

Individual Decision

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

Thursday 12 November 2015

Ref:	Title	Portfolio Member	Page No.
ID2940	West Berkshire Council Forward Plan - 16 December 2015 to 31 March 2016	Leader of the Council	3 - 18



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Individual Executive Member Decision

Title of Report:	West Berkshire Council Forward Plan - 16 December 2015 to 31 March 2016
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	12 November 2015
Forward Plan Ref:	ID2940

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.:	Leader of the Council

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

Consultation Responses

Members:

Leader of Council:	Leader of the Council
Overview & Scrutiny Management Commission Chairman:	Councillor Emma Webster at Overview and Scrutiny Management Commission Meetings
Ward Members:	All Members
Opposition Spokesperson:	Councillor Alan Macro at 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 Executive.
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 are currently three confidential items scheduled for the 17 December 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 9 December 2015. The items are:
- EX3060 – Accommodation Issues
 - EX2922 – Schools Waste Contract
 - EX3036 – Staffing implications associated with savings put forward to deliver the 2016/17 revenue budget: approval to pay redundancy payments
- 1.7 The following item has been added to the Forward Plan for the Executive on 17 December 2015 since it was last published:
- EX3060 – Accommodation Issues
- 1.8 The following item has also been added to the Forward Plan for the Council meeting on 10 December 2015 since it was last published:
- C3061 – A339/Fleming Road Junction Compulsory Purchase Order
- 1.9 Details of decisions that Full Council, the Governance and Ethics Committee and the Personnel Committee are going to take are also included for ease of reference. It should, however, be noted that the 2012 Regulations only apply to Executive meetings.
- 1.10 It should also be noted that any changes made to Executive Member Portfolios will be reflected in the Forward Plan once they are known.
- 1.11 Publication of the Forward Plan remains a statutory requirement of the Local Authority. The Forward Plan, any General Exception Decision 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 – 16 December 2015 to 31 March 2016

Appendix B – Notice of Private Decisions for 17 December 2015 Executive meeting

West Berkshire Council Forward Plan



West Berkshire Council Forward Plan – 16 December 2015 to 31 March 2016

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact	Lead Member (Portfolio Holder for . . .)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
16 December 2015 to 31 December 2015											
EX3060	Accommodation Issues (Paragraph 3 - information relating to financial/business affairs of a particular person) (Paragraph 6 - information relating to proposed action to be taken by the Local Authority) <i>To consider the Council's accommodation issues.</i>	EX	17/12/15 EX	Resources	Colin Broughton/ Gabrielle Esplin	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support	Yes	09/12/15			01 December 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	17/12/15 EX	Communities	Karen Felgate	Education	Yes	09/12/15			01 December 2015
EX2962	Council Performance Report 2015/16: Q2 (Key Accountable Measures and Activities) <i>To present the basket of key accountable measures and activities for 2015/16.</i>	EX	17/12/15 EX	Resources	Catalin Bogos	Leader of the Council, Strategy & Performance, Legal & Strategic Support		09/12/15			01 December 2015
EX3020	Financial Performance Report 2015/16 - Quarter Two <i>To inform Members of the latest financial performance of the Council.</i>	EX	17/12/15 EX	Resources	Rod Mercer	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support		09/12/15			01 December 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
 GE = Governance & Ethics Committee
 PC = Personnel Committee

West Berkshire Council Forward Plan – 16 December 2015 to 31 March 2016

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact	Lead Member (Portfolio Holder for . . .)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
EX3036	<p>Staffing implications associated with savings put forward to deliver the 2016/17 revenue budget: approval to pay redundancy payments (Paragraph 1 - information relating to an individual) (Paragraph 2 - information identifying an individual)</p> <p><i>To seek approval to make the redundancy payments associated with the required staffing implications associated with savings to deliver the 2016/17 revenue budget.</i></p>	EX	17/12/15 EX	Resources	Robert O'Reilly	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support	Yes	09/12/15			01 December 2015
January 2016											
ID3030	<p>Equality Objectives Annual Report - January 2016</p> <p><i>To set out the detail of the annual equalities report, as required by the Equality Act 2010.</i></p>	ID	01/01/16	Resources	Rachel Craggs	Partnerships, Equality, Community Safety		tbc			01 January 2016
ID2942	<p>West Berkshire Forward Plan - 10 February 2016 - 31 May 2016</p> <p><i>To agree the Forward Plan for the next four months.</i></p>	ID	07/01/16	Resources	Moira Fraser	Leader of the Council, Strategy & Performance, Legal & Strategic Support		29/12/15			01 January 2016

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EX3063	Building Control Shared Service <i>To consider setting up a shared service to deliver Building Control Services and, subject to business case, to approve the setting up of such a service.</i>	EX	14/01/16 EX	Environment	Sean Murphy	Planning, Economic Development, Newbury, Hungerford, Thatcham and Eastern Area Visions		06/01/16			01 January 2016
February 2016											
GE3033	Monitoring Officer's Quarterly Update Report to the Governance and Ethics Committee – Quarter 3 of 2015/16 <i>To provide an update on local and national issues relating to ethical standards and to bring to the attention of the Committee any complaints or other problems within West Berkshire.</i>	GE	08/02/16 GE	Resources	David Holling	Chairman of Governance and Ethics Committee		29/01/16			01 February 2016
GE3007	Internal Audit - Interim Report 2015-16 <i>To update the Committee on the outcome of internal audit work.</i>	GE	08/02/16 GE	Resources	Ian Priestley	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support		29/01/16			01 February 2016
ID2943	West Berkshire Forward Plan - 16 March 2016 - 30 June 2016 <i>To agree the Forward Plan for the next four months.</i>	ID	11/02/16	Resources	Moira Fraser	Leader of the Council, Strategy & Performance, Legal & Strategic Support		03/02/16			01 February 2016

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EX3021	Financial Performance Report 2015/16 - Quarter Three <i>To inform Members of the latest financial performance of the Council.</i>	EX	11/02/16 EX	Resources	Rod Mercer	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support		03/02/16			01 February 2016
EX3057	Staffing implications associated with savings put forward to deliver the 2016/17 revenue budget post public consultation: approval to pay redundancy payments (Paragraph 1 - information relating to an individual) (Paragraph 2 - information identifying an individual) <i>To seek approval to make the redundancy payments associated with the required staffing implications (post public consultation) associated with savings to deliver the 2016/17 revenue budget.</i>	EX	11/02/16 EX	Resources	Robert O'Reilly	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support	Yes	03/02/16			01 February 2016
March 2016											
C3012	Changes to the Constitution <i>To review and amend parts of the Constitution if required following discussion at the Finance and Governance Group</i>	C	01/03/16 C 08/02/16 GE	Resources	David Holling	Leader of the Council, Strategy & Performance, Legal & Strategic Support		29/01/16			01 March 2016

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C2981	Amendments to the 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	01/03/16 C 08/02/16 GE	Resources	David Holling	Leader of the Council, Strategy & Performance, Legal & Strategic Support		29/01/16			01 March 2016
C2976	Investment and Borrowing Strategy 2016/17 <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 and Borrowing Strategy for 2016/17.</i>	C	11/02/16 EX 01/03/16 C	Resources	Andy Walker	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support		03/02/16			01 March 2016
C2977	Medium Term Financial Strategy (MTFS): 2016-19 <i>To inform Members of the medium term financial planning and strategy for the organisation.</i>	C	11/02/16 EX 01/03/16 C	Resources	Andy Walker	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support		03/02/16			01 March 2016
C2978	Capital Strategy and Programme 2016/17 to 2020/21 <i>To outline the five year Capital Strategy for 2016/17 to 2020/21, including the Minimum Revenue Provision (MRP) Statement and the Asset Management Plans for Property and Highways, and to set out the funding framework for the Council's five year Capital Programme for 2016/17 to 2020/21.</i>	C	11/02/16 EX 01/03/16 C	Resources	Gabrielle Esplin	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support		03/02/16			01 March 2016

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C2979	Revenue Budget 2016/17 <i>To consider and recommend to Council the 2016-17 Revenue Budget.</i>	C	11/02/16 EX 01/03/16 C	Resources	Andy Walker	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support		03/02/16			01 March 2016
C2980	Statutory Pay Policy Statement <i>To present a pay policy statement for the Council to be published in April 2016 for approval.</i>	C	01/03/16 C Feb - PC	Resources	Jane Milone	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support		tbc			01 March 2016
C3055	Council Strategy 2015 to 2019 Refresh <i>To refresh the existing strategy.</i>	C	01/03/16 C	Resources	Catalin Bogos	Leader of the Council		22/02/16			01 March 2016
ID2944	West Berkshire Forward Plan - 20 April 2016 - 31 July 2016 <i>To agree the Forward Plan for the next four months.</i>	ID	17/03/16	Resources	Moira Fraser	Leader of the Council, Strategy & Performance, Legal & Strategic Support		09/03/16			01 March 2016
ID3062	Joint Strategic Review of PRU Provision <i>To gain approval to consult on the review of PRU provision in West Berkshire</i>	ID	21/03/16	Communities	Caroline Corcoran	Education		11/03/16			01 March 2016

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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.
17/12/15	EX3060	Accommodation Issues	<i>To consider the Council's accommodation issues.</i>	Executive	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support Colin Broughton/Gabrielle Esplin	Report and Associated Appendices	(Paragraph 3 – information relating to financial/business affairs of a particular person) (Paragraph 6 – information relating to proposed action to be taken by the Local Authority)

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 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.
17/12/15	EX2922	Schools Waste Contract	<i>To inform Members of the intention to award the contract for the Provision of School Waste</i>	Executive	Education Karen Felgate	Report and Associated Appendices	(Paragraph 3 – information relating to financial/business affairs of a particular person)
17/12/15	EX3036	Staffing implications associated with savings put forward to deliver the 2016/17 revenue budget: approval to pay redundancy payments	<i>To seek approval to make the redundancy payments associated with the required staffing implications associated with savings to deliver the 2016/17 revenue budget.</i>	Executive	Deputy Leader, Finance, Insurance, Health & Safety, HR, Pensions, ICT & Corporate Support Robert O'Reilly	Report and Associated Appendices	(Paragraph 1 – information relating to an individual) (Paragraph 2 – information identifying an individual)

5. The Chair of the Overview and Scrutiny Management Commission 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

Andy Day
Head of Strategic Support
West Berkshire Council

Date: 4 November 2015

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