

EXECUTIVE
MINUTES OF THE MEETING HELD ON
THURSDAY, 22 DECEMBER 2016

Councillors Present: Dominic Boeck, Anthony Chadley, Roger Croft, Lynne Doherty, Marcus Franks, James Fredrickson, Graham Jones and Rick Jones

Also Present: John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Andy Day (Head of Strategic Support), June Graves (Head of Care Commissioning, Housing & Safeguarding), Peta Stoddart-Crompton (Public Relations Officer), Andy Walker (Head of Finance), Stephen Chard (Principal Policy Officer), Councillor Billy Drummond, Councillor Mollie Lock, Councillor Alan Macro and Jo Reeves (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Jeanette Clifford, Councillor Hilary Cole and Rachael Wardell

75. Minutes

The Minutes of the meeting held on 24 November 2016 were approved as a true and correct record and signed by the Leader.

76. Declarations of Interest

There were no declarations of interest received.

77. Public Questions

There were no public questions submitted.

78. Petitions

There were no petitions presented to the Executive.

79. Council Performance Report 2016/17: Q2 (Key Accountable Measures and Activities) (EX3110)

The Executive considered a report (Agenda Item 6) concerning the Quarter Two outturns for the Key Accountable Measures which monitored performance against the 2016/17 Council Performance Framework. This report served to provide assurance to Members that the Strategic Priorities laid out in the Council Strategy and other areas of significance/importance across the Council were being delivered. The report also presented, by exception, those measures/milestones behind schedule or not achieved and cited any remedial action taken and the impact (if any) to allow the scrutiny and approval of the corrective or remedial action put in place. Amendments were also sought in the report to the targets for two measures.

Councillor Roger Croft highlighted that much positive progress had been made with improving educational attainment and closing the educational attainment gap.

Councillor Croft then stated that 26 of the 32 reported measures were reporting as either Green (22 measures) or Amber (four measures). Of the six Red measures, two were reporting Red due to relatively minor delays and it was these two areas where amendments were being requested.

Councillor Croft made the point that targets should be challenging and it should not be the expectation that all targets would be met.

In terms of the amendments being sought, the first of these related to the submission of a detailed planning application to the Western Area Planning Committee for the Market

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Street Redevelopment. This was delayed and there was therefore a request to redefine the target as November 2016 which was achieved (delayed from September 2016).

The second change sought related to the measure to adopt the Housing Site Allocations Development Plan Document (HSA DPD) by December 2016. The request was to redefine the target date as June 2017; this followed the Planning Inspector asking for main modifications to the document which required further public consultation, meaning the original date could not be achieved.

Councillor Croft gave thanks to relevant Officers and Members for the achievements outlined in the report.

Councillor Marcus Franks advised that the Thatcham Vision had been signed off and an Action Plan was being produced.

Councillor Alan Macro queried whether there was confidence that the revised deadline to adopt the HSA DPD of June 2017 was achievable. Councillor Croft responded on this point by stating that the date for adoption of the HSA DPD was to a large extent in the hands of the Planning Inspector. He added the comment that work on the document was progressing well.

Councillor Macro then referred to the exception report for the amber measure to increase the number of West Berkshire premises able to receive Superfast Broadband. This noted that the contractor, Gigaclear, had overcome a number of technical challenges, but a three month delay had been caused and Councillor Macro queried if the target of 100% complete delivery before 31 December 2017 was realistic. Councillor Dominic Boeck stated that 100% delivery was the brief for Gigaclear, and they had a plan in place to recover the delay. Councillor Macro felt this would be a challenge.

Councillor Macro then turned to the delays with the Market Street Redevelopment. He felt that the issues identified with traffic modelling should have been identified at an earlier stage and the delay reduced or removed. Nick Carter responded on this point and explained that additional time was needed to fully analyse the traffic data. The delay was unfortunate but it was important to ensure that the application was right before being considered by the Planning Committee.

RESOLVED that:

- (1) Progress against the Council Strategy priorities for improvement be noted.
- (2) Those areas reporting as 'amber' or 'red' were reviewed to ensure that appropriate action was in place.
- (3) Targets for the following measures be amended:
 - i. Market Street Redevelopment: submit detailed planning application to WBC Planning Committee. Target redefined to November 2016 (previously September 2016) (for the reasons explained in the report and the minutes).
 - ii. Subject to Examination, adopt the Housing Site Allocations Development Plan Document by December 2016. Target redefined to June 2017 (for the reasons explained in the report and the minutes).

Other options considered: none.

80. Financial Performance Report 2016/17 - Quarter Two (EX3136)

The Executive considered a report (Agenda Item 7) regarding the latest financial performance of the Council as at Quarter Two of 2016/17. The current financial forecast was an overspend of £698k against a net revenue budget of £116.8m. The forecast overspend had reduced by £579k compared to the forecast position at Quarter One.

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Councillor Alan Macro noted that the new Highwood Copse Primary School would not now be delivered until September 2018 and that places would be provided at Fir Tree Primary School temporarily; he queried whether catchment areas would be changed to accommodate this provision. Further, Councillor Macro noted the irony that the construction of the Tull Way Flood Alleviation Scheme was delayed as a result of wet weather.

Councillor Lynne Doherty advised that she was disappointed that the new primary school had been delayed but was of the view that Fir Tree Primary School was not too far a distance.

Councillor Roger Croft agreed that the delay to the Tull Way Flood Alleviation Scheme was ironic and advised that the surface water management plan was on target.

RESOLVED that the report be noted.

Other options considered: none.

81. **Birchwood Care Home – Options for future delivery (EX3201)**

The Executive considered a report (Agenda Item 8) which outlined options for the provision of care at Birchwood Care Home and sought approval of the preferred option whereby the care home would be taken in-house and delivered directly by the Council.

Councillor Roger Croft introduced the item by restating the point made at previous Executive meetings that public debate should take place where possible of Part II items to aid transparency of decision making. It was however important to respect where the debate should be kept confidential.

Councillor Rick Jones explained that Birchwood Care Home was a 60 bed home located between Newbury and Thatcham. The current contract for care was delivered by Care UK but this was due to expire on 1 April 2017. Three options had been considered as outlined in the report and these options had been explored in detail. The recommended option was to deliver the service in-house.

Councillor James Fredrickson was pleased to note the point made in paragraph 6.10 of the report that it was proposed that the ten ground floor beds would be used as step down beds to help facilitate hospital discharges.

Councillor Alan Macro sought assurance that it would be possible to adequately staff the care home. Councillor Rick Jones explained that it was proposed to TUPE staff from the existing provider to the Council. This would improve the Terms and Conditions of the staff concerned and help to stabilise service provision post transfer.

Councillor Macro raised concern that the ten ground floor beds might not be in full use currently and queried whether this had impacted negatively on Delayed Transfers of Care. Councillor Rick Jones stated that it was important to ensure these beds were fully utilised and this would be achieved from in-house delivery.

RESOLVED that Birchwood Care Home is taken in-house and delivered directly by the Council.

Other options considered:

There were three options for consideration:

- (1) Bring the care service in house to be delivered by ASC provider services
- (2) Tender for a new contract with third party provider.
- (3) Extend the current contract with Care UK for a further three years.

All options are explored in detail in the report.

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82. **Response to Council Motion on Short Breaks Funding (C3226)**

The Executive considered a report (Agenda Item 9) to respond to the Motion to Council proposed by Councillor Lee Dillon, "That this Council agrees to award transitional funding to the Short Breaks programme for the 2017/18 financial year to the value of £170,000."

Councillor Anthony Chadley reported that there had been 269 responses to the Council's recent consultation on its proposed Revenue Budget for 2017/18. These responses had not yet been analysed and they would be used to guide the allocation of transitional funding. The request to allocate funds to the Short Breaks programme was premature; the use of any Transitional Funding in 2017/18 would be announced as part of the Budget proposal at Council on 2 March 2017.

Councillor Doherty expressed her disappointment that the motion appeared to demonstrate a lack of understanding of the work that had been undertaken in the previous nine months. Meetings had been held with providers to assist them to make any structural changes and identify strategies to manage new funding models. A commitment had been made at Council to consider allocating transitional funding to Short Breaks and it was premature to suggest an amount.

Councillor James Fredrickson commented that the Liberal Democrats appeared to be willing to spend tax payers money and he hoped they would propose an alternative budget to demonstrate how they would save money. Councillor Macro responded that in the years the Liberal Democrats had control of the Council the Conservative opposition offered only one alternative budget. The Liberal Democrats had four Members and not 48 Members plus Council staff at their disposal.

Councillor Macro advised that the motion had not been intended as a criticism but there was concern that charities might have to make some staff redundant in order to maintain financial stability and notice would need to be given before 2 March 2017. Councillor Doherty advised that a charity's financial sustainability was down to the board of trustees and not its funders. Their viability would depend on the funding they could secure.

Councillor Graham Jones noted that the budgetary choices being faced were different to those of 10 to 15 years ago as budgets were not diminishing at that time. There was two-year transitional funding available and decisions regarding how that was spent needed to be fully informed and balanced. He commented that when he was Leader of the opposition he always submitted an alternative budget.

Councillor Croft acknowledged that the Local Government Finance Settlement had been released but was incomplete. They knew of the likely reduction to the New Homes Bonus but did not know of any increase for Adult Social Care.

RESOLVED that the use of any Transitional Funding in 2017/18 would be announced as part of the Budget proposal at Council on 2 March 2017.

Other options considered: none.

83. **Members' Questions**

A full transcription of the Member question and answer session is available from the following link: [Transcription of Q&As](#).

(a) **Question to be answered by the Portfolio Holder for Corporate Services and External Affairs submitted by Councillor Lee Dillon**

A question standing in the name of Councillor Lee Dillon, asked in his absence by Councillor Alan Macro, on the subject of the Council's whistle-blowing policies was answered by the Portfolio Holder for Corporate Services and External Affairs.

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(b) **Question to be answered by the Portfolio Holder for Children and Young People submitted by Councillor Lee Dillon**

A question standing in the name of Councillor Lee Dillon, asked in his absence by Councillor Alan Macro, on the subject of school standard and effectiveness visits was answered by the Portfolio Holder for Children and Young People.

(c) **Question to be answered by the Portfolio Holder for Highways and Transport submitted by Councillor Alan Macro**

A question standing in the name of Councillor Alan Macro on the subject of traffic issues in Newbury was answered by the Leader of the Council in the absence of the Portfolio Holder for Highways and Transport.

84. Exclusion of Press and Public

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006. Rule 8.10.4 of the Constitution also refers.

85. Birchwood Care Home – Options for future delivery (EX3201)

(Paragraph 3 - information relating to financial/business affairs of particular person)

The Executive considered the exempt report (Agenda Item 12) which outlined options for the provision of care at Birchwood Care Home and sought approval of the preferred option.

RESOLVED that the recommendations in the exempt report be agreed.

Other options considered: as detailed in the exempt report.

86. Senior Management Review - Final Recommendations (EX3183)

(Paragraph 2 - information relating to an individual)

The Executive considered the exempt report (Agenda Item 13) which set out final recommendations with regard to the Council's senior management arrangements following two periods of internal consultation.

RESOLVED that the recommendations in the exempt report be agreed.

Other options considered: as detailed in the exempt report.

87. Staffing Implications associated with savings put forward to deliver the 2017/18 Revenue Budget - Strand One: Approval to pay redundancy payments (EX3170)

(Paragraph 2 - information relating to an individual)

The Executive considered an exempt report (Agenda Item 14) which sought approval to make the redundancy payments set out in the report associated with savings to deliver the 2017/18 revenue budget.

RESOLVED that the recommendations in the exempt report be agreed.

Other options considered: as detailed in the exempt report.

(The meeting commenced at 5.00pm and closed at 5.45pm)

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CHAIRMAN

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Date of Signature

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