

EXECUTIVE
MINUTES OF THE MEETING HELD ON
THURSDAY, 19 JUNE 2014

Councillors Present: Pamela Bale, Dominic Boeck, Hilary Cole, Roger Croft, Gordon Lundie, Joe Mooney, Irene Neill and Graham Pask

Also Present: John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Sarah Clarke (Team Leader - Solicitor), Andy Day (Head of Strategic Support), Mark Edwards (Head of Highways and Transport), Melanie Ellis (Chief Accountant), Jane Milone (Human Resources Manager), Keith Ulyatt (Public Relations Manager), Rachael Wardell (Corporate Director - Communities), Councillor David Allen, Councillor Jeff Brooks, Stephen Chard (Policy Officer), Councillor Roger Hunneman, Councillor Royce Longton, Councillor Alan Macro, Councillor Gwen Mason, Councillor David Rendel, Robin Steel (Group Executive (Cons)) and Councillor Keith Woodhams

Apologies for inability to attend the meeting: Councillor Marcus Franks and Councillor Alan Law

PART I

1. Minutes

The Minutes of the meeting held on 8 May 2014 were approved as a true and correct record and signed by the Leader.

Councillor David Rendel sought clarification in respect of the following item:

Item 102 – Funding for Resurfacing of Flood Damaged Roads

Councillor David Rendel referred to the final paragraph on page four of the minutes which stated that 'The report was seeking approval for the shortfall to be funded from Council reserves as this would require no additional revenue provision'. However, the fourth paragraph on page five of the minutes highlighted Councillor Rendel's view that there would be a revenue implication and Councillor Alan Law's response at the last meeting was to confirm that there would be a small cost to the Council, although he did not specify if this was a revenue or capital cost.

Subsequent to the last Executive meeting, Councillor Rendel had exchanged e-mails with Andy Walker which confirmed that there was indeed a revenue implication in meeting costs arising from flood damaged roads.

Councillor Rendel requested that the minutes be amended to confirm that there would be a revenue implication.

Councillor Gordon Lundie responded by giving his view that the minutes accurately reflected the discussion held last time and he reminded Members that minutes did not serve as a verbatim record of the debate, rather as a summary.

2. Declarations of Interest

There were no declarations of interest received.

3. Public Questions

There were no public questions submitted.

4. Petitions

There were no petitions presented to the Executive.

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5. Introduction of West Berkshire Streetworks Permit (EX2828)

The Executive considered a report (Agenda Item 6) which set out the process and sought approval to proceed towards the implementation of a Streetworks Permit Scheme.

Councillor Pamela Bale reported that the implementation of a permit scheme would be good news for local residents as it would lead to a reduction in traffic congestion. The permit scheme would place a requirement on utility companies to apply for a permit and this would enable the Council to set conditions prior to street works and road works commencing.

The permit scheme would be self funding and the cost of employing two additional members of staff to operate the scheme would be met by the income achieved from permit applications.

Permits schemes had already been introduced in two county councils in the south east and congestion had reduced as a result in these areas. An application from Bracknell Forest Borough Council had recently been approved by the Department for Transport.

Permission was sought from the Executive to delegate authority to the Head of Highways and Transport to apply to the Department for Transport to join the South East Permit Scheme. It was hoped that approval would be granted by December 2014 and that the scheme could then be operational from April 2015.

Councillor Graham Pask welcomed the proposal as it would give the Council greater controls and a greater ability to co-ordinate work on the highway.

Councillor Roger Hunneman queried whether there was a mechanism by which to issue fines with the scheme and if so their amounts. Councillor Bale was of the hope that the number of fines would reduce with the scheme in place compared to the number issued with the current notice system. She did however feel that fines would be easier to impose. Councillor Bale added that the level of fine would likely be unchanged from the existing rate, but this would be confirmed in due course.

Councillor Keith Woodhams noted from the report that the South East Permit Scheme was introduced in 2011 and questioned the Council's delay in joining the scheme. Councillor Bale responded by pointing out that the two local authorities who had already introduced the scheme were county councils and it was useful to understand the success of the scheme in these larger local authorities before West Berkshire looked to join. It had proved to be effective in these other areas and the report therefore recommended joining the scheme.

Councillor Alan Macro noted that the consultation process was being held from mid May 2014 to mid July 2014 and questioned whether it would be more appropriate to await the outcome of the consultation before making a decision or adding a caveat to the recommendation to reflect that consultation had yet to conclude. Councillor Bale referred to paragraph 5.2 of the report which stated that the formal application would be made to the Department for Transport in late July 2014 following consideration of any consultation responses.

RESOLVED that the Executive approved the report and delegated authority to the Head of Highways and Transport to make an application to the Department for Transport to join the South East Permit Scheme.

Reason for the decision: To enable the application to be made.

Other options considered: Remain with existing 'Noticing' system.

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6. **Provisional Financial Outturn Report - 2013/14 (EX2671)**

The Executive considered a report (Agenda Item 7) which informed Members of the provisional financial outturn for the Council for the financial year 2013-14. It was noted that these figures were provisional and might change during closedown and as a result of External Audit.

Councillor Gordon Lundie introduced the report by advising that the provisional year end position showed an underspend of £449k. This amounted to 0.37% of the net revenue budget for 2013/14 and was a similar level of underspend to what had been achieved in recent years. The budget had been closely managed throughout the year with an aim of being in line with or under budget.

Councillor Lundie felt that the underspend achieved was positive when considering that this had been a challenging year. This was particularly so when taking into account the fact that additional expenditure needed to be incurred in response to the flooding experienced in West Berkshire. However, the Government's Bellwin fund had helped to meet these costs which meant it had not been necessary to utilise the Council's reserves.

On a Directorate level, Councillor Lundie reported that the Communities Directorate had overspent by £6k. This was a much improved position from earlier in the year and was predominantly as a result of a reallocation of funding from the Public Health budget. The Environment Directorate achieved a year end underspend of £97k and an underspend was also achieved in the Resources Directorate of £664k. The Resources Directorate position was also assisted by a reallocation of Public Health funding.

Total capital expenditure in 2013/14 was £26.3m. This represented an underspend of £5.1m and the recommendation from Capital Strategy Group was for £4.9m of the underspend to be carried forward into 2014/15 to enable schemes already underway to be completed.

Councillor Jeff Brooks accepted that these were financially challenging times, but pointed out that the Council regularly delivered an underspend and was therefore not maximising its intended spend. He urged the Executive to prevent this in future and commented that cuts made to some services could have been avoided.

Councillor Lundie responded to Councillor Brooks' comments by explaining that the underspend achieved would be carried forward into the budget build for the next financial year as had been the practice in previous years.

Councillor Brooks then referred to the Resources Directorate underspend and requested detail on the grant allocated to cover costs incurred in Legal Services. Nick Carter explained that this related to court costs. It was an unexpected grant, but it was not a significant amount (approximately £20k-£30k). A far larger proportion of the Resources Directorate underspend was the £258k generated from the Drug and Alcohol Action Team as a result of a particular grant coming to an end and the budget being transferred into the Public Health Service.

Councillor David Allen noted that high agency spend was incurred within Children's Services and this was primarily due to recruitment difficulties. He therefore questioned progress with reviewing the career structure of social workers to help improve this situation. Rachael Wardell reported that the career structure had been redesigned and implementation began at the start of the current financial year. This included the creation of senior practitioner posts and it had been possible to recruit to some of these posts and other posts both internally and externally. Rachael Wardell also advised that two new social work roles had been created after the removal of a management post from the structure.

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Councillor Allen then requested an update on the £44k income under achievement from Kennet Leisure Centre due to Kennet Academy disputing their contribution. Councillor Lundie explained that discussions were ongoing with Kennet Academy and as such he was unable to provide comment at this time. He agreed to update Councillor Allen once developments had progressed further.

Councillor David Rendel referred to the comments made in relation to the Bellwin fund and queried how the full cost of the response to the flooding would have been met if the Bellwin fund was not available. He noted that the £230k that needed to be funded by the Council to meet flooding costs was reported as coming from the in year underspend. Councillor Lundie advised that the flooding prevented the implementation of planned highway works, this resulted in less revenue spend and contributed to the in year underspend which would have been utilised further if it were not for the Bellwin fund.

Councillor Rendel then referred to paragraph 3.9 of the report which suggested that the £230k cost to the Council to respond to the flooding was met by the levies and interest budget. He therefore questioned clarification as to where the £230k was budgeted from. Councillor Lundie agreed to provide a written answer on this point.

RESOLVED that the report be noted.

Reason for the decision: This report forms part of the budget monitoring framework.

Other options considered: None.

7. **Key Accountable Measures and Activities 2013/14 - Year End (EX2649)**

The Executive considered a report (Agenda Item 8) which reported year end outturns against the key accountable measures and activities contained in the 2013/14 Council Performance Framework, and which reported by exception those measures/activities not achieved, remedial action taken and its impact.

Councillor Roger Croft reported that of the 47 measures captured within this basket, outturns were available for 46 at the time of print. 36 were reported as green – achieved at the end of the financial year, 1 was reported as amber – this related to education which operated on an academic year and therefore would conclude at the end of July 2014, and 9 measures were reported as red – anticipated outturns were not achieved at the end of the financial year.

Throughout the year a suite of measures in Education was being used to set a baseline for subsequent years. For completeness, these were included in the list of key accountable measures, although no Red/Amber/Green ratings would be given this year.

Councillor Croft then brought to the Executive's attention an error in the reported figures for Key Stage 4/GCSE results for maintained schools shown on page 67 of the agenda. The reported figure should read 66% of pupils at West Berkshire maintained schools achieving 5+ A*-C's at GCSE (including English and Maths), rather than the 62% shown in the report.

As normal, the report began with contextual measures concerning the State of the District. Councillor Croft made particular reference to:

- A 42% drop in the number of 'working age' Job Seekers Allowance (JSA) claimants (those aged 16-64) compared to the same time last year.
- A 55% drop in the number of young people (18-24) claiming JSA.
- A 43% fall in the number of domestic burglaries.

The report then considered measures of volume for Council Services. Of particular note were:

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- A 12% increase in the number of Looked After Children.
- A 32% increase in the number of children subject to a Child Protection Plan.
- A 24% increase in the number of visits to sports and leisure centres.
- A 56% increase in the number of online library visits.
- A 27% increase in the number of enquiries through the Contact Centre or Streetcare received online or through e-mail.

As previously stated, 36 of the 46 reported measures had been achieved. Areas where the Council had significantly outperformed anticipated outturns included:

- The number of active foster carers had increased from 61 to 73.
- The proportion of people supported to move on from short term accommodation into independent living had increased from 63% to 77%.
- An excellent improvement in time taken to determine major and “other” planning applications.

Councillor Roger Hunneman referred to the exception reports in relation to safeguarding and questioned the action being taken to get performance back on track in this important area of Council activity. He did however acknowledge that performance was only just short of target in these areas.

Councillor Irene Neill explained that the measure to maintain the percentage of Child Protection Reviews carried out on time was affected by staffing issues experienced. Rachael Wardell added that due to sickness absence it had been necessary to employ an interim manager for a period of time and there had also been a degree of staff turnover in this area during the year.

The measure to ensure that 90% of safeguarding alerts were responded to within 24 hours applied to adults only and Rachael Wardell pointed out that this was a measure of response to alerts rather than response to referrals. She went to explain that not all alerts actually led to a safeguarding referral and a referrals measure would be the most appropriate to record. Rachael Wardell also explained that there had been recording issues experienced with the RAISE social care IT system.

In terms of the measure to reduce the number of repeat safeguarding referrals through the monitoring and review of protection plans for adults, Rachael Wardell acknowledged that performance needed to be improved in this area. There had also been some turnover in the Adult Social Care Team responsible for this area of work and it had been necessary to appoint an interim manager. However, a substantive team manager had now been appointed.

Councillor Alan Macro noted that 93 empty homes had been brought back into use against a target of 30. He therefore questioned whether this target was sufficiently challenging particularly when considering that 88 homes were brought back into use in 2012/13. Councillor Croft explained that the process for bringing empty homes back into use had improved and took a shorter period of time to achieve. He accepted that the target should be higher and gave an assurance that targets were being reviewed, however Councillor Croft took the opportunity to congratulate Officers for their achievements in this area of work. Councillor Macro added his congratulations.

Councillor Macro then referred to the exception report for the measure which looked to ensure that the proportion of upheld planning appeals was less than the national average. The exception report advised that analysis was underway to identify the issues for this red indicator and Councillor Macro queried when the results of the analysis would

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be reported. In response, Councillor Hilary Cole advised that the Development Control Manager had been asked to undertake an analysis which considered committee decisions (eastern, western and district) and delegated officer decisions, alongside appeal decisions taken by the Planning Inspectorate. The results of the analysis would be reported to a forthcoming Planning Policy Task Group for discussion and to identify further action where appropriate. She stated that it was important to have a full understanding of the reasons for any discrepancies, particularly when costs could be incurred by the Council as part of the planning appeals process.

Councillor Gordon Lundie was pleased to note the high number of measures reported green. A particular positive was the number of empty homes brought back into use as well as other indicators which highlighted an improvement to the local economy. However, he also acknowledged that a focus was needed to improve some areas of performance, particularly in the Communities Directorate.

RESOLVED that:

- (1) Progress against the key accountable measures and activities contained in the Council's Performance Framework would be noted.
- (2) Those areas reporting as 'amber' (Education only) or 'red' had been reviewed to ensure that appropriate corrective or remedial action was put in place.

Reason for the decision: This framework complies and monitors progress in relation to the objectives laid out in the Council Strategy and on key activities and areas of risk from the Council's individual service plans. In doing so, it expresses the purpose and ambition of the Council and by extension the Council's main focus of activities and key measures of success against which we can assess ourselves and publicly report progress.

Other options considered: n/a.

8. Proposal for Additional Investment in West Berkshire's Broadband (EX2840)

The Executive considered a report (Agenda Item 9) which outlined West Berkshire's expected broadband coverage position by the end of 2015 and which explained how this could be improved by drawing down further government (Broadband Delivery UK (BDUK)) funding known as the Superfast Extension Programme (SEP).

Councillor Roger Croft explained that the commercial rollout of high speed broadband was nearly complete and provided Superfast Broadband capability to 65% of West Berkshire premises. However, the commercial programme would leave nearly 24,000 premises in West Berkshire with slower speed or no broadband.

The Superfast Berkshire Project, augmented by additional funding from BDUK, was signed last year and would extend Superfast Broadband to over half (12,700) of those premises not included in the commercial programme. It would also bring at least basic broadband to every premise in West Berkshire. This project was running on schedule and to budget and the first premises in West Berkshire would have their capability upgraded next month with a target completion date for the whole project of the end of 2015. This programme would bring Superfast Broadband to 83% of West Berkshire premises.

The next phase of the broadband programme, the SEP, had commenced. Richard Benyon MP and Councillor Gordon Lundie met the Government minister for Culture, Communications and Creative Industries, Ed Vaizey MP, earlier in the year and received a subsequent pledge of £3.56m of funding for the whole of Berkshire. This had to be match funded by local authorities. The report outlined the Council's commitment to rural

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broadband by pledging a further £1.475m of Council funding to the project. This infrastructure investment by the Council, match funded by the Government and with an additional substantial investment from the Thames Valley Local Economic Partnership (LEP) meant that the total project would invest over £3.25m into developing the broadband infrastructure in West Berkshire.

Value for money had been a constant watchword and there would always be premises where the cost of providing upgraded broadband would be too high. At the end of the SEP in December 2017, it was anticipated that West Berkshire's superfast broadband coverage would reach 95.4% through a mix of fibre and wireless technologies. All the remaining properties would benefit from fast or at least basic broadband.

The Executive had long recognised the importance of Superfast Broadband to the economy of West Berkshire and to quality of life especially in rural areas. Councillor Croft commended the report and asked the Executive to approve the additional capital investment into the technical infrastructure of West Berkshire.

Councillor Alan Macro made reference to the funding made available by the LEP and queried whether there was any risk associated with the receipt of this funding. He was pleased to note that a local authority subsidy ceiling of £250 per premise per phase was in place as well as an absolute ceiling on the cost (all funding sources) of upgrading an individual premise of £1500.

In terms of costs, Councillor Croft commented that the proposed Council funding contribution would result in increased numbers of West Berkshire premises achieving superfast broadband with the remainder benefiting from fast or at least basic broadband. This would be achieved in a much shorter timeframe than would be the case without Council funding and with a reliance on further commercial rollout.

Councillor Macro raised concerns in relation to the ability of providers to achieve wireless broadband, their costs and the timetable they would work to. Councillor Croft commented that this would be taken into account as part of the tendering process. Fibre and wireless broadband solutions would be considered.

Councillor Macro also requested that the cost to subscribers be taken into account when the contract went out to tender. Councillor Croft agreed and confirmed that this was an area to be considered in the tendering process.

Councillor Gordon Lundie commented that this had been an interesting project in attempting to increase superfast broadband coverage across West Berkshire. He was pleased that the SEP would make it possible to bring superfast broadband to around 95% of West Berkshire premises.

Councillor Lundie assured Members that value for money had continued to be an area of focus with these developments. He felt this would be money well spent when considering the importance of improving broadband for West Berkshire's residents.

RESOLVED that the provision for broadband improvement in the West Berkshire Council Capital Programme from its current level of £400k be increased to take maximum advantage of available Government grant funding under its Superfast Extension Programme (SEP) scheme.

Reason for the decision: Broadband Delivery UK (BDUK) requires a financial commitment to SEP from the Berkshire Councils by 30 June 2014.

Other options considered: To maintain West Berkshire Council's broadband capital provision at its current level of £400k.

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9. Members' Questions

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

A question standing in the name of Councillor Keith Woodhams on the subject of what was causing the delay in dealing with repeated flooding at the eastern corner of the pedestrian crossing between the Post Office and the Kennet Centre Shopping Centre in Newbury was answered by the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision.

- (b) **Question to be answered by the Portfolio Holder for Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support submitted by Councillor Alan Macro**

A question standing in the name of Councillor Alan Macro on the subject of the number of purchasers that had been helped by the Council's "First Step" mortgage deposit scheme was answered by the Portfolio Holder for Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

- (c) **Question to be answered by the Portfolio Holder for Highways, Transport (Operations), Emergency Planning, Newbury Vision submitted by Councillor Jeff Brooks**

A question standing in the name of Councillor Jeff Brooks on the subject of whether consideration would be given to reducing car parking charges on bank holidays to those imposed on Sundays was answered by the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision.

10. Exclusion of Press and Public

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned items of business on the grounds that they involved the likely disclosure of exempt information as contained in Paragraphs 1 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the [Local Government \(Access to Information\)\(Variation\) Order 2006](#). [Rule 8.10.4 of the Constitution also refers](#).

11. Proposal for Additional Investment in West Berkshire's Broadband (EX2840)

(Paragraph 3 – information relating to financial/business affairs of a particular person)

The Executive noted the exempt financial information contained in the confidential Appendices A and B to Agenda Item 9 – Proposal for Additional Investment in West Berkshire's Broadband.

RESOLVED that the information be noted.

Reason for the decision: n/a.

Other options considered: n/a.

12. Revised Efficiency Saving: Deletion of a post in Education by Reason of Redundancy (EX2818)

(Paragraph 1 – information relating to an individual)

The Executive considered an exempt report (Agenda Item 13) requesting approval to make a redundancy payment to a member of staff when their post was deleted on the grounds of efficiency on 30 September 2014.

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RESOLVED that the recommendations in the exempt report be agreed.

Reason for the decision: as set out in the exempt report.

Other options considered: as set out in the exempt report.

(The meeting commenced at 5.00pm and closed at 5.57pm)

CHAIRMAN

Date of Signature