme but he had two main reasons for concern which he wanted to highlight.

Councillor Macro explained that the westbound carriageway experience significant congestion and the proposed development of Ikea would exacerbate the situation further.

The scheme failed to include the suitable provisions for cyclists and the consultation report appeared to miss the comments raised by the Tilehurst Parish Council.

Councillor Macro advised the Commission that the scheme failed to include an additional lane eastbound and therefore the benefits of the scheme overall were questionable. Councillor Macro suggested that there was suitable land available to extend the eastbound and westbound carriageway as part of the same scheme and that vulnerable turning points along the respective part of the A4 could be avoided via alternative access routes if the additional land was utilised.

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 7 JANUARY 2014 - MINUTES

Brian Bedwell thanked Councillor Macro for his report and asked Jon Winstanley to present details of the scheme to the Commission and respond to the points raised by Councillor Macro.

Jon Winstanley explained that the scheme involved widening the A4 to the south by approximately 3 metres via the construction of an additional westbound lane. The scheme included an additional 200 metres of eastbound merge lane from Royal Avenue and lengthened the left turn lane on the eastbound approach to Langley Hill by 60 metres.

The total scheme cost was £2.9 million. The Department for Transport (DfT) granted £2 million and the remaining £0.9 million comprised the Local Transport Plan (LTP) grant funding, S106 contributions and the contribution from IKEA.

Jon Winstanley advised that the main issue related to the morning traffic peak. The merging lanes caused congestion and was further exacerbated by the pedestrian crossing which slowed the movement of traffic through the area.

The Highways and Transport Service had conducted a traffic survey as part of the consultation process and established that the split of traffic using the eastbound and westbound lanes was roughly 50% for each.

The Commission was shown a plan of the area which outlined the current line of the road against the highway boundary. Jon Winstanley advised that there were restrictions around the widening of the carriageway due to the highways boundary. It was acknowledged that in order to acquire land outside the highway boundary delivery time of the scheme would be impacted. Jon Winstanley advised the Commission that funds had been granted on the provision that the scheme was completed by 2015.

A project board had been established to oversee the work and it had considered the use of the central hatching in order to provide additional space for an extended carriageway. Jon Winstanley advised that if the option were to be pursued then alternative turning points along the A4 would need to be agreed. It was suggested that the option was viable but would need further consultation and review; as such it had not been included within the current scheme. Jon Winstanley acknowledged the suggestion that the lay-by could be used as space to extend the eastbound carriageway but explained that the area was relied upon by school traffic.

Councillor Macro suggested that the volume of traffic on the A4 would increase as a direct result of the proposed IKEA store. The congestion would be most significant at 21:00, when the store closed. A comparison was made to the volume of traffic in Wembley which had increased following the development of an IKEA store in the area.

The Commission heard that IKEA had completed a traffic assessment as part of their planning proposal and the information had been scrutinised to assess the impact. Jon Winstanley advised that he believed it was unlikely that the flow of traffic at 21:00 leaving IKEA would significantly impact the A4 and this was supported by the IKEA traffic assessment.

Jon Winstanley proceeded to explain that the consultation process had included open workshops, to which the Parish Councils were invited. Highways and Transport had checked their records and advised that Tilehurst Parish Council had not announced their attendance although it was noted that a point had been raised regarding the possible use of a tidal scheme by an unnamed attendee. The Commission heard that that this was most likely a comment made by Tilehurst Parish Council. Jon Winstanley explained that the tidal scheme had been considered but had been discounted due to safety concerns.

In summary, Jon Winstanley advised that the traffic assessment had established that during the morning peak 1400-1600 vehicles used the west bound carriageway

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 7 JANUARY 2014 - MINUTES

compared to 1000 using the eastbound carriageway. Jon Winstanley explained that the scheme focused on the west bound carriageway in order to provide the most benefit overall.

Councillor Brian Bedwell thanked Jon Winstanley for his presentation and invited questions from the Commission.

Councillor Von-Celsing and Councillor Bryant referred to Councillor Macro's comparison to the volume of traffic generated by the IKEA store in Wembley and believed that the traffic flow would not be as significant along the A4 as more stores became available nationwide.

Councillor Goff questioned why the Highways and Transport Service could not incorporate the use of the central hatching as part of the proposed scheme and therefore avoid further disruption at a later date. Jon Winstanley advised that there would be a need to establish alternative turning points. He felt that the proposed scheme would deliver the desired benefits but he acknowledged that the option could be considered.

Councillor Webb advised that he used both sides of the carriageway on a regular basis and agreed with the traffic assessment as outlined by Jon Winstanley. Councillor Webb agreed that further benefits could be delivered by utilising the central reservation, acknowledging that the suggestion was not part of the current scheme. He suggested that the decision should remain and an action put in place to review the traffic flow at a later date.

The Commission discussed the issues relating to right hand turns along the stretch of the A4 subject to the proposal. Jon Winstanley explained that the central reservation would be used in order to provide the extended space, in doing so there would need to be alternatives turning points. Jon Winstanley advised the Commission that the alternative access points would need thorough consideration as many businesses' relied upon the right hand turn, removing the access could hinder their accessibility and trade.

Jon Winstanley recommended that the Commission approved the scheme and agreed to review the traffic flow and need to utilise the hatch lane at a later date.

Councillor Argyle stated that, although the scheme proposed a smaller extension to the eastbound carriageway, the development would still deliver benefits and alleviate traffic congestion. He therefore supported the scheme.

Councillor Webster supported Councillor Argyle's comments and referred to minutes from the Tilehurst Parish Council meeting which stated only that the Parish had concerns about the use of Royal Avenue. There was no mention of comments raised at the consultation meeting.

Councillor Webster was in support of the Ikea development and believed that the current cycle lanes along Charrington road were provided sufficient space for cyclists, she stated that the lanes were well used and accessible.

Councillor Webster questioned the effect the Call-in would have on the progress of the project and what the next steps would be.

Jon Winstanley explained that the key activity was the site clearance which had to be complete by February 2014, before the bird nesting period began.

Councillor Metcalfe suggested that the pedestrian crossing affected the flow of traffic and noticed that this issue had not been addressed within the scheme. Jon Winstanley explained that the crossing could be widened to allow more people across, thereby reducing the frequency of the disruptions to traffic. Consideration had been given to replacing the crossing with a bridge; however, the option was not feasible due to the

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 7 JANUARY 2014 - MINUTES

amount of land required. Highways and Transport would continue to consider alternatives.

The Commission discussed the use of the lay-by near the pedestrian crossing. Brian Bedwell explained that the majority of people accessing the school were from the local area and therefore walked. In response to comments made by the Commission, Jon Winstanley explained that a pedestrian crossing could be within 3-8 metres in width. There were many examples of widened pedestrian crossing alleviating congestion and this was an option being considered.

Councillor Bedwell thanked the Commission for their questions and asked Councillor Bale to comment.

Councillor Bale advised that the scheme had been of interest to Members for many years and originated from the Kennet and Thames Vision 2006/2007. The Commission heard that the DfT funding would not have been granted if they considered that the scheme would not work and did not deliver benefits.

It was resolved that:

- The decision should not be changed.
- The Executive should consider a review of the traffic along the A4 24 months after completion of the project to assess the need for the central reservation as space for a dual carriageway further eastbound side.

(The meeting commenced at 2.00 pm and closed at 3.00 pm)

CHAIRMAN

Date of Signature

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

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

MINUTES OF THE MEETING HELD ON TUESDAY, 21 JANUARY 2014

Councillors Present: David Allen (In place of Alan Macro), Peter Argyle (Substitute) (In place of Sheila Ellison), Jeff Beck, Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), Dave Goff, Mike Johnston, Tim Metcalfe, Garth Simpson, Tony Vickers, Virginia von Celsing, Quentin Webb, Emma Webster, Keith Woodhams (Substitute) (In place of Gwen Mason) and Laszlo Zverko

Also Present: Councillor Pamela Bale (Highways, Transport (Operations), Emergency Planning, Newbury Vision & Deputy Conservative Group Leader), Nick Carter (Chief Executive), Mark Cole (Traffic Services Manager), Caroline Corcoran (Education Service Manager), Jason Teal (Performance, Research & Consultation Manager), Rachael Wardell (Corporate Director - Communities), David Lowe (Scrutiny & Partnerships Manager) and Elaine Walker (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Sheila Ellison, Councillor Alan Macro and Councillor Gwen Mason

Councillor(s) Absent: Councillor Andrew Rowles

PART I

62. Minutes

The Minutes of the meeting held on 10 December 2013 were approved as a true and correct record and signed by the Chairman, subject to the following amendments:

- Councillor Paul Bryant was present at the meeting and should be noted as such.

63. Declarations of Interest

Councillor Emma Webster declared an interest in Agenda Item 5, but reported that, as her interest was personal and not prejudicial or a disclosable pecuniary interest, she determined to remain to take part in the debate and vote on the matter.

64. Actions from previous Minutes

The Commission received an update on actions from the previous meeting and made the following comments:

- Paragraph 2.2 – A response to this action was circulated to the Commission during the meeting.
- Paragraph 2.3 – The Chairman requested that Members who wished to volunteer to be on the Task Group, make themselves known to their Group Officer.

65. West Berkshire Forward Plan 15 January 2014 to 31 May 2014

(Councillor Emma Webster declared a personal interest in Agenda item 5 by virtue of the fact that her work colleagues were working on item EX2757. As her interest was personal and not prejudicial, or a disclosable pecuniary interest, she determined to take part in the debate and vote on the matter)

The Commission considered the West Berkshire Forward Plan (Agenda Item 5) for the period covering January to May 2014.

Resolved that the Forward Plan be noted.

66. Overview and Scrutiny Management Commission Work Programme

The Commission considered its work programme for 2011/12.

The Chairman advised the Commission that recent information had been received in relation to the item on Continuing Health Care. This would be circulated to Members and added to the agenda for the next meeting of the Commission.

Councillor Tony Vickers questioned the focus of item OSMC/12/149, commenting that an holistic view of parking in Newbury town centre had been requested to include resident parking, street parking and car parks. This would not be adequately addressed by Agenda Item 7 on the current agenda. Councillor Webster agreed that a general view of parking arrangements had been agreed, but that it had also been agreed that this would not take place until after existing reviews being undertaken by the Highways department and the Newbury BID.

Councillor Jeff Beck advised the Commission that the Shaw House Task Group was next scheduled to meet in mid-February, and that that this was expected to be the Task Group's final meeting.

Rachael Wardell advised the Commission that a scrutiny proposal was being developed to consider children's social work.

A suggestion for a scrutiny review of the Disability Related Expenditure Policy was circulated. Councillor Quentin Webb requested that Councillor Gwen Mason be invited to provide further detail as to why this suggested had been put forward.

Resolved that:

- Continuing Health Care be added to the next agenda of the Commission;
- Councillor Mason would provide further information relating to the suggested topic for scrutiny – Disability Related Expenditure Policy.

67. Item Called-in following an Individual Decision on 28 November 2013 and Executive on 19 December 2013

The Commission considered a report concerning the Call in item ID2715 – Parking Review Amendment 15: On-Street Charging (Newbury), which was approved by the Executive Member for Highways on 28 November 2013.

Councillor Keith Woodhams presented the reasons for calling in this item. Councillor Woodhams commented that the reasons for the item being called in had been set out in the report and he was content for the Executive Member and Officer present to address each point.

[18:45: Councillor Jeff Brooks arrived]

Mark Cole (Traffic Services Manger) provided a response to each of the issues raised as follows:

2.1 (1)

The views of local residents, shoppers and traders have been ignored (see the 1,719 signature petition, and responses from the Newbury BID, Newbury Town Council and those of dozens of local residents, shoppers, and business people).

Response:

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 21 JANUARY 2014 - MINUTES

The informal consultation undertaken between 21 January and 1 March 2013 was the period during which the organised petition opposing the on-street charging was submitted. This petition, along with 170 other responses from individuals and representative bodies (FSB, Newbury Town Council, Newbury BID and a petition from post office workers and residents of Goldwell Drive area) were all investigated and given serious consideration following this informal consultation. It was not the case that the views had been ignored and paragraph 3.2 of the July 2013 report (Appendix A to ID 2715) detailed the changes which were made in response to the comments and objections received.

These included retaining the areas in Catherine Road and Link Road for the benefit of parents dropping off children to St Nicholas C of E Junior School and also continuing to provide parking areas for visitors to the various dental and medical surgeries in that area. The 4 hour limited waiting bays on Kings Road West (8 of them) were also retained and these were generally able to provide long-term parking for Post Office shift workers who arrived early, as the restriction commenced from 8am so would enable early morning shift workers to park until midday. Also in Carnegie Road the 1 hour limited waiting was extended to 4 hours thus providing a further 6 spaces for local workers, including postal workers.

The formal consultation which took place between 25 July and 15 August included these amended proposals and as detailed in ID 2715 received considerably fewer objections (only 25). Some of the objections were perhaps prompted by the raised public awareness of parking issues as a result of 'The Barnet Case' which was in the national press in the period immediately prior to the formal consultation taking place.

The proposals were however advertised in the normal manner and significant numbers of formal Notices were erected on the affected streets, along with articles in the Newbury Weekly News and so there was no reason to believe that the public were unaware of the proposals. The relatively small number of objections received during the formal consultation therefore perhaps indicated that the general public held no strong views on the matter, given the amendments that were made and the fact that many towns already include on-street charging as part of their management of parking and it was not an entirely new concept for road users.

2.1 (2)

This does nothing to support the economy of Newbury, and would dissuade shoppers from coming into the town.

Response:

The Officer's view was that the current parking behaviour by road users was sterilising parts of the town and this was not providing adequate turnover of spaces for local traders. Providing a regular turnover of parking space would provide more opportunities for passing trade in particular to stop and this would greatly benefit many of the smaller traders in the town centre.

The argument that shoppers would simply travel to other local towns or out of town retail areas to shop was believed to be spurious and once the general public realise that many of the proposed on-street charging areas included a 30 minute period of free parking there would be a better appreciation that the impact of the changes would be marginal.

Shoppers requiring longer term parking already used the town centre off-street car parks and there was no reason to consider that this would diminish after the proposals were implemented and so would not affect local trade significantly.

Long term parking by commuters and shop workers in some of the outer roads of the proposed scheme where 'Pay by Phone' parking was proposed would have little impact

on local trade as they were not generally used by shoppers. However the turnover provided in these areas would alleviate the pressure on the town centre car parks in times of high demand.

2.1 (3)

This would cause a displacement of car parking into residential areas.

Response:

The majority of the residential roads adjacent to the roads being considered as part of this proposal were already subject to parking restrictions which should ensure that displacement would be limited. That was not to say that it would not happen, as evidence showed that some commuters or car owners wishing to park long term in Newbury were prepared to park a considerable distance from their destination and walk. It was also within the Council's remit to make 'best use' of the public highway and in many locations the residents themselves commuted away from an area and this provided space for other users. Where this 'non-resident' parking caused a problem however the authority could and would propose additional measures to address the problems raised if required. As with all the Council's parking schemes Officers would monitor the effects of the on-street parking scheme if it went ahead.

2.1 (4)

The reasons for introducing the charge have been changed during the course of the consultation; - during and after the informal consultation the Council stated that it intended to generate revenue income as part of the overall cost savings review. The Council has now backtracked from this and said all the money generated by on street parking charges would be used for road safety and car parking. This seems disingenuous when the council simultaneously plans to cut the road safety budget by £96,000 and plans to increase car parking charges on Sundays. If the income from on-street parking was intended to enhance the funding in these areas, then why were the services being cut?

Response:

The ruling of 'The Barnet Case' had a significant impact for all local authorities and required them to show how income raised from parking would be spent and to clarify that the income would only be spent on transportation measures, which included road safety schemes and car parking. The wording of the informal consultation advertisement was unfortunate, but Officers were confident that going forward the Council's procedures for allocating any income from the scheme would comply with legislation and all of the issues that were raised during the Barnet Case. The paper produced on the Barnet case and accompanying spreadsheets demonstrated this very clearly. The main message that was demonstrated was that the income from parking was very much lower than the expenditure on permitted transportation measures. Further detail on the Barnet paper could be provided if required by Members.

Although the informal consultation indicated that income raised would form a contribution to general budget savings it was important to note that all additional income was a saving.

The £96,000 savings identified in road safety budgets over the next two financial years had been put forward independently of the identified saving from extra income from on-street charging of £30,000 that had not yet been achieved. There would be further pressure on the road safety budgets or other budgets if the on-street income was not achieved.

2.1 (5)

Despite the overwhelming majority of respondents to both consultations being against the proposals, the Council has actually increased the number of 'paid for' on street parking bays – in some streets by over 50%. Twenty three bays were removed from the charging structure, but fifty seven new ones were added after the first consultation process. What was the reason for this?

Response:

It was made clear that the parking bay figures given on both the informal and formal consultations were approximate only and might still be subject to a level of adjustment if the scheme was implemented and the physical constraints of the carriageway or adjacent street furniture did not allow the parking bays to be introduced.

Unfortunately however the figure given for Old Bath Road during the informal consultation was incorrect as a lengthy continuous bay at the western end (containing approximately 27 potential parking bays) had, inadvertently, not been included in the informal consultation count. There was however no change to the area being proposed for Old Bath Road as the plans for this road, during the informal and formal consultation both showed the same areas subject to the proposals.

Similarly there was no change to the plans used for the Faraday Road area proposals in either consultation; however a detailed re-measurement prior to the formal consultation resulted in an adjustment upwards of the figure provided during the informal consultation.

Newtown Road south of St John's Road roundabout was primarily used by rail commuters and it was considered that they would just move further along Newtown Road if the restrictions were only introduced at the area between the roundabout and Porchester Road. Consequently the length of on-street charging at this location was extended for the formal consultation. This additional section provided some compensation for the areas in Catherine Road and Link Road where on-street charging was removed for the formal consultation.

The alternative proposed by those calling in the decision was for the maintenance of the status quo or the extension of the limited waiting time to further areas if necessary to deter commuters and free up short term parking for shoppers. (This would require re-advertisement of an entirely new parking scheme.

Further delay or a decision not to proceed with the scheme would impact on the Council's savings plans because the savings would need to be identified elsewhere in highways and transport budgets. It would also impact on the Council's ability to support existing town centre initiatives such as providing free parking for the late night shopping on the four Thursdays leading up to Christmas and free parking after 3.00 pm during the Newbury food festival week.).

The calling Members were also of the view that the decision was contrary to the policy framework for the following reasons

2.2 (1)

The introduction of charging for on-street parking in Newbury contradicts the Council Strategy 2013-2017 on the following points:

(a)

The charging would not assist with 'Promoting and acting in the interests of the communities, people and businesses of the district' which was one of the core purposes of the council.

Response:

The work undertaken in response to the Barnet case looked at expenditure incurred in

securing expeditious, convenient and safe movement of traffic and provision of suitable and adequate parking facilities on and off the public highway. The test to be satisfied was that parking income was spent on the broad range of functions in the RTRA 1984. The work undertaken had demonstrated that expenditure on such measures substantially exceeded income. Consequently this scheme, which would generate some income that could be used on permitted transportation measures was, on the contrary, promoting and acting in the interests of the communities, people and businesses of the district. It was considered that the charges were reasonable and that the 30 minutes free in the town centre locations maintained turnover of some spaces and encouraged turnover in others. Unfortunately it was not always possible to satisfy the needs of all opposing groups all of the time.

(b)

The charging would also not assist with 'Promoting a vibrant district' one of the Council's priorities, in which we should be 'promoting the district to businesses and becoming more business friendly'.

Response:

It was not considered that this scheme would have a significant negative impact on the vibrancy of the district. On the contrary, generation of income to enable the Council to secure expeditious, convenient and safe movement of traffic and provision of suitable and adequate parking facilities would assist in making Newbury a more vibrant place to visit.

(c)

The on street parking charges also contravene the Council's main principle, that of 'Putting people first....means looking at how our services were designed and operated from the perspective of those who use them'.

Response:

Due consideration had been given to all the different user groups who would be impacted upon by the proposals in this scheme. The views of consultees had been taken into consideration in arriving at the final proposals so people's views had been listened to. The charges were considered reasonable and should not overly impact negatively on service users.

(d)

Finally, the decision to go ahead with the charges following overwhelming public opposition does not chime with this excerpt from the strategy: 'We need to ensure that we continue to listen to local people in deciding how our services should be delivered in the future and that they feel able to contribute to the decisions that affect them'.

Response:

The Council had undertaken two consultations on this scheme. The first informal consultation did generate opposition to some of the proposals; significantly a petition containing 1,719 signatures. However this resulted in some changes to address the concerns raised. The second formal consultation on the Amendment 15 parking order only resulted in 25 objections on a matter which was raised to a relatively high level of public awareness through the local press and various other interested parties. It was not considered that this demonstrated overwhelming public opposition to the scheme. It perhaps indicated that the public accepted that this proposal was necessary, that the Council had listened to them and that they had been able to contribute. It was accepted that few road users wanted to pay for parking but it was considered that many might appreciate that in certain locations on-street charging was necessary and appropriate.

Councillor Brooks suggested that those people who had objected to the proposal during the first, informal consultation would not have felt it necessary to comment on the second consultation, believing that their comments should remain under consideration. Councillor Vickers added that if people had not seen evidence that their initial responses had been taken into account, they might not have felt it worthwhile to respond a second time. Councillor Allen believed the initial petition should stand throughout both consultations rather than be discounted for the second one.

Mark Cole clarified that the initial, informal consultation sought views on how budget savings could be achieved, and the second consultation was a statutory process relating to the requirements of a Traffic Order. Officers had not been complacent about the responses received in either consultation, and had set out how they would be addressed in the report. Mark Cole further confirmed that it was normal to receive fewer responses to the second consultation as had been demonstrated when a similar process had been followed for the Parkway development.

Councillor Tony Vickers commented that the Newbury Business Improvement District (BID) had indicated that they believed that the proposal would harm town centre businesses. In addition employees working in the town centre would be affected perhaps disproportionately as many were low paid. The Chairman requested that Councillor Vickers clarify this statement and asked whether he believed that people working in the town centre should be able to park for free. Councillor Vickers responded that he had sympathy with workers who were low paid and commented that his statement reflected a need to protect town centre retail business.

Councillor Pamela Bale advised the Commission that several meetings had taken place with businesses in Newbury as well as the Newbury BID (the latest meeting having taken place that morning), and the proposal had raised no issues, nor had any fresh suggestions been made. There was no evidence that the Newbury BID believed the proposal to be untoward.

Councillor Woodhams referred to a newsletter from the Newbury BID from March 2013 where they stated that they were in opposition to the proposal, that the consultation period had been insufficient and that not enough time had been allowed for issues to be explored prior to the agreement of budgets.

Mark Cole responded that he had been present when BID had made these comments, and as a result the budget had been approved subject to this consultation taking place. The proposal had therefore not been implemented until a year later to allow full consideration of all feedback.

Councillor Webster asked what process had been undertaken to understand the different needs of shoppers in different areas of the town. Mark Cole responded that there was a desire to maintain turnover of parking spaces in the more central areas in order to attract passing trade for small businesses. Further out of Newbury, the attention was on preventing commuters from parking all day thereby sterilising the area.

Councillor Woodhams advised the Commission that he had been made aware that there was vacant space in the Northcroft multi-storey car park where the top two floors were underused.

Councillor Simpson commented that the length of the consultation had been over five weeks, almost the same as that allowed for major policies.

Councillor Brooks calculated that with £25,000 to £30,000 estimated income from the pay machines that would cost £50,000 to install, it would be three years before the Council received any extra funding from this proposal. He therefore suggested that the difficulties

caused by implementing the proposal would not be offset by the income gained by going ahead.

Mark Cole replied that the pay machines had a lifetime of ten to twelve years, and that the revenue income generated would help take forward other permitted schemes in relation to road safety, etc. Over the previous four years, spending on transport related measures far exceeded income received from parking. In 2012/13 there had been a deficit of £750,000. The modest income from on street parking would assist in closing this gap. Councillor Woodhams challenged this statement; referring to the RAC Foundation's information which stated that West Berkshire Council's income from parking had risen by £429,000 last year. Mark Cole advised the Commission that the information was not correct and the Council had been in communication with the RAC Foundation to understand from where the figures had been sourced.

Councillor David Goff asked what the predicted return on investment for the pay machines would be over their lifetime. Mark Cole commented that it was not possible to be accurate but he was confident of an income of £25,000 to £30,000 per annum and there was an expectation of an increase in usage over time. The estimate of income had been safeguarded by using an assumption of achieving 60 pence per day, per parking bay, as the basis for the calculation.

Councillor Webster asked about the method for deciding where the pay machines would be located in relation to the identified bays, and whether this was related to the expected income generation of the location. Mark Cole replied that consideration had been given to how far someone would need to walk to reach the pay machine, and therefore a single pay machine could cater for only a few, or many parking bays. Consideration had not been given to income generation as this would be extremely difficult to predict with any accuracy.

Councillor Allen related anecdotal evidence from local traders that they believed shoppers would prefer to travel to the retail park than pay for on street parking in Newbury.

Councillor Webster asked, if the proposal were approved, how it would be rolled out and whether this would be phased. Mark Cole replied that the intention would be to introduce all of the machines over a short timescale in order to avoid confusion. There would, however be an implementation plan, and it was expected that, subject to approval by the Commission, implementation would begin from 1 April 2014.

Councillor Webster continued by asking what provision there was for amendments to the scheme, if it was found to be unsuccessful in some areas, and what would happen to the pay machines. Mark Cole explained that the scheme would remain under review and the effects of the scheme would be addressed, for example by making changes to resident parking schemes if town centre parking was displaced to these areas. It was not expected that any machines would be removed, however if it did become necessary, the machines would be used to replace machines in other locations as required.

Councillor Vickers recognised that the town centre shops were residents' local shops and that the loss of free on street parking would be a loss of amenity. He believed that the result would be a displacement of vehicles to residential and out of town areas. Councillor Vickers would have preferred the proposal to have come through the Newbury BID as experts in town centre requirements, and requested that no action be taken until the Newbury BID had had the opportunity to comment. Councillor Bale reiterated that the Newbury BID had been fully consulted and no negative comments and no alternatives had been put forward by them. Mark Cole added that there was nothing wrong with town centre users making use of resident areas as long as this did not cause a nuisance.

There needed to be a balance between what residents would like, and making good use of the highways.

Councillor Woodhams shared with the Commission, the views of one local business owner who believed that the proposal would jeopardise trade and that the current arrangements were sufficient.

Councillor Tim Metcalfe related his experience that in his Ward there was no need for pay machines as the naturally high turnover of passing trade to the local shop was healthy for business. However, if the situation became such that cars were parking for long periods resulting in restricted access to the shop, he would consider asking for a pay machine to prevent this.

Councillor Brooks proposed that without overriding evidence that the proposal would benefit local people, the Executive decision in relation to on-street parking charges be rejected and instead an investigation be undertaken to consider how to deter commuter parking. The proposal was seconded by Councillor Woodhams. At the vote, the proposal was rejected.

Councillor Webster placed a counter proposal that the Executive decision be upheld, but that consideration be given to phasing the installation of pay machines such that the usage of areas in the centre of Newbury be assessed whilst those in the surrounding areas were being installed. Councillor Webster proposed that the list of roads in Appendix B of the original report be referred to so that Northbrook Street, Broadway, Cheap Street, Kings Road West and Bartholomew Street be deferred, whilst all other locations be implemented as planned. Councillor Webster believed that more people used the currently allowed free parking for stays of between 35 minutes and an hour. To implement a free 30 minute period would therefore affect the habits of these people and this should be assessed prior to implementation in these areas.

Councillor Bale indicated that it might be possible to phase the installation to allow for this analysis, however consideration would need to be given to how the requested information could be collected, and all pay machines would be purchased together. Councillor Bale also commented that should any changes be made, then further consultation would need to be undertaken. Mark Cole advised that there were legal considerations in respect of the advertised Traffic Regulation Order, however a careful roll out of the proposal could be considered.

At the vote, the proposal was carried.

The Chairman thanked Mark Cole and Councillor Bale for the information provided.

RESOLVED that:

- The Individual Executive Member decision in relation to On-Street Parking Charges be upheld;
- The Executive Member for Highways give consideration to a phased introduction to allow further information about the current usage of free parking to be gathered in very central areas.

68. Petitions

There were no petitions to be received at the meeting.

69. Home to School Transport

Councillor Allen introduced the item which he had proposed following recent changes to the Home to School Transport policy. Councillor Allen had also requested information relating to the Fare Payer scheme and Safer Walking routes.

OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION - 21 JANUARY 2014 - MINUTES

Caroline Corcoran (Service Manager, Education) presented information about Home to School Transport and Safer Walking routes and made the following points:

- The Home to School Transport Policy and Fare Payers scheme were separate policies with the Fare Payers scheme aimed at children who did not qualify for home to school transport;
- Legally it was the parent's responsibility to ensure their child got to school and statutory guidance existed from which the Council's policy had been drawn;
- It was not a statutory requirement to provide home to school transport for children under 5 years or those in higher education;
- The new document was intended to simplify the policy and set out clearly when funded transport could be accessed;
- Safer Walking routes were considered to be safe in the company of a responsible adult and were not intended for children to navigate alone;
- The Fare Payers scheme had been used to make best use of the space available on buses, however more spaces were being made available for fare payers resulting in the transport costs not being value for money. The review into this scheme therefore sought to redress the balance;
- Although approximately 70 pupils from Trinity Academy were affected by the changes to the Fare Payer scheme, all lived within the three mile radius set in statute, within which it was considered acceptable for them to walk;
- Safer Walking routes were assessed if it became apparent that people believed them to be unsafe. The assessment included walking the route with a variety of stakeholders, and consideration being given to practical uses such as pushing a buggy. The views of the Highways Team were also taken into consideration;
- All routes were currently being assessed to consider any changes to infrastructure, new housing developments, etc;

Councillor Woodhams asked about the suitability of the route from Tull Way as he understood that it was not considered safe but no action had been taken. Caroline Corcoran explained that the route had been assessed in Summer 2013, and that the Road Safety Team considered the route to be safe. Councillor Woodhams asked for a report on this matter.

The Chairman voiced his concern that an assessment appeared to have been delayed, and suggested that Councillor Woodhams ask to join the assessment team on their walk when they next went.

Councillor Webster thanked Caroline Corcoran for the work undertaken, advising that ten years ago she had received numerous letters about home to school transport, but that she had not received one in recent years.

Councillor Jeff Beck said that he had been advised recently by the Highways Team that the term 'safer walking routes' was no longer in use. The Chairman requested that Caroline Corcoran provide assurance that the term was fully understood across service areas.

Councillor Allen thanked Caroline Corcoran for the information provided but asked whether there could have been any confusion between the Home to School Transport Policy and Fare Payers scheme when they were consulted on. Caroline Corcoran replied that it was unlikely to have caused any confusion, however the consultation might be approached differently if repeated.

Councillor Metcalfe asked whether the Council was obliged to provide home to school transport for Academy pupils. Caroline Corcoran replied that the authority would be required to provide this if the pupil was eligible under the law.

The Chairman thanked Caroline Corcoran for the information provided.

RESOLVED that:

- Caroline Corcoran would provide a report on the assessment of the Tull Way safer walking route to Councillor Woodhams.
- Caroline Corcoran would provide assurance that the term 'safer walking routes' was fully understood across service areas.

70. Performance report for level one indicators

The Commission considered the Council's performance report for quarter two. Jason Teal (Performance, Research and Consultation Manager) introduced the report explaining that the information related to July to September 2013 and included some amendments that had been requested following the quarter one report. Jason Teal commented that of 48 measures, 30 were reported as green – i.e. on track, 7 were amber – i.e. at risk of not being achieved by year end, and 11 were not yet reported as they were annual measures.

The Chairman commented that the new presentation format helped to make the information clearer.

Councillor Simpson asked how the average house price was calculated. Jason Teal replied that this information came from Land Registry records and was therefore an average of house prices at completion.

The Chairman, noting that there had been a significant increase in the number of freedom of information requests, asked whether this was causing difficulties. David Lowe responded that there had been year on year increases since 2005 when the process was introduced. This trend was not expected to reverse and it had been necessary to employ a second member of staff to assist. The Chairman asked where the requests mainly came from. David Lowe replied that many were from the press or from students undertaking research. There were also a number of requests from dissatisfied residents. Councillor Webb asked whether records were maintained of requests that were not completed due to the time or cost involved, and if so, could this information be circulated. David Lowe confirmed that it was recorded and could be provided.

Councillor Simpson asked why access to the internet had reduced by 25% despite a rising internet using population. Jason Teal agreed to provide this information.

RESOLVED that:

- David Lowe would provide information about the number of freedom of information requests not completed due to time or cost constraints;
- Jason Teal would provide the reason for the reduction in visits to the Council's website.

71. Councillor Call for Action

There were no Councillor Calls for Action.

(The meeting commenced at 6.30 pm and closed at 9.05 pm)

CHAIRMAN

Date of Signature

Agenda Item 4.

Title of Report:	Actions from previous meetings
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	25 February 2014

Purpose of Report: To advise the Commission of the actions arising from previous meetings

Recommended Action: To note the report

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – Tel (0118) 942 0196
E-mail Address:	bbedwell@westberks.gov.uk

Contact Officer Details	
Name:	Charlene Myers
Job Title:	Strategic Support Service
Tel. No.:	01635 519695
E-mail Address:	cmyers@westberks.gov.uk

1. Introduction

- 1.1 This report provides the Overview and Scrutiny Management Commission with an update on the actions arising from previous meetings.

2. Actions

- 2.1 **Resolution:** The Commission would monitor the provision of data from GPs to inform planning for the provision of school places (action arising from the meeting of 21 May 2013).

Action/ Response: The data was provided on 14 January 2014 and is being incorporated into the planning models.

- 2.2 **Resolution:** Continuing Health Care be added to the agenda of the Commission's 25 February 2014 meeting.

Action/ response: This item has been deferred until the meeting of the 8th April 2014. The Council's Chief Executive and the Chief Officer of North West Reading CCG will provide a joint update.

- 2.3 **Resolution:** Councillor Mason would provide further information relating to the suggested topic for scrutiny – Disability Related Expenditure Policy.

Action/ response: Provided within item 6 of the agenda.

- 2.4 **Resolution:** Caroline Corcoran would provide a report on the assessment of the Tull Way safer walking route to Councillor Woodhams.

Action/ Response: The report is attached at Appendix A.

Caroline Corcoran has also advised that the government Home to School Travel and Transport Guidance refers to:

available routes – a route will be “available” if it is a route along which a child, accompanied as necessary, can walk with reasonable safety to school. A route will be “available” even if the child would need to be accompanied along it by his or her parent or carer, as long as such accompaniment is reasonably practicable.

The Council's Home to School Transport policy will be amended from “Safe Route” to “Available Route” as a result, and such routes will now be referred to as “Available Routes”.

- 2.5 **Resolution:** David Lowe would provide information about the number of freedom of information requests not completed due to time or cost constraints;

Action/ response: This is attached at Appendix B to this report.

- 2.6 **Resolution:** Jason Teal would provide the reason for the reduction in visits to the Council's website.

Action/ Response: The following response was received from Phil Rumens (Web Development Manager):

Each quarter we measure the number of unique Internet Protocol (IP) addresses that access our websites. Though not an exact correlation, it's one of the best matches for recording the number of people using them, which given the number of devices and networks an average person uses is not possible.

To note, we have identified an error in the data source for the reporting of this metric over the previous periods. This has now been corrected and we have amended the outturns to reflect this.

For Quarter 2 of 2013/14 the measure showed numbers equivalent to just over 300,000 individual people visiting our websites at least once. This was similar to the previous two quarters, however it was an increase of 32% on the previous year.

Ten years ago the majority of websites were created primarily for promoting an organisation; now they are increasingly becoming a digital representation of it.

In Quarter 4 of 2012/13, severe weather caused disruption to the area, increasing demand for information and assistance from the council. During this period our website was promoted by Members and officers in the press, on radio and using social media.

The term "channel shift" is used to describe the migration of people from one method of communication to another and it is generally accepted that once a person has "shifted" across to a channel they perceive to be better, unless they receive a particularly bad experience via that medium, they remain using it.

Whilst it's impossible to definitively quantify all the reasons for the increase in visitor numbers, the most likely explanation is a combination of considerable promotion in Quarter 4 of 12/13 and channel shift for the following quarters.

Appendices

Appendix A Assessment of Tull Way available walking route

Appendix B Data on the provision of responses to Freedom of Information requests

This page is intentionally left blank

Home to School Transport – Assessment of on-Highway Walking Route

School	Tull Way (Generic report)
Overall route	The crossing point on Tull Way at its junction to the A4.
Road name(s)	Tull Way.
Speed limit	40 mph
3 year accident record	Between 01 November 2010 and 31 October 2013, there has only been 1 recorded injury accident in the vicinity of the Tull Way crossing point. This occurred in November 2010 on the roundabout when a car exiting Tull Way failed to give way and struck a motorcycle travelling from Newbury toward Thatcham. This resulted in the rider receiving slight injuries and occurred outside of school hours.
Road width	7 metres
Street lighting	Yes
Footway	Yes
Footway width	2.3 – 3.0 metres
Verge to step on to	N/A
Verge width	
Visibility	Visibility is good in both directions
Traffic volume	Estimated at medium.
Traffic speeds	Vehicles are slowing for the roundabout or have just negotiated the roundabout. No surveys at this point but estimated that average speeds will be in the vicinity of 20 mph
General comments	<p>The crossing point on Tull way has a large central refuge. The crossing is made in two stages. Each of the carriageway crossings is 7 metres and the southbound carriageway is split into two lanes at the entry to the roundabout. The central refuge is also 7 metres in width and provides ample storage for pedestrians and cyclists.</p> <p>This is a purpose built crossing point with a level dropped kerb and tactile paving on the crossing points. Visibility in both directions is very good.</p> <p>The crossing was assessed at 08:45 and at this time the traffic from the north appeared to be arriving at the junction in pulses. This resulted in traffic at times queuing back from the roundabout over the crossing but on all occasions this cleared quickly. So at times there may be a short wait for a gap in the traffic on the eastern leg of the crossing. The roads approaching the crossing were checked as it was suspected there may be some temporary traffic control however, all were clear.</p> <p>The Western leg had a low volume of vehicles and crossing this point was easy with very short if any wait time.</p>
Degree of risk (U/H/M/L)	Medium - Low
Suggested risk mitigation	High visibility jackets should be worn at all times.

This report assesses the suitability of a walking route. Issues such as personal security, and convenience to users are not taken into account. It is assumed that children using the route will be accompanied by a responsible adult.

measures	
Assessed by	Glyn Davis
Date	28 th January 2014



Tull Way crossing point looking from the eastern side

This report assesses the suitability of a walking route. Issues such as personal security, and convenience to users are not taken into account. It is assumed that children using the route will be accompanied by a responsible adult.

Data on the provision of responses to Freedom of Information requests

2009

No of requests in 2009	520
No of requests to which exemptions/exceptions applied (either in full or in part)	53
No of requests answered in full	467
No of requests answered late	48
No of internal reviews	10
No of ICO reviews	2

Fol:		Environmental Information Regulations	Joint:	
S12- – Cost of compliance exceeds the appropriate limit	16	Reg 12(4)(d)- The request relates to material which is still in the course of completion, to unfinished documents or to incomplete data	S30 or Reg 12(5)(b)- – Prejudice to the course of justice	1
S14- Vexatious or repeated requests	2		S44 or Reg 12(5)(d)- Prejudice to the confidentiality of the proceedings of that or any other public authority where such confidentiality is protected by law	1
S21- Information accessible to the applicant by other means	1			
S22- Information intended for future publication	6			
S30- Investigations and proceedings conducted by public authorities	1			
S31- Law enforcement	3			
S36- Prejudice to the effective conduct of public affairs	3			
S38- Health and safety	1			
S40- Personal information	17			
S41- Information provided in confidence	3			
S42- Legal professional privilege	2			
S43- Commercial interests	7			

Please note that more than one exemption/exception may be used for a request and use of an exemption/exception does not necessarily mean all information has been refused.

2010

No of requests in 2010	558
No of requests to which exemptions/exceptions applied (either in full or in part)	77
No of requests answered in full	481
No of requests answered late	52
No of internal reviews	9
No of ICO reviews	2

Freedom of Information		Environmental Information Regulations	Joint:	
S12- Cost of compliance exceeds the appropriate limit	30	Reg 12(4)(b)- The request for information is manifestly unreasonable	7	S12 or Reg 12(4)(b)- 1
S22- Information intended for future publication	4	Reg 12(5)(d)- The request relates to material which is still in the course of completion, to unfinished documents or to incomplete data	1	S43 or Reg 12(5)(d) &(e) 1
S31- – Law enforcement	6	Reg 12(5)(e)- The request involves disclosure of internal communications	1	
S36- Prejudice to the effective conduct of public affairs	3			
S38- Health and safety	2			
S40- Personal information	13			
S41- -Information provided in confidence	2			
S42- Legal professional privilege	3			
S43- Commercial interests	15			
S44- – Prohibitions on disclosure	1			

Please note that more than one exemption/exception may be used for a request and use of an exemption/exception does not necessarily mean all information has been refused.

2011

No of requests in 2011	773
No of requests to which exemptions/exceptions applied (either in full or in part)	154
No of requests answered in full	619
No of requests answered late	41
No of internal reviews	15
No of ICO reviews	6

Freedom of Information		Environmental Information Regulations		Joint:	
S12- Cost of compliance exceeds	50	Reg 12(4)(b)- The request for information is	7	S12 or Reg 12(4)(b)	1
S14- Vexatious or repeated requests	4	Reg 12(4)(e)- The request involves disclosure of internal communications –	1	S40 or Reg 13	1
S21- Information accessible to the applicant by other means	6	Reg 12(5)(b)- Prejudice to the course of justice	2		
S22- Information intended for future publication	16	Reg 12(5)(c)- Prejudice to intellectual property rights	1		
S31- Law enforcement	8	Reg 12(5)(d)- Prejudice to the confidentiality of the proceedings of that or any other public authority where such confidentiality is protected by law –	3		
S36- Prejudice to the effective conduct of public affairs	1	Reg 12(5)(e)- Prejudice to the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest	1		
S38- Health and safety	1	Reg 12(5)(f) – Prejudice to the interests of the person who provided the information (and where the person was not under an obligation to provide it and has not consented to its disclosure	2		
S40- Personal information	44	Reg 13- Personal Data	3		
S41- Information provided in confidence	1				
S42- Legal professional privilege	1				
S43- Commercial interests	18				
S44- Prohibitions on disclosure	1				

Please note that more than one exemption/exception may be used for a request and use of an exemption/exception does not necessarily mean all information has been refused.

2012

No of requests in 2012	823
No of requests to which exemptions/exceptions applied (either in full or in part)	143
No of requests answered in full	680
No of requests answered late	112
No of internal reviews	19
No of ICO reviews	5

Freedom of Information		Environmental Information Regulations		Joint	
S12- Cost of compliance exceeds the appropriate limit	52	Reg 12(4)(b)- The request for information is manifestly unreasonable	10	S12 or Reg 12(4)(b)	1
S14- Vexatious or repeated requests	1	Reg 12(5)(d)- Prejudice to the confidentiality of the proceedings of that or any other public authority where such confidentiality is protected by law	6	S30, S43 or Reg 12(5)(b), Reg 12(5)(d)-	2
S21- Information accessible to the applicant by other means	2	Reg 12(5)(e)- Prejudice to the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest	4	S30, S43 or Reg 12(5)(d) Reg 12(5)(e)	1
S22- Information intended for future publication	9	Reg 12(5)(f) – Prejudice to the interests of the person who provided the information (and where the person was not under an obligation to provide it and has not consented to its disclosure)	2	S40 or Reg 13	2
S30- Investigations and proceedings conducted by public authorities	1	Reg 13- Personal Data	5		
S31- Law enforcement	1				
S36- Prejudice to the effective conduct of public affairs	3	Please note that more than one exemption/exception may be used for a request and use of an exemption/exception does not necessarily mean all information has been refused.			
S38- Health and safety	3				
S40- Personal information	39				
S41- Information provided in confidence	3				
S43- Commercial interests	16				

2013

No of requests in 2013	1172
No of requests to which exemptions/exceptions applied (either in full or in part)	169
No of requests answered in full	1003
No of requests answered late (to date 22/01/14)	29
No of internal reviews	22
No of ICO reviews -	3
Note: 3 requests remain to complete, one currently overdue	

Freedom of Information		Environmental Information Regulations		Joint	
S12- (Cost of compliance exceeds the appropriate limit)	75	Reg 12(4)(b)- (The request for information is manifestly unreasonable)	11	S12 or Reg 12(4)(b)	3
S14- (Vexatious or repeated requests)	6	Reg 12(4)(d)-(The request relates to material which is still in the course of completion, to unfinished documents or to incomplete data)	1	S40 or Reg 13	4
S21- (Information accessible to the applicant by other means)	6	Reg 12(4)(e)- (The request involves disclosure of internal communications)	2	S43 or Reg 12(4)((e) and 12(4)(d)	1
S22- (Information intended for future publication)	4	Reg 12(5)(d)- (Prejudice to the confidentiality of the proceedings of that or any other public authority where such confidentiality is protected by law)	3		
S30- (Investigations and proceedings conducted by public authorities)	2	Reg 12(5)(e)- (Prejudice to the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest)	5		
S31- (Law enforcement)	5	Reg 12(5)(f)- (Prejudice to the interests of the person who provided the information (and where the person was not under an obligation to provide it and has not consented to its disclosure)	2		
S36- (Prejudice to the effective conduct of public affairs)	3	Reg 13- (Personal Data)	2		
S38- (Health and safety)	3				
S40- (Personal information)	36				
S41- (Information provided in confidence)	6	Please note that more than one exemption/exception may be used for a request and use of an exemption/exception does not necessarily mean all information has been refused.			
S43- (Commercial interests)	29				

This page is intentionally left blank

Agenda Item 5.

Title of Report:	West Berkshire Forward Plan
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	25 February 2014

Purpose of Report: To advise the Overview and Scrutiny Management Commission of items to be considered by West Berkshire Council from 01 November 2013 to 28 February 2014 and decide whether to review any of the proposed items prior to the meeting indicated in the plan.

Recommended Action: That the Overview and Scrutiny Management Commission considers the West Berkshire Council Forward Plan and recommends further action as appropriate.

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – Tel (0118) 942 0196
E-mail Address:	bbedwell@westberks.gov.uk

Contact Officer Details	
Name:	Charlene Myers
Job Title:	Strategic Support Officer
Tel. No.:	01635 519695
E-mail Address:	cmyers@westberks.gov.uk

Supporting Information

1. Introduction

- 1.1 The Forward Plan attempts to cover all decisions, not just those made by the Executive, which the Authority intends to take over the next 4 months. The Forward Plan, attached at Appendix A, for the months of 12 February to 30 June 2014, also shows the decision path of each item including Council, Executive and Overview and Scrutiny Management Commission.
- 1.2 In order to hold the Executive to account, Overview and Scrutiny Management Commission Members are asked to identify any areas of forthcoming decisions which may be appropriate for future scrutiny.
- 1.3 The West Berkshire Council Forward Plan – 12 February to 30 June 2014 is available at <http://www.westberks.gov.uk/index.aspx?articleid=1594> and will be displayed on screen during the meeting.

Appendices

There are no appendices to this report.

Agenda Item 6.

Title of Report:	Overview and Scrutiny Management Commission Work Programme
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	25 February 2014

Purpose of Report: To receive, agree and prioritise the Work Programme of the Commission.

Recommended Action:

- To consider the current items and any future areas for scrutiny.
- To consider and approve the suggested topic for scrutiny – Children’s Services.
- To consider and approve the suggested topic for scrutiny – Fairer Contributions Policy

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Chairman of the Overview and Scrutiny Management Commission

Contact Officer Details	
Name:	Charlene Myers
Job Title:	Strategic Support Officer
Tel. No.:	01635 519695
E-mail Address:	cmyers@westberks.gov.uk

Supporting Information

1. Introduction

- 1.1 The work programme for the Overview and Scrutiny Management Commission is attached at Appendix A for the Commission's consideration. Members are also asked to consider any future areas for scrutiny.
- 1.2 The governance arrangements in place for Children's Services have been proposed as a topic for scrutiny, and is presented at Appendix B for consideration and agreement by the Commission.
- 1.3 The Fairer Contributions policy has been proposed as a topic for scrutiny, and is presented at Appendix C for consideration and agreement by the Commission.

Appendices

Appendix A – Overview and Scrutiny Management Commission Work Programme

Appendix B – The governance arrangements in place for Children's Services

Appendix C – Fairer Contributions policy

Overview and Scrutiny Management Commission Work Programme - 2013/14

Reference	Subject	Purpose	Format	Methodology	Start Date	End Date	Lead Officer / Service Area	Portfolio Holder	Status	Comments
OSMC/13/147	Benefits Reform	To examine the impact of the government's benefits changes	In meeting		Feb-14	Feb-14	Sean Anderson - 2149 Head of Customer Services	Councillor Alan Law	In progress	- Item incorporated at OSMC meeting of 16/04/13 - Schedule for early 2014
OSMC/13/150	Homelessness - young families	To understand the reasons why West Berkshire appears to have a disproportionate amount of young families facing homelessness whose friends and extended family are unwilling or unable to provide them with temporary housing.	Task Group (Cllrs Bryant, Ellisson, Vickers & Webb)		Jan-14	TBC	Mel Brain-2403 Housing	Councillor Roger Croft	In progress	Arose from the 2012 review of homelessness (recommendation 12) Task Group established, first meeting to be arranged.
OSMC/12/144	Shaw House	To understand the utilisation and income generated	Task Group (Cllrs Brooks, Beck & Ellison)		Jun-13	Apr-14	Steve Broughton - 2837 Head of Culture & Environmental Protection	Councillor Hilary Cole	In Progress	Task Group to examine the Portfolio Holder's report following work undertaken by the Cultural Asset Working Group
OSMC/11/119	Continuing Healthcare (CHC)	To assess the effect of the CHC operations policy and procedures in practise	In meeting		Dec-13	Apr-14	Belwinder Kaur – 2736 Adult Social Care	Councillor Joe Mooney	Scheduled	Monitoring of the CHC independent review action plan. Update against actions requested after 6 months. Following the update heard at the December meeting - the CCGs have been asked to return to the April meeting to provide further information around performance
OSMC/09/02	Performance Report for Level One Indicators	To monitor quarterly the performance levels across the Council and to consider, where appropriate, any remedial action. Quarterly Item	In meeting		Jan-14	Apr-14	Jason Teal – 2102 Policy & Communication	Councillor Roger Croft	Scheduled	Quarterly item. To be heard (Jan 14 for Q2, April for Q3 , next meeting TBC but exec circle end date 24th July 2014)
OSMC/09/57	Revenue and capital budget reports	To receive the latest period revenue and capital budget reports	In meeting	Quarterly item.	Apr-14	Apr-14	Andy Walker – 2433 Finance	Councillor Alan Law	Scheduled	May lead to areas for in depth review.
OSMC/11/110	Energy Saving	To review the Council's policies and procedures for Energy Saving.	In meeting		Apr-14	May-14	Adrian Slaughter	Councillor Dominic Boeck	Scheduled	Completed in April 2012. Review to be undertaken in April 2014.
OSMC/11/111	Risk Register	To scrutinise individual items on the Risk Register on an annual basis. Annual recurrence	In meeting		Apr-14	Apr-14	Ian Priestley	Councillor Roger Croft	Scheduled	Annual item initially scheduled for January 2014. Ian Priestly advised that the item was not yet ready for discussion and it would therefore be postponed until April 2014
OSMC/11/129	Housing Allocations policy	To conduct a review of the effectiveness of the Council's Housing Allocation Policy	In meeting		Sep-14	Sep-14	Mel Brain - 2403 Social Care Commissioning and Housing	Councillor Roger Croft	Scheduled	Review of the policy 12 months after its implementation.
OSMC/12/135	Annual target setting	To examine the annual targets being set for 2014/15.	Task Group (Cllrs Webb, Webster & Vickers)	Task group working directly with PM officers	May-14	May-14	Jason Teal – 2102 Strategic Support	Councillor Roger Croft	Scheduled	Annual review
OSMC/12/149	Newbury town centre parking	To ensure that the needs of Newbury residents, businesses and visitors are appropriately balanced.	Task Group		Early 2014	Mid 2014	Mark Edwards-2208 Highways and Transport	Councillor Pamela Bale	To be scheduled	Suggested by Councillor Tony Vickers and added to the work programme at the meeting of 2 July. To be discussed following completion of the BID/WBC car parking review

This page is intentionally left blank

Suggest a topic for scrutiny

About you – contact details	
Firstname*	Rachael
Surname*	Wardell
Address	West Street House
Email Address	rwardell@westberks.gov.uk
Telephone Area Code/Number*	01635 519722

Your suggested topic(s)	
Your suggested topic for scrutiny:	
The governance arrangements in place for Children’s Services	
Your reasons for requesting that this topic be considered: <i>(Please include your reasons for suggesting the topic and include details of any evidence you may have)</i>	
<p>There are currently in place a number of governance bodies that aim to ensure that social care practise for children and young people is safe and effective. Each of these bodies focuses on specific aspects of social care and services for children in need and include:</p> <ul style="list-style-type: none"> • Local Safeguarding Children Board • Corporate Parenting Panel • R:VUE • Children and Young People Partnership • Health and Wellbeing Board • Quality Assurance Board • Munroe/Children’s Improvement Board <p>The aim of this review would be to assess the extent to which these bodies collectively provide a framework that is necessary, comprehensive, efficient and effective.</p>	
Topics suggested for scrutiny need to meet one of the following criteria. Please click the appropriate box(es):	
(1) The issue is an area of key public concern (e.g. as identified through Members surgeries, constituents’ concerns, the Annual Satisfaction Survey, raised in the local media, etc).	<input checked="" type="checkbox"/>
(2) There is evidence of poor performance within the activity (i.e. through performance indicator data, experience of Members, internal or external auditor findings, etc).	<input type="checkbox"/>
(3) It is a budgetary area in need of examination to ensure value for money is being obtained.	<input type="checkbox"/>
(4) There has been a pattern of budgetary overspends within the area.	<input type="checkbox"/>
(5) It is a corporate priority for the Council as published within the Council Strategy.	<input checked="" type="checkbox"/>

(6) It has an external focus (e.g. scrutiny of the Council's partners, government agencies, utility providers, private sector companies, etc)	<input type="checkbox"/>
(7) It is a Central Government priority area.	<input type="checkbox"/>
(8) It is an area of new Government legislation that has significant implications for the Council or its partners.	<input type="checkbox"/>
The outcomes you hope scrutiny of this topic will achieve:	
An assurance that the governance framework is fit for purpose or, if not, the identification of measures to make it so.	

Thank you for taking the time to complete this form. Whilst we cannot guarantee that your suggestion for scrutiny topics will always result in a scrutiny project, every suggestion or comment will be carefully considered.

Suggest a topic for scrutiny

About you – contact details	
Title	Cllr
Firstname*	Gwen
Surname*	Mason
House No./Name*	46
Address (Line 2)	Chestnut Crescent
Address (Line 3)	
Address (Town/City)	Newbury
Postcode*	RG14 1LE
Email Address	gmason@westberks.gov.uk
Telephone Area Code/Number*	01635 35991

* These details must be filled-in.

Your suggested topic(s)	
Your suggested topic for scrutiny:	
Fairer Contributions Policy for Non-Residential Care Services	
Your reasons for requesting that this topic be considered: <i>(Please include your reasons for suggesting the topic and include details of any evidence you may have)</i>	
Concerns have been raised by the Disability External Scrutiny (DES) Board that the operation of the Council's Fairer Contributions Policy for Non-Residential Care, also known as Disability Related Expenditure, may not be operating as it should.	
It is requested that a scrutiny review be undertaken to understand the intent of the policy and specifically	
<ul style="list-style-type: none"> • Its scope • The eligibility and qualification criteria • The arrangements for conflict resolution • Its process for review, including consultation 	
There is also an express concern about the policy's clarity.	
Topics suggested for scrutiny need to meet one of the following criteria. Please click the appropriate box(es):	
(1) The issue is an area of key public concern (e.g. as identified through Members surgeries, constituents' concerns, the Annual Satisfaction Survey, raised in the local media, etc).	<input checked="" type="checkbox"/>
(2) There is evidence of poor performance within the activity (i.e. through performance indicator data, experience of Members, internal or external auditor findings, etc).	<input type="checkbox"/>
(3) It is a budgetary area in need of examination to ensure value for money is	<input type="checkbox"/>

being obtained.	
(4) There has been a pattern of budgetary overspends within the area.	<input type="checkbox"/>
(5) It is a corporate priority for the Council as published within the Council Strategy.	<input type="checkbox"/>
(6) It has an external focus (e.g. scrutiny of the Council's partners, government agencies, utility providers, private sector companies, etc)	<input type="checkbox"/>
(7) It is a Central Government priority area.	<input type="checkbox"/>
(8) It is an area of new Government legislation that has significant implications for the Council or its partners.	<input type="checkbox"/>
The outcomes you hope scrutiny of this topic will achieve:	
Assurance that the policy is operating fairly and as intended.	

Thank you for taking the time to complete this form. Whilst we cannot guarantee that your suggestion for scrutiny topics will always result in a scrutiny project, every suggestion or comment will be carefully considered.

If you wish to post your form, please send to:

Elaine Walker,
Strategic Support
West Berkshire Council
Market Street
Newbury RG14 5LD

or email to: ewalker@westberks.gov.uk

Agenda Item 10.

Title of Report:	The impact of welfare reform in West Berkshire
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	25 February 2014

Purpose of Report: To inform the Overview and Scrutiny Management Commission of the emerging impacts of :

- Council Tax Support
- Social Sector Size Criteria
- Discretionary Housing Payments
- Community Grants
- Food Bank
- Benefit Cap
- Universal Credit

Recommended Action: To note the contents of the report and conduct scrutiny accordingly

Resource Management Select Committee Chairman	
Name & Telephone No.:	Councillor Brian Bedwell
E-mail Address:	bbedwell@westberks.gov.uk

Contact Officer Details	
Name:	Sean Anderson
Job Title:	Head of Customer Services
Tel. No.:	01635 519149
E-mail Address:	sanderson@westberks.gov.uk

Executive Report

1. Introduction

- 1.1 At its meeting of 16 April 2013, the Overview and Scrutiny Management Commission resolved that it would conduct a review into the effect of the government's welfare reforms. This report provides background on the topic and gives a snap shot of the impact of those reforms in the first months of implementation.
- 1.2 Matters reported relate to; Council Tax Support, Social Sector Size Criteria, Discretionary Housing Benefits, Community Grants, Benefit Cap, and Food Banks, Universal Credit and the emerging impact of these changes on recipients, the Council and partner organisations.

2. Council Tax Support

- 2.1 Council Tax Support (CTS) replaced Council Tax Benefit (CTB) in April 2013. Council agreed a scheme of CTS that maintained the same levels of benefit for CTS as compared to CTB for pensioners, and for those of working age in receipt of a range of disabled related benefits - all other claimants of working age have been required to pay at least 8.5% of their Council Tax since April 2013, increasing to a minimum 10% contribution from April 2014.
- 2.2 At the point of transfer in April 2013 there were 8320 CTS claims. The latest data for the 31 December 2013 shows a reduction, with 7896 claimants in total, of which 3667 are pensioners , 1712 with a disability related benefit (both groups protected with no change in assessment compared to Council Tax Benefit)) and a further 2497 paying at least 8.5% of their Council Tax before being awarded support.
- 2.3 The administrative transfer from Council Tax Benefit to Council Tax Support was achieved with little or no disruption to those claimants and on the whole the scheme is operating well and is well understood by applicants and support organisations.
- 2.4 Council does have the ability to vary the scheme (with the exception of Pensioners) from year to year should it desire to do so - but only after full and proper consultation with claimants and the wider district and interested parties.

3. Council Tax Collection Performance

- 3.1 The change from Council Tax Benefit to Council Tax Support and the requirement for some claimants to contribute where before they had not been required to could increase the incidence of Council Tax payers claiming support to potentially default on their payments
- 3.2 Looking at the available data collection rates are marginally lower than last year. The 31st December 2013 reported collection was 85.63% of the amount due being paid compared to 86.19% by the 31 December 2012. It should be noted that 2011 - 2012 collection rates were the highest to date at the very top quartile of performance nationally.
- 3.3 There is a health warning for the figures above - this year for the first time residents have had the option to pay their Council tax over 12 months as well as over 10 months. Many have taken up this option so comparing year against year in this first

year of change does not provide a reliable comparator. The true collection rate will not be fully known until May 2014.

- 3.4 Looking at payments defaulting, for the period April 2013 to Jan 2014 we have issued 16454 reminder notices compared to 13069 in the same period last year, and 6936 summonses for non payment compared to 5798 for the same period in the previous year.
- 3.5 We are unable to identify in the above figures those who are receipt of Council Tax Support and accordingly it should not be assumed that the uplift in recovery action is solely attributable to this group.
- 3.6 At this stage in the year it is too early to tell what the final outturn will be but the current collection rate is not a cause for concern at this stage.

4. Social Sector Size Criteria

- 4.1 This came into force in April 2013. It affects tenants of working-age living in social sector housing who claim Housing Benefit. This will mainly impact on certain groups and older couples in their 40s/50s where children have now left home.
- 4.2 There are 656 households (as at 31 Dec 2013) within the District affected by the Social Sector Size Criteria and have their Housing Benefit payments reduced accordingly.
- 4.3 Of these, 543 are under occupying by one bedroom and therefore their rent is restricted by 14%. The other 113 claims are under occupying by two or more bedrooms and have their rent restricted by 25%.
- 4.4 These changes are impacting on social sector tenants, social sector landlords, and the Council.
- 4.5 It is difficult to quantify the impact of these changes but Information from the Sovereign Housing Association (SHA) our largest social landlord within the district indicates that their income levels have reduced gradually during the first three quarters (compared to last year) and that the increase in rent arrears is greater within this region compared to others.
- 4.6 SHA have sought to mitigate the impact of these changes and have been facilitating residents to mutual exchange to smaller homes - 74 exchanges within West Berkshire in the first quarter compared to 33 at the same point last year.
- 4.7 In addition their Tenancy Support Team assisted 551 residents across all regions in the first quarter in claiming backdated benefits, income maximisation and rent arrears reduction.
- 4.8 SHA have also been taking part in the National Housing Federation's gathering of information about the Bedroom Tax impact. They reported that they know of 30 tenants within the region wanting to downsize and that there is a much greater demand for 1 and 2 bedroom homes as people try to downsize.
- 4.9 SHA's new pre - tenancy affordability assessment have assessed some people, who are on benefits and who would be entitled to full housing benefit, as being unable to afford a social rent home. They are therefore effectively saying that these

households cannot afford a home anywhere, as social rent is the most affordable accommodation available.

- 4.10 SHA are also seeking to mitigate some of the impact of this change and have a more robust pre-tenancy affordability checking in place and now expect all residents to pay a minimum of one weeks' rent prior to receiving the keys. This is

		Apr	Jun	Sep	Dec	Mar	Total
DHP	2011/12	32	46	55	61	51	245
DHP	2012/13	19	40	39	40	174	312
DHP	2013/14	275	85	185	166		711

having an impact as SHA are referring applicants to the Council to apply for DHP for the rent in advance, so this policy will potentially impact on the Council's budget once the government funding has been used.

- 4.11 Some help for tenants affected by the impact of this change may be available from the Council by way of Discretionary Housing Payments.

5. Discretionary Housing Payments

- 5.1 Following the introduction of the Social Size Criteria in April 2013 there has been a significant increase in the number of Discretionary Housing Payment (DHP) applications.

DHP 2013/14						
	Apr	Jun	Sep	Dec	Mar	Total
Agreed	182	55	113	78		428
Refused	93	29	64	60		246
Awaiting assessment	0	1	8	28		
Average Award (£ per week)	23.59	22.22	36.17	31.71		£28.42 aver
Average length of Award (days)	157	142	154	141		148.5 days
Average number of days to decision	16	16	15	21		17
No. of review requests	5	7	0	17		29

5.2 58% of assessed applications have been granted an award of DHP (April - Dec)

69% of approved applications have been awarded DHP as a consequence of Social Sector Size Criteria

DHP Fund = £604,180 of which £214,672 is Government funding

DHP Spend and Commitment April - Dec £280,929

DHP Fund remaining as at 31 Dec 2013 £323,250

Council Funding used £39,257

5.3 Applicants applying for DHP due to Social Size Criteria are being provided with detailed written advice on the options available to them to move to smaller accommodation and are being made aware that DHP awards will not (in the majority of cases) be made longer term, therefore they need to proactively consider their options.

5.4 We have also been maximising the housing needs points of social under-occupiers on the Common Housing Register and some properties have been advertised giving preference to households affected by the Social Sector Size Criteria - both of these steps have been taken to try and enhance the opportunity for those affected to move to smaller accommodation, thus freeing up larger accommodation for other families in housing need. Overall, the pressure arising from Social Sector Size Criteria appears once again to be on two bedroom homes.

6. Community Grants

6.1 Following the abolition of the Community Care Grant and Crisis Loans by the Department for Works and Pensions on the 31st March 2013 West Berkshire set up the Communities Grant (CG) scheme.

		Apr	June	Sept	Dec
CG Applications	2013/14	21	33	59	66

6.2 CG Fund 2013-14 = £167,884

CG Spend YTD = £72,723

CG Fund Remaining = £95,161

83% of CG applications have been successful (i.e. they have been made an award)

The average award amount has been £484.82. The highest award has been £1918.06 and the lowest has been £8.90.

6.3 Overall, the criteria and policy appear to be working well. Having a dedicated officer in post has been critical to our ability to manage the demand and to ensure that applicants are provided with tailored advice.

6.4 Applicants applying for CG have mainly been applying for white goods. New white goods are sourced via the Community Furniture Project.

7. Food Bank

7.1 The West Berkshire Food Bank has to date helped 654 people in West Berkshire and distributed 13.2 tons of food donated by Churches, Supermarkets, and the public.

7.2 Applicants are typically allowed a maximum of three food vouchers but this can be exceeded in extenuating circumstances.

Ward	No Vouchers	Adults	Children	Total
Aldermaston	4	4	0	4
Bucklebury West	6	8	5	13
Burghclere, Highclere, St Mary Bourne	1	2	0	2
Burghfield	1	4	0	4
Clay Hill	12	19	23	42
Cold Ash	1	1	0	1
Downlands	2	4	0	4
E.Woodhay	3	4	1	5
Falkland	3	4	2	6
Greenham	29	37	8	45
Hungerford	2	2	3	5
Kingsclere	4	4	2	6
Kintbury	19	31	8	39
Lambourn	4	4	1	5
Mortimer	1	1	0	1
Northcroft	18	21	3	24
Purley On Thames	4	4	0	4
Speen	12	19	18	37

St Johns	17	22	7	29
Sulhamstead	1	1	0	1
Thatcham C	8	12	7	19
Thatcham N	11	20	5	25
Thatcham S & Crookham	6	7	6	13
Thatcham W	6	10	0	10
Theale	2	3	0	3
Unknown	15	19	1	20
Victoria	18	20	4	24

7.3 In addition to food parcels, Food bank can courtesy of the Salvation Army issue clothing vouchers to use in the Salvation Army Charity Shop.

8. 'Benefit Cap'

8.1 The 'Benefit Cap' affects families and single claimants. Families or certain individuals in receipt of Disability Living Allowance, Working Tax Credit, and Employment Support Allowance will be exempt from this change.

8.2 The affect of this change will be to 'cap' the total income at £500 per week for families, or £350 per week for individuals. This includes Housing Benefit, Carer's Allowance, Income Support, Child Tax Credit and most other benefits.

8.3 The Benefit Cap is being applied in a phased approach and commenced in July within West Berkshire. Information is provided by the DWP to the Council who are then instructed to reduce the amount of Housing Benefit paid to such a level that the total of all benefits paid does not exceed the limits above.

8.4 To date 31 claims has been so restricted

8.5 The level of cap varies from household to household - the highest indicated weekly cap that we are aware of is £293 per week, to the lowest of £1.46 per week. The average reduction is £73.33 per week.

8.6 It is understood that the DWP have forewarned those claimants affected and provided information and possible options to mitigate the impact of this change.

8.7 Whilst the total numbers are relatively small the impact will be significant for those concerned by this change - demand will undoubtedly fall upon the Council to assist in someway to mitigate the undeniable consequences of the 'Cap'

9. Universal Credit

- 9.1 Universal Credit is intended to consolidate a range of benefits into one single benefit payable directly to the applicant. This would see the removal of Housing Benefit from Local Authority administration to the DWP. A target date of October 2013 was indicated as the start of a phased roll out of universal Credit.
- 9.2 There has been well publicised implementation issues in relation to Universal Credit and our latest understanding is that it may not be until 2017 until Housing Benefit (and then only certain categories of Housing Benefit) are transferred to the DWP.
- 9.3 This uncertainty is causing issues for the Council and particularly in respect of staffing and investment - our initial planning now some three years ago provided strategy where we could minimise the impact on claimants, staff, and the Council. That strategy is having to be revised in the light of the revised time frame for implementation.

10. Summary

- 10.1 Much of the intelligence used with this report relates to April - Dec 2013. There is little information available at this stage to determine the true impact of these changes upon individuals and families and there may well be continuation of difficulty in determining this.
- 10.2 What is apparent though is that many of these changes are converging on the same individual and families - with further changes to follow e.g. the introduction of Universal Credit at some point.
- 10.3 What is also apparent is the Council is in part either directly 'pushing' these changes' such as Council tax Support, Social Size Criteria, and 'Benefit Caps' or mitigating these and the wider impacts of these through the payment of DHP's and Community Grants.

11. Recommendation

- 11.1 It is recommended that the Overview and Scrutiny Management Commission notes the contents of this report and conducts scrutiny accordingly.
- 11.2 To assist the members of the Commission in their considerations, the following have been invited to attend the meeting:
- (1) Sean Anderson, West Berkshire Council Head of Customer Services
 - (2) Mel Brain, West Berkshire Council Housing Strategy and Operations Manager
 - (3) Andrew Bruce, Newbury Foodbank Chair
 - (4) Adrian Brunskill, Sovereign South + West Regional Housing Manager
 - (5) Councillor Roger Croft, West Berkshire Council Executive Member for Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support
 - (6) Jo England, West Berkshire Council Client Financial Services Manager
 - (7) Jan Rothwell, West Berkshire Citizens Advice Bureau Chief Executive
 - (8) David Wiseman, Newbury Job Centre Plus Manager

There are no Appendices to this report.