

Individual Decision



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

Thursday 7 September 2017

Ref:	Title	Portfolio Member	Page No.
ID3236	West Berkshire Council Forward Plan - 10 October 2017 to 31 December 2017	Councillor Graham Jones	3 - 16



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Individual Executive Member Decision

West Berkshire Council Forward Plan - 10 October 2017 to 31 December 2017

Committee considering report:	Individual Executive Member Decision
Date of Committee:	7 September 2017
Portfolio Member:	Councillor Graham Jones – Leader of the Council
Forward Plan Ref:	ID3236

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 Graham Jones
Overview & Scrutiny Management Commission Chairman:	Councillor Emma Webster at Overview and Scrutiny Management Commission meetings.
Ward Members:	All Members
Opposition	Councillor Lee Dillon 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 October 2017 to 31 December 2017
- 6.4 Appendix D – Notice of Private Decisions

Individual Executive Member Decision

West Berkshire Council Forward Plan - 10 October 2017 to 31 December 2017- 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 There is currently one confidential item scheduled for the 19 October 2017 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 11 October 2017. The item is:
- EX3342 – Proposed Property Investment - (*Paragraph 3 - information relating to financial/business affairs of particular person*)
- 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 It should also be noted that any changes made to Executive Member Portfolios will be reflected in the Forward Plan once they are known.
- 1.9 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:	Jo Reeves
Date of assessment:	29 th August 2017

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: 29 August 2017

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
10 October 2017-31 December 2017**

Key:

C= Council
DO= Delegated Officer Decision
E= Executive
GE= Governance and Ethics Committee
ID= Individual Decision
PC= Personnel Committee
PP= Joint Public Protection Committee

The items included in the Forward Plan were correct at the time of publication. The Forward Plan may however change and you are asked to contact Moira Fraser - Tel: (01435) 519045 or email: moira.fraser@westberks.gov.uk to confirm the contents of any meeting agenda before attending. Executive decisions may be taken by the Executive acting as a collective body or by officers acting under delegated powers.

Reference	Item	Purpose	Decision Body	Month/Year	Executive	ID	Date Report Published	Council	Governance and Ethics Committee	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part II	Call In
EX3338	Annual Report (Performance)	To present the Council's Annual Performance Report to the Executive.	EX	01 October 2017	19/10/17 EX		11/10/17					Catalin Bogos	Resources	Leader of the Council, Strategy			
EX3371	The transfer of the leasehold of the Hungerford Library building to Hungerford Town Council	To transfer the leasehold.	EX	01 October 2017	19/10/17 EX		11/10/17					Paul James	Environment	Culture and Environment			
EX3378	Homelessness Reduction Act 2017	To advise the Executive that the new Homelessness Reduction Act 2017 (HRA) places significant new duties to prevent and relieve homelessness on local authorities and to seek approval for an increase in Housing Team resource of £455,400. The additional resource to include an additional 9 FTE officers, and a rented offer fund and a new IT system.	EX	01 October 2017	19/10/17 EX							Gary Lugg	Environment	Planning and Housing		No	Yes
EX3342	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 October 2017	19/10/17 EX		11/10/17					Richard Turner	Communities	Leader of the Council		Yes	No
ID3322	Parking scheme - Consolidation Order Amendment 26	To consider the responses received during statutory consultation	ID	01 October 2017		01/10/17	tbc					Alex Drysdale	Transport and Countryside	Highways & Transport			
ID3237	West Berkshire Forward Plan – 14 November 2017 to 31 January 2018	To agree the Forward Plan for the next four months.	ID	01 October 2017		12/10/17	04/10/17					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service		
ID3295	Approval of Community Plans	To agree any Community Plans which have been presented.	ID	01 October 2017		01/10/17	tbc					Jo Naylor	Resources	Community Resilience & Partnerships			
ID3363	Children and Family Services Annual Complaints Report	For information.	ID	01 October 2017		01/10/17	tbc					Rachel Brickman	Communities	Children, Education & Young People			
ID3374	A4 Newbury to Calcot Cycle Improvements (Phase 1)	To inform the Executive Member for Highways and Transport of responses received during public consultation on a highway improvement scheme and agree a course of action.	ID	01 October 2017		18/10/17	10/10/17					Neil Stacey	Environment	Highways & Transport			
ID3377	A339 Newbury - No Right Turn Traffic Regulation Order Between Swan Roundabout & Pinchington Lane	To consider the response received during statutory consultation	ID	01 October 2017		01/10/17	tbc					Glyn Davis	Environment	Highways & Transport			
ID3380	Outside Body Appointment	To appoint substitute representatives to the City Deal Joint Committee.	ID	01 October 2017		10/10/17	tbc					Jude Thomas	Resources	Leader of the Council			
ID3382	Winter Service Plan 2017-18	To approve the Winter Service Plan 2017-18	ID	01 October 2017		18/10/17	10/10/17					Andrew Reynolds	Environment	Highways and Transport		No	Yes
EX3372	The transfer of the freehold of the Corn Exchange (Newbury) Trust	To transfer the freehold.	EX	01 November 2017	23/11/17 EX		15/11/17					Paul James	Environment	Culture and Environment			
EX3343	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 November 2017	23/11/17 EX		15/11/17					Richard Turner	Communities	Leader of the Council		Yes	No

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GE3370	Risk Management - Review for Governance and Ethics Committee	At the meeting of the G&E Committee on the 23rd November 2015 Councillor James Cole, commenting on a report outlining the Council's risk management approach, raised some reservations about the approach taken by the Council. The committee asked Councillor James Cole to review the Council's approach to risk management and report back to the committee in due course. This report outlines the results of that review and makes a number of recommendations for improving the Council's risk management arrangements.	GE	01 November 2017					27/11/17 GE			Ian Priestley	Resources	Corporate Services			
GE3257	Financial Statements 2016/17 - Annual Audit Letter	To provide Members with the Final Annual Audit Letter 2015/16 from KPMG, this audit letter summarises the outcome from their audit work at West Berkshire Council in relation to the 2015/16 audit year.	GE	01 November 2017			17/11/17		27/11/17 GE			Lesley Flannigan	Resources	Finance, Transformation and Economic Development			
GE3270	Outcome of the External Review of Internal Audit	To provide members with the results of the external review of internal audit and seek comments on any proposed actions.	GE	01 November 2017			17/11/17		27/11/17 GE			Ian Priestley	Resources	Corporate Services			
ID3238	West Berkshire Forward Plan – 12 December 2017 to 28 February 2018	To agree the Forward Plan for the next four months.	ID	01 November 2017		09/11/17	01/11/17					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service		
ID3239	West Berkshire Forward Plan – 05 January 2018 to 31 March 2018	To agree the Forward Plan for the next four months.	ID	01 November 2017		30/11/17	22/11/17					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service		
ID3296	Approval of Community Plans	To agree any Community Plans which have been presented.	ID	01 November 2017		01/11/17	tbc					Jo Naylor	Resources	Community Resilience & Partnerships			
PC3214	Scale of Costs, Charges and Expenses at Elections of District Councillors and Town/ Parish Councillors	To consider the remuneration offered for various roles associated with elections.	PC	01 November 2017							tbc	Moira Fraser	Resources	Corporate Services		No	Yes
C3093	Amendments to the Constitution - Scheme of Delegation	To review and amend sections of the Scheme of Delegation in light of legislative changes and current practice.	C	01 December 2017			18/11/17	07/12/17 C	27/11/17 GE			Sarah Clarke	Resources	Leader of the Council, Strategy		No	No
C3221	Proposed Member Development Programme - 2018/19	To agree the proposed Member Development Programme for 2017/18.	C	01 December 2017			29/11/17	07/12/17 C				Jude Thomas	Resources	Leader of the Council, Strategy			
C3222	Activity Team West Berkshire Fees and Charges 2018/19	To consider the fees and charges for the 2017/18 Activity Team West Berkshire programme in order to enable the service to competitively advertise and promote activities and maximise advanced bookings and income.	C	01 December 2017			29/11/17	07/12/17 C				Jim Sweeting	Environment	Health and Wellbeing			
C3223	Leisure Centre Fees and Charges 2018	To implement the contractual requirement for an annual price review for 2018 for the leisure contractor to come into effect from 1st January 2018.	C	01 December 2017			29/11/17	07/12/17 C				Jim Sweeting	Environment	Health and Wellbeing			
C3224	2018/19 West Berkshire Council Timetable of Public Meetings	To recommend a timetable of meetings for the 2018/19 Municipal Year.	C	01 December 2017			29/11/17	07/12/17 C				Moira Fraser	Resources	Leader of the Council, Strategy			
C3225	Presentation of the West Berkshire Community Champion Awards	The Chairman will present the following Community Champion awards for 2017: <input type="checkbox"/> Volunteer of the Year; <input type="checkbox"/> Community Group of the Year; <input type="checkbox"/> Lifetime Achievement Award.	C	01 December 2017				07/12/17 C				Jude Thomas	Resources	Chairman of Council			
EX3369	Staffing implications associated with savings put forward to deliver the 2018/19 Revenue Budget: approval to pay redundancy payments (Paragraph 1 - information relating to an individual, Paragraph 2 - information identifying an individual)	To seek approval to make the redundancy payments set out in this report associated with savings to deliver the 2018/19 Revenue Budget.	EX	01 December 2017	21/12/17 EX		13/12/17					Robert O'Reilly	Resources	Corporate Services		Yes	No
EX3247	Key Accountable Performance 2017/18: Quarter Two	To report quarter two outturns against the Key Accountable Measures contained in the 2017/18 Council Performance Framework and any additional performance intelligence.	EX	01 December 2017	21/12/17 EX		13/12/17					Catalin Bogos	Resources	Leader of the Council, Strategy			
EX3304	Financial Performance Report 2017/18 - Quarter Two	To inform Members of the latest financial performance of the Council.	EX	01 December 2017	21/12/17 EX		13/12/17					Melanie Ellis	Resources	Finance, Transformation and Economic Development		No	Yes

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EX3344	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 December 2017	21/12/17 EX		13/12/17					Richard Turner	Communities	Leader of the Council		Yes	No
EX3381	Waste Management Savings Phase 1 (Paragraph 3 - information relating to financial/business affairs of particular person)	To consider a Council change to the Integrated Waste Management Contract relating to Street Cleansing and Litter Picking Services.	EX	01 December 2017	21/12/17 EX		13/12/17					Jackie Ward	Environment	Culture and Environment	6 weeks public consultation from 11/09/17	Yes	Yes
ID3297	Approval of Community Plans	To agree any Community Plans which have been presented.	ID	01 December 2017		01/12/17	tbc					Jo Naylor	Resources	Community Resilience & Partnerships			
ID3379	Council wide revision of weight limit orders.	To consider the response received during statutory consultation	ID	01 December 2017		01/12/17						Glyn Davis	Environment	Highways and Transport		No	Yes

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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.
19 October 2017	EX3342	Proposed Property Investment	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	Executive	Councillor Dominc Boeck Richard Turner	Report and associated appendices	<i>(Paragraph 3 - information relating to financial/business affairs of particular person)</i>

Andy Day
Head of Strategic Support
West Berkshire Council

Date: 30 August 2017

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.