

Individual Decision

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

Thursday, 12th February, 2015

Ref:	Title	Portfolio Member(s)	Page No.
ID2804	West Berkshire Council Forward Plan - 18 March 2015 to 30 June 2015	Councillor Gordon Lundie	3 - 20



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Individual Executive Member Decision

Title of Report:	West Berkshire Council Forward Plan - 18 March 2015 to 31 June 2015
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	12 February 2015
Forward Plan Ref:	ID2804

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: None

Published Works: None

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 Overview and Scrutiny Commission Meetings
Ward Members:	All Members.
Opposition Spokesperson:	Councillor Jeff Brooks at Overview and Scrutiny Commission 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 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 19 March 2015 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 11 March 2015. The item is:
- Royal Berkshire Fire and Rescue Service - Provision of Monitoring Officer Support
- 1.7 The following items have been added to/deleted from the Forward Plan for the March 2015 Executive meeting or Individual Decision in March 2015, since it was last published:
- ID2807 Elective Home Education Policy (delayed until March 2015);
 - ID2958 Charging Policy (new item)
- 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 has to be published on the Council's website.

Appendices

Appendix A – West Berkshire Council Forward Plan – 18 March 2015 to 30 June 2015

Appendix B - Notice of confidential items for 19 March 2015 Executive meeting

West Berkshire Council Forward Plan



West Berkshire Council Forward Plan – 18 March 2015 to 30 June 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
MARCH 2015											
C2833	Statutory Pay Policy Statement <i>To present a pay policy statement for the Council to be published in April 2015 for approval.</i>	C	03/03/15 C 09/02/15 PC	Resources	Jane Milone	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property, Insurance		30/01/15			March 2015
C2657	Health and Wellbeing Strategy - Updated Version <i>To share with Members the amended Health and Wellbeing Strategy following a public consultation in November 2014.</i>	C	03/03/15 C H&WB - 22/01/15	Resources	Lesley Wyman	Health and Wellbeing		13/01/15			March 2015
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, Insurance		05/02/15			March 2015
C2836	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 Plans for property and highways, and to set out the funding framework for Council's five year Capital Programme for 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, Insurance		05/02/15			March 2015

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 – 18 March 2015 to 30 June 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
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, Insurance		05/02/15			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 2015/16.</i>	C	12/02/15 EX 03/03/15 C	Resources	Andy Walker	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property, Insurance		05/02/15			March 2015
C2911	Amendment to Constitution - Scheme of Delegation <i>To review and amend sections of the Scheme of Delegation in light of legislative changes and current practice.</i>	C	03/03/15 C 09/02/15 GA	Resources	David Holling	Leader of Council		30/01/15			March 2015
C2948	Sandleford Park: Supplementary Planning Document <i>To consider the representations received in response to the consultation on the Proposed Amendments to the Sandleford Park SPD undertaken between 12 December 2014 and 30 January 2015. To consider whether any revisions need to be made to the amended SPD in the light of these representations. To consider the adoption of the Sandleford Park SPD.</i>	C	03/03/15 C	Environment	Liz Alexander	Planning, Transport (Policy), Culture, Customer Services, Countryside		23/02/15			March 2015

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EX2957	Royal Berkshire Fire and Rescue Service - Provision of Monitoring Officer Support <i>(Paragraph 3 - information relating to financial/business affairs of a particular person)</i> To advise Members of a proposal to provide Monitoring Officer support to the RBFRS for an initial two years	EX	19/03/15 EX	Resources	David Holling	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support	yes	11/03/15	Head of Strategic Support/Head of HR/ Chief Executive/ RBFRS		March 2015
EX2959	Newbury Wharf Development - Update To set out a number of proposals in respect of progressing the Newbury Wharf Development, most notably in respect of the Waterside Centre.	EX	19/03/15 EX	Resources	Nick Carter	Highways, Transport (Operations), Emergency Planning, Newbury Vision		11/03/15			March 2015
EX2960	Children's Services Complaints Annual Report To present the Annual Report to the Executive.	EX	19/03/15 EX	Communities	Rachel Brickman	Children & Young People, Youth Service, Education, Safeguarding		11/03/15			March 2015
EX2779	Key Accountable Measures and Activities 2014/15. Update on progress: Q3 outturns To report Quarter 3 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.	EX	19/03/15 EX	Resources	Catalin Bogos	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support		11/03/15			March 2015

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EX2947	Response to the Scrutiny Review into the reasons for the apparent prevalence of homelessness amongst young families in West Berkshire <i>To provide the Executive's response to the recommendations made by the Overview and Scrutiny Management Commission.</i>	EX	19/03/15 EX	Communities	Mel Brain	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support		11/03/15			March 2015
ID2805	West Berkshire Forward Plan – 22 April 2015 – 31 July 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	19/03/15	Resources	Moira Fraser	Leader of Council		11/03/15			March 2015
ID2807	Elective Home Education Policy <i>To seek approval for updated policy on Elective Home Education.</i>	ID	18/03/15	Communities	Rhian Ireland	Children and Young People, Youth Service, Education, Safeguarding		11/03/15			March 2015
ID2951	Public Rights of Way Case Programmes <i>To inform of progress on the four annual case programmes and request approval for the next year's programmes</i>	ID	01/03/15 (Indicative)	Environment	Elaine Cox	Planning, Transport (Policy), Culture, Customer Services, Countryside, Waste, Environmental Health, Trading Standards, Licensing		TBC	Local Access Forum		March 2015
ID2914	Determination of Admission Arrangements 2016/17 <i>To determine the admission arrangements for community and voluntary controlled schools for 2016/17 following consultation.</i>	ID	10/03/15	Communities	Vicky Pearce	Children and Young People, Youth Service, Education, Safeguarding		02/03/15			March 2015

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ID2958	Charging Policy <i>To review the policy to ensure the Council is compliant with the Care Act.</i>	ID	31/03/15	Communities	Jo England	Adult Social Care		21/03/15			March 2015
ID2966	Adult Social Care Compliments and Complaints Annual Report <i>To present the Annual Report via an Individual Decision.</i>	ID	01/03/15 (Indicative)	Communities	Mary Page	Adult Social Care		TBC			March 2015
APRIL 2015											
ID2806	West Berkshire Forward Plan – 27 May 2015 – 31 August 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	23/04/15	Resources	Moira Fraser	Leader of Council		15/04/15			April 2015
EX2954	Funding Options for Replacing the Council's Street Lighting Stock with LED Lighting Units <i>To set out funding options for replacing the Council's street lighting stock with LED lighting units.</i>	EX	23/04/15 EX	Environment	Mark Edwards	Highways, Transport (Operations), Emergency Planning, Newbury Vision		15/04/15	All Members and Parish/Town Councils will be notified in advance of work commencing.		April 2015
MAY 2015											
C2685	Annual Scrutiny Report 2014/15 <i>To provide members with an update on Scrutiny activity during the previous Municipal Year.</i>	C	19/05/15 C	Resources	David Lowe	Chairman of Scrutiny		09/05/15			May 2015
C2843	Members Allowances Scheme <i>To consider the recommendations of the Independent Remuneration Panel</i>	C	19/05/15 C	Resources	Jo Watt	Leader of Council		09/05/15			May 2015
C2858	Standards Committee Annual Report 2014/15 <i>To present the Annual Standards Committee report to the Council.</i>	C	19/05/15 C 20/04/15 SC	Resources	Moira Fraser	Chairman of the Standards Committee		13/04/15			May 2015

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C2838b	West Berkshire Council Strategy 2015/16 <i>To present the Council Strategy for adoption post consultation</i>	C	23/04/15 EX 19/05/15 C	Resources	Nick Carter	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support		09/05/15			May 2015
C2857	Appointment of and Allocation of Seats on Committees for the 2015/16 Municipal Year <i>To consider the appointment of and allocation of seats on Committees and associated bodies for the 2015/16 Municipal Year and to agree the Council's Policy Framework for 2015/16.</i>	C	19/05/15 C	Resources	Moira Fraser	Leader of the Council		09/05/15			May 2015
C2853	Election of Chairman for the Municipal Year 2015/16 <i>To elect a Chairman of the Council for the 2015/16 Municipal Year.</i>	C	19/05/15 C	Resources	Moira Fraser	Leader of the Council		11/05/15			May 2015
C2854	Appointment of Vice Chairman for the 2015/16 Municipal Year <i>To appoint a Vice Chairman for the 2015/16 Municipal Year.</i>	C	19/05/15 C	Resources	Moira Fraser	Leader of the Council		11/05/15			May 2015
C2856	Appointment of the Executive by the Leader of the Council for the 2015/16 Municipal Year <i>To receive notification from the Executive Leader on the Members appointed to the Executive.</i>	C	19/05/15 C	Resources	Moira Fraser	Leader of the Council		11/05/15			May 2015
C2855	Appointment of the Strong Leader <i>The Council to appoint a Strong Leader for the next four years.</i>	C	19/05/15 C	Resources	Moira Fraser	Leader of the Council		11/05/15			May 2015

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C2955	A339/Fleming Road Junction Compulsory Purchase Order <i>(Paragraph 5 – information relating to legal privilege)</i> <i>(Paragraph 6 – information relating to proposed action to be taken by the Local Authority)</i>	C	19/05/15 C	Environment	Jon Winstanley	Highways, Transport (Operations), Emergency Planning, Newbury Vision	Yes	11/05/15			May 2015
ID2935	West Berkshire Forward Plan - 17 June 2015 - 30 September 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	14/05/15	Resources	Moira Fraser	Leader of the Council		06/05/15			May 2015
JUNE 2015											
ID2956	Parking Amendment 19 <i>To consider the responses received during statutory consultation</i>	ID	01/06/15 (Indicative)	Environment	Andrew Garratt	Highways, Transport (Operations), Emergency Planning, Newbury Vision		tbc			June 2015
ID2921	Parking Amendment 18 <i>To consider the responses received during statutory consultation</i>	ID	01/06/15 (Indicative)	Environment	Andrew Garratt	Highways, Transport (Operations), Emergency Planning, Newbury Vision		tbc			June 2015
ID2901	Annual Report 2014/15 and Statement of Purpose 2015/16 of the West Berkshire Adoption Service	ID	01/06/15 (Indicative)	Communities	Sandra Dopson	Children and Young People, Youth Service, Education, Safeguarding		tbc			June 2015
ID2902	Annual Report 2014/15 and Statement of Purpose 2015/16 of the West Berkshire Fostering Service	ID	01/06/15 (Indicative)	Communities	Sandra Dopson	Children and Young People, Youth Service, Education, Safeguarding		tbc			June 2015

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ID2913	Outside Body nominations	ID	01/06/15 (Indicative)	Resources	Moira Fraser	Leader of Council		tbc			June 2015
ID2936	West Berkshire Forward Plan - 22 July 2015 - 31 October 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	18/06/15	Resources	Moira Fraser	Leader of the Council		10/06/15			June 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.
19//03/15	EX2910	Royal Berkshire Fire and Rescue Service - Provision of Committee Service	To advise Members of a proposal to enter into an agreement with the Royal Berkshire Fire and Rescue Service to provide their "Committee Service" for them for the next three year.	Executive	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support	Reports and Associated appendices	(Paragraph 3 - information relating to financial/business affairs of particular person)

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

Andy Day
Head of Strategic Support
West Berkshire Council

Date: 04 February 2015

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