

Individual Decision

The attached report will be taken as an
Individual Portfolio Member Decision on:

Thursday, 19 June, 2014

Ref:	Title	Portfolio Member	Page No.
ID2797	West Berkshire Council Forward Plan - 23 July 2014 to 31 October 2014	Councillor Gordon Lundie	1 - 18



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Individual Executive Member Decision

Title of Report:	West Berkshire Council Forward Plan - 23 July 2014 to 31 October 2014
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	19 June 2014
Forward Plan Ref:	ID2797

Purpose of Report: To advise Members and residents of items to be considered by West Berkshire Council over the next four months.

Recommended Action: That the Leader of the Council agrees and where appropriate amends the West Berkshire Council Forward Plan.

Reason for decision to be taken: It is a statutory requirement that a Forward Plan be produced.

Other options considered: Not applicable.

Key background documentation: Forward Plan.

Portfolio Member Details	
Name & Telephone No.:	Councillor Gordon Lundie
E-mail Address:	glundie@westberks.gov.uk

Contact Officer Details	
Name:	Moira Fraser
Job Title:	Democratic Services Manager
Tel. No.:	01635 519045
E-mail Address:	mfraser@westberks.gov.uk

Implications

Policy:	The Forward Plan details the Policies to be adopted by West Berkshire Council.
Financial:	The Forward Plan has no financial implications.
Personnel:	The Forward Plan has no personnel implications.
Legal/Procurement:	The Forward Plan has no legal or procurement implications.
Environmental:	The Forward Plan has no environmental implications.
Property:	The Forward Plan has no property implications.
Risk Management:	The Forward Plan has no risk management implications.

Is this item relevant to equality?	Please tick relevant boxes	
	Yes	No
Does the policy affect service users, employees or the wider community and:		
• Is it likely to affect people with particular protected characteristics differently?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)		
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Not relevant to equality	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Consultation Responses

Members:

Leader of Council:	Councillor Gordon Lundie
Overview & Scrutiny Management Commission Chairman:	Councillor Brian Bedwell at OSMC meetings
Ward Members:	All Members.
Opposition Spokesperson:	Councillor Jeff Brooks at OSMC meetings

Local Stakeholders: The West Berkshire Forward Plan will be published the first working day after the Individual Decision is signed.

Officers Consulted: Nick Carter, John Ashworth, Rachael Wardell, Heads of Service, Group Executives.

Trade Union: Not sought.

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
<p>If not subject to call-in please put a cross in the appropriate box:</p> <p>The item is due to be referred to Council for final approval <input type="checkbox"/></p> <p>Delays in implementation could have serious financial implications for the Council <input type="checkbox"/></p> <p>Delays in implementation could compromise the Council's position <input checked="" type="checkbox"/></p> <p>Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months <input checked="" type="checkbox"/></p> <p>Item is Urgent Key Decision <input type="checkbox"/></p> <p>Report is to note only <input type="checkbox"/></p>		

Supporting Information

1. Background

- 1.1 West Berkshire Council's Forward Plan, which is published monthly, sets out the key decisions that the Executive (either collectively or by Individual Executive Members) are expected to take over the next four months.
- 1.2 Key decisions are defined by the Government (Regulation 8 of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2001) as:
- (1) Those which result in the Local Authority incurring expenditure which is, or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which the decision is related.
 - (2) Those which are significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Local Authority.
- 1.3 The introduction of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in September 2012 included a requirement to publish 28 clear days' notice of any intended key decision. It should be noted that "clear days" means working days, from midnight to midnight, and excludes weekends and public holidays, so 28 clear days equates to around 5½ normal weeks.
- 1.4 On occasions, however, situations may arise where an urgent decision needs to be made in respect of an item that does not appear on the Forward Plan. There are two different ways in which this can be done:
- (i) the authority can take an urgent key decision without giving 28 days' notice where it is impracticable to give the full notice, provided that the authority gives at least five days' clear notice to all Members of the Overview and Scrutiny Management Commission, which can then call in the decision to check that it was genuinely urgent; or
 - (ii) where a key decision is so urgent there is not even time to give five clear days' notice, the authority can take the decision if the Chairman of the Overview and Scrutiny Management Commission has agreed that the key decision is urgent and cannot reasonably be deferred.
- 1.5 In addition The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 introduced an entirely new requirement for the Council to publish 28 clear days' notice of the intention to hold a private meeting (or part of a meeting) of the Executive. This 28 day notice must be reinforced by a five day notice which sets out the reasons for the meeting to be held in private, details of any propositions received as to why the meeting should be open, and the Council's response. The response will be provided by the Monitoring Officer. The regulations again provide for an urgency procedure, under which the Council can decide the matter with shorter than 28 or five days' notice, provided that it has first obtained the consent of the Chairman of the Overview and Scrutiny Management Commission.

- 1.6 There is currently one confidential item scheduled for the 24 July 2014 Executive meeting and the required notice is attached as an appendix and will be displayed at the Council. If any representations are received the five day notice will be issued on 16 July 2014.
- 1.7 The following items have been added to/deleted from the Forward Plan for the July 2014 Executive meeting, since it was last published:
- Future Development of All2gether (EX2814) has been retitled as Future of Equalities;
 - Non-Domestic Rates - Reoccupation Relief (EX2845) added to the agenda after it was last published;
 - Shared Adoption Service (EX2738) added to the agenda after it was last published;
 - Children's Services - External Placements (EX2827a) item to be considered following call-in if appropriate.
- 1.8 Details of decisions that Full Council, the Governance and Audit Committee and the Personnel Committee are going to take are also included for ease of reference. It should, however, be noted that the new requirements only apply to Executive meetings.
- 1.9 Publication of the Forward Plan remains a statutory requirement of the Local Authority. The Forward Plan, any General Exception Decisions Notices and Notices of Private Decisions have to be available for inspection and also have to be published on the Council's website.

Appendices

Appendix A – West Berkshire Council Forward Plan – 23 July 2014 to 31 October 2014
Appendix B – Notice of confidential item for 24 July 2014 Executive meeting

West Berkshire Council Forward Plan



West Berkshire Council Forward Plan – 23 July 2014 to 31 October 2014

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact	Lead Member (Porfolio Holder for . . .)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
23-31 JULY 2014											
ID2866	Appointment of Representatives to Outside Bodies <i>To appoint Councillors to Outside Bodies: Foster Carers Panel, 14-21, Berkshire Historical Environment Forum</i>	ID	01/07/14	Resources	Moira Fraser	Leader of Council					01 July 2014
EX2845	Non-Domestic Rates - Reoccupation Relief <i>To establish a Council policy for this form of rate relief.</i>	EX	24/07/14 EX	Resources	Bill Blackett	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					01 July 2014
EX2821	Delivering Investment from Sustainable Development SPD - Update <i>To consider updates to the SPD for developer contributions prior to a 6 week public consultation (scheduled to take place prior to school summer holidays)</i>	EX	24/07/14 EX	Environment	Caroline Walsh	Planning, Transport (Policy), Culture, Customer Services, Countryside		16/07/14			01 July 2014
EX2814	Future of Equalities <i>To highlight the different approaches available to the Council to progress our position in relation to equalities, and maintain our compliance with legislation.</i>	EX	24/07/14 EX	Resources	Elaine Walker	Partnerships, Equality, Communities, Community Safety, Hungerford and Eastern Area Visions					01 July 2014
ID2798	West Berkshire Forward Plan – 3 September 2014 – 31 December 2014 <i>To agree the Forward Plan for the next four months.</i>	ID	31/07/14	Resources	Moira Fraser	Leader of Council		23/07/14			01 July 2014

The items included in the Forward Plan were correct at the time of publication. The Forward Plan may, however, change and you are advised to contact Moira Fraser – Tel: 01635 519045 or e-mail: mfraser@westberks.gov.uk to confirm the contents of any agenda before attending a meeting. **Executive decisions may be taken by the Executive acting as a collective body or by officers acting under delegated powers.**

KEY:	
ID =	Individual Executive Member Decision
EX =	Executive
C =	Council
GA =	Governance & Audit Committee
S =	Standards Committee
PC =	Personnel Committee

West Berkshire Council Forward Plan – 23 July 2014 to 31 October 2014

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact	Lead Member (Porfolio Holder for . . .)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
ID2795	Reading Road, Burghfield - Petition against the position of the proposed puffin crossing. <i>To respond to a petition that has been submitted to the Council</i>	ID	31/07/14	Environment	Andrew Garratt	Highways, Transport (Operations), Emergency Planning, Newbury Vision		originally considered 31/03/14			01 July 2014
AUGUST 2014											
ID2860	Royal Avenue and Charrington Road, Calcot - Traffic Management Proposals <i>To report on the results of a consultation to seek residents and stakeholders views on possible Traffic Mangement options in Charrington Road and Royal Avenue. To consider the consultation responses and agree a options to take forward to design and construction.</i>	ID	07/08/14	Environment	Jon Winstanley	Highways, Transport (Operations), Emergency Planning, Newbury Vision					01 August 2014
ID2873	objections to the changes proposed to the West Berkshire District Council (Prohibition and Restriction of Waiting and Loading, Parking Places and Residents' Parking) (Consolidation) Order 2009 following the statutory consultation <i>To consider and determine any objections made to proposed amendments to the On-Street Parking Order following the statutory advertising process</i>	ID	21/08/14	Environment	Martyn Baker	Highways, Transport (Operations), Emergency Planning, Newbury Vision			All parking customers		01 August 2014

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ID2871	Objections to the Changes Proposed to the West Berkshire District Council (Off Street Parking Places) (Civil Enforcement and Consolidation) Order 2009 (Amendment No. 8) Order following the Statutory Consultation <i>To consider and determine any objections made to proposed amendments to the Off-Street Parking Order following the statutory advertising process</i>	ID	21/08/14	Environment	Martyn Baker	Highways, Transport (Operations), Emergency Planning, Newbury Vision			All parking customers		01 August 2014
ID2872	Proposal to create additional primary school places in Newbury <i>Approval to proceed to consultation on proposals</i>	ID	26/08/14	Communities	Caroline Corcoran	Children and Young People, Youth Service, Education, Safeguarding	No	15/08/14			01 August 2014
ID2862	Home to School Transport Policy 2015/16 <i>To approve the Home to School Transport Policy for 2015/16 following consultation (statutory requirement)</i>	ID	26/08/14	Communities	Caroline Corcoran	Children and Young People, Youth Service, Education, Safeguarding					01 August 2014
SEPTEMBER 2014											
GA2870	Annual Governance Statement - Statement in Support by the Monitoring Officer <i>To provide evidence and independent verification of governance matters which may impact on the Annual Governance Statement from the viewpoint of the Monitoring Officer.</i>	GA	01/09/14 GA	Resources	David Holling	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					01 September 2014

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GA2869	Annual Governance Statement - Statement in Support by the Section 151 Officer <i>To provide evidence and independent verification of governance matters which may impact on the Annual Governance Statement from the viewpoint of the Section 151 Officer.</i>	GA	01/09/14 GA	Resources	Andy Walker	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					01 September 2014
GA2868	Annual Governance Statement 2013-14 <i>To review the Annual Governance Statement</i>	GA	01/09/14 GA	Resources	Ian Priestley	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					01 September 2014
ID2799	West Berkshire Forward Plan – 8 October 2014 – 31 January 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	04/09/14	Resources	Moira Fraser	Leader of Council		27/08/14			01 August 2014
EX2829	Financial Performance Report - Quarter One 2014/15 <i>To inform Members of the latest financial performance of the Council.</i>	EX	04/09/14 EX	Resources	Melanie Ellis	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					01 September 2014

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EX2777	Key Accountable Measures and Activities 2014/15. Update on progress: Q1 outturns <i>To report Quarter 1 progress against the key accountable measures and activities for West Berkshire Council for 2014/15 and to report by exception those measures/activities not achieved/expected to be achieved and cite remedial action that is being taken.</i>	EX	04/09/14 EX	Resources	Jason Teal	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support					01 September 2014
EX2738	Shared Adoption Service (Paragraph 1 - information pertaining to an individual, Paragraph 2 - information identifying an individual) <i>To explore the possible development of a Shared Adoption Service across the 6 Berkshire Local Authorities</i>	EX	04/09/14 EX	Communities	Sandra Dopson	Children and Young People, Youth Service, Education, Safeguarding	Yes	27/08/14	Five other Berkshire Unitaries		01 September 2014
EX2848	Corporate Fraud Prevention <i>Arising out of the consequences of DWP Single Fraud Intergration Service this report makes a case for the establishment of a Corporate Fraud Prevention Team.</i>	EX	04/09/14 EX	Resources	Sean Anderson	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					01 September 2014
EX2874	Response to the scrutiny review into the utilisation of Shaw House	EX	04/09/14 EX	Environment	Amanda Loaring	Planning, Transport (Policy), Culture, Customer Services, Countryside					01 September 2014

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C2867	Member Induction Programme <i>To seek Corporate Board's view on the proposed Member Induction programme for May 2015.</i>	C	18/09/14 C	Resources	Jo Watt				relevant bodies, all Councillors, Group Executives		01 September 2014
C2657	Health and Wellbeing Strategy	C	18/09/14 C 11/09/14 GA	Resources	Lesley Wyman	Health and Wellbeing					01 September 2014
C2846	Revised Statement of Community Involvement <i>To consider the adoption of the revised Statement of Community Involvement (SCI)</i>	C	18/09/14 C	Environment	Paula Amorelli	Planning, Transport (Policy), Culture, Customer Services, Countryside			Statutory bodies, community and other stakeholders		01 September 2014
C2859	Changes to the Constitution - Part 10 Finance Rules of Procedure <i>To amend the Constitution in light of legislative changes.</i>	C	18/09/14 C 01/09/14 GA	Resources	Andy Walker	Chairman of Governance and Audit					01 September 2014
C2793	Response to Motion on Protected Employment Land <i>To respond to the motion brought to Council on the 12 December 2013.</i>	C	18/09/14 C	Environment	Liz Alexander	Planning, Transport (Policy), Culture, Customer Services, Countryside					01 September 2014
ID2800	West Berkshire Forward Plan – 1 Nov 2014 – 28 Feb 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	25/09/14	Resources	Moira Fraser	Leader of Council		17/09/14			01 September 2014
OCTOBER 2014											
ID2807	Elective Home Education Policy <i>To seek approval for updated policy on Elective Home Education.</i>	ID	01/10/14	Communities	Rhian Ireland	Children and Young People, Youth Service, Education, Safeguarding					01 October 2014

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NOTICE OF A PRIVATE MEETING OF A DECISION-MAKING BODY TO WHICH THE CHAIR OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION HAS AGREED¹

Notice of an imminent occasion when the public may be excluded from a meeting due to the likelihood that if members of the public were present during an item of business confidential or exempt information would be disclosed to them and which the Chair of the Overview and Scrutiny Management Commission has agreed is urgent and cannot reasonably be deferred.

¹ In accordance with Regulation 5(7) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. At least 28 clear days before a private meeting² of a decision-making body, public notice³ must be given which must include a statement of reasons for the meeting to be held in private.
2. At least 5 clear days before a private meeting of a decision-making body, further public notice⁴ must be given which must include a statement of reasons for the meeting to be held in private, details of any representations received by the decision-making body about why the meeting should be open to the public and a statement of the Council's response to such representations.
3. Where the date by which a meeting must be held makes compliance with the above requirements impracticable, the meeting may only be held in private where the decision-making body has obtained agreement from the Chair of the Overview and Scrutiny Management Commission.
4. Compliance with the requirements for the giving of public notice has been impracticable in relation to the business detailed below.

Date of Decision or period within which the decision is to be made	Ref No:	Matter in respect of which the decision is to be made	Short Description	Decision maker	Executive Member & Lead Officer	List of documents to be submitted to decision maker	Public or Private meeting. Statement of reasons if private.
24 July 2014	EX2738	Shared Adoption Service	To explore the possible development of a Shared Adoption Service across the 6 Berkshire Local Authorities	Executive	Councillor Irene Neill/ Sandra Dopson	Report plus any associated appendices	(Paragraph 1 - information pertaining to an individual, Paragraph 2 - information identifying an individual)

5. The Chair of the Overview and Scrutiny Committee has agreed that the Executive may hold a private meeting to consider the business referred to in paragraph 4 above because the meeting is urgent and cannot reasonably be deferred for the reasons stated below.

² A 'private meeting' means a meeting or part of a meeting of a decision making body which is open to the public except to the extent that the public are excluded due to the confidential or exempt business to be transacted.

³ In accordance with Regulation 5(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

⁴ In accordance with Regulation 5(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Date of Chair's agreement	Matter in respect of which the decision is to be made	Reasons why meeting urgent and cannot reasonably be deferred
20/05/14	Shared Adoption Service	

Andy Day
Head of Strategic Support
West Berkshire Council

Date 11 June 2014

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