

Individual Decision

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

Thursday, 7th January, 2016

Ref:	Title	Portfolio Member(s)	Page No.
ID2942	West Berkshire Council Forward Plan - 10 February 2016 to 31 May 2016	Councillor Graham Jones	3 - 24



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Individual Executive Member Decision

West Berkshire Council Forward Plan - 10 February 2016 to 31 May 2016 - Summary Report

Committee considering report:	Individual Executive Member Decision
Date of Committee:	07 January 2016
Portfolio Member:	Councillor Roger Croft - Leader of the Council
Forward Plan Ref:	ID2942

1. Purpose of the Report

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

2. Recommendation

- 2.1 That the Leader of the Council agrees and where appropriate amends the West Berkshire Council Forward Plan.

3. Implications

- 3.1 **Financial:** The Forward Plan has no financial implications.
- 3.2 **Policy:** The Forward Plan details the Policies to be adopted by West Berkshire Council.
- 3.3 **Personnel:** The Forward Plan has no personnel implications.
- 3.4 **Legal:** The Forward Plan has no legal implications.
- 3.5 **Risk Management:** The Forward Plan has no risk management implications.
- 3.6 **Property:** The Forward Plan has no property implications.
- 3.7 **Other:** Not applicable.

4. 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	Councillor Alan Macro at Overview and Scrutiny Management

- Spokesperson:** 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.

5. Other options considered

- 5.1 Not applicable.

6. Appendices

- 6.1 Appendix A – Supporting Information
- 6.2 Appendix B - Equalities Impact Assessment
- 6.3 Appendix C – West Berkshire Council Forward Plan – 10 February 2016 to 31 May 2016
- 6.4 Appendix D – Notice of Private Decisions for 11 February 2016 Executive meeting

Individual Executive Member Decision

West Berkshire Council Forward Plan - 10 February 2016 to 31 May 2016 – Supporting Information

1. Introduction/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 It should be noted that the Executive meeting which was scheduled to take place on 14 January 2016 has been cancelled due to lack of business to consider.
- 1.7 There is currently one confidential item scheduled for the 11 February 2016 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 31 January 2016. The item is:
- EX3057 – Staffing implications associated with savings put forward to deliver the 2016/17 revenue budget post public consultation: Approval to pay redundancy payments
- 1.8 The following item has also been added to the Forward Plan for the special Council meeting on 21 January 2016 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.

Background Papers:

None.

Subject to Call-In:

Yes: No:

- | | |
|---|-------------------------------------|
| The item is due to be referred to Council for final approval | <input type="checkbox"/> |
| Delays in implementation could have serious financial implications for the Council | <input type="checkbox"/> |
| Delays in implementation could compromise the Council's position | <input checked="" type="checkbox"/> |
| Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months | <input checked="" type="checkbox"/> |
| Item is Urgent Key Decision | <input type="checkbox"/> |
| Report is to note only | <input type="checkbox"/> |

Officer details:

Name: Moira Fraser
Job Title: Democratic Services Manager
Tel No: (01635) 519045
E-mail Address: moira.fraser@westberks.gov.uk

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity.

Please complete the following questions to determine whether a Stage Two, Equality Impact Assessment is required.

Name of policy, strategy or function:	Forward Plan
Version and release date of item (if applicable):	
Owner of item being assessed:	Moira Fraser
Name of assessor:	Linda Pye
Date of assessment:	29 th December 2015

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	Already exists and is being reviewed	No
Function	No	Is changing	No
Service	No		

1. What are the main aims, objectives and intended outcomes of the policy, strategy function or service and who is likely to benefit from it?	
Aims:	
Objectives:	
Outcomes:	
Benefits:	

2. Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this.
None		

Further Comments relating to the item:		

3. Result	
Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage 2 Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

4. Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	Yes

Name: Linda Pye

Date: 29th December 2016

Please now forward this completed form to Rachel Craggs, the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.

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West Berkshire Council Forward Plan

APPENDIX C

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West Berkshire Council Forward Plan – 10 February 2016 to 31 May 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
10 February 2016 to 29 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	11/2/2016	Resources	Moira Fraser	Leader of Council, Strategy & Performance, Finance		3/2/2016			1/2/2016
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	Leader of Council, Strategy & Performance, Finance		3/2/2016			1/2/2016
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	Communications, Democratic & Electoral Services, Finance Assurance, Legal, Human Resources, ICT	Yes	3/2/2016			1/2/2016
EX3063	Building Control Shared Service <i>To agree a shared arrangement for the Building Control Service.</i>	EX	11/02/16 EX	Environment	Sean Murphy	Planning, Economic Development, Regeneration, Pensions		3/2/2016			1/2/2016

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 – 10 February 2016 to 31 May 2016

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ID3074	Three Year Highway Improvement Programme 2016/17 – 2018/19 <i>To seek the approval of the Executive Member for Highways, Transport and ICT to impliment the Draft Three Year Highway Improvement Programme for 2016/17 – 2018/19 and proceed with the 2015/16 improvement programme.</i>	ID	19/02/2016	Resources	Melvyn May	Highways, Transport, Emergency Planning		11/2/2016			1/2/2016
March 2016											
C2926	2016/17 West Berkshire Council Timetable of Public Meetings <i>To recommend a timetable of meetings for 2016/17.</i>	C	01/03/16 C	Resources	Moira Fraser	Leader of Council, Strategy & Performance, Finance		22/2/2016			1/3/2016
C3055	Council Strategy 2015 to 2019 Refresh <i>To agree the refresh of the Council Strategy 2015 to 2019.</i>	C	01/03/16 C	Resources	Catalin Bogos	Leader of Council, Strategy & Performance, Finance		22/2/2016			1/3/2016
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	25/02/16 EX 01/03/16 C	Resources	Andy Walker	Leader of Council, Strategy & Performance, Finance		22/2/2016			1/3/2016
C2977	Medium Term Financial Strategy (MTFS): 2016-19 <i>To agree the medium term financial planning and strategy for the organisation.</i>	C	25/02/16 EX 01/03/16 C	Resources	Andy Walker	Leader of Council, Strategy & Performance, Finance		22/2/2016			1/3/2016

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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	25/02/16 EX 01/03/16 C	Resources	Gabrielle Esplin	Leader of Council, Strategy & Performance, Finance		22/2/2016			1/3/2016
C2979	Revenue Budget 2016/17 <i>To consider and recommend to Council the 2016-17 Revenue Budget.</i>	C	25/02/16 EX 01/03/16 C	Resources	Andy Walker	Leader of Council, Strategy & Performance, Finance		22/2/2016			1/3/2016
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	Communications, Democratic & Electoral Services, Finance Assurance, Legal, Human Resources, ICT		To be advised			1/3/2016
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	Communications, Democratic & Electoral Services, Finance Assurance, Legal, Human Resources, ICT		29/1/2016			1/3/2016
C3065	Response to Webcasting Motion <i>To provide the recommendation of the Webcasting Task and Finish Group in response to the motion proposed by Councillor Macro that the Council consider the cost and practicality of webcasting all Council meetings.</i>	C	01/03/16 C 08/02/16 GE	Resources	Jo Reeves	Communications, Democratic & Electoral Services, Finance Assurance, Legal, Human Resources, ICT		29/1/2016			1/3/2016

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EX3071	A4 Junction 12, Calcot Surfacing Exception to the Contract Rules of Procedure <i>To agree an exception under 11.11 of the Contract Rules of Procedure to allow the Council to waive the need for a competitive purchasing process in respect of the resurfacing of the A4 through Junction 12 (M4) at Calcot.</i>	EX	17/03/16 EX	Environment	Jon Winstanley	Highways, Transport, Emergency Planning		9/3/16			1/3/2016
EX3073	Discretionary Rate Relief Update <i>To update the existing scheme so that all discretionary forms of relief are documented and have a related formal policy. Various modifications to the existing schemes based upon experience of operating those schemes.</i>	EX	17/03/16 EX	Resources	Bill Blackett	Leader of Council, Strategy & Performance, Finance		9/3/16			1/3/2016
ID2944	West Berkshire Forward Plan - 20 April 2016 - 31 July 2016 <i>To agree the Forward Plan for the next four months.</i>	ID	17/3/2016	Resources	Moira Fraser	Leader of Council, Strategy & Performance, Finance		9/3/16			1/3/2016
ID3062	Joint Strategic Review of PRU Provision <i>To gain approval to consult on the review of PRU provision in West Berkshire</i>	ID	21/3/2016	Communities	Caroline Corcoran	Education, Property, Broadband		11/3/2016			1/3/2016
April 2016											
ID2945	West Berkshire Forward Plan - 25 May 2016 - 31 August 2016 <i>To agree the Forward Plan for the next four months.</i>	ID	21/4/2016	Resources	Moira Fraser	Leader of Council, Strategy & Performance, Finance		13/4/2016			1/4/2016

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EX2963	Council Performance Report 2015/16: Q3 (Key Accountable Measures and Activities) <i>To present the basket of key accountable measures and activities for 2015/16.</i>	EX	21/04/16 EX	Resources	Catalin Bogos	Leader of Council, Strategy & Performance, Finance		13/4/2016			1/4/2016
GE3008	Internal Audit Plan 2016-17 <i>To outline the proposed internal audit work programme for the next three years</i>	GE	25/4/2016 GE	Resources	Ian Priestley	Communications, Democratic & Electoral Services, Finance Assurance, Legal, Human Resources, ICT		17/3/2016			1/4/2016
GE3008a	External Audit Plan 2015-16 <i>To provide Members with a copy of the External Audit Plan for 2015-16.</i>	GE	25/4/2016 GE	Resources	Ian Priestley	Communications, Democratic & Electoral Services, Finance Assurance, Legal, Human Resources, ICT		17/3/2016			1/4/2016
May 2016											
C2993	Election of the Chairman for the Municipal Year 2016/17 <i>To elect the Chairman for the 2016/17 Municipal Year</i>	C	19/05/16 C	Resources	Moira Fraser	Leader of Council, Strategy & Performance, Finance		11/5/2016			1/5/2016
C2994	Appointment of Vice Chairman for the Municipal Year 2016/17 <i>To appoint the Vice-Chairman for the 2016/17 Municipal Year</i>	C	19/05/16 C	Resources	Moira Fraser	Leader of Council, Strategy & Performance, Finance		11/5/2016			1/5/2016
C2995	Appointment of the Executive by the Leader of the Council for the 2016/17 Municipal Year <i>For the Leader of the Council to announce the composition of the Executive for the 2016/17 Municipal Year</i>	C	19/05/16 C	Resources	Moira Fraser	Leader of Council, Strategy & Performance, Finance		11/5/2016			1/5/2016

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C2996	Appointment of and Allocation of Seats on Committees for the 2016/17 Municipal Year <i>To allocate seats on the various Council Committees for the 2016/17Municipal Year.</i>	C	19/05/16 C	Resources	Moira Fraser	Leader of Council, Strategy & Performance, Finance		11/5/2016			1/5/2016
C2997	Standards Committee Annual Report 2015/16 <i>To present the Standards Committee Annual Report for 2015/16.</i>	C	19/05/16 C	Resources	Moira Fraser	Communications, Democratic & Electoral Services, Finance Assurance, Legal, Human Resources, ICT		11/5/2016			1/5/2016
C2998	Appointment of Representatives to Outside Bodies RBFRS and TVPCP <i>To agree the appointment of representatives on the RBFRS and TVPCP.</i>	C	19/05/16 C	Resources	Moira Fraser	Leader of Council, Strategy & Performance, Finance		11/5/2016			1/5/2016
C3013	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	19/05/16 C 25/04/16 GE	Resources	David Holling	Leader of Council, Strategy & Performance, Finance		17/4/16			1/5/2016
C3034	Monitoring Officer's Quarterly Update Report to the Governance and Ethics Committee – 2015/16 Year End <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>	C	19/05/16 C 25/04/16 GE	Resources	David Holling	Chairman of Governance and Ethics Committee		17/4/16			1/5/2016

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C3066	Changes to the Code of Conduct <i>To make any changes to the CoC if required following a scheduled review of the document.</i>	C	19/05/16 C 25/04/16 GE	Resources	Moira Fraser	Communications, Democratic & Electoral Services, Finance Assurance, Legal, Human Resources, ICT		17/4/16			1/5/2016

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Appendix D

**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.

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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.
11/02/16	EX3057	Staffing implications associated with savings put forward to deliver the 2016/17 revenue budget post public consultation: Approval to pay redundancy payments	<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>	Executive	Portfolio Member for Communications, Democratic & Electoral Services, Finance Assurance, Legal, Human Resources, ICT Robert O'Reilly – HR Manager	Report and Associated Appendices	(Paragraph 1 - information relating to an individual) (Paragraph 2 - information identifying an individual)

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.

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: 29 December 2015

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