

Individual Decision

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

Thursday 23 June 2016

| Ref: | Title | Portfolio Member | Page No. |
|-------------|--------------------------------------------------------------------------------------|---------------------------|-----------------|
| ID3125 | West Berkshire Council Forward Plan - 26 July 2016 to 31 October 2016 | Councillor Roger Croft | 3 - 14 |



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Individual Executive Member Decision

West Berkshire Council Forward Plan - 26 July 2016 - 31 October 2016

| | |
|--------------------------------------|------------------------------------------------|
| Committee considering report: | Individual Executive Member Decision |
| Date of Committee: | 23 June 2016 |
| Portfolio Member: | Councillor Roger Croft - Leader of the Council |
| Forward Plan Ref: | ID3125 |

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: | Councillor Roger Croft |
| 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 Council 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, Conservative 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 – 26 July 2016 - 31 October 2016

6.4 Appendix D – Notice of Private Decisions for 28 July 2016 Executive meeting

Individual Executive Member Decision

West Berkshire Council Forward Plan - 26 July 2016 - 31 October 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) is 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 is currently one confidential item scheduled for the 28 July 2016 Executive meeting. The required notice is attached as Appendix D and will be displayed at the Council. If any representations are received the five day notice will be issued on 20 July 2016. The item is:
 - EX3161 – Shared Lives offer to the Royal Borough of Windsor and Maidenhead
- 1.7 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.
- 1.8 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
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council’s position
- Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

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: | Jo Reeves |
| Date of assessment: | 18 May 2016 |

| 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: Jo Reeves

Date: 18 May 2016

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

West Berkshire Council Forward Plan

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West Berkshire Council Forward Plan 26 July 2016 to 31 October 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: | C= Council |
| | DOD= Delegated Officer Decision |
| | EX= Executive |
| | GE= Governance and Ethics Committee |
| | ID= Individual Decision |
| | PC= Personnel Committee |

| Reference | Item | Purpose | Decision Body | Month/Year | Executive | ID | Date Report Published | Council | Governance and Ethics Committee | Other | Officer and Contact No | Directorate | Lead Member | Part II |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------|-------------|----------|-----------------------|---------|---------------------------------|-------|------------------------|-------------|---------------------------------------------|---------|
| EX2964 | Council Performance Report 2015/16: Q4 (Key Accountable Measures and Activities) | To present the basket of key accountable measures and activities for 2015/16. | EX | 01 July 2016 | 28/07/16 EX | | 20/07/16 | | | | Catalin Bogos | Resources | Leader of Council, Strategy & Performance | |
| EX3159 | Superfast Berkshire Project Phase 3 | | EX | 01 July 2016 | 28/07/16 EX | | 20/07/16 | | | | Kevin Griffin | Resources | Corporate Services and External Affairs | |
| EX3161 | Shared Lives offer to Royal Borough of Windsor and Maidenhead <i>(Paragraph 6 - information relating to proposed action to be taken by the Local Authority)</i> | To ask the Executive to agree for the existing Royal Borough of Windsor & Maidenhead scheme (which has a total of 6 current placements) to be deregistered as a standalone scheme and become a part of the WBC Scheme. Alongside this will sit a 12 month Shared Lives carer recruitment project funded by RBWM. | EX | 01 July 2016 | 28/07/16 EX | | 20/07/16 | | | | Sarah Salisbury | Communities | Adults, Care and Culture | Yes |
| ID3078 | Parking Amendment 23 | To consider the responses received during statutory consultation | ID | 01 July 2016 | | 01/07/16 | tbc | | | | Alex Drysdale | Environment | Transport and Emergency Planning | |
| ID3113 | Parking Amendment 24 | To consider the responses received during statutory consultation | ID | 01 July 2016 | | 01/07/16 | tbc | | | | Alex Drysdale | Environment | Transport and Emergency Planning | |
| ID3062 | Joint Strategic Review of PRU Provision | To gain approval to consult on the review of PRU provision in West Berkshire | ID | 01 July 2016 | | 01/07/16 | tbc | | | | Caroline Corcoran | Communities | Education and Corporate Infrastructure | |
| ID3151 | Community Care (Adult Social Care) Compliments and Complaints Report | For information. | ID | 01 July 2016 | | 01/07/16 | tbc | | | | Mary Page | Communities | Adults, Care and Culture | |
| ID3152 | Children and Family Services Annual Complaints Report | For information. | ID | 01 July 2016 | | 01/07/16 | tbc | | | | Rachel Brickman | Communities | Children & Young People | |
| GE3084 | Annual Governance Statement 2015-16 | To allow the Committee to review the Annual Governance Statement prior to signature by the Leader and Chief Executive | GE | 01 August 2016 | | | 12/08/16 | | 22/08/16 GE | | Ian Priestley | Resources | Corporate Services and External Affairs | |
| GE3085 | Internal Audit Annual Report 2015/16 | To provide an opinion on the effectiveness of the Council's internal control framework | GE | 01 August 2016 | | | 12/08/16 | | 22/08/16 GE | | Ian Priestley | Resources | Corporate Services and External Affairs | |
| GE3086 | Annual Governance Statement - Statement in Support by the Section 151 Officer | To provide evidence and independent verification of governance matters which may impact on the Annual Governance Statement from the viewpoint of the Section 151 Officer. | GE | 01 August 2016 | | | 12/08/16 | | 22/08/16 GE | | Andy Walker | Resources | Corporate Services and External Affairs | |
| GE3087 | Annual Governance Statement - Statement in Support by the Monitoring Officer | To provide evidence and independent verification of governance matters which may impact on the Annual Governance Statement from the viewpoint of the Monitoring Officer. | GE | 01 August 2016 | | | 12/08/16 | | 22/08/16 GE | | David Holling | Resources | Corporate Services and External Affairs | |
| GE3088 | West Berkshire Council Financial Statements 2015/16 including KPMG Opinion | To provide Members with the final copy of the Council's Financial Statements | GE | 01 August 2016 | | | 12/08/16 | | 22/08/16 GE | | Andy Walker | Resources | Finance and Transformation | |
| GE3089 | Monitoring Officer's Quarterly Update Report to the Governance and Ethics Committee – Quarter 1 of 2016/17 | 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. | GE | 01 August 2016 | | | 12/08/16 | | 22/08/16 GE | | David Holling | Resources | Chairman of Governance and Ethics Committee | |
| ID3126 | West Berkshire Forward Plan - 7 September 2016 - 31 December 2016 | To agree the Forward Plan for the next four months. | ID | 01 August 2016 | | 04/08/16 | 27/07/16 | | | | Moira Fraser | Resources | Leader of Council, Strategy & Performance | |
| ID3149 | The Housing Grants and Loans Policy - made under the Regulatory Reform (Housing Assistance - England and Wales) Order 2002 | To request approval from the Portfolio Holder to adopt the Housing Grants and Loans Policy which will supersede the expired Private Sector Housing Renewal Policy 2009 | ID | 01 August 2016 | | 04/08/16 | 27/07/16 | | | | Cathy Dodson | Communities | Adults, Care and Culture | |

West Berkshire Council Forward Plan 26 July 2016 to 31 October 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.

| | |
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| C3066 | Changes to the Code of Conduct | To make any changes to the CoC if required following a scheduled review of the document. | C | 01 September 2016 | | | 07/09/16 | 15/09/16 C | 22/08/16 GE | | Moira Fraser | Resources | Corporate Services and External Affairs | |
| C3134 | Changes to the Constitution - Part 11 (Contract Rules of Procedure) | To review and if appropriate amend Part 11 (Contract Rules of Procedure) following a request from the Procurement Board to do so. | C | 01 September 2016 | | | 07/09/16 | 15/09/16 C | 22/08/16 GE | | Moira Fraser | Resources | Corporate Services and External Affairs | |
| C3114 | Health and Wellbeing Strategy Refresh | To refresh the Health and Wellbeing Strategy | C | 01 September 2016 | | | 07/09/16 | 15/09/16C | | | Lesley Wyman | Resources | Health and Wellbeing (Deputy Leader) | |
| C3065 | Response to the Motion that the Council Investigates Webcasting | To respond to Councillor Alan Macro's motion that 'the Council investigates the cost and practicality of webcasting all Council, Executive and Committee meetings' which was put to the Council on 2 July 2015. | C | 01 September 2016 | | | 07/09/16 | 15/09/16 C | 22/08/16 GE | | Jo Reeves | Resources | Corporate Services and External Affairs | |
| EX3080 | Approved Provider List (APL) Intention to Award Contract (Paragraph 3 - information relating to financial/business affairs of a particular person) | To inform Corporate Board of the intention to award a contract for the Domiciliary Care Approved Provider Framework. To commence the contract in Autumn 2016 and agree a term of three years with the option to extend for a further one year. | EX | 01 September 2016 | 08/09/16 EX | | 31/08/16 | | | | Karen Felgate | Communities | Adults, Care and Culture | |
| EX3109 | Council Performance Report 2016/17: Q1 (Key Accountable Measures and Activities) | To present the basket of key accountable measures and activities for 2016/17. | EX | 01 September 2016 | 08/09/16 EX | | 31/08/16 | | | | Catalin Bogos | Resources | Leader of Council, Strategy & Performance | |
| EX3135 | Financial Performance Report 2016/17 - Quarter One | To inform Members of the latest financial performance of the Council. | EX | 01 September 2016 | 08/09/16 EX | | 31/08/16 | | | | Melanie Ellis | Resources | Finance and Transformation | |
| EX3162 | Contract Award - Berkshire Community Equipment Service (BCES) (Paragraph 5 – information relating to legal privilege) | To seek delegated authority for the Head of Service to award the contract for Berkshire Community Equipment Service from 1st April 2017 | EX | 01 September 2016 | 20/10/16 EX | | 12/10/16 | | | | Trish Guest | Communities | Adults, Care and Culture | Yes |
| EX3158 | Public Protection Cross Border Working Arrangements | To set out a basis of delegation for cross border working arrangements for the Trading Standards and Environmental Health Services and to seek the relevant delegations. | EX | 01 September 2016 | 08/09/16 EX | | 31/08/16 | | | | Sean Murphy | Environment | Communities and Public Protection | |
| EX3160 | Treasury Management Annual Report 2015/16 | To inform Members of the treasury management activity and performance of the Council's investments for the financial year 2015/16. | EX | 01 September 2016 | 08/09/16 EX | | 31/08/16 | | | | Gabrielle Esplin | Resources | Finance and Transformation | |
| ID3127 | West Berkshire Forward Plan - 18 October 2016 - 31 January 2017 | To agree the Forward Plan for the next four months. | ID | 01 September 2016 | | 15/09/16 | 07/09/16 | | | | Moira Fraser | Resources | Leader of Council, Strategy & Performance | |
| EX3053 | Schools Formula 2017/18 | To approve the Schools funding formula for 2017/18 | EX | 01 October 2016 | 20/10/16 EX | | 12/10/16 | | | | Claire White | | Education and Corporate Infrastructure | |
| EX3108 | Home to School Transport Policy 2017-18 | To determine the Council's Policy post consultation. | EX | 01 October 2016 | 20/10/16 EX | | 12/10/16 | | | | Caroline Corcoran | Communities | Education and Corporate Infrastructure | |
| EX3163 | Request permission to extend the current Northgate (Resourcelink) contract for Payroll/HR (Paragraph 5 - information relating to legal privilege) | To seek permission for an extension to an existing contract. | EX | 01 October 2016 | 20/10/16 EX | | 12/10/16 | | | | Sean Anderson | Resources | Corporate Services and External Affairs | Yes |
| ID3128 | West Berkshire Forward Plan - 22 November 2016 - 28 February 2017 | To agree the Forward Plan for the next four months. | ID | 01 October 2016 | | 20/10/16 | 12/10/16 | | | | Moira Fraser | Resources | Leader of Council, Strategy & Performance | |

NOTICE OF A PRIVATE MEETING OF A DECISION-MAKING BODY¹

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.

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.

| 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. |
|--------------------------------------------------------------------|---------|--------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------------------------------|-----------------------------------------------------|------------------------------------------------------------------------------------------|
| 28 July 2016 | EX3161 | Shared Lives offer to the Royal Borough of Windsor and Maidenhead | <i>To ask the Executive to agree for the existing Royal Borough of Windsor and Maidenhead (RBWM) scheme to be deregistered as a standalone scheme and become a part of the West Berkshire Council scheme. Alongside this will sit a 12 month Shared Lives carer recruitment project funded by RBWM.</i> | Executive | Adults, Care and Culture Sarah Salisbury | Report and associated appendices | Paragraph 6 – information relating to proposed action to be taken by the Local Authority |

Andy Day
 Head of Strategic Support
 West Berkshire Council

Date: 15 June 2016

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.