

Individual Decision

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

Thursday, 25 September, 2014

Ref:	Title	Portfolio Member	Page No.
ID2800	West Berkshire Council Forward Plan - 1 November 2014 to 28 February 2015	Councillor Gordon Lundie	1 - 18



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Individual Executive Member Decision

Title of Report:	West Berkshire Council Forward Plan - 1 November 2014 to 28 February 2015
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	25 September 2014
Forward Plan Ref:	ID2800

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 checked="" type="checkbox"/>
Not relevant to equality			<input checked="" type="checkbox"/>

Consultation Responses

Members:

Leader of Council: Councillor Gordon Lundie

Overview & Scrutiny Management Commission Chairman: Councillor Brian Bedwell.

Ward Members: All Members.

Opposition Spokesperson: Councillor Jeff Brooks.

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 have 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 20 November 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 12 November 2014. The item is:
- London Road Industrial Estate Development Agreement (EX2882)
- 1.7 The following items have been added to/deleted from the Forward Plan for the November 2014 Executive meeting or Individual decision in November, since it was last published:
- London Road Industrial Estate Development Agreement (EX2882) (delayed from October 2014)
 - 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 (ID2873)
 - Joint Working with the Royal Berkshire Fire and Rescue Service (EX2910)
- 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 –1 November 2014 to 28 February 2015

Appendix B - Notice of confidential items for 20 November 2014 Executive meeting

West Berkshire Council Forward Plan



West Berkshire Council Forward Plan – 01 November 2014 to 28 February 2015

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
NOVEMBER 2014											
ID2810	Approval of Local Transport Plan supporting strategy - Freight Strategy <i>To gain formal approval of the Freight Strategy which supports the delivery of the West Berkshire Local Transport Plan 2011-2026</i>	ID	21/11/14	Environment	Jenny Graham	Planning, Transport (Policy), Culture, Customer Services, Countryside/Highways, Transport (Operations), Emergency Planning, Newbury Vision					November 2014
ID2801	West Berkshire Forward Plan – 17 Dec 2014 – 31 March 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	13/11/14	Resources	Moira Fraser	Leader of Council		05/11/14			November 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 Hungerford On-Street Parking Order following the statutory advertising process</i>	ID	28/11/14	Environment	Martyn Baker	Highways, Transport (Operations), Emergency Planning, Newbury Vision			All parking customers		November 2014
ID2885	Admissions Arrangements 2016/17 Consultation <i>To seek approval to consult on admission arrangements for 2016/17 (statutory requirement)</i>	ID	06/11/14	Communities	Vicky Pearce	Children and Young People, Youth Service, Education, Safeguarding					November 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 – 01 November 2014 to 28 February 2015

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
ID2900	Adoption Service Half Yearly Report <i>To report on the work of the adoption team and to enable Members to scrutinise the operation of the Adoption Service.</i>	ID	01/11/14	Communities	Sandra Dopson	Children and Young People, Youth Service, Education, Safeguarding					November 2014
GA2559	Review of the Council's Anti-Bribery Policy <i>In accordance with the recommendation of the Governance and Audit Committee to revisit the Council's Bribery Policy adopted on the 10 September 2012 to ensure that it is fit for purpose.</i>	GA	24/10/14	Resources	Ian Priestley	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					November 2014
EX2882	London Road Industrial Estate Development Agreement (Paragraph 3 - information relating to the business affairs of particular person; (Paragraph 5 - Information relating to legal privilege) <i>To approve the Development Agreement prior to signing</i>	EX	20/11/14 EX	Communities	Bill Bagnell	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property	Yes				November 2014
EX2910	Joint Working with the Royal Berkshire Fire and Rescue Service <i>To agree proposals for joint working arrangements with the Royal berkshire Fire and Rescue Service.</i>	EX	20/11/14 EX	Resources	Andy Day	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support	Yes				November 2014
DECEMBER 2014											
ID2905	Speed Limit Review October 2014 <i>To approve the statutory consultation for altering the speed limit on a number of roads following a meeting of the speed limit task group</i>	ID	08/12/14	Resources	Andrew Garratt	Highways, Transport (Operations), Emergency Planning, Newbury Vision	Yes		Ward Members		December 2014

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C2884	Council Tax Reduction Scheme <i>To determine the Council's scheme for 2014/15.</i>	C	11/12/14 C	Resources	Bill Blackett	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					December 2014
C2887	Changes to the Constitution - Parts 9 Budget and Policy Framework and 10 Finance Rules of Procedure <i>To amend the Constitution in light of legislative changes.</i>	C	11/12/14 C 24/11/14 GA								December 2014
C2657	Health and Wellbeing Strategy	C	11/12/14 C	Resources	Lesley Wyman	Health and Wellbeing					December 2014
C2674	Polling Places and Polling District Review <i>To review Polling places and Polling Districts in accordance with the provisions of the Review of Polling Districts and Polling Places (Parliamentary Elections) Regulations 2006</i>	C	11/12/14 C	Resources	Phil Runacres	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support					December 2014
C2822	Delivering Investment from Sustainable Development SPD - Adoption <i>To adopt the updated SPD for developer contributions</i>	C	11/12/14 C	Environment	Caroline Walsh	Planning, Transport (Policy), Culture, Customer Services, Countryside		03/12/14			December 2014

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C2889	Activity Team West Berkshire Fees and Charges 2015/16 <i>To bring forward agreement on increases in fees and charges for the 2015/16 Adventure Dolphin activity programme: in line with fair market price; to maximise advance bookings and income in support of the drive for the service to become cost neutral.</i>	C	11/12/14 C	Environment	Jim Sweetin g	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					December 2014
C2888	Leisure Centres' Fees and Charges 2015 <i>To implement the contractual requirement for an annual price review for 2014 for Parkwood Community Leisure to come into effect from 1st January 2014.</i>	C	11/12/14 C	Environment	Jim Sweetin g	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					December 2014
EX2830	Financial Performance Report - Quarter Two 2014/15 <i>To inform Members of the latest financial performance of the Council.</i>	EX	18/12/14 EX	Resources	Melanie Ellis	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					December 2014
EX2883	Staffing implications associated with savings put forward to deliver the 2015/16 revenue budget: approval to pay redundancy payments <i>To set out the staffing implications which are likely to result from the setting of the Council's 2015/16 revenue budget. To seek approval to make the redundancy payments associated with the required staffing implications</i>	EX	18/12/14 EX	Resources	Robert O'Reilly	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					December 2014

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ID2802	West Berkshire Forward Plan – 14 Jan 2015 – 30 April 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	04/12/14	Resources	Moira Fraser	Leader of Council		26/11/14			December 2014
JANUARY 2015											
ID2803	West Berkshire Forward Plan – 11 February 2015 – 31 May 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	08/01/15	Resources	Moira Fraser	Leader of Council		31/12/14			January 2015
ID2890	Response to a petition - introduction of a 40mph speed limit from Thornford Road to the junction of Crookham Park Home site <i>To respond to a petition that has been submitted to the Council</i>	ID	01/01/15	Environment	Andrew Garratt	Highways, Transport (Operations), Emergency Planning, Newbury Vision					January 2015
EX2876	Children's Services Recruitment and Retention Strategy	EX	24/07/14 EX	Communities	Mark Evans/ Robert O' Reilly	Children and Young People, Youth Service, Education, Safeguarding					January 2015
EX2778	Key Accountable Measures and Activities 2014/15. Update on progress: Q2 outturns <i>To report Quarter 2 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	15/01/15 EX	Resources	Jason Teal	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support					January 2015

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FEBRUARY 2015											
ID2804	West Berkshire Forward Plan – 18 March 2015 – 30 June 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	12/02/15	Resources	Moira Fraser	Leader of Council		04/02/15			February 2015
EX2831	Financial Performance Report - Quarter Three 2014/15 <i>To inform Members of the latest financial performance of the Council.</i>	EX	12/02/15 EX	Resources	Melanie Ellis	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					February 2015
EX2904	New School for Newbury (Paragraph 3 - information relating to the financial/business affairs of a particular person) <i>To consider the recommendation to DFE for the sponsor of the new school in Newbury</i>	EX	12/02/15 EX	Communities	Caroline Corcoran	Children and Young People, Youth Service, Education, Safeguarding	Yes				February 2015
C2836	Draft Capital Strategy and Programme 2015/16 to 2019/20 <i>To outline the five year Capital Strategy for 2015 to 2020, including the Minimum Revenue Provision (MRP) statement and the Asset Management Plan, and to set out the funding framework for Council's five year Capital Programme 2015/16 to 2019/20</i>	C	12/02/15 EX 03/03/15 C	Resources	Andy Walker	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					March 2015

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C2834	Medium Term Financial Strategy (MTFS): 2015-18 <i>To inform Members of the medium term financial planning and strategy for the organisation.</i>	C	12/02/15 EX 03/03/15 C	Resources	Andy Walker	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					March 2015
C2835	Revenue Budget 2015/16 <i>To consider and recommend to Council the 2015-16 revenue budget.</i>	C	12/02/15 EX 03/03/15 C	Resources	Andy Walker	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					March 2015
C2837	Investment and Borrowing Strategy 2015/16 <i>In compliance with The Local Government Act 2003, this report summarises the Council's borrowing limits as set out by CIPFA's Prudential Code, and recommends the Annual Investment Strategy for the coming year.</i>	C	12/02/15 EX 03/03/15 C	Resources	Andy Walker	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property					March 2015
C2838	West Berkshire Council Strategy 2015/16 <i>To present the Council Strategy for adoption</i>	C	12/02/15 EX 03/03/15 C	Resources	Jason Teal	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support					March 2015

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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.
20 November 2014	EX2882	London Road Industrial Estate Development Agreement	To approve the Development Agreement prior to signing.	Executive	Councillor Alan Law Bill Bagnell	Report and associated appendices	Paragraph 3 and Paragraph 5

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.

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
TBC	London Road Industrial Estate Development Agreement	Delays in Implementation could compromise the Council's position

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.

Andy Day
Head of Strategic Support
West Berkshire Council

Date: 17 September 2014

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