

Individual Decision

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

Thursday 14 May 2015

Ref:	Title	Portfolio Member	Page No.
ID2935	West Berkshire Council Forward Plan - 17 June 2015 to 30 September 2015	Nick Carter (Chief Executive), in the absence of a formally appointed Council Leader	3 - 18



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Individual Executive Member Decision

Title of Report:	West Berkshire Council Forward Plan - 17 June 2015 to 30 September 2015
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	14 May 2015
Forward Plan Ref:	ID2935

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 Chief Executive (in the absence of a formally appointed Council Leader) 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 (to be signed by the Chief Executive in the absence of a formally appointed Council Leader)	
Name & Telephone No.:	Nick Carter, Chief Executive – (01635) 519101
E-mail Address:	ncarter@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:	Leader routinely consulted
Overview & Scrutiny Management Commission Chairman:	Via Overview and Scrutiny Management Commission Meetings
Ward Members:	All Members.
Opposition Spokesperson:	Via Overview and Scrutiny Management 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 include 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 18 June 2015 Executive meeting. The required notice is attached as Appendix B and will be displayed at the Council. If any representations are received the five day notice will be issued on 10 June 2015. The item is:
- Superfast Berkshire Phase 2 Procurement
- 1.7 The following item has been added to the Forward Plan for the 18 June 2015 Executive meeting, since it was last published:
- Superfast Berkshire Phase 2 Procurement
- 1.8 Details of decisions that Full Council, the Governance and Audit Committee, Standards 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 – 17 June 2015 to 30 September 2015

Appendix B - Notice of confidential items for 18 June 2015 Executive meeting

West Berkshire Council Forward Plan



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West Berkshire Council Forward Plan – 17 June 2015 to 30 September 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
17 June 2015 to 30 June 2015											
ID2956	Parking Amendment 19 <i>To consider the responses received during statutory consultation</i>	ID	01/06/15	Environment	Glyn Davis	Highways, Transport (Operations), Emergency Planning, Newbury Vision		tbc			01 June 2015
ID2921	Parking Amendment 18 <i>To consider the responses received during statutory consultation</i>	ID	01/06/15	Environment	Glyn Davis	Highways, Transport (Operations), Emergency Planning, Newbury Vision		tbc			01 June 2015
ID2901	Annual Report 2014/15 and Statement of Purpose 2015/16 of the West Berkshire Adoption Service	ID	01/06/15	Communities	Sandra Dopson	Children and Young People, Youth Service, Education, Safeguarding		tbc			01 June 2015
ID2902	Annual Report 2014/15 and Statement of Purpose 2015/16 of the West Berkshire Fostering Service	ID	01/06/15	Communities	Sandra Dopson	Children and Young People, Youth Service, Education, Safeguarding		tbc			01 June 2015
ID2913	Outside Body nominations	ID	01/06/15	Resources	Moira Fraser	Leader of Council		tbc			01 June 2015
ID2973	Home to School Transport Consultation <i>To seek approval to consult on proposed changes to the Home to School Transport Policy for 2015/16 and the Policy for 2016/17 (statutory requirement)</i>	ID	01/06/15	Communities	Caroline Corcoran	Child and Young People, Youth Service, Education, Safeguarding		tbc			01 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			01 June 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 – 17 June 2015 to 30 September 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
EX2992	Superfast Berkshire Phase 2 Procurement (Paragraph 3 - information relating to financial/business affairs of a particular person) <i>To recommend supplier(s) for the next phase of the Superfast Berkshire project and to seek delegated authority to sign contracts with these suppliers.</i>	EX	18/06/15 EX	Resources	Kevin Griffin	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support	Yes	10/06/15			01 June 2015
July 2015											
C2987	Changes to Governance Arrangements <i>To present the recommendation to create a Governance and Ethics Committee in place of the Governance and Audit Committee and Standards Committee.</i>	C	02/07/15 C 22/06/15 GA 22/06/15 virtual SC	Resources	David Holling	Leader of the Council		24/06/16		Withdrawn from May Council meeting following G and A rescheduled for July 2015	01 July 2015
C2685	Scrutiny Annual Report 2014/15 <i>To provide members with an update on Scrutiny activity during the previous Municipal Year.</i>	C	02/07/15 C	Resources	David Lowe	Chairman of Scrutiny		24/06/15			01 July 2015
EX2832	Financial Performance Report - Year End 2014/15 <i>To inform Members of the latest financial performance of the Council.</i>	EX	23/07/15 EX	Resources	Melanie Ellis	Finance, Economic Development, Health & Safety, Human Resources, Pensions, Property, Insurance		15/07/15			01 July 2015
EX2974	Progress with Adverse Weather Debrief Actions <i>To provide an update on progress</i>	EX	23/07/15 EX	Resources	Carolyn Richardson	Emergency Planning		15/07/15			01 July 2015

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West Berkshire Council Forward Plan – 17 June 2015 to 30 September 2015

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EX2990	Council Strategy Delivery Plan	EX	23/07/15 EX	Resources	Catalin Bogos	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support		15/07/15			01 July 2015
EX2922	Schools Waste Contract (Paragraph 3 – information relating to financial/business affairs of particular person) <i>To inform Members of the intention to award the contract for the Provision of School Waste.</i>	EX	23/07/15 EX	Communities	Karen Felgate	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support	Yes	15/07/15			01 July 2015
EX2923	Building Cleaning Services Contracts (Paragraph 3 – information relating to financial/business affairs of particular person) <i>To inform Members of the intention to award the contract for the Provision of Building Cleaning Services</i>	EX	23/07/15 EX	Communities	Karen Felgate	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support	Yes	15/07/15			01 July 2015
EX2991	Social Care IT System <i>Seek agreement to award contract over £500k.</i>	EX	23/07/15 EX	Communities	Karen Felgate	Adult Social Care		15/07/15			01 July 2015
EX2780	Key Accountable Measures and Activities 2014/15. Update on progress: Year End outturns <i>To report year end 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	23/07/15 EX	Resources	Catalin Bogos	Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support		15/07/15			01 July 2015

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West Berkshire Council Forward Plan – 17 June 2015 to 30 September 2015

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ID2937	West Berkshire Forward Plan - 2 September 2015 - 31 December 2015 <i>To agree the Forward Plan for the next four months.</i>	ID	30/07/15	Resources	Moira Fraser	Leader of the Council		22/07/15			01 July 2015
August 2015											
At the time of publication there were no items for this month.											
September 2015											
ID2989	Home to School Transport Policies <i>To approve the Home to School Transport Policies following consultation (statutory requirement)</i>	ID	01/09/15	Communities	Caroline Corcoran	Children and Young People, Youth Service, Education, Safeguarding		tbc			01 September 2015
ID2938	West Berkshire Forward Plan - 7 October 2015 - 31 January 2016 <i>To agree the Forward Plan for the next four months.</i>	ID	03/09/15	Resources	Moira Fraser	Leader of the Council		25/08/15			01 September 2015
EX2961	Council Performance Report 2015/16: Q1 (Key Accountable Measures and Activities) <i>To present the basket of key accountable measures and activities for 2015/16.</i>	EX	03/09/15 EX	Resources	Catalin Bogos	Strategy & Performance, Housing, ICT & Corporate Support, Legal, Strategic Support		25/08/15			01 September 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.
18/06/15	EX2992	Superfast Berkshire Phase 2 Procurement	<i>To recommend supplier(s) for the next phase of the Superfast Berkshire project and to seek delegated authority to sign contracts with these suppliers.</i>	Executive	Strategy & Performance, Housing, ICT & Corporate Support, Legal, Strategic Support Kevin Griffin	Report and Associated Appendices	(Paragraph 3 – information relating to financial/business affairs of a 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: 6 May 2015

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