

# DRAFT

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## EXECUTIVE

### MINUTES OF THE MEETING HELD ON

**THURSDAY, 17 OCTOBER 2013**

**Councillors Present:** Pamela Bale, Hilary Cole, Roger Croft, Graham Jones, Alan Law, Gordon Lundie, Irene Neill and Graham Pask

**Also Present:** Steve Broughton (Head of Culture & Environmental Protection), Nick Carter (Chief Executive), Sarah Clarke (Team Leader - Solicitor), June Graves (Head of Care Commissioning, Housing & Safeguarding), Ian Pearson (Deputy Corporate Director (Communities) & Head of Education Service), Peta Stoddart-Crompton (Public Relations Officer), Andy Walker (Head of Finance), Rachael Wardell (Corporate Director - Communities), Claire White (Finance Manager (Schools)), Councillor David Allen, Stephen Chard (Policy Officer), Councillor Adrian Edwards, Councillor Paul Hewer, Councillor Roger Hunneman (Deputy Liberal Democrat Group Leader), Councillor Royce Longton, Councillor Gwen Mason, Linda Pye (Policy Officer), Robin Steel (Group Executive (Cons)), Councillor Tony Vickers, Councillor Quentin Webb and Councillor Keith Woodhams

**Apologies for inability to attend the meeting:** John Ashworth, Councillor Dominic Boeck and Councillor Joe Mooney

#### PART I

##### 30. Minutes

The Minutes of the meeting held on 5 September 2013 were approved as a true and correct record and signed by the Leader.

##### 31. Declarations of Interest

There were no declarations of interest received.

##### 32. Public Questions

(a) **Question submitted by Mr Peter Norman to the Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside**

A question standing in the name of Mr Peter Norman on the subject of the lessons learned by the Council in ensuring that in future statutory consultees were consulted with properly was answered by the Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside.

(b) **Question submitted by Mr Peter Norman to the Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside**

A question standing in the name of Mr Peter Norman which sought assurance that Warren Road would not be made all vehicular access for Sandford Park was answered by the Portfolio Holder for Planning, Transport (Policy), Culture, Customer Services and Countryside.

(c) **Question submitted by Mr Peter Norman to the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision**

A question standing in the name of Mr Peter Norman on the subject of when the Council would make the full report commissioned on London Road available to the general public or, if not the full report, a substantive part of its recommendations was answered by the

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Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision.

### 33. **Petitions**

There were no petitions presented to the Executive.

### 34. **Adoption of the Housing Allocations Policy (EX2685)**

The Executive considered a report (Agenda Item 6) which sought approval to adopt the Council's policy for assessment and allocation of applicants seeking social housing.

Councillor Roger Croft stated that this policy was the product of 18 months work and Officers had been assisted in developing the detail of the policy by a cross-party task group of Members which had been overseen by the Overview and Scrutiny Management Commission.

The policy provided details about who qualified for an allocation of social housing in West Berkshire and the priority they would be given. New qualifying criteria would ensure that West Berkshire's social housing would be directed towards those applicants who had a defined local connection to the district and those who had the greatest housing need. These principles had been supported throughout the two public consultations that had been held.

The Housing Act 1996 required local authorities to give preference to certain groups of applicants and the policy did this by awarding points for specific issues of housing need. During testing of the proposed housing needs assessment it became clear that the current practice of awarding points purely for the time the applicants had been on the housing register skewed the housing need assessment could result in allocations being made to applicants who were not in the greatest housing need. Therefore, these 'time waiting points' had been removed from the final draft of the Housing Allocation Policy. Appendix C to the report set out a full summary of all amendment made to the policy following consultation.

The policy would be implemented through the Choice Lettings Scheme which offered accountability and transparency in the allocation of social housing in West Berkshire.

Councillor Graham Jones referred to a specific case in Lambourn where a property had been allocated to a person outside the village. However, they had been service personnel and he asked for clarification on how they would fit into the policy. Councillor Croft responded that armed personnel and their families were generally exempt from the local connection qualifying criteria. In particular, those who were currently serving in the regular armed forces or who had served in the regular armed forces within the last five years. Also bereaved spouses or civil partners of members of the armed forces whose death was as a result of their service and who were being asked to leave Ministry of Defence (MoD) accommodation. Existing or former members of the reserve forces who were suffering from a serious injury or disability which was wholly attributable to their service would also qualify for local connection. This meant that applicants who fell into one of those groups would be deemed to have a local connection for the purposes of housing allocations and would qualify for the Common Housing Register.

Councillor Irene Neill referred to the fact that Looked After Children (LAC) were often placed outside the district and she queried whether those children would lose their local connection if they wished to return to the area after they were 18 years of age. Councillor Croft confirmed that a child who was the responsibility of West Berkshire Council and who had been placed outside the district would be deemed to have lived within the district for the duration of that placement and thus they would retain their local connection.

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Councillor Tony Vickers was supportive of this policy which he felt was an improvement on the previous policy and felt that the main problem was in respect of the supply of affordable housing. He referred to page 5 of the report, paragraph 4.5, where it stated that there would be some limited negative impacts to certain categories and he queried what those impacts would be. Page 7 of the report (c), fourth bullet, mentioned people who had deliberately worsened their housing circumstances and he asked for examples of that. Councillor Vickers asked for clarification on what "Security of Tenure" meant in paragraph (i) on page 7 of the report. Page 8, paragraph 3.2 of the report referred to consultation and Councillor Vickers noted that every applicant registered on the Common Housing Register was advised of the consultations. He asked what proportion of the consultation responses had been received from this group of people. June Graves responded that the policy clarified the criteria around the award of housing and it might impact on certain groups of people such as those under 18 years of age who would not normally be offered tenancies without a guarantor or those applicants subject to Multi-agency Public Protection Arrangements (MAPPA) and men who had access to children from a previous relationship. It was agreed that as Councillor Vickers had raised a number of issues he would receive a written response.

**RESOLVED** that the Housing Allocations Policy be approved and adopted.

**Reason for the decision:** The Council has a statutory duty, under the Housing Act 1996, to set out a Housing Allocations scheme that determines the Council's priorities and procedures to be followed in the allocation of affordable housing.

**Other options considered:** N/A.

### 35. **West Berkshire Schools' Funding Formula 2014/15 (EX2717)**

The Executive considered a report (Agenda Item 7) concerning the proposed changes to the formula used for allocating funding to schools in 2014/15.

Councillor Irene Neill explained that major changes to the school funding system occurred in 2013/14 and for 2014/15, some additional minor changes were being recommended to the Executive by the Schools' Forum. This followed a detailed review and period of consultation with schools. There were four changes to the formula proposed as set out in the report and below:

- (1) The Department for Education (DfE) had introduced the optional use of a sparsity factor for 2014/15 in response to concerns raised about the viability of small schools. However, schools in West Berkshire were not generally sparse with only four of the Council's fifteen primary schools with 100 pupils or less meeting the DfE's two mile distance criteria. This proposal was to acknowledge use of the sparsity factor, but for primary schools the distance criteria was proposed to be raised to three miles to reflect the meaning of what was sparse. Under this criteria, no primary school would qualify for additional funding, but one secondary school would qualify for an additional £100k. A letter had been sent to the Schools Minister, David Laws, at his request with suggestions of an alternative funding methodology to help resolve the problem of small school viability and to be fair to all small schools, but in the meantime efforts would be made to look at other solutions such as how the most vulnerable schools could be structured in order to reduce costs.
- (2) The Council allocated over £2.4m of the total formula fund to schools which went towards raising the attainment of pupils from deprived backgrounds. This was in addition to the pupil premium. The methodology used to best target this funding had been reviewed to ensure it was going to the schools and pupils that needed it most. Firstly it was proposed that 'Free School Meals Ever 6' was used, being the indicator for pupils who had been eligible for free school meals in the last six years

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rather than just the pupils currently eligible, this was so that those pupils who might drift in and out of eligibility were captured. This would be the same indicator used for allocating the Pupil Premium Grant. Secondly it was proposed to increase the weighting of the Ever 6 indicator from 50% to 75% and thus reduce the use of the Income Deprivation Affecting Children Index (IDACI) to 25% to reflect that there were some concerns about the reliability of the IDACI indicator in identifying deprived pupils.

- (3) Proposal three was linked to proposal two as the Council could only use one type of free school meal indicator throughout the entire formula. Therefore by changing to Ever 6 for the funding of deprivation, the Council would also need to change it for the funding of low level Special Educational Needs (SEN), for primary schools this indicator was used for one third of their SEN funding. This had minimal impact on individual schools.
- (4) The annual lump sum paid to schools was proposed to increase to £126,400 and was an additional delegation to schools transferred from the centrally retained service and was to support schools in financial difficulty. This particular service would no longer be a central service, rather schools would have the money delegated with the option to buy the service back and was therefore a technical change.

The financial impact on individual schools was relatively minor and was mainly as a result of realigning the funding for pupils from deprived backgrounds. The core funding a school received per pupil was not changing.

Councillor Neill asked the Executive to approve the proposed formula for 2014/15.

Councillor David Allen praised the work conducted on this report by Claire White. He then queried how the sparsity factor could change as part of the national funding formula. Councillor Neill advised that this was a major issue nationally and believed that the Government had received a number of representations with regard to the fairness or not of arrangements, particularly for small schools. Claire White added that as part of introducing the sparsity factor she expected the Department for Education to look at how local authorities had used it in 2013/14 in order to set the national formula for future years. As indicated by Councillor Neill, a letter had been written to the Schools Minister, David Laws, which suggested a fairer approach for small schools.

Councillor Allen then queried whether the proposal for the use of the deprivation funding was the best way forward. Claire White responded that the choice for the Council was limited and was between pupils eligible for free school meals in year or for the last six years, with the latter proposed by the Schools' Forum. The proposal meant that one school would be adversely affected, but it was felt by the Schools' Forum that in the current year that particular school was in receipt of too much funding and the proposal of the Schools' Forum would help to correct this in the funding allocation for 2014/15.

Councillor Gordon Lundie sought to clarify the point made in paragraph 2.1 (2) of the Executive Report. This stated that overall West Berkshire schools had the lowest attainment for pupils eligible for free school meals when compared to all other local authorities, but Councillor Lundie queried whether this should state the largest attainment gap between those eligible for free school meals and those who were not. Rachael Wardell confirmed that this was the largest gap in attainment rather than the lowest attainment.

Councillor Lundie also commented that while he was not being critical of the report, it was difficult to follow and consideration was needed as to how it could be made more comprehensible in communicating this issue in future versions of the report.

**RESOLVED that** the proposed formula for 2014/15 be approved.

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**Reason for the decision:** The Executive is required to approve the formula and its submission to the Education Funding Agency by 31 October 2013.

**Other options considered:** As detailed in the consultation to schools.

### 36. **Hungerford Education Plan - Development of John O'Gaunt School (EX2719)**

The Executive considered a report (Agenda Item 8) which set out a proposed development strategy for John O'Gaunt School which linked to broader education provision in Hungerford.

Councillor Irene Neill in introducing the report stated that it sought to address the issue of securing sustainable high quality all age education in Hungerford going forward. As well as addressing the issue of standards and financial viability, it also sought to plan creatively for the provision of additional primary places in the town.

John O'Gaunt School had been built some 50 years ago and the buildings remained pretty much unchanged since that time. John O'Gaunt had been considered for the Building Schools for the Future scheme but had been unsuccessful. The Council then allocated capital funding to improve three schools – The Downs had been completed in the previous year and Kennet had been completed this year. Work was due to commence on John O'Gaunt in the near future. In order to provide a fully rounded education the teaching facilities were very important, especially in the technological subjects, and therefore a remodelling and modernising project could bring the school facilities up to the 21<sup>st</sup> century.

Councillor Neill highlighted the fact that Hungerford had been affected by the national increase in numbers of children requiring places in primary phase and Hungerford Primary School had already had internal changes in order for them to be able to accommodate greater numbers. However, this would not be sufficient to cope with the numbers of children anticipated over the next few years, without taking into account children from any additional housing. It was therefore extremely likely that an additional primary school would be needed in the not too distant future. The primary school site was restricted and obtaining a satisfactory extension on the site would be difficult. In addition, Hungerford was a small market town and therefore Councillor Neill felt that a primary school with a roll of over 600 pupils would not be appropriate.

The importance of retaining secondary education in Hungerford was recognised and therefore initial discussions had taken place with senior management and the Governing Body of the school. John O'Gaunt had strong leadership and local support and the wish was to build on this so that the school could become outstanding over time. The issue of financial viability also needed to be addressed to ensure that the school could attract the best teachers. In addition, it was necessary to plan for the additional primary places needed in the town to meet demographic growth and any future new housing. One way to address this would be to look at the benefits of other 4-18 school developments elsewhere in the country. John O'Gaunt had been built for some 750 pupils but there were only 440 on the roll at present and a feasibility study was being carried out to look at how it could be remodelled to include a small primary school area i.e. a school with annual intake of 15 (half year entry), together with modern facilities for secondary school education (including 6<sup>th</sup> form).

It had been made clear to the school that they would need to be held accountable in terms of achieving the vision outlined in the report.

If the report was approved then this would provide a real opportunity to consult and work closely with local stakeholders to shape the plans over the next couple of years and this would involve the local community – parents, other local schools and the town council.

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Councillor David Allen was generally supportive of the scheme but as could be seen from section 1.2 of the report Members of Management Board had seen all the relevant information but this was not the case for Members of the Opposition. Hungerford Town Council had also not been consulted and Councillor Allen stated that it would have been useful to have had wider consultation on the proposals. He also felt that 15 primary school pupils might feel isolated in such a large school with older children. Councillor Gordon Lundie responded that a wider consultation exercise would be undertaken on the detail of the proposal and the Town Council would be a key stakeholder. Councillor Irene Neill understood Councillor Allen's concerns in respect of the number of pupils in the primary phase. However, the initial intake of 15 children would not be placed in the middle of the older children – they would be located separately and numbers in the primary phase would increase over the following years with 75 primary pupils anticipated in 2018/19. Councillor Neill had had discussions with the Nursery and Primary Schools in the area who were all keen to work with the Council and she had therefore been reassured that the pupils at John O'Gaunt would not be isolated.

Councillor Tony Vickers asked if an "all through" school had been considered for Sandleford. Councillor Neill responded that a rapid decision had had to be made in respect of moving Hungerford forward and Sandleford would be at a much later stage but consideration would be given to all options at the relevant time.

Councillor Graham Jones felt that this was a positive report and he was supportive of the proposals. Timing was difficult as it was not possible for the Executive to come forward with a report until Members were comfortable with it but he reassured Members of the Shadow Executive that there would be more detailed consultation going forward.

Councillor Gwen Mason said that it was good to note that the foundation stage and primary pupils would be protected and slightly separate from the older children. She had concerns that Hungerford Primary School had been assessed as being outstanding through an Ofsted inspection and she asked for reassurance that standards would not be allowed to slip. Councillor Gordon Lundie confirmed that it was the Council's intention to keep the standard high and to bring forward John O'Gaunt school educationally.

Councillor Paul Hewer was very supportive of the proposals. He was an "old boy" of John O'Gaunt School and admitted that there would be challenges ahead but the negative comments made were not helpful. The school now had an excellent Headteacher and Members had a duty to get behind the school and drive it forward.

**RESOLVED** that recommended proposals as set out in the report's conclusion be agreed and that officers be instructed to initiate implementation.

**Reason for the decision:** To provide a long term affordable strategic plan for educational provision in the west of the District.

**Other options considered:** Do nothing or alternative reorganisation proposals (see second report).

### 37. **Members' Questions**

- (a) **Question to be answered by Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision submitted by Councillor Keith Woodhams**

A question standing in the name of Councillor Keith Woodhams on the subject of why a road in the district had had its speed limit/road dimensions changed by the Council without the correct Traffic Regulation Order (TRO) being applied was answered by the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision.

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**(b) Question to be answered by Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision submitted by Councillor Keith Woodhams**

A question standing in the name of Councillor Keith Woodhams on the subject of how many insurance claims covering damage to vehicles due to poor road surfaces in the district were outstanding, and the period of time they covered was answered by the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision. Councillor Woodhams supplementary question would receive a written response.

*(The meeting commenced at 5.00pm and closed at 5.45pm)*

**CHAIRMAN** .....

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