

Notice of Meeting

Overview and Scrutiny Management Commission

Tuesday, 24 February, 2015 at 6.30pm
in Council Chamber Council Offices Market
Street Newbury

Date of despatch of Agenda: Friday, 13 February 2015

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

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Agenda - Overview and Scrutiny Management Commission to be held on Tuesday, 24 February 2015 (continued)

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

Agenda

Part I	Page No.
1. Apologies for Absence To receive apologies for inability to attend the meeting (if any),	
2. Minutes To approve as a correct record the Minutes of the meeting of the Commission held on 27 January 2015.	5 - 14
3. Declarations of Interest 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 .	
4. Actions from previous Minutes To receive an update on actions following the previous Commission meeting.	15 - 16
5. West Berkshire Forward Plan 18 March to 30 June 2015 <i>Purpose: To advise the Commission of items to be considered by West Berkshire Council from 18 March to 30 June 2015 and decide whether to review any of the proposed items prior to the meeting indicated in the Plan.</i>	17 - 18
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 2014/2015.</i>	19 - 22
7. Items Called-in following the Executive on 12 February 2015. To consider any items called-in by the requisite number of Members following the previous Executive meeting.	



Agenda - Overview and Scrutiny Management Commission to be held on Tuesday, 24 February 2015 (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. **Affordable Housing** 23 - 30
Purpose: To examine the circumstances surrounding the provision of affordable housing units at Parkway
11. **Financial Performance Report - Quarter 3** 31 - 42
Purpose: To receive the latest period financial performance reports.
12. **Maternity Cover for West Berkshire Residents** 43 - 44
Purpose: is to agree recommendations identified from the review of closures to the Royal Berkshire Hospital's maternity unit as considered by the Overview and Scrutiny Management Commission meeting of 27 January 2015
13. **Self Insurance Fund** 45 - 48
Purpose: To agree the proposed recommendations regarding the operation of the Council's Self Insurance Fund.
14. **Exclusion of the press and public**
RECOMMENDATION: That members of the press and public be excluded from the meeting during consideration of the following items as it is likely that there would be disclosure of exempt information of the description contained in the paragraphs of Schedule 12A of the Local Government Act 1972 specified in brackets in the heading of each item.

Part II

15. **Affordable Housing** 49 - 52
To consider exempt appendices to item 10 (Affordable Housing).

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.



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DRAFT

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, 27 JANUARY 2015

Councillors Present: Brian Bedwell (Chairman), Paul Bryant (Substitute) (In place of Sheila Ellison), Dave Goff, Roger Hunneman, Mike Johnston, Alan Macro, Garth Simpson, Virginia von Celsing, Quentin Webb, Emma Webster, Keith Woodhams (Substitute) (In place of Jeff Brooks) and Laszlo Zverko.

Also Present: Catalin Bogos (Performance Research Consultation Manager), Nick Carter (Chief Executive), Andy Walker (Head of Finance) and Rachael Wardell (Corporate Director - Communities), Caroline Ainslie, Councillor Peter Argyle, Jenny Legge (Policy), David Lowe (Scrutiny & Partnerships Manager), Charlene Myers (Democratic Services Officer) and Gill Valentine (Director of Midwifery - Royal Berkshire Hospital NHS Foundation Trust) and Councillor Peter Argyle.

Apologies for inability to attend the meeting: Councillor Jeff Brooks and Councillor Sheila Ellison

PART I

1. Minutes

The Minutes of the meeting held on 2 December 2015 were approved as a true and correct record and signed by the Chairman.

2. Declarations of Interest

There were no declarations of interest received.

3. Actions from previous Minutes

David Lowe advised that the first Self Insurance Fund task group had been scheduled to meet on 13 February 2015.

4. West Berkshire Forward Plan 17 December 2014 to 31 March 2015

The Commission considered the West Berkshire Forward Plan (Agenda Item 5) for the period covering 17 December 2014 to 31 March 2015.

Resolved that the Forward Plan be noted.

5. Overview and Scrutiny Management Commission Work Programme

Resolved that the work programme be noted.

6. Items Called-in following the Executive on 15 January 2015

No items were called-in following the last Executive meeting.

7. Councillor Call for Action

There were no Councillor Calls for Action.

8. Petitions

There were no petitions received at the meeting.

9. Maternity cover for West Berkshire’s residents

Gill Valentine (Director of Midwifery) and Caroline Ainslie (Director of Nursing), at Royal Berkshire NHS Foundation Trust, introduced the report to the Commission and provided Members with a presentation. Gill Valentine advised that the presentation was divided in two sections – the services provided by the maternity unit and the outcome from the Care Quality Commissioning report (March 2014).

Members were informed that the Royal Berkshire Hospital (RBH) provided maternity services for West Berkshire residents which included the provision of antenatal care, homebirth and postnatal care. Members were presented with activity statistics which helped to illustrate the number of deliveries and births year on year and the projected activity for 2014/15:

	2013/14	2014/15 year to date
Deliveries	5596	4288 (Projected - 5717)
Births	5689	4349 (Projected - 5798)

In most cases mothers could choose where to give birth and they typically chose to use hospitals in or around their local area. The following table illustrated the use of providers in the nearby area:

Year		Great Western Hospital (Swindon)	Hampshire health Trust (Basingstoke)	Oxfordshire University Hospital (John Radcliffe)	Royal Berkshire Foundation Trust	Other
12/13	Q1	20%	38%	1%	41%	0%
	Q2	17%	34%	5%	44%	0%
	Q3	16%	31%	9%	44%	0%
	Q4	17%	31%	7%	43%	2%
13/14	Q1	15%	36%	10%	37%	2%
	Q2	17%	35%	5%	43%	0%

Gill Valentine advised that RBH currently employed 183 full time equivalent midwives who provided a midwife to birth ratio of 1:32. Throughout 2014/15 the actual ratio at RBH had fluctuated between 1:31 – 1:36, the month on month fluctuation being caused by the number of births and staff in post. However, RBH achieved 1:1 care in 98%-100% of cases. Members were advised that that other providers reported care ratios of between 1:30 – 1:35. RBH had undergone a Birth-rate Plus Assessment to determine the maternity service level of staffing and skill mix. The results would be issued in January and would be followed by a recommended birth ratio based on the nature of cases.

RBH had reciprocal arrangements in place with neighbouring maternity service providers which enabled them to accept women from other units when support was required and similarly support could be requested by RBH. Diversions were only used when all other

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forms of escalation had been implemented. Gill Valentine explained that in August 2014 the fundamental reasons for diversions were predominantly midwifery staffing levels.

To alleviate the reliance on unit diversions RBH had taken the following actions:

- Recruited into vacancies, 8.8 FTE current vacancies and expanded to 9.4 FTE, with the service aiming to recruit above the initial vacancy level in order to offset against staff leave.
- Recruited permanent posts to cover staff maternity leave.
- Used agency midwives on a semi-permanent basis to alleviate pressure.
- Reviewed all the roles undertaken by midwives to ensure their specialist skills were put to best use.
- Reduced the number of midwives on study leave at any one time to minimise the impact on staffing levels on the wards.

Gill Valentine highlighted the outcome from the Care Quality Commission (CQC) report from March 2014 which had in part promoted the topic for discussion. It concluded that:

- The RBH offered a safe service with caring & committed staff.
- There was a high midwife to birth ratio.
- Caesarean section and induction rates were higher than average.
- The 'normal birth' rate was lower than average and unchanged for 8 years.
- The length of stay was higher than average.
- They reported a higher number of unit diversions compared to other providers.

The CQC report concluded that there was a shortfall in meeting national standards for dedicated labour ward cover by Consultant Obstetricians. Furthermore, it concluded that the midwifery workforce was understaffed and recommended that a review took place to identify those tasks currently undertaken by midwives but that could be carried out by others. The report also highlighted areas for improvement in the establishment's facilities and amenities.

Gill Valentine advised the Commission that in response to the CQC's finding the service had reviewed the tasks completed by midwives. They concluded that, through the additional support of nursing staff, midwives should be made available to complete tasks in accordance with their specialism. This was supported by the closure of two delivery beds in the Rushey ward and an increased number of midwives recruited. Overall, the changes had allowed the reassignment of tasks to alternative medical staff in order to maximise midwife efficiency and availability.

Furthermore, RBH had appointed two locum obstetric consultants who were due to start in February for a period of 6 months and a business case for the posts to be made permanent had been agreed by the RBH Executive. In addition, a review of the middle grade tier was underway to look at further support. Overall, the changes sought to increase the number of ward hours during which senior medical support was available from 80 to 90 by the end of February 2015.

Gill Valentine explained that the service had focused on the culture changes which had been an area for improvement highlighted by the CQC report. She advised that patients had completed a safety questionnaire which had produced baseline analysis data. Also, an improvement project had been established to oversee the development of a culture

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assessment tool to assist ongoing monitoring. Gill Valentine stressed that senior staff were aware of the necessary culture changes and the possible effects on patient safety.

Councillor Brain Bedwell thanked Gill Valentine for the presentation and welcomed Members questions.

In response to points raised by Councillor Emma Webster, Gill Valentine advised that the geography of suites within the maternity ward had been recognised as an area for improvement but stressed that the current layout had not caused any health problems to date. The service had longer term plans to improve the layout which included a refurbishment if funding was available.

The revised study leave arrangements would not impede the training and development of midwifery staff. The availability of training would remain the same but the number of staff accessing it at any one time would be reduced in order to reduce its impact on patients. The use of agency midwives cost the service significantly more than directly employed staff but it was necessary to continue the support until the additional 9.4 FTE started.

Members asked whether training plans were in place to develop staff to Band 7 and therefore provide increased higher management cover on the ward. Gill Valentine advised that training started at band 5 and progression to band 6 took approximately 9 months. Development to band 7 was dependent on the individual's leadership and management potential and therefore the timeframe was not the same in all cases. Gill Valentine advised that the unit had recruited the necessary number of band 7 staff required following the CQC findings.

Councillor Garth Simpson stated that the proposed consultant obstetrician's hours were still lower than required and asked whether the ward hours were still a concern. Gill Valentine advised that they would continue to monitor the ward hours and plans were in place to encourage the increased availability of consultant obstetricians. The service proposed that doctors' roles could offer the support required and suggested a review to look at extended cover and support. Members were informed that providers aspired to achieve 168 hours per week and reportedly that, nationally, only 2 establishments had achieved that target.

Councillor Simpson asked for clarification on the fundamental reasons why RBH had been required to divert mothers to alternative providers last year. Gill Valentine advised that RBH experienced staffing difficulties which in turn affected patient safety. She stressed that staffing was a national issue. Although applications had been received for vacant midwife posts it was a very specialised role which required a specific set of skills and knowledge. Gill Valentine advised that creative methods of recruitment had been introduced to address the ongoing demand for midwives which had had a positive impact.

Councillor Roger Hunneman asked whether the NHS Foundation Trust had considered providing a maternity service at a local community hospital to alleviate demand on the RBH. Gill Valentine advised that the suggestion had been considered previously and it offered both solutions and challenges which would require further thought. She advised that resources were focused on improving the central service rather than breaking the service into smaller sections. Whilst the provider was not averse to the idea, Gill Valentine advised that the proposal was not an option at the present moment.

In response to questions raised by Councillor Alan Macro, Gill Valentine advised that although the CQC report stated that the rate of staff sickness was directly related to

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stress levels, in her opinion, this was debatable. Sickness levels were monitored constantly and support was available for staff when necessary. She acknowledged that staff sickness fluctuated month on month but this was not specifically related to stress. She reiterated to Members that midwifery was demanding and tiring but staff support was available.

Gill Valentine advised that the CQC report identified the need to review governance arrangements and the process for escalating issues. These had since been clarified.

Rachael Wardell asked for information about the connection between the maternity units and supporting services. Gill Valentine advised that the maternity services worked with commissioners of Perinatal Mental Health services to maximise accessibility. She advised that women could self-refer or be referred through the maternity unit – the feedback from service users had been very positive and indicated that a large proportion of users had been referred from the maternity unit which reinforced the well established links in place.

Members heard that the unit had a good working relationship with Health Visitors. Information was shared with Health Visitors for all expectant and new mothers and was accompanied by a discharge form and/or telephone call if necessary. Gill Valentine stated that the handover process worked well for families with more complex needs but suggested that the process did not always meet the needs for families with less complex needs.

Gill Valentine advised the Commission that the Poppy Team (community based, specialist midwives) offered scalable support dependent on the mother's needs. Outcome data suggested that the service was working very well. The unit also had a strong links with social services which supported strong Child Protection practise.

Members heard that the availability of extended services through children's centres had been reduced. Currently the main source of ongoing support was offered via The Willows.

Councillor Keith Woodhams stated that the CQC findings raised concern but, perhaps more alarmingly, the report suggested that some of the issues had only been addressed because the CQC inspection was announced. Members questioned the ventilation issue which had been highlighted by the CQC report. Gill Valentine acknowledged that the matter had taken some time to resolve and advised that the remedy required intense resource and the closure of rooms which would have an impact on capacity. The issue was being addressed.

Members asked about the coordinator role and diversion process. The Commission heard that a senior member of staff was tasked with the coordination of services, was not therefore counted within the numbers of care staff assigned to the shift and played a pivotal role in the overall management of the wards. Gill Valentine said that the coordinator fulfilled their role 86%-96% of the time, with the remaining time being used on the ward. Plans were in place to ensure the coordinator was available to fulfil their role 100% of the time. Members heard that the diversion policy was typically only in operation for between 2 and 30 hours on any occasion and was applied only to women who had been assessed as a lower risk. Gill Valentine advised that it was difficult to specify the frequency in which diversions were enacted. She stated that it was more often the case that women were diverted to other units rather than RBH receiving cases.

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Councillor Dave Goff asked whether RBH was expected to answer the report findings or whether the actions would be followed up for as a matter of course by the CQC. Gill Valentine advised that a robust action plan was in place which was monitored by the Clinical Commissioning Group (CCG) and the service continued to meet quarterly with the CQC. However, these were existing meetings and did not focus solely on reviewing the action plan. Members heard that the CQC could return to RBH at any time to conduct their inspection and therefore the Trust took the report findings and delivery of the action plan very seriously. Furthermore, the Improvement Programme Board and Assurance Board had sight of the action plan and provided assurance that appropriate progress was being made.

Councillor Brian Bedwell asked whether the service planned to expand the training facilities to improve the rate and volume of trained midwives. Gill Valentine advised that the feedback from staff was positive and they had no reason to believe the facilities required development; there were no plans at the current time to make any changes.

Councillor Bedwell thanked Gill Valentine and Caroline Ainslie for their time and support enabling Members to understand the situation in more detail.

Resolved that:

- Councillors Bedwell, Hunneman and Webb would meet to identify possible recommendations for presentation and consideration at the Commission's next meeting.

10. Children's Services governance arrangements

Councillor Peter Argyle, speaking as Chairman of the task group, introduced the report to the Commission. He advised that the evidence highlighted that, although each governing body fulfilled a vital role, there was some degree of duplication across some groups. However, it was advisable that the framework of governance bodies did not change.

Members heard that the task group had been reassured by the evidence received from the newly appointed Chairman of the Local Safeguarding Children's Board (LSCB). The discussion highlighted that she would conduct a review of the attendees and tasks set on the agenda to maximise efficiency and effectiveness. Her overall intention was to ensure the board continued to meet its statutory duties.

The task group was disappointed to find that very few Members attended the Corporate Parenting Panel, even though each Member had a responsibility as a Corporate Parent. Councillor Argyle advised that recommendation 8.1(6) aimed to encourage a higher participation rate from Members.

Councillor Argyle concluded that, crucially, there were no gaps in the oversight framework but the recommendations contained within the report sought to improve the overall supervision of Children's Services activities.

Councillor Keith Woodhams stated that the LSCB membership appeared excessive. Rachael Wardell advised that the LSCB was a statutory body and it was advisable to comply with the membership as detailed within the Children's Act 2004.

In response to a question raised by Councillor Macro, Rachael Wardell advised that the Munro Board remained in operation due to the ongoing programme of projects.

Councillor Brain Bedwell thanked the task group for their work and recommendations as detailed within the report.

Resolved that:

- 1) An update report would be considered by the Commission in September 2015.
- 2) The proposed recommendations would be accepted.

11. Level one performance indicators

Jenny Legge and Catalin Bogos introduced the report to the Commission. Members were advised that the report appraised the progress against 53 key accountable measures and activities aligned to the objectives set out in the Council Strategy. Of the 53 reported measures, outturns were available for 44, the remaining 9 referred to annual key accountable measures for which data was not yet available.

It was reported that, in summary:

- 1) 33 indicators were 'green' (on track to be delivered / achieved by year end).
- 2) 10 indicators were 'amber' (behind schedule or still anticipated as being delivered/achieved by year end).
- 3) 1 indicator was reported as 'red'.

The 10 measures reported as amber were:

- Child Protection cases which were reviewed within required timescales
- Proportion of repeat safeguarding referrals through the monitoring and review of protection plans
- Level of delayed transfers of care from hospital and those attributable to social care from acute and non-acute settings
- % of people accessing a housing related support service who have been assessed as needing support who go on to achieve economic wellbeing by improving debt management skills
- 'Major' planning applications determined within 13 weeks.
- 'Minor' planning applications determined within 8 weeks.
- Work with the Environment Agency and other partners to deliver flood alleviation scheme in Eastbury
- KS1-2: Proportion pupils making 2+ levels of progress in Writing
- The number of schools judged good or better by Ofsted under the new Framework
- The proportion of people aged 16-18 not in education, employment or training (NEET)

The 1 measure reported as red was :

- Work with the Environment Agency and other partners to deliver flood alleviation scheme in Purley

Councillor Roger Hunneman referred to the upwards trend of adult smokers in West Berkshire versus the decreasing national trend. He stated that the figures were disappointing.

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Councillor Alan Macro was concerned about the reported number of people killed or seriously injured on roads in West Berkshire. Councillor Emma Webster stated that the local road network, in particular the M4 and A34, would undoubtedly contribute towards the reported figures and should be noted.

In response to a question raised by the Commission, Rachael Wardell advised that the percentage of agency staff in post related to the Children's Services functions only. The number of staff employed had stabilised since a surge that had been required to address demands experienced within the service. Councillor Emma Webster suggested that it would be useful to know the number of employees in order to contextualise the report.

Members discussed the number of transactions through the Council website which had increased through Q1 to Q2. Officers were asked to provide clarification around how the number of tasks was reported. Members were encouraged to see that the number of online transactions had increased which in turn had decreased the number of transactions via telephone.

Officers advised that pages 66 and 67 of the report had been provided in error and therefore should not be considered by the Commission.

In response to questions asked, Nick Carter advised that the Department of Transport had awarded funding to complete essential repair works to the local road network following the severe weather in early 2014. He explained that the Highways and Transport service had experienced significant pressure on resources and staff capacity which impeded their ability to meet targets. It was accepted that the severe weather had necessitated a significant amount of remedial work which would take time to conduct. Members heard that the report measured the quality and maintenance levels of roads, aside from the additional measure following recent weather, both of which were on track.

Members questioned the reported level of schools judged as good or better by Ofsted under the new framework. They were concerned to see that the current level was below target. Rachael Wardell advised that West Berkshire had been recognised as the fastest improving area.

Councillor Macro referred to the target level set against recycling waste. He was pleased to see that the target had been met but challenged why the target had been set so low. Members were reminded that a Scrutiny task group had been established to agree targets for 2014/2015 and the same would occur in the new financial year.

Resolved that:

- (1) Officers would provide an explanation around how the number of tasks visited on the Council website was identified.
- (2) Officers would provide contextual information on the number of agency social workers being employed by the Council.
- (3) The report was noted.

12. Revenue and Capital Budgets Report

Andy Walker introduced the report to the Commission and advised that the Quarter three report was due for discussion at the next Executive but that a summary of the most recent information had been provided.

Members were informed that the Month Eight position showed a forecasted decreased over spend of £418k.

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In response to questions asked by the Commission, in respect of item 2.1(1), Rachael Wardell advised that the budget identified a need to provide preventative services but the responsibility to maintain statutory duties took primacy. Spending was managed so that funding could be available to minimise the impact if pressures upon statutory duties increased. Rachael Wardell stated that she was aware of the longer term impacts if preventative services were reduced but it was necessary in order to manage short term pressures.

Councillor Alan Macro asked why the report indicated an increased demand on independent fostering which incurred higher costs. Rachael Wardell advised that independent foster careers could be used if the child had complex care needs. Also, the number of Looked after Children had increased and the availability of foster careers was unable to meet the demand so the service looked for support from independent foster careers.

Resolved that:

- 1) The report was noted.

13. Delayed Transfers of Care

David Lowe introduced the report to the Commission and reminded Members that the topic had been added to the Work Programme following consideration at a previous meeting.

The report proposed the Terms of Reference and methodology for the review which Members were asked to consider for approval.

Councillor Roger Hunneman reinforced his request to review the topic and stated that although the waiting times had recently improved they were still lower than the national average. He requested that the review considered reasons why waiting times had been so long, how and why recent improvements had been made and considered ways in which waiting times could be maintained at a suitable level.

Councillor Brain Bedwell suggested that the review would benefit from comparing activities with neighbouring authorities who appeared to have better transfer times.

Resolved that:

- 1) The task group review of Delayed Transfers of Care begin its work.

(The meeting commenced at 6.30 pm and closed at 8.30 pm)

CHAIRMAN

Date of Signature

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Agenda Item 4.

Title of Report:	Actions from previous meetings
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	24 February 2015

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
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1. Introduction

This report provides the Overview and Scrutiny Management Commission with an update on the actions arising from meetings held 27 January 2015.

2. Actions

- 2.1 **Resolution:** Officers would provide an explanation around how the number of tasks visited on the Council website was identified.

Action/ Response: The transactions included in quarter 2 report refer to bins and waste collection, reporting potholes, viewing planning applications, applying for a job with the council, finding school dates, renewing library loans, updating personal details, paying council tax, checking benefits. Due to the seasonal variation of the number of transactions on some of the tasks, this year the reported number of tasks varies from quarter to quarter taking into consideration the level of demand on tasks overall. Plans are being made for future quarters to report the number of transactions on the top 10 most requested tasks.

Appendix

None

Agenda Item 5.

Title of Report:	West Berkshire Forward Plan
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	24 February 2015

Purpose of Report: To advise the Overview and Scrutiny Management Commission of items to be considered by West Berkshire Council from 18 March to 30 June 2015 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
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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.
- 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 18 March to 30 June 2015 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:	24 February 2015

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

Recommended Action: To consider the current, proposed and future items for scrutiny.

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – Tel (0118) 9420196
E-mail Address:	bbedwell@westberks.gov.uk
Contact Officer Details	
Name:	Charlene Myers
Job Title:	Strategic Support Officer
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Executive Report

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.

Appendices

Appendix A – Overview and Scrutiny Management Commission Work Programme

Overview and Scrutiny Management Commission Work Programme - 2014/15

Reference	Subject	Purpose	Format	Methodology	Start Date	End Date	Lead Officer / Service Area	Portfolio Holder	Status	Comments
OSMC/14/160	Maternity cover for West Berkshire's residents	To understand the causes of the maternity unit closures during August 2014 and the action that is being taken to avoid recurrence.	In meeting		Jan-15	Feb-15	Gill Valentine - Director of Midwifery, RBH	Health & Wellbeing	Scheduled	Cobsidered at the January 2015 meeting. Recommendations to be agreed at the February 2015 meeting
OSMC/14/155	Affordable Housing	The process for obtaining and delivering affordable housing within new developments, using Parkway as a case study	In meeting		Oct-14	Feb-15	David Holling / June Graves	Housing	in progress	Agreed at meeting 1 July 2014. Considered at Oct meeting. Update to be provided in February 2015
OSMC/14/154	Self Insurance Fund	To determine the level at which the Self Insurance Fund should be set, balancing the level of risk with the size of the reserve.	Task Group		Jan-15	Feb-15	Andy Walker – 2433 Finance	Finance	Scheduled	Suggested by Councillor Alan Law and added to the work programme at the meeting of 8 April 2014. Task group established to meet in February 2015.
OSMC/14/158	Delayed Transfer of Care	To identify the causes of Delayed Transfers of Care (DToc) and how they might be addressed.	Task Group		TBC	Aug-15	Tandra Forster – 2736 Adult Social Care	Adult Social Care	to be scheduled	Suggested by Councillor Roger Hunneman and added to the work programme at the meeting of 20 May 2014. Task group established to begin work early spring 2015.
OSMC/09/157	Revenue and capital budget reports	To receive the latest period revenue and capital budget reports	In meeting	Quarterly item.	quarterly item	Mar-15	Andy Walker – 2433 Finance	Finance	Scheduled	May lead to areas for in depth review.
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		quarterly item	Mar-15	Andy Day - Head of Strategic Support	Strategy and Performance	Scheduled	Quarterly item. To be heard Q1: Sept 14, Q2: Jan 15, Q3: March 15
OSMC/14/152	Fairer Contributions policy	To review the content of the Fairer Contributions policy.	In meeting		May-14	May-15	June Graves - 2733 Head of Care Comm, Housing, Safeguarding	Adult Social Care	To be scheduled	Suggested by Councillor Gwen Mason and added to the work programme at the meeting of 25 February 2014. Heard at the meetings of 25 June 2014 1 July 2014. Scrutiny involvement in the review of the policy has taken place early 2015.
OSMC/11/129	Housing Allocations policy	To conduct a review of the effectiveness of the Council's Housing Allocation Policy	In meeting		Nov-13	Jun-15	Mel Brain - 2403 Social Care Commissioning and Housing	Housing	Scheduled	Reviewed 2 Dec 14 (12 months after implementation). Further review to be conducted 6 months after the implication of the additional revisions agreed at Dec 14 Exec.
OSMC/14/153	Severe weather	To understand the effect of and response to severe weather experienced during the winter of 2013/14.	Special meetings		Jun-15	Jun-15	Carolyn Richardson - 2105 Civil Contingencies Manager	Emergency Planning	Scheduled	Review concluded in September 2014 - recommendations to be revisited in 2015. 1. Sand bag policy review 2. Communications Strategy 3. Recommendations / action plan progress report
OSMC/12/149	Newbury town centre parking	To ensure that the needs of Newbury residents, businesses and visitors are appropriately balanced.	Task Group		Sep-14	Jul-15	Mark Edwards–2208 Highways and Transport	Transport Operations	Scheduled	Suggested by Councillor Tony Vickers and added to the work programme at the meeting of 2 July 2013. Agreed on 2 Dec 14 - review to take place in Q2 2015
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-15	Jul-15	Catalin Bogos – 2102 Strategic Support	Strategy and Performance	Scheduled	Annual review. Task group will be scheduled to meet May or June 2015.
OSMC/14/159	Reducing External Placements Costs	Review the effectiveness and savings delivered by the Social Media Administrator.	In meeting		Jul-15	Jul-15	Mark Evans - 2735 Children's Services	Children and Young People		Agreed at the meeting 1/7/14 that the item would return to the Comission 12 months post implementation to review the effectiveness and savings delivered by the Social Media Administrator
OSMC/14/151	Children's Services governance arrangements	To monitor the progress of the recommendations made on the Children's Services governance review.	In meeting		Sep-15	Sep-15	Head of Children's Services - 2735 Children's Services	Children and Young People	In progress	Update requested at the 27 January 2015 meeting, following receipt of the task group's report.

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Title of Report:	Delays to the release of affordable housing units at Parkway
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	24 February 2015

Purpose of Report: To introduce to the Overview and Scrutiny Management Commission an examination of the circumstances surrounding the provision of affordable housing units at Parkway.

Recommended Action: Note the contents of the report, carry out scrutiny and make recommendations as appropriate.

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – Tel (0118) 942 0196
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Contact Officer Details	
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Job Title:	Head of Legal Services
Tel. No.:	01635 519422
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Executive Report

1. Introduction

- 1.1 At its meeting of 21 October 2014, the Overview and Scrutiny Management Commission considered an item on affordable housing in the district, following which it was agreed that the circumstances surrounding the non-release of the affordable housing units at the Parkway development would be examined.
- 1.2 This report provides background for the terms of the discussion and sets out:
- The process to date
 - The present situation
 - The process moving forward
 - The lessons that have been learnt for future developments
- 1.3 The Council's Head of Legal Services, David Holling, and Head of Care Commissioning, Housing & Safeguarding, June Graves, will be in attendance to expand on the information within the report and to answer questions. Councillor Gordon Lundie, the Leader of the Council, and Brian Kelly from Standard Life Investments have also been invited to address the Commission.
- 1.4 As noted below there is a confidentiality clause within the agreements which covers various aspects of public disclosure. Should discussion and debate develop into areas which fall within these clauses the meeting may have to move to Part II in order that a full and frank debate may continue without potential breach of the agreement.

2. Background

- 2.1 Negotiations with SLI began in 2004, and the original Project Agreement was concluded for November 2005. Following further discussions a final format of the Development Agreement was completed 26th August 2007. This was followed by a variation to the agreement, concluded 30th June 2008.
- 2.2 The Development Agreement covered a wide range of topics including a list of pre-conditions relating to Planning Permissions, phasing, Compulsory Purchase by the Council and indemnities from the Developer. The final agreement ran to well over 100 pages.
- 2.3 The Key Clauses of the Development Agreement were
- (1) Clause 23 (disposal of the residential units)
 - (a) The Developer was under an obligation to secure sales or "otherwise dispose of all residential units on the site in accordance with a Residential Area Strategy"
 - (b) The Developer also has to notify the Council of each and every proposed sale along with information which the Council might require. However, if the proposed sale conforms with the Residential Area Strategy the Council is not required for such a sale.

- (2) Clause 24 (press notices and other publications and confidentiality)
 - (a) Both the Developer and Council agreed not to issue any press notice without the consent of the other as to the contents and to the context in which such notice would appear
 - (b) Neither the Developer nor the Council shall disclose or permit or suffer to be disclosed any of the contents of the agreement except as required by law
 - (c) Financial terms of the agreement which includes any figures or financial expectations derived from the various appendices to the Development Agreement are confidential and no disclosure can occur without the consent of the other party. There are exemptions to that particular requirement where disclosure is required by law or it is by the Developer “commercially normal or sensible so to do”

(3) Clause 37 (disputes)

This sets out a dispute resolution process which is shown at confidential Appendix A.

- 2.4 On 1st November 2006 West Berkshire District Council sealed and dated Compulsory Purchase Order 2006 for the Land at Park Way and Northbrook Street, Newbury.
- 2.5 On 23rd October 2006 a Section 106 Agreement (the Original Agreement) was agreed which covered a number of aspects of the Development relating to the planning permission dated 28th March 2006. This agreement also contained a dispute resolution process slightly different from the Project Agreement process (shown in Appendix A)
- 2.6 Schedule 1 of the Original Agreement set out the provisions relating to Affordable Housing, including the Developer’s obligations. These were;
 - (1) Paragraph 1 relates to financial contributions made by the Developer, which were extensive;
 - (2) Paragraph 2 – highway works. These were also referred to in a S278 Agreement dated 17th September 2008;
 - (3) Paragraph 3 – affordable housing;
 - (a) Development has to include a minimum of 37 affordable housing units or “homeless families, homeless vulnerable single persons, persons needing care, persons having special needs and persons on the Council’s housing waiting list – 19 units would be social rented units, 18 units would be shared ownership. The location of the affordable housing has to be in a particular part of the Development site and that site is not to be used for any other purpose other than affordable housing. The affordable units have to include a minimum of 2 units designed and constructed for wheelchair access.

- (b) In order to ensure that the Development progressed and was commercially viable the S106 Agreement had a two phase “trigger”
 - (i) not to cause, suffer or permit to be occupied more than 74 of the private residential units unless 19 of the affordable housing units have been “constructed and completed and are capable of being used and occupied as such”
 - (ii) not to cause, suffer or permit to be occupied more than 120 of the private units unless ALL of the affordable housing units have been “constructed and completed and are capable of being used and occupied as such”

2.7 A variation to the various obligations of both parties was concluded following consideration of the variation to the S106 which was considered at Western Area Planning Committee on 30th April 2008 and was subject to Executive agreeing funding in relation to the terms set out below at a meeting on 15th May 2008.

2.8 The Council’s obligations were;

- (1) The Council agreed to pay an “affordable housing contribution” to the Developer for the “purpose of securing affordable housing within the Development site”.
- (2) Such payment to be made once the Developer gave notice of its intention to commence development on site.

2.9 The Developer’s obligations were;

- (1) Not to use the affordable housing contribution other than for the provision of affordable housing on the site.
- (2) If any of the affordable housing units were sold on the open market the Developer became responsible to pay back a relevant proportion of the affordable housing contribution
- (3) The above obligation to repay ceases once the Developer transfers\leases the site of the affordable housing to a Registered Social Landlord (registered provider)

2.10 Prior to the conclusion of the original S106 Agreement and to the Project Agreement and after their completion the Housing Service of the Council actively advised and negotiated with the Developer as regards affordable housing related matters. The Developer was told on a number of occasions of the availability of grant to support development of affordable housing. The suggested routes to funding were not acted upon by the Developer which missed out on a number of opportunities to secure grant funding from various sources.

2.11 At the outset of the project the Developer was advised to engage and contract with a registered provider. Officers were aware that a number of offers from registered providers were considered by the Developer from 2008 but they fell over time due to changes in economic circumstances and the aspirations of the Developer. In May 2011 there were two offers outstanding as far as the Council was aware but both were either rejected or the registered provider withdrew. It should be noted

that the Council were not involved directly in contract negotiations between registered providers and the Developer.

3. The current position

- 3.1 One registered provider is in discussion with the Developer for the 37 affordable housing units. Discussions are alleged to be at “an advanced stage” with contracts due to be exchanged “shortly”. Again the Council is not involved in these negotiations so it is reliant on statements or information from provided by the registered provider or the Developer.
- 3.2 Of the trigger dates referred to in the original S106 Agreement the first was reached in March 2014 (the second trigger date has not yet been reached). The Following is of note:
 - (1) 6th March 2014 – Council advised Developer that no more leases were to be signed off until first 19 affordable houses were released.
 - (2) 1st May 2014 – a meeting was held with the Developer when reassurances that a registered provider was to be appointed and that affordable housing would be made available for those in need “shortly”.
 - (3) 1st June 2014 – difficulties between the Developer and the registered provider showed little momentum because of “due diligence” items raised by the registered provider and the Council determined not to sign off any further leases of the Private residential units.
- 3.3 Total housing within Parkway Living (as per planning permission) - 184
- 3.4 At present the total number of leases held by the Council and not completed is 18.
- 3.5 The total private residential sales completed is 107.
- 3.6 The total units held and let by Developer is 4.
- 3.7 The total units exchanged (not completed) is 18
- 3.8 The total number of plots being marketed – 11.
- 3.9 A meeting was held between the Leader and the Developer on 21st January 2015 and there appears to have been no real progress as regards completion of the transfer of the Affordable Housing Units to the registered provided. At that meeting an indicative exchange date of 27th January 2015 for the affordable housing site was intimated.
- 3.10 A further meeting was held on 10th February involving the Leader, Chief Executive and the Developer. Whilst an indicative date for the exchange of the affordable housing was given as mid February this cannot be guaranteed.

4. Proposed future action

- 4.1 It is proposed that the action set out below is being or will be undertaken;
- (1) continue to encourage the Developer to exchange and complete the transfer of the affordable housing units to the registered provider and that these be released to occupiers as a matter of urgency;
 - (2) see additional analysis in confidential Appendix B

5. Analysis and conclusion

- 5.1 The Parkway Development has created a major improvement to the retail offer within Newbury Town Centre, and has provided a major new car park and additional housing. It has transformed a previous backland area of the Town. The Development has clearly stimulated economic growth through additional footfall and has been instrumental in placing Newbury within the Top 100 retail destinations in the country.
- 5.2 The relationship with the Developer Standard Life Investments have been positive through much of the 8 year life of the project. This was a major regeneration project which included the use of Compulsory Purchase Powers and a complex and challenging construction. The proposal for the Council to contribute to the cost of affordable housing on site was in itself unique and was not something that Standard Life regularly undertake. With the exception of the delivery of the affordable housing the project has generally been seen as a success bringing significant benefit to the local area.
- 5.3 The agreement to provide affordable housing through a S106 Agreement was not seen as controversial or high risk at the time the Agreement was signed. There was an expectation that Standard Life would sell the affordable homes to a registered provider who would then manage them. At the time of writing this report, the exchange had yet to occur with none of the required alterations specified by the registered provider having been made to the units. This makes completion potentially unlikely until the Summer of 2015. Occupation of the units is unlikely until 2-3 months after completion.
- 5.4 Conclusions that can be drawn from the current difficulties are;
- (1) the delay is not of the Council's making. It has been caused by the delay in SLI finding a registered provider who would offer an acceptable price for the affordable units;
 - (2) the delay has been further exacerbated by the failure of the Developer and Registered Provider to exchange contracts. This is outside the Council's control;
 - (3) the Council has triggered Dispute Resolution Procedures. This might potentially provide the Council with some compensation but it is difficult to see how it will accelerate delivery of the affordable housing;
 - (4) there is no reason to believe that the affordable housing won't be delivered but the Council is extremely limited in what it can do to both facilitate and accelerate this.

6. Lessons Learnt

6.1 The following lessons have been identified;

- (1) going forward, if similar agreements are to be put in place where the Council is making a financial contribution to the provision of affordable housing then there should be a strong link between the making of the Council payment and the delivery of the affordable housing. It would also seem appropriate to consider a claw back clause - if the affordable housing is not delivered by a specific point then the funding would be returned.
- (2) it might be appropriate to agree that the sale to a registered provider is in place by a specified date and once again to link any payment to that date if it is achieved.

Confidential Appendices

Appendix A	Dispute Resolution Process
Appendix B	Remainder of 4.1 and 5.3
Appendix C	Copy of e-mail to Nick Carter

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Title of Report:	Financial Performance Report 2014 – 15 Q3
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	24 February 2015

Purpose of Report: To inform members of the latest financial performance of the Council.

Recommended Action: For Members to note this report.

Overview and Scrutiny Management Commission Chairman	
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Contact Officer Details	
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Executive Report

Executive Summary

1. Introduction

- 1.1 This report presents the financial performance for Quarter Three of the 2014/15 financial year.
- 1.2 At Quarter Three, the forecast revenue position is an over spend of £346k.

2. Proposals

- 2.1 For Members to note this report.

3. Equalities Impact Assessment Outcomes

- 3.1 This report is not relevant to equality.

4. Conclusion

- 4.1 The Quarter Three position is showing a forecast over spend of £346k. Though the Council remains in a challenging financial environment, and is faced with making savings in excess of £5m, it has taken steps to maintain financial discipline and ensure that savings are deliverable.

Executive Report

5. Introduction

5.1 The financial performance reports provided to Members throughout the financial year are concerned with the under or over spend against the Council's approved budget.

5.2 At Quarter Three the forecast revenue position is an over spend of £346k.

6. Summary

Service	Revenue		Forecast			Change from last quarter
	Current Net Budget	Annual Net Forecast	Forecast (under)/over spend			
			Quarter One	Quarter Two	Quarter Three	
	£000	£000	£000	£000	£000	£000
DSG	(721)	(721)	0	0	0	0
Corporate Director - Communities	282	282	0	0	0	0
Adult Social Care	36,643	36,643	0	0	0	0
Care Commissioning, Housing & Safeguarding	6,481	6,482	0	(59)	1	60
Children's Services	13,607	14,132	220	475	525	50
Education	11,679	11,693	81	81	14	(67)
Adult Social Care Change Programme	1,169	1,169	0	0	0	0
Communities	69,141	69,680	301	497	539	42
Corporate Director	166	166	0	0	0	0
Highways & Transport	7,619	7,606	(84)	(18)	(13)	5
Planning & Countryside	4,184	4,180	29	30	(4)	(34)
Culture & Environmental	21,434	21,431	53	76	(3)	(79)
Environment	33,403	33,383	(2)	88	(20)	(108)
Chief Executive	519	484	0	0	(36)	(36)
Customer Services	1,900	1,842	0	(55)	(58)	(3)
Finance	1,996	1,996	0	0	0	0
Human Resources	1,235	1,235	(14)	(2)	0	2
Information Technology	2,787	2,762	0	6	(25)	(31)
Legal	946	999	0	62	53	(9)
Public Health	96	96	0	0	0	0
Strategic Support	3,519	3,397	(86)	(93)	(122)	(29)
Resources	12,998	12,811	(100)	(82)	(188)	(106)
Levies and Interest	5,616	5,631	0	0	15	15
Total	121,158	121,505	199	503	346	(157)

Nb rounding differences may apply to nearest £k

6.1 Communities:

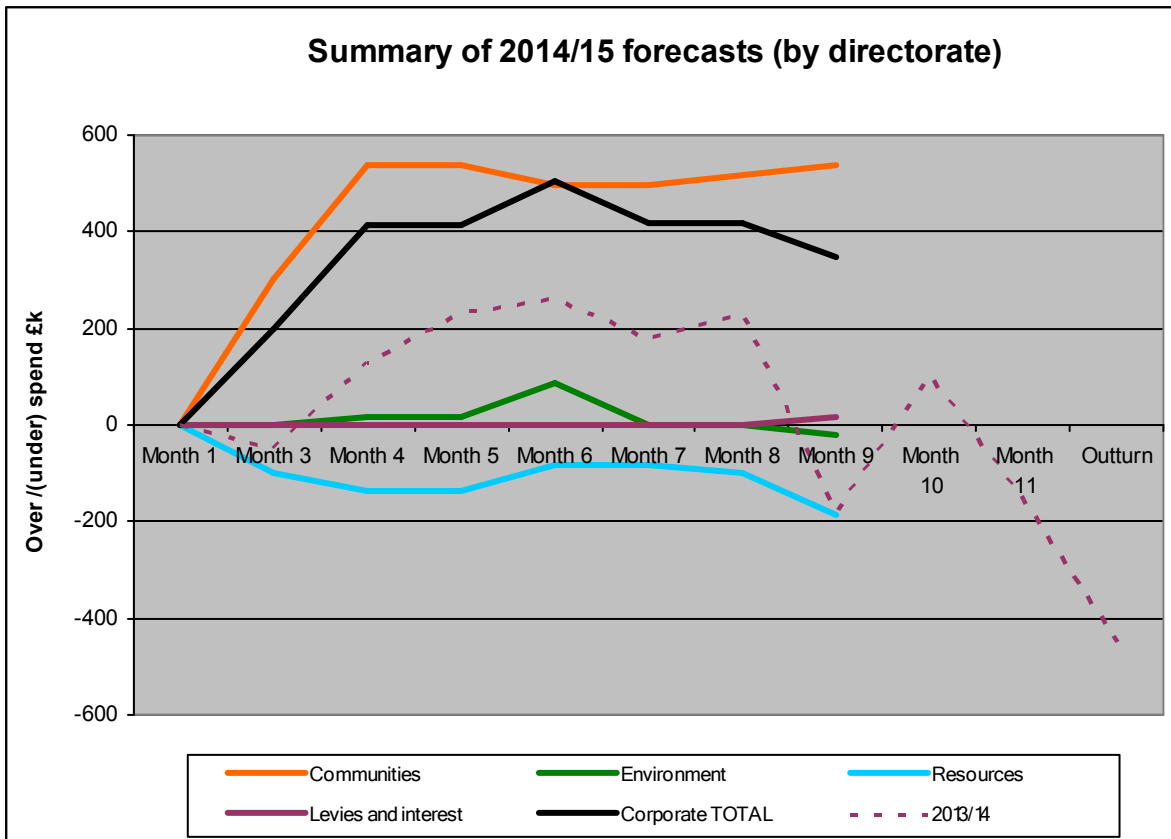
- (1) Children's Services are forecasting a net over spend of £525k, which is a slight increase on Quarter Two. The over spend is predominately the result of nine additional children being funded from the placement budget since last quarter. The overall placement budget is forecasting a £872k pressure which has increased by £72k since Quarter Two. In order to manage down the over spend in the current year, Children's Services is deliberately slowing expenditure on non child protection services.
- (2) Education is forecasting an over spend of £14k, which is a decrease of £67k from last quarter. The over spend is a result of pressure on the SEN Home to School Transports budgets plus increasing demand for support packages for disabled children designed to keep children out of high cost residential care placements and with their families. The over spend has decreased as a result of small in year savings in other budget areas.

6.2 The Environment Directorate is forecasting an under spend of £20k, which is a change of £108k from the over spend reported last quarter, with savings arising from staff turnover and tree safety works costs.

6.3 The Resources Directorate is forecasting an under spend of £188k which is an increase of £106k from last quarter. The under spend is largely from additional income and salary savings in Strategic Support, a one off IT saving in Customer Services and reduced maintenance costs in information technology. The two main pressures currently forecast in Legal Services have arisen as a result of new information provided by Reading BC regarding the cost of the Coroner's Court joint arrangement and also a shortfall in fee income. The under spend has increased as a result of releasing contingency budgets, reduced costs on IT infrastructure and licences and increased income from land charges in Strategic Support.

6.4 Levies and Interest is forecasting a small over spend of £15k.

6.5 The following chart shows the forecasts per Directorate together with a corporate total and a comparison to last year.



7. Summary Capital Forecast

7.1 75.7% of the 2014/15 capital programme was committed as at the end of Quarter Three. Forecast capital spend in the year is currently £33.8 million against a revised budget of £37.7 million with a further £3.4 million now expected to be re-profiled into 2015/16 (in addition to £2.4 million already re-profiled at the end of Quarter One). The summary capital forecast is shown in Appendix 1b.

7.2 Communities

73.9% of the revised budget has been committed at the end of Quarter Three. In Care Commissioning, Housing and Safeguarding, there is a forecast under spend of £30k in Home Repair Assistance grants due to performance issues in the Housing Improvement Agency. An action plan has been put in place to address these issues. In Education an under spend of £1.9 million is forecast mainly because of rescheduling and cost reductions on a number of primary school schemes. In addition, the relocation of the Reintegration Service has been postponed because of a lack of suitable premises. These in-year savings are being used to enable contracts to be let in advance for a number of new schemes for permanent provision of universal infant free school meals. No significant variances are forecast for Adult Social Care or Children's Services.

7.3 Environment

78.1% of the Environment capital programme has been committed as at the end of Quarter Three. The Newbury Museum Project is now complete and good progress is being made with the maintenance and refurbishment of Leisure Centres and other cultural services buildings. The majority of Highways and Transport schemes

are well underway but £1.36 million is now expected to be re-profiled due to delays on the Boundary Road bridge widening, Tull Way retention pond, A340 rail bridge footway, upgrading parking equipment, St John's assessment and LRIE schemes. In addition, expenditure on Environment Agency flood defence schemes will be £500,000 lower than budgeted, because phase 1 of the Cold Ash Retention Pond scheme has been more successful than expected, which means that it is no longer necessary to proceed with phase 2 as planned. For Planning and Countryside, it has now been confirmed that the additional work being undertaken to repair storm damaged rights of way can largely be funded from the Severe Weather Recovery Grant.

7.4 Resources

67.2% of the programme is spent or committed at the end of Quarter Three. Approximately £27,000 consultancy and design costs in respect of the Newbury town centre developments will now need to be spent in advance from next year's budget. In Finance, it is therefore anticipated that approximately £30,000 of the members' bids budget will be carried forward to 2015/16. Most major ICT schemes are completed or on schedule for completion in year. However an under spend of £110,000 is expected on corporate ICT replacement and the replacement backup system. Strategic Support capital budgets are expected to be fully spent by year end.

8. Conclusion

- 8.1 The Quarter Three position is showing a forecast over spend of £346k. Though the Council remains in a challenging financial environment, and is faced with making savings in excess of £5m, it has taken steps to maintain financial discipline and ensure that savings are deliverable.

Appendices

Appendix 1- Budget Monitoring Consolidation Report
Appendix 2- Directorate summaries

2014/15 Budget Monitoring for Period 201409. Run on 21/01/2015 at 08:11:30.

	Budget		Forecasted Performance						Net Net Variance £
	Original Budget for 2014/15 £	Revised Budget for 2014/15 £	Expenditure			Income			
			Annual Expenditure Budget for 2014/15 £	Annual Expenditure Forecast for 2014/15 £	Expenditure Variance for 2014/15 £	Annual Income Budget for 2014/15 £	Annual Income Forecast for 2014/15 £	Income Variance for 2014/15 £	
Education (DSG Funded)	-720,891	-720,891	96,068,289	96,029,320	-38,969	-96,789,180	-96,750,210	38,970	0
Corporate Director - Communities	279,320	282,140	282,140	282,140	0	0	0	0	0
Adult Social Care	36,932,019	36,643,379	45,178,388	45,988,050	809,662	-8,535,010	-9,344,670	-809,660	0
Care Commissioning, Housing & Safeguarding	6,129,979	6,481,069	7,474,989	7,617,030	142,041	-993,920	-1,135,290	-141,370	671
Childrens Services	12,979,958	13,607,378	14,505,738	15,931,060	1,425,322	-898,350	-1,798,670	-900,320	525,002
Education	11,594,078	11,679,078	14,787,127	14,684,240	-102,887	-3,108,050	-2,991,510	116,540	13,652
ASC Efficiency Programme	123,250	1,168,600	1,168,600	1,168,600	0	0	0	0	0
Communities	67,317,712	69,140,762	179,465,272	181,700,440	2,235,168	-110,324,509	-112,020,350	-1,695,841	539,328
Corporate Director - Environment	166,470	166,470	166,470	166,470	0	0	0	0	0
Highways & Transport	7,621,999	7,619,379	12,284,309	12,277,660	-6,649	-4,664,930	-4,671,280	-6,350	-12,999
Planning & Countryside	3,852,729	4,183,769	6,136,109	6,139,430	3,321	-1,952,340	-1,959,840	-7,500	-4,179
Culture & Environmental Protection	22,001,898	21,433,537	27,173,616	27,039,450	-134,166	-5,740,079	-5,608,840	131,239	-2,927
Environment	33,643,096	33,403,155	45,760,504	45,623,010	-137,494	-12,357,349	-12,239,960	117,389	-20,105
Chief Executive	574,160	519,480	519,480	483,980	-35,500	0	0	0	-35,500
Customer Services	1,889,159	1,899,649	40,963,309	40,975,310	12,001	-39,063,660	-39,133,660	-70,000	-57,999
Finance	1,962,310	1,995,900	3,834,530	3,823,630	-10,900	-1,838,630	-1,827,730	10,900	0
Human Resources	1,201,190	1,235,510	1,585,610	1,540,130	-45,480	-350,100	-304,820	45,280	-200
ICT & Corporate Support	2,766,039	2,786,859	3,686,159	3,641,310	-44,849	-899,300	-879,000	20,300	-24,549
Legal Services	939,640	946,260	1,190,190	1,179,190	-11,000	-243,930	-179,930	64,000	53,000
Public Health & Wellbeing	-80,000	95,680	4,944,710	4,944,710	0	-4,849,030	-4,849,030	0	0
Strategic Support	3,498,579	3,519,309	3,740,689	3,753,650	12,961	-221,380	-356,840	-135,460	-122,499
Resources	12,751,077	12,998,647	60,464,676	60,341,910	-122,766	-47,466,030	-47,531,010	-64,980	-187,747
Movement Through Reserves	-117,000	-2,534,660	-2,534,660	-2,534,660	0	0	0	0	0
Capital Financing & Management	7,563,230	8,150,210	8,554,060	8,540,060	-14,000	-403,850	-374,850	29,000	15,000
Levies & Interest	7,446,230	5,615,550	6,019,400	6,005,400	-14,000	-403,850	-374,850	29,000	15,000
Total	121,158,115	121,158,114	291,709,852	293,670,760	1,960,908	-170,551,737	-172,166,170	-1,614,433	346,476

Source: Live
Report Name: BU006

Explanation of budget changes	£
Approved budget carry forwards from 2013/14	1,777
Drawdown of S106 Funding	61
Movement of PFI costs to capital financing	(582)
Use of Earmarked Reserve	35
Drawdown of Public Health Reserve	177
Approved funding from Reserves	362
Change to capital financing	587
Movement through reserves	(2,417)
	<u>0</u>

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Corporate Director's Report on Financial Performance

Resources Directorate

Quarter Three 2014/15

Section 1: Revenue

Service	Net Budget	Forecast (under)/over spend				Change
		Quarter One	Quarter Two	Quarter Three	Year End	
	£000	£000	£000	£000	£000	£000
Chief Executive	519	0	0	(36)		(36)
Customer Services	1,900	0	(55)	(58)		(3)
Finance	1,996	0	0	0		0
Human Resources	1,235	(14)	(2)	0		2
ICT and Corporate Support	2,787	0	6	(25)		(31)
Legal	946	0	62	53		(9)
Public Health	96	0	0	0		0
Strategic Support	3,519	(86)	(93)	(122)		(29)
Total	12,998	(100)	(82)	(188)	0	(106)

Overview

The forecast Revenue under spend for the Resources Directorate as a whole is £188k against a budget of £13m. This is largely due to additional income and salary savings in Strategic Support, a one off IT support saving in Customer Services and reduced maintenance costs in information technology. This is offset against an over spend in Legal Services due to a projected shortfall in fee income and an increase in the cost of the Coroner's Court.

Over the course of the year the reported under spend position has increased from quarter two £82k and at month eight of £88k. The quarter three forecast position this year is showing a reduction in the under spend compared to last year (£483k under) and 2012 (£224k under); although the trend has still been an increased amount of savings identified between quarter two and quarter three as income targets are revised and contingency budgets released.

Chief Executive

The Chief Executive's budget is showing an under spend of £36k as a result of releasing savings within the contingency budgets in Quarter Three since there has been little call on these budgets within the last quarter; together with a reduction in the supplies and services expenditure, which is a continuing trend and factored into the savings plans for 2015.

Customer Services

Customer Services are forecasting a £58k under spend due to a one off saving in IT costs and increased income from the Registrar's Service. This income forecast is adjusted quarterly based on the actual income we have

had in to date. In Quarter Two this showed a saving of £25k which has increased to £38k due to a further increase on the same period last year. Again, since this has shown to be a continuing trend we have factored this increased income into the savings plans for 2015.

Finance

The Finance Service is forecasting to budget with one-off pressures in the areas of agency and consultancy being managed within the Service utilising savings from increased rental income - which is due to a new agreement for rental on the London Road Industrial Estate - and charitable rates relief which is now not accounted for within the Service; this is included in the savings plans for 2015.

Human Resources

The HR Service is forecasting to budget with in year pressures in the Occupational Health Service being managed by salary savings within the Service. This pressure has remained consistent all year as the Council took a proactive approach to managing sickness, which included referral to the Occupational Health Service.

ICT and Corporate Support (ICT and CS)

The ICT and CS Service is forecasting an under spend of £25k. The change from Quarter Two is due to reduced costs on infrastructure and licences, together with increased income from printing in the last quarter compared with the same period last year. In order to meet future savings targets a programme of proactively reducing maintenance costs and cancellation of unused WAN circuits has commenced.

Legal Services

Legal Services are forecasting an over spend of £53K which is due to increased costs for the Coroner's Service and a projected shortfall in fee income. In addition there are increasing costs within the disbursements budgets as a result of judicial review proceedings although it is anticipated some of these will be recovered. The change in the forecast position is due to an updated forecast on the fee income together with the changes to the disbursements forecast in the light of the two new Judicial Reviews that are currently taking place. The fee income has continued to fall since 2013 and the Service is proactively reducing expenditure where possible in order to manage the shortfall.

Public Health

Public Health is forecasting to budget within the Public Health ring fenced grant. Any under spend will be transferred into the Public Health Reserve as prescribed by the Public Health Grant conditions.

Strategic Support

Strategic Support is currently forecasting an under spend of £122k mainly due to additional income forecast from local land charges (£61k) and the Atomic

Weapons Establishment and Petroleum Storage Depot (£10k) together with salary savings in the Performance Team.

This is an increased under spend of £30k from Quarter Two and £20k from Month Eight, mainly from the increased forecast for land charges income which is as a result of direct marketing to local solicitors in Quarter Three focusing on the quality of the service being provided. The income from land charges has consistently increased over the last two years which has enabled us to factor this into our savings plans for 2015.

Risks identified

None

Section 2: Capital

Service	2014/15 Original Capital Programme	2014/15 Revised Capital Programme	Amount spent/ committed to Quarter Three	Forecast spend in year	Forecast under/over spend in year
	£000	£000	£000	£000	£000
Chief Executive	56	106	65	133	27
ICT and Corporate Support	848	1,100	780	990	(110)
Finance	105	295	158	265	(30)
Strategic Support	61	76	56	76	0
Total	1,070	1,577	1,059	1,464	(113)

67.2% of the programme is spent or committed as at the end of Quarter Three.

Approximately £33,000 consultancy costs in respect of the London Road Industrial Estate (LRIE) will now need to be spent in advance from next year's budget. This is offset by £6,000 expenditure on the Wharf development which will be carried forward to 2015/16.

In Finance, it is unlikely that all the remaining members' bids fund to be allocated at the February meeting will be fully claimed before year end. It is therefore anticipated that approximately £30,000 of this budget will need to be carried forward to 2015/16.

Most major ICT schemes are completed or on schedule for completion in year. However the budget for corporate ICT replacement may be under spent by around £60k this year due to resources being diverted on the Windows 7 upgrade project and the £50k set aside for a replacement backup system may remain unspent as options for this project are still being reviewed.

Strategic Support capital budgets are expected to be fully spent by year end.

Title of Report:	Maternity services for West Berkshire's residents
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	24 February 2015

Purpose of Report: To set out draft recommendations for the Commission's consideration.

Recommended Action: To agree the proposed recommendations.

Overview and Scrutiny Management Commission Chairman	
Name & Telephone No.:	Councillor Brian Bedwell – Tel (0118) 9420196
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Executive Report

1. Introduction

- 1.1 At its meeting of 24 January 2015 the Overview and Scrutiny Management Commission examined the circumstances surrounding recent closures to the Royal Berkshire' Hospital's maternity unit. Following the consideration of the Item it was agreed that a small working group would identify recommendations for consideration by the full Commission. This report sets out those recommendations.

2. Draft recommendations

- 2.1 A report should be presented to the Overview and Scrutiny Management Commission in September 2015 by the Royal Berkshire NHS Foundation Trust setting out
- (1) The findings of the Birth-rate Plus Assessment and the actions that have been taken in response to them
 - (2) The number of closures on the unit between 1 January and 31 August 2015, the duration of and reason for each
 - (3) The progress on the action plan developed following the CQC review
 - (4) The effect of the post-CQC inspection action plan, particularly on
 - (a) Normal birth rates, as compared with the national average
 - (b) Cesarean sections and induction rates, as compared with the national average
 - (c) The length of stay, as compared with the national average
 - (d) The number of diversions, as compared with the national average
 - (e) The physical working environment.
 - (5) Accepting that the target is aspirational, the progress being made towards achievement of 168 hours per week of clinical cover on wards
- 2.2 By no later than 31 March 2017, the Royal Berkshire NHS Foundation Trust should examine the business case for the establishment of a maternity unit at the West Berkshire Community Hospital. The report should include a full cost/benefit analysis and take account of recent and planned population increases.

3. Recommendation

- 3.1 It is recommended that the Commission agrees the proposed recommendations.

Appendices

There are no appendices to this report.

Agenda Item 13.

Title of Report:	Insurance fund
Report to be considered by:	Overview and Scrutiny Management Commission
Date of Meeting:	24 February 2015

Purpose of Report: To set out the proposed recommendations to be made about the operation of the Council's Self Insurance Fund.

Recommended Action: To agree the proposed recommendations.

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

Contact Officer Details	
Name:	Ian Priestley
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Executive Report

1. Introduction

- 1.1 At its meeting of 8 April 2014, the Overview and Scrutiny Management Commission agreed to examine the operation of the Council's Self Insurance Fund.
- 1.2 Following this agreement, the Self Insurance Fund was initially scrutinised at the Commission's 2 December 2014 meeting at which it was agreed that a small task group would be established to consider the matter in more detail
- 1.3 This report sets out Terms of Reference for the review, the methodology used, the task group's finding and a small number of draft recommendations.

2. Terms of Reference

- 2.1 In requesting that the topic be considered, Councillor Alan Law advised that the Commission's review should:
 - (1) Identify and recommend the required level of reserves to be held in the fund
 - (2) Recommend the balance that should be held between the assumed level of risk and size of the reserve
 - (3) Review the last 3 years of claims and performance.

3. Methodology

- 3.1 A task group comprising Councillors Jeff Brooks, Quentin Webb and Emma Webster met on Friday 13 February 2015 to examine the papers that had been previously received by the Commission and financial/claims data for the past 5 municipal years. The task group was supported by Ian Priestley, the Council's Chief Internal Auditor.

4. Finding

- 4.1 The task group found that the Self Insurance Fund has been set at an adequate and not excessive level for the past five years.
- 4.2 Members were of the view that the maintenance of the Fund between upper and lower limits would provide for a better mechanism for balancing the twin requirements of managing insurance risk (of a potential £930k excess per year) and utilisation of the Council's increasingly limited financial resources.

5. Draft recommendations

- 5.1 The Executive Member for Finance should maintain the Self Insurance Fund, through its existing and fluctuating operating mechanism, at a level of not less than £950k and not more than £1.5m annually.
- 5.2 The Executive Member for Finance should, along with the Head of Finance and the Chief Internal Auditor, review the level of the Self Insurance Fund annually, making adjustments as necessary to keep within the limits set at 5.1 above. A report on the outcome of the review should be made to the Governance and Audit Committee.

6. Recommendation

6.1 It is recommended that the Commission agrees the proposed recommendations.

Appendices

There are no appendices to this report.

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