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Meeting of West Berkshire District Council

Tuesday 8 May 2018

Summons and Agenda



WestBerkshire
C O U N C I L

To: All Members of the Council

You are requested to attend a meeting of

West Berkshire Council

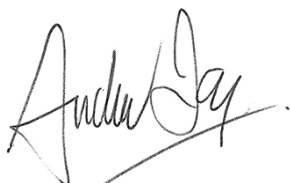
to be held in the

Council Offices Market Street Newbury

on

Tuesday 8 May 2018

at 7.00pm



Andy Day
Head of Strategic Support
West Berkshire District Council

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcast, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

Date of despatch of Agenda: Friday 27 April 2018

AGENDA

1. **APOLOGIES FOR ABSENCE**

To receive apologies for inability to attend the meeting (if any).

2. **CHAIRMAN'S REMARKS**

The Chairman to report on functions attended since the last meeting and other matters of interest to Members.



Agenda - Council to be held on Tuesday, 8 May 2018 (continued)

3. PRESENTATIONS

The Chairman will make Long Service presentations to:

For 30 years' Service:

- Councillor Tony Linden

4. ELECTION OF CHAIRMAN FOR THE MUNICIPAL YEAR 2018/19 (C3334)

To elect the Chairman for the 2018/19 Municipal Year.

5. APPOINTMENT OF VICE-CHAIRMAN FOR THE MUNICIPAL YEAR 2018/19 (C3335)

To appoint the Vice-Chairman for the 2018/19 Municipal Year.

6. MINUTES

The Chairman to sign as a correct record the Minutes of the Council meeting held on 1st March 2018. **(To Follow)**

7. DECLARATIONS OF INTEREST

To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).

8. APPOINTMENT OF THE EXECUTIVE BY THE LEADER OF THE COUNCIL FOR THE 2018/19 MUNICIPAL YEAR (C3336)

The Leader of the Council to announce the composition of the Executive for the 2018/19 Municipal Year.

9. APPOINTMENT OF AND ALLOCATION OF SEATS ON COMMITTEES FOR THE 2018/19 MUNICIPAL YEAR (C3337)

To consider the appointment and allocation of seats on Committees for the 2018/19 Municipal Year and to agree the Council's Policy Framework for 2018/19 as set out in Paragraph 6.1 of Appendix B. **(Pages 7 - 20)**

10. ADJOURNMENT OF THE MEETING

At this point, the Council meeting will be adjourned to enable the Committees appointed by the Council to meet to determine their Chairmen and Vice-Chairmen. The order of meetings is set out below:

- (a) Overview and Scrutiny Management Commission
- (b) Licensing Committee
- (c) District Planning Committee
- (d) Eastern Area Planning Committee



Agenda - Council to be held on Tuesday, 8 May 2018 (continued)

- (e) Western Area Planning Committee
- (f) Governance and Ethics Committee
- (g) Personnel Committee

11. RECOMMENCEMENT OF THE MEETING

At the conclusion of the meeting of the Personnel Committee, the Council will recommence.

12. MONITORING OFFICER'S ANNUAL REPORT TO THE GOVERNANCE AND ETHICS COMMITTEE - 2017/18 YEAR END (C3323)

To provide an update on local and national issues relating to ethical standards and to bring to the attention of Members any complaints or other problems within West Berkshire. **(Pages 21 - 44)**

13. UPDATED STRATEGY FOR USE OF CAPITAL RECEIPTS (C3452)

To update the Council's Strategy for flexible use of capital receipts taking into account actual receipts in 2016/17 and 2017/18 and the actual and forecast costs of projects planned to be funded from capital receipts. **(Pages 45 - 54)**

14. LICENSING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Licensing Committee has not met.

15. PERSONNEL COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Personnel Committee met on 7th March 2018. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

16. GOVERNANCE AND ETHICS COMMITTEE

The Council is asked to note that since the last meeting of Council, the Governance and Ethics Committee met on 23rd April 2018. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

17. DISTRICT PLANNING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the District Planning Committee has not met.

18. OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

The Council is asked to note that since the last meeting of the Council, the Overview and Scrutiny Management Commission met on 10th April 2018. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

Agenda - Council to be held on Tuesday, 8 May 2018 (continued)

19. JOINT PUBLIC PROTECTION COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Joint Public Protection Committee met on 19th March 2018. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



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Appointment of and Allocation of Seats on Committees for the 2018/19 Municipal Year

Committee considering report:	Council on 8 May 2018
Portfolio Member:	Councillor Graham Jones
Report Author:	Moira Fraser
Forward Plan Ref:	C3337

1. Purpose of the Report

- 1.1 To consider the appointment and allocation of seats on Committees for the next Municipal Year.
- 1.2 To agree the Council's Policy Framework for 2018/19 as set out in Paragraph 6.1 of Appendix B.

2. Recommendations

- 2.1 That the Council notes that under Paragraph 8 of the Local Government (Committees and Political Groups) Regulations 1990, notice has been received that the Members set out in paragraph 1.1 of Appendix B to this report are to be regarded as Members of the Conservative and Liberal Democrat Groups respectively.
- 2.2 That the Council agrees to the appointment of the various Committees and to the number of places on each as set out in paragraph 2.2 of Appendix B (Table A).
- 2.3 That the Council agrees to the allocation of seats to the Political Groups in accordance with section 15(5) of the Local Government Act 1989 as set out in paragraph 3.4 of Appendix B (Table B)
- 2.4 That the number of substitutes on Committees and Commissions be as set out in paragraph 4.1 of Appendix B (Table C).
- 2.5 In respect of the District and Area Planning Committees, the substitute Members are all drawn from Members representing wards within the Committee's area who are not appointed to the Committee. Where substitutes attend the District Planning Meeting they need to be drawn from the same Area Planning meeting as the Member they are substituting for.
- 2.6 That the Council approves the appointment of Members to the Committees as set out in Appendix C and notes the appointments set out in Appendix D which are in accordance with the wishes of the Political Groups.
- 2.7 That the Council, in accordance with Regulation 4, Schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, and the Local Authorities (Functions and Responsibilities) (England) (Amendment No.2) Regulations 2008, agrees the Council's Policy Framework for 2018/19 be as set out

in paragraph 6.1 of Appendix B and that any appropriate amendments be made to the Council's Constitution (Paragraph 2.5.2) should this be necessary.

- 2.8 That the Council, in accordance with Regulation 5, Schedule 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, approves that all other plans, policies and strategies requiring approval and not included in the approved Policy Framework be delegated to the Council's Executive.
- 2.9 That the Council agrees that Paragraph 2.6.5 of Article 6, setting out the Executive Portfolios, be amended to reflect any changes made by the Leader of the Council at the Annual Council meeting.
- 2.10 That the appointment of two non-voting co-opted Parish/Town Councillors and one non-voting substitute Parish/Town Councillor be made to the Governance and Ethics Committee namely Barry Dickens (co-opted non-voting Parish Councillor), Geoff Mayes (co-opted non-voting Parish Councillor) and Jane Langford (substitute co-opted non-voting Parish Councillor).
- 2.11 That the appointment of two Parish/Town Councillors is made to the Governance and Ethics Committee's Advisory Panel namely Tony Renouf and Bruce Laurie.
- 2.12 To re-appoint three Independent Persons namely Lindsey Appleton, James Rees and Mike Wall.
- 2.13 To agree the revised membership of the Health and Wellbeing Board as set out in paragraph 9.1 of Appendix B.
- 2.14 That authority be delegated to the Monitoring Officer to make any changes required to the Constitution as a result of the appointments to Committees.

3. Implications

- 3.1 **Financial:** Members Allowances, proposed by the Independent Remuneration Panel, were agreed at the March 2018 Council meeting. All allowances will be met from within existing budgets.
- 3.2 **Policy:** The appointments and allocations will be made in accordance with the Council's statutory obligations. The Council's Policy making framework is updated annually
- 3.3 **Personnel:** None
- 3.4 **Legal:** The allocation of seats to Political Groups is in accordance with Section 15(5) of the Local Government and Housing Act 1989 and related regulations mentioned in this report.
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Other options considered

- 4.1 None, this is a statutory requirement.

Executive Summary

5. Introduction / Background

5.1 In accordance with Paragraph 4.2.2 of the Constitution, the Council is required to appoint Committees and other Member bodies that are not part of the Executive. Membership of the Council's Committees is agreed annually at the May Council meeting. This report sets out the Membership of the Political Groups, the size and Membership of the Committees as well as the number of substitutes to be appointed for each of the bodies. It also sets out the 2018/19 Policy Framework.

6. Proposal

6.1 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, 47 Members wish to be regarded as members of the Conservative Group and 5 Members wish to be regarded as members of the Liberal Democrat Group.

6.2 Members, and where appropriate substitutes, will be appointed to 8 Committees totalling 85 seats. In this case 77 of these seats will be allocated to Conservative Members and 8 to Liberal Democrat Members. The Health and Wellbeing Board and Joint Public Protection Committee are not included in these appointments as they are subject to their own membership requirements.

6.3 The Property Investment Strategy has been included in the Policy Framework for 2018/19.

6.4 The Council will continue to appoint two Parish/Town Councillors to the Governance and Ethics Committee, two Parish/ Town Councillors to the Governance and Ethics Committee's Advisory Panel and three Independent Persons. One substitute Parish/ Town Councillor will be appointed to the Governance and Ethics Committee.

7. Conclusion

7.1 Members are asked to agree the appointment of and allocation of seats on the Committees for the 2018/19 Municipal Year.

7.2 Members are asked to agree the Council's Policy Framework for 2018/19 as set out in Paragraph 6.1 of Appendix B.

8. Appendices

8.1 Appendix A – Equalities Impact Assessment

8.2 Appendix B – Supporting Information

8.3 Appendix C – Membership of Committees (to follow)

8.4 Appendix D – Membership of Task Groups and Panels (to follow)

Appendix A

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 as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	To appoint Members to Committees
Summary of relevant legislation:	
Does the proposed decision conflict with any of the Council’s key strategy priorities?	No
Name of assessor:	Moira Fraser
Date of assessment:	20 April 2018

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

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To appoint Members to the Councils various Committees
Objectives:	
Outcomes:	
Benefits:	

2 Note which groups may be affected by the proposed decision. 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
Age		
Disability		
Gender Reassignment		

Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		
All groups effected equally		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision 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 Two 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	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Moira Fraser

Date: 20 April 2018

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

Appointment of and Allocation of Seats on Committees for the 2018/19 Municipal Year - Supporting Information

1. Political Groups

- 1.1 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, the under-mentioned Members have given notice of their wish to be regarded as Members of the Political Groups set out below.

Conservative Group	Liberal Democrat Group
Steve Ardagh-Walter	Jeff Brooks
Peter Argyle	Lee Dillon
Howard Bairstow	Billy Drummond
Pamela Bale	Mollie Lock
Jeremy Bartlett	Alan Macro
Jeff Beck	
Dennis Benneyworth	
Dominic Boeck	
Graham Bridgman	
Paul Bryant	
Anthony Chadley	
Keith Chopping	
Jeanette Clifford	
Hilary Cole	
James Cole	
Jason Collis	
Richard Crumly	
Rob Denton-Powell	
Lynne Doherty	
Adrian Edwards	
Sheila Ellison	
Marcus Franks	
James Fredrickson	
Dave Goff	
Manohar Gopal	
Paul Hewer	
Clive Hooker	
Carol Jackson-Doerge	
Marigold Jaques	
Mike Johnston	

Conservative Group	Liberal Democrat Group
Graham Jones	
Rick Jones	
Alan Law	
Tony Linden	
Gordon Lundie	
Tim Metcalfe	
Ian Morrin	
Graham Pask	
Anthony Pick	
James Podger	
Garth Simpson	
Richard Somner	
Anthony Stansfeld	
Virginia von Celsing	
Quentin Webb	
Emma Webster	
Laszlo Zverko	

Recommendation 1:

- That the Council notes that under Paragraph 8 of the Local Government (Committees and Political Groups) Regulations 1990, notice has been received that the Members set out in paragraph 1.1 above are to be regarded as Members of the Conservative and Liberal Democrat Groups respectively.

2. Appointment of Committees

- 2.1 In accordance with Paragraph 4.2.2 of the Constitution, the Council is required to appoint Committees and other Member bodies that are not part of the Executive or its sub-committees including the Health and Wellbeing Board.
- 2.2 It is proposed that Council appoint the Committees (as set out in Table A) with the number of places shown for each. The Health and Wellbeing Board and Joint Public Protection Committee are subject to their own Membership requirements and are therefore not included in this table.

Table A

Body	Number of Seats
Overview and Scrutiny Management Commission	12
Licensing Committee	12
District Planning Committee	12 <i>(six members of the Eastern Area Planning Committee and six Members of the Western Area Planning Committee)</i>
Eastern Area Planning Committee	12

Western Area Planning Committee	12
Personnel Committee	5
Appeals Panel	12
Governance and Ethics Committee	8 <i>(two non-voting co-opted Parish Councillors and a substitute Parish Councillor will also be appointed to this Committee)</i>
Total	85

Recommendation 2 and 14:

- That the Council agrees to the appointment of the various Committees and to the number of places on each as set out in paragraph 2.2 (Table A).
- That authority be delegated to the Monitoring Officer to make any changes required to the Constitution as a result of the appointments to Committees.

3. Allocation of Seats

3.1 The political balance of the Council currently stands as follows:

	Number of Members No.	Political Composition %
Conservative Group	47	90.4 %
Liberal Democrat Group	5	9.6%%
	52	100.00%

3.2 In allocating seats on Committees, the Council must give effect, so far as reasonably practical, to the principles contained in Section 15(5) of the Local Government and Housing Act 1989 which may be summarised as follows:

- (1) Not all seats on any Committee are to be allocated to the same political group;
- (2) The majority of seats on any Committee must be allocated to the majority Group;
- (3) Subject to (1) and (2) above, the number of seats on ordinary Committees must be allocated to each political group in the same proportion as their representation on the Council;
- (4) Subject to (1) and (3) above, the number of seats on any Committee must be the same proportion as the political group’s representation on full Council;
- (5) To qualify two or more Members must form a group.

3.3 Based on 85 seats (Table A), the “basket principle” and the normal rules of rounding, the following number of seats would therefore normally be allocated to each Group.

Group	Ratio	No of Seats
Conservative Group	90.4% x 85	77
Liberal Democrat Group	9.6% x 85	8
Total		85

3.4 The seats on Committees will therefore be allocated as follows:

Table B			
Committee	Total Number of Seats	Conservative Group	Liberal Democrat Group
Overview and Scrutiny Management Commission	12	11	1
Licensing Committee	12	11	1
District Planning Committee	12	11	1
Eastern Area Planning Committee	12	11	1
Western Area Planning Committee	12	11	1
Personnel Committee	5	4	1
Appeals Panel	12	11	1
Governance and Ethics Committee	8	7	1
Total	85	77	8

Recommendation 3 and 14:

- That the Council agrees to the allocation of seats to the Political Groups in accordance with section 15(5) of the Local Government Act 1989 as set out in paragraph 3.4 (Table B).
- That authority be delegated to the Monitoring Officer to make any changes required to the Constitution as a result of the appointments to Committees.

4. Substitutes

4.1 In accordance with the Council’s Constitution, the Council is required to determine the number of substitute Members that may be appointed in respect of each Committee. The number of substitutes for each Committee is as follows:

Table C	
Overview and Scrutiny Management Commission	Three Conservative Substitutes and One Liberal Democrat Substitute
Area Planning Committees	Up to 4 per Political Group
District Planning Committee	Up to 4 per Political Group – 2 from the Eastern Area of the District and 2 from the Western Area of the District
Licensing Committee	No substitutes permitted

Personnel Committee	Up to 2 per Political Group
Appeals Panel	No substitutes permitted
Governance and Ethics Committee	Up to 2 per Political Group

4.2 In respect of the District and Area Planning Committees, the substitute Members are all drawn from Members representing wards within the Committee's area who are not appointed to the Committee.

Recommendations 4 and 5:

- **That the number of substitutes on Committees and Commissions be as set out in paragraph 4.1 (Table C).**
- **In respect of the District and Area Planning Committees, the substitute Members are all drawn from Members representing wards within the Committee's area who are not appointed to the Committee. Where substitutes attend the District Planning meeting they need to be drawn from the same Area Planning meeting as the Member they are substituting for.**

5. Appointment to Committees

5.1 Appendix C is a list of Committees and the nominations from each Political Group.

Recommendation 6:

- **That the Council approves the appointment of Members to the Committees as set out in Appendix C and notes the appointments set out in Appendix D which are in accordance with the wishes of the Political Groups.**

6. Planning and Policy Framework

6.1 In accordance with Regulation 4, Schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the Local Authorities (Functions and Responsibilities) (England) (Amendment No.2) Regulations 2008 the Council is requested to confirm the Policy Framework for 2018/19 as set out below:

- Council Strategy;
- Local Transport Plan;
- Licensing Policy;
- Gambling Policy;
- Plans and strategies which together comprise the Development Plan;
- Health and Wellbeing Strategy;
- Statutory Pay Policy Statement;
- Property Investment Strategy.

Recommendations 7 and 8:

- **That the Council, in accordance with Regulation 4, Schedule 3 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000,**

and the Local Authorities (Functions and Responsibilities) (England) (Amendment No.2) Regulations 2008, agrees the Council's Policy Framework for 2018/19 be as set out above and that any appropriate amendments be made to the Council's Constitution (Paragraph 2.5.2) should this be necessary.

- That the Council, in accordance with Regulation 5, Schedule 4 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, approves that all other plans, policies and strategies requiring approval and not included in the approved Policy Framework be delegated to the Council's Executive.

7. Executive – Article 6

- 7.1 Paragraph 2.6.5 of Article 6 of the Constitution sets out the current Executive Portfolios and this will need to be amended in the light of any proposed changes made by the Leader of the Council to these Portfolios as set out in Appendix C.

Recommendation 9:

- That the Council agrees that Paragraph 2.6.5 of Article 6 of the Constitution, setting out the Executive Portfolios, be amended to reflect any changes made by the Leader of the Council at the Annual Council meeting.

8. Governance and Ethics Committee

- 8.1 At the Full Council meeting on the 02 July 2015 Members agreed to form a Governance and Ethics Committee. It was agreed that the membership of the Governance and Ethics Committee would comprise ten representatives (eight District Councillors appointed on a proportional basis and two co-opted non-voting Parish/Town Councillors). It was also agreed that the Advisory Panel and three Independent Persons would be retained.
- 8.2 The Advisory Panel comprises eight Members: two from the administration, two from the main opposition party, two parish/town councillors and two of the three Independent Persons, used on a rotational basis. It was also agreed that a non-voting substitute Parish Councillor could be appointed to each of the Governance and Ethics Committee and the Governance and Ethics Advisory Panel. This is in order to ensure that there is Parish Council representation at the meetings and also to provide continuity.

Recommendations 10, 11 and 12:

- That the appointment of two non-voting co-opted Parish/Town Councillors and one non-voting substitute Parish/Town Councillor be made to the Governance and Ethics Committee namely: Barry Dickens (co-opted non-voting Parish Councillor), Geoff Mayes (co-opted non-voting Parish Councillor) and Jane Langford (substitute co-opted non-voting Parish Councillor)

- That the appointment of two Parish/Town Councillors is made to the Governance and Ethics Committee's Advisory Panel namely Tony Renouf, and Bruce Laurie.
- To re-appoint three Independent Persons namely Lindsey Appleton, James Rees and Mike Wall.

9. Health and Wellbeing Board

9.1 The Health and Wellbeing Board is a Sub-Committee of the Executive as set out in the Health and Social Care Act 2012. A number of regulations linked to Committees have been disapplied in relation to this Committee such as the proportionality rules and rules pertaining to voting. The membership of the Board has recently been extended and will be as follows*:

- Leader of the Council or other appropriate elected Member
- Portfolio Holder with responsibility for Health and Wellbeing
- Berkshire West Clinical Commissioning Group (x3)
- Strategic Director of Public Health or Assistant Director of Public Health
- Director of Community Services (role covers Children's Services and Adult Social Services)
- Local Healthwatch Representative
- Representative from the Voluntary and Community Sector
- Portfolio Holder with responsibility for Children and Young People
- Portfolio Holder with responsibility for Adult Social Care
- Portfolio Holder with responsibility for Partnerships
- Shadow Portfolio Holder with responsibility for Health and Wellbeing
- NHS England Local Area Team
- Representative for Royal Berkshire Fire and Rescue Service
- Representative for Thames Valley Police
- Representative from the Housing Sector
- Representative(s) for employers
- Representative for Berkshire Healthcare Foundation Trust
- Representative for Royal Berkshire NHS Foundation Trust

** Subject to any changes made to the Portfolio Holders by the Leader at the Council meeting.*

9.2 Each of the Board Members have nominated a named substitute as set out in Appendix C.

Recommendation 13

- To agree the membership of the Health and Wellbeing Board as set out in paragraph 9.1.

Background Papers:

- The Local Government and Housing Act 1989
 - Local Government (Committees and Political Groups) Regulations 1990
 - Local Authorities (Functions and Responsibilities) (England) Regulations 2000
 - The Localism Act 2011
 - The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015
-

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval



Wards affected:

None

Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim:

MEC – Become an even more effective Council

The proposals contained in this report will help to achieve the following Council Strategy priority:

MEC1 – Become an even more effective Council

The proposals contained in this report will help to achieve the above Council Strategy aim and priority by ensuring the Council's Governance structure is adequately resourced.

Officer details:

Name: Moira Fraser
Job Title: Democratic and Electoral Services Manager
Tel No: 01635 519045
E-mail Address: moira.fraser@westnerks.gov.uk

Monitoring Officer's Annual Report to the Governance and Ethics Committee – 2017/18 Year End

Committee considering report:	Council on 8 May 2018
Portfolio Member:	Councillor Graham Bridgman
Date Portfolio Member agreed report:	19 April 2018
Report Author:	Sarah Clarke
Forward Plan Ref:	C3323

1. Purpose of the Report

- 1.1 To provide an update on local and national issues relating to ethical standards and to bring to the attention of Members any complaints or other problems within West Berkshire.
- 1.2 To present the Annual Governance and Ethics Report to Full Council.

2. Recommendations

- 2.1 Members are requested to note the content of the report.
- 2.2 The report to be circulated to all Parish/Town Councils in the District for information.

3. Implications

- 3.1 **Financial:** There are no financial issues arising from this report. However the costs associated with external investigations and a lack of internal resources may lead to a budget pressure.
- 3.2 **Policy:** Revised policy and changes to processes adopted at Council in May 2012 and reviewed in December 2013 and September 2016.
- 3.3 **Personnel:** There are no personnel issues associated with this report
- 3.4 **Legal:** There are no legal issues arising from this report. The matters covered by this report are generally requirements of the Local Government Act 2000 in so far as appropriate and the Localism Act 2011 and its supporting regulations.
- 3.5 **Risk Management:** The benefits of this process are the maintenance of the Council's credibility and good governance by a high standard of ethical behaviour. The threats are the loss of credibility of the Council if standards fall. Adherence to the requirements of the Code of Conduct also reduce the risk of the Council's decisions being subject to legal challenge.

- 3.6 **Property:** There are no property issues associated with this report.
- 3.7 **Other:** A diminution in standards of behaviour by elected Members could have a significant reputational impact on the Council

4. Other options considered

None

Executive Summary

5. Introduction / Background

5.1 Following the enactment of the Localism Act 2011 a number of changes were made to the Standards Regime. As part of the governance arrangements adopted by West Berkshire Council, it was agreed that the Monitoring Officer would produce an annual report for the Governance and Ethics Committee and that it would be presented to Full Council at the Annual meeting. The report would also be circulated to all Town and Parish Councils.

5.2 The key issues identified in the report are:

- One dispensation was granted during 2017/18.
- During 2017/18, 16 formal complaints were received by the Monitoring Officer. Fifteen of these complaints were about parish councillors and one complaint was about a district councillor. This was an increase on the number of complaints received in the previous year 2016/17 when only three complaints were received. However, the figure represents only a slight increase on the average number of complaints received per annum since 2009/10.
- Although there has been a significant rise in the number of complaints since last year, there have been a number of related complaints. It is of note that three of the five complaints received in quarter two related to issues arising at a parish council, all four complaints received in Quarter 3 pertained to the same incident and three of the complaints received in quarter 4 related to the same issue.
- No further action was taken on ten of the complaints following the initial assessment. One complaint was withdrawn, one complaint was referred for investigation and four of the complaints are still being processed.
- A hearing took place in January 2018 in respect of a complaint received in 2016/17 (NPC1/17) which had been subject to an investigation. It was resolved by the Governance & Ethics Committee that a number of breaches of the parish councils Code of Conduct had occurred.
- The number of gifts and hospitality invitations recorded by Members remained very low.

6. Proposal

Members are asked to note the content of the report and agree that it should be circulated to all Town and Parish Councils for information.

7. Conclusion

7.1 The number of complaints received in respect of alleged breaches of the Members' Code of Conduct during 2017/18 remains relatively low.

7.2 It is considered that it is reasonable to conclude having regard to all the information in this report, that standards of ethical conduct are high across West Berkshire at both District and at Parish / Town Council levels.

8. Appendices

- 8.1 Appendix A – Supporting Information
- 8.2 Appendix B – Register of Members Gifts and Hospitality
- 8.3 Appendix C – Register of Officers Gifts and Hospitality

Monitoring Officer's Annual Report to the Governance and Ethics Committee – 2017/18 Year End – Supporting Information

1. Introduction/Background

- 1.1 The Localism Act 2011 was enacted on 15th November 2011 and it made fundamental changes to the system of regulation of the standards of conduct for elected and co-opted members of Councils and Parish Councils.
- 1.2 In order to ensure that the process was working effectively locally it was agreed that the Monitoring Officer would produce an annual report which would be presented to the Governance and Ethics Committee. The report would set out the number and nature of complaints received and inform Members of any other activity that was taking place around the Code of Conduct regime. It would also provide a means of updating the Committee on the progress of investigations.
- 1.3 It was also agreed that the report would be presented to Full Council at the Annual meeting and that it would be circulated to all Town and Parish Councils. This report also includes a look forward to the forthcoming Municipal Year.

2. Governance Arrangements

- 2.1 The Governance and Ethics Committee is comprised of ten members (eight District Councillors appointed on a proportional basis and two co-opted non-voting Parish/Town Councillors).
- 2.2 The Monitoring Officer is authorised to appoint three Independent Persons who are used on a rotational basis on the Initial Assessment Panel and Advisory Panel. The Advisory Panel comprises eight Members: 2 from the administration, 2 from the main opposition party, 2 parish/town councillors and 2 independent persons.
- 2.3 A revised Code of Conduct was adopted in September 2016. The Code and Governance arrangements are supported by a number of documents including:
 - Terms of Reference for the Governance and Ethics Committee and Advisory Panel;
 - Gifts and Hospitality Protocol;
 - Complaints procedures for breaches of the Code of Conduct;
 - Dispensations procedure.

3. Independent Persons

- 3.1 Under Section 28 of the Localism Act 2011 the Council has to ensure it has appointed at least one Independent Person who is consulted before any decision is made to investigate an allegation against any Member of the Council or any Parish Councillor. It was agreed at the Full Council meeting on the 27 September 2012 that the Independent Person may be consulted directly either by the person who has

made the complaint or the person the complaint has been made about. Three Independent Persons have therefore been appointed in order to ensure that a conflict situation does not arise.

- 3.2 James Rees, Mike Wall and Lindsey Appleton were appointed as the Council's Independent Persons for the 2017/18 Municipal Year. All three Independent Persons have agreed to remain as Independent Persons for the 2018/19 Municipal Year.
- 3.3 A person is not considered to be "independent" if:-
- (i) They are or have been, within the last five years, an elected or co-opted Member or officer of the Council or of any Parish Councils within this area. This also applies to committees or sub-committees of the various Councils.
 - (ii) They are a relative or close friend of a current elected, or co-opted, Member or officer of the Council or any Parish Council within its area, or any elected or co-opted member of any committee or sub-committee.
 - (iii) The definition of relative includes the candidate's spouse, civil partner, grandparent, child etc.
- 3.4 In addition The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 require provisions to be made relating to the potential dismissal or disciplining of the Head of Paid Service, Monitoring Officer or Section 151 Officer. A panel needs to be set up to advise on matters relating to the dismissal of these Officers. The Act requires at least two Independent Persons who have been appointed under section 28(7) of the Localism Act 2011 to be appointed to the panel. The role of the Independent Persons therefore includes the requirement of this legislation.
- 3.5 The Council is asked to recognise the significant contribution of the Independent Persons and thank them for their contributions.

4. Governance and Ethics Committee

- 4.1 The overall purpose of the Governance and Ethics Committee is to provide effective challenge across the Council and independent assurance on the risk management and governance framework and associated internal control environment to members and the public, independently of the Executive. The Governance and Ethics Committee is also responsible for receiving the annual Audit Letter and for signing off the Council's final accounts.
- 4.2 The Committee is charged with promoting and maintaining high standards of conduct throughout the Council. They promote, educate and support Councillors (both District and Parish) in following the highest standards of conduct and ensuring that those standards are fully owned locally. The roles and functions of the Governance and Ethics Committee are set out in paragraph 2.8.4 of the Constitution (Part 2 Articles of the Constitution).
- 4.3 At the conclusion of 2017/18 the Governance and Ethics Committee comprised the following Members:
- (1) Steve Ardagh-Walter (Conservative)

- (2) Jeff Beck (*Vice-Chairman*) (Conservative)
- (3) Paul Bryant (Conservative)
- (4) Keith Chopping * (*Chairman*) (Conservative)
- (5) James Cole (Conservative)
- (6) Anthony Pick (Conservative)
- (7) Quentin Webb (Conservative)
- (8) Lee Dillon (Liberal Democrat)
- (9) Sheila Ellison (Substitute) (Conservative)
- (10) Jason Collis ** (Substitute) (Conservative)
- (11) Billy Drummond (Substitute) (Liberal Democrat)

* Councillor Keith Chopping replaced Councillor Graham Bridgman on this Committee in December 2017 when Councillor Bridgman was appointed to the Executive. Councillor Chopping replaced Councillor James Cole as the Chairman at this meeting too.

** Councillor Jason Collis replaced Councillor Garth Simpson as a substitute on this Committee at the 04 July 2017 Council meeting.

- 4.4 The Governance and Ethics Committee has a special responsibility regarding the 56 Town and Parish Councils within the District. It is responsible for ensuring that high standards of conduct are met within the parishes and that all Parish and Town Councillors are aware of their responsibilities under their Codes of Conduct.
- 4.5 The District Councillors are therefore supported on the Governance and Ethics Committee by two co-opted Parish Councillors who are appointed in a non-voting capacity. A substitute is also appointed to this Committee. At the end of 2017/18 the Governance and Ethics Committee included the following Parish Councillors:
- (1) Barry Dickens (co-opted non-voting Parish Councillor)
 - (2) Geoff Mayes (co-opted non-voting Parish Councillor)
 - (3) Jane Langford (substitute co-opted non-voting Parish Councillor)
- 4.6 All three Parish Councillors have agreed to be re-appointed to the Committee for the 2018/19 Municipal Year. The Council is asked to recognise the contribution of the Parish Councillors and thank them for their contributions.

5. **Advisory Panel**

- 5.1 The Advisory Panel is responsible for dealing with complaints where evidence of a breach of the Code has been identified by an independent investigator and reports its findings to the Governance and Ethics Committee for formal decision.
- 5.2 The District Councillors on the Advisory Panel are representatives of both political groups within the Council and are not appointed in accordance with the proportionality rules. During 2017/18 the Advisory Panel comprised the following District Councillors:
- Adrian Edwards (Conservative)

- Marigold Jaques (Conservative)
- Mollie Lock (Liberal Democrat)
- Alan Macro (Liberal Democrat)

5.3 During the 2017/18 Municipal Year the following Parish Councillors were appointed to the Advisory Panel:

- Tony Renouf
- Darren Peace
- Bruce Laurie (substitute)

5.4 Councillor Darren Peace has stood down as a Parish Councillor and is therefore no longer eligible to sit on the Panel. For the 2018/19 Municipal Year Councillor Bruce Laurie will therefore be appointed as a full member of the Panel. The Council is asked to recognise all the Parish Councillors' contributions to the Committee and to thank them for that contribution.

6. The Monitoring Officer

6.1 The Monitoring Officer is a statutory post and in West Berkshire rests with the Head of Legal Services. The Monitoring Officer is supported by three deputies. The Monitoring Officer has a key role in promoting and maintaining standards of conduct. The Monitoring Officer acts as legal adviser to the Governance and Ethics Committee and Advisory Panel.

6.2 The Monitoring Officer also carries out the following functions:

- reporting on contraventions or likely contraventions of any enactment or rule of law and reporting on any maladministration or injustice where the Ombudsman has carried out an investigation;
- establishing and maintaining registers of Members' interests and gifts and hospitality;
- maintaining, reviewing and monitoring the Constitution;
- advising Members and Parish Councillors on interpretation of the Code of Conduct;
- conducting or appointing an external investigator to look into allegations of misconduct;
- performing ethical framework functions in relation to Parish Councils;
- acting as the proper officer for access to information;
- undertaking an initial assessment, in consultation with the Independent Person, when complaints relating to alleged breach of the Code of Conduct are received;
- making arrangements for relevant matters to be considered by the Governance and Ethics Committee and Advisory Panel;
- advising whether Executive decisions are within the policy framework; and
- advising on vices issues and maladministration, and in consultation with the Section 151 Officer financial impropriety, probity, and budget and policy issues to all Members.

7. The Work of the Committee 2017 – 2018

- 7.1 During the 2017/18 Municipal Year the Committee considered revised arrangements for scrutiny, and the Licensing Sub-Committee and Appeals Panel. In addition to the monitoring cycle for both internal and external audit the Committee also signed off the 2016/17 Financial Statements including the Annual Governance Statements and the final audit letter from the external auditors KPMG.
- 7.2 One of the functions of the Governance and Ethics Committee is to oversee the Council's Constitution. During the 2017/18 Year the Committee oversaw a significant rewrite of the Scheme of Delegation (Part 3 of the Constitution) and the Officer's Code of Conduct (which is included in Part 13, Codes and Protocols) of the Constitution.
- 7.3 The Monitoring Officer, under delegated authority, has authorised changes to the following Parts of the Constitution since April 2017 Parts 1 (Summary and Explanation), 4 (Council Rules of Procedure), 7 (Regulatory and Other Committees Rules of Procedure) and 10 (Finance Rules of Procedure).
- 7.4 The Monitoring Officer, under delegated authority, had previously granted a dispensation to all West Berkshire Councillors to speak and vote on any items pertaining to Council Tax. This dispensation will remain in place until May 2019. Councillor Jason Collis was appointed to the Council during the 2017/18 Municipal Year and he too applied for and was granted this dispensation. No other dispensations were granted during this period.

8. Register of Interests

- 8.1 All elected Members of West Berkshire Council have completed and submitted their Register of Interest forms. District Councillors are reminded to review their interests on a regular basis and Parish Councils are reminded via their Clerks to complete and return Declarations of Interest forms to the Monitoring Officer in order that compliance with the Localism Act 2011 is maintained.

9. Local Assessment of Complaints

- 9.1 During Quarter 1 of 2017/18 one formal complaint was received by the Monitoring Officer. This complaint related to a Parish Councillor (NPC3/17). Following the initial assessment of this complaint it was determined by the Monitoring Officer, in consultation with the Independent Person, that no breach had been identified and that no further action needed to be taken.
- 9.2 During Quarter 2 of 2017/18 five formal complaints were received by the Monitoring Officer. Complaint NPC6/17 was subsequently withdrawn by the complainant. All five complaints related to Parish Councillors (NPC4/17, NPC5/17, NPC6/17, NPC7/17 and NPC8/17). Following the initial assessment of these complaints it was determined by the Monitoring Officer, in consultation with the Independent Person, that no breach had been identified and that no further action needed to be taken.
- 9.3 During Quarter 3 of 2017/18 four formal complaints were received by the Monitoring Officer. All four complaints related to Parish Councillors (NPC9/17, NPC10/17, NPC11/17 and NPC12/17). Following the initial assessment of these complaints it was determined by the Monitoring Officer, in consultation with the Independent

Person, that no breach had been identified and that no further action needed to be taken.

- 9.4 During Quarter 4 of 2017/18 six formal complaints were received by the Monitoring Officer. Five complaints related to Parish Councillors (NPC1/18, NPC2/18, NPC3/18, NPC4/18 and NPC5/18) and the other to a District Councillor (NDC1/18). Following the initial assessment of complaint NDC1/18 it was determined by the Monitoring Officer, in consultation with the Independent Person, that no breach had been identified and that no further action needed to be taken. Following the initial assessment of complaint NPC1/18 it was agreed that the matter should be investigated. Complaints NPC2/18, NPC3/18, NPC4/18 and NPC5/18 were received toward the end of March and will be by the Monitoring Officer in consultation with the Independent Person at an initial assessment in April 2017.
- 9.5 Following the initial assessment of complaint NPC1/17 in March 2017 it was determined by the Deputy Monitoring Officer, in consultation with the Independent Person, that a potential breach of Woolhampton Parish Council's Code of Conduct had been identified and that the matter should be investigated. An independent investigator was appointed to consider the complaint and they identified that a number of breaches of the Code of Conduct had occurred. The Advisory Panel met on the 13 December 2017 and they concurred with the investigator that a breach had occurred and identified a further breach of the Code of Conduct. A special meeting of the Governance and Ethics Committee took place on the 31 January 2018 to consider the matter and they resolved that several breaches of the Code of Conduct had happened.

10. Year on Year Comparison of Complaints

- 10.1 Table 1 Number of District and Parish Councillor Complaints received 2009/10 to 2017/18

	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18
District Councillors	4	4	5	8	2	2	16	0	1
Parish Councillors	7	5	6	10	5	7	10	3	15
Total	11	9	11	18	7	9	26	3	16

- 10.2 The number of complaints received during 2017/18 represented an increase from the previous year, when only three complaints were received. However, the figure represents only a slight increase on the average number of complaints received per annum since 2009/10.
- 10.3 Table 2 shows that, of the complaints received last year, to date only one complaint reached the threshold indicating a potential breach of a code of conduct necessitating a referral of the complaint for independent investigation.
- 10.4 It is also of note that ten of the complaints received were effectively related to only three issues. Specifically, three of the five complaints in quarter 2 related to issues arising at a single parish council, all four complaints received in quarter 3 pertained to another single incident, and three of the complaints in quarter 4 referred to issues that were related to each other.

10.5 Having regard to the above, the number of complaints remains relatively low. However management of these complaints should not be underestimated in terms of the time taken and resources required to reach a determination. This is particularly the case when an investigation takes place into a potential breach of a code of conduct, which can be a lengthy process involving multiple parties.

10.6 Some recent incidents have highlighted the potential for the system to be subject to abuse and further consideration needs to be given as to whether the Council should adopt a process whereby vexatious or other similar complaints can be dismissed without the full formal process currently engaged to complete the initial assessment stage.

10.7 Table 2 Action Taken on Complaints received 2009/10 to 2017/18.

	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18
No Further Action	1	3	6	11	3	2	21	1	10
Other Action	5	2	3	2	1	3	2	1	0
Investigation	5	4	2	2	0	3	1	1	1
Withdrawn/ not progressed	0	0	0	3	3	1	2	0	1
Outcome Awaited	0	0	0	0	0	0	0	0	4
Total	11	9	11	18	7	9	26	3	16

10.8 Table 3 Outcome of Items Investigated 2009/10 to 2017/18.

	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18
Breach	2	1	2	0	0	1	1	1	0
No Breach	3	3	0	2	0	2	0	0	0
Outcome awaited	0	0	0	0	0	0	0	0	1
Total	5	4	2	2	0	3	1	1	0

11. Gifts and Hospitality

11.1 The Gifts and Hospitality Protocol has been incorporated into the Members Code of Conduct and is set out in Appendix H to Part 13 of the Constitution (Codes and Protocols).

11.2 Officers are also subject to restrictions on those Gifts and Hospitality that are deemed to be acceptable under the Officers' Code of Conduct, which is set out in Part 13 of the Constitution. Like Members, Officers are required to declare gifts or hospitality received.

11.3 The intention of the rules governing Gifts and Hospitality is to ensure that the Council can demonstrate that no undue influence has been applied or could be said to have been applied by any service user, supplier or anyone else dealing with the Council and its stewardship of public funds. The rules therefore set out the obligations imposed on Members and Officers to declare relevant gifts and hospitality which have been offered to or received by them.

- 11.4 It should be noted that in addition to the risk that there could be a perception of impropriety, the acceptance of a gift or hospitality could amount to an offence under the Bribery Act 2010.
- 11.5 The Bribery Act 2010 creates a number of offences where a gift or other benefit is given or offered, which may amount to an offence of bribing another person, and/or of being bribed. Therefore, if Members or Officers are offered a 'gift' or other benefit by a third party, this could amount to an offence not just by the person offering the gift, but also by the Member or Officer concerned and by the Council. It is important to note that offences under this legislation can be committed by a person offering a gift or reward, even if the gift is not accepted.
- 11.6 In view of the above, it is very important that both Officers and Members understand the potentially serious implications of accepting gifts when it is not appropriate to do so.
- 11.7 A copy of the general register detailing Gifts and Hospitality declared by Members during 2017/18 is attached at Appendix B to this report. This records 16 separate gifts or hospitality offered and the fact that 15 of those offered were accepted. It is of note that one member was responsible for half of the items declared.
- 11.8 A copy of the register detailing Gifts and Hospitality declared by Officers for 2017/18 is attached at Appendix C to this report. This records that there were 64 declarations of gifts or hospitality declared by officers with 6 items being refused. A number of declarations record gifts to a number of officers declared as a single item so the actual number of individual gifts or hospitality received is higher than 64.
- 11.9 The declarations of gifts & hospitality can be broken down by directorate as follows:
- Communities – 28 (2 refused)
 - Economy & Environment – 25 (4 refused)
 - Resources - 11
- 11.10 The types of matters recorded in the Register of Gifts & Hospitality varies significantly. Of the items declared that estimated a value, these ranged between £5 and £120-150. Of those items recorded that had no known value declared against them, these included a gift of a pen to one officer (accepted) and an offer of a trip to Turkey to visit the Erasmus project (refused).
- 11.11 The number of declarations made suggests that there are significant differences in reporting amongst both Members and Officers. This suggests that there may be additional gifts or hospitality being offered and / or received by both Members and Officers which is not being recorded. Given the potential risks to the Council outlined above of failing to record this appropriately, this needs to be reviewed.
- 11.12 In light of the issues referred to above, the Monitoring Officer is going to review the Officers' Code of Conduct relating to the requirements governing gifts and hospitality. This has been raised at Finance & Governance Group and added to the rolling programme of review of the Constitution, and it is anticipated that any proposed revisions to the Code will be considered by Council during 2018.
- 11.13 Further work will also be required to ensure that the requirements regarding gifts and hospitality are fully and consistently applied.

12. Conclusion

- 12.1 Although there has been a rise in the number of complaints over the past year, it is considered that overall standards of ethical behaviour by Members at all levels across the district remain good. As stated in the report, a number of complaints that were received in 2017/18 originated from the same circumstances or facts, so the potential problems highlighted by the process is lower than the number of complaints received.
- 12.2 The number of complaints referred for investigation is also relevant when considering the overall position. Members will note that although the Monitoring Officer and Independent Person have considered or will consider 16 complaints, 10 were not progressed any further, one complaint was withdrawn, the outcome of four were awaited and one complaint would be investigated. This means that only one of the complaints considered to date demonstrated a potential breach of the relevant Code of Conduct.
- 12.3 Members at all levels also continue to seek the advice of the Monitoring Officer prior to engaging in activities which could give rise to difficulties under their respective Code of Conducts. That such advice is sought from the Monitoring Officer demonstrates an awareness amongst Members of the obligations placed upon them, and a desire to adhere to the relevant ethical standards.
- 12.4 Work will be undertaken as outlined in the report to ensure that standards of ethical conduct by all of those operating within the public sector remain high.
- 12.5 Overall, it is considered that the standards of ethical behaviour locally across West Berkshire at both District and Parish level are good and this achievement should be noted.

13. Consultation and Engagement

- 13.1 The report will be circulated to all Town and Parish Councils following discussion at the Full Council meeting

Background Papers:

- Localism Act 2011
- Reports to Council 10 May 2012, Special Council on the 16 July 2012, Council on 15 September 2016
- Terms of Reference for the Governance and Ethics Committee and Advisory Panel;
- A new Code of Conduct for West Berkshire District Councillors

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval

Report is to note only

Wards affected:

All

Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim:

MEC – Become an even more effective Council

The proposals contained in this report will help to achieve the following Council Strategy priority:

MEC1 – Become an even more effective Council

Officer details:

Name: Sarah Clarke
Job Title: Acting Head of Legal Services
Tel No: 01635 519596
E-mail Address: sarah.clarke@westberks.gov.uk

Members' Register of Offers of Gifts & Hospitality

Date Received	Member	Event	Offer	Value	Accepted?
04.05.17	James Cole	Visit to 2 Cocks Farm and Brewery	Beer gift pack	£11	Yes
03.07.17	Clive Hooker	Fairford Airshow	Attendance and hospitality at air show		
21.07.17	Hilary Cole	Cocktail party and ceremony of Beating Retreat at Denison Barracks on 17th July	Reception	Approx £20-£25	Yes
	Jeff Beck	West Berkshire Mencap Open Day on 27th July 2017	Cup of tea, finger sandwiches, cakes and fruit	Approx £10	Yes
07.08.17	Hilary Cole	Greenham Common Trust celebration events on 8th September.	Book launch at Cloth Hall Drinks reception at Outdoor Arts Space at Greenham Park	Apprix £20	Yes
04.12.17	Anthony Pick	A reception at Fairclose Day Centre, Newbury, on 28th November to celebrate its 50th anniversary	Reception including glass of champagne and canapés		Yes
03.01.18	Jeff Beck	AGM on 23 November 2017	SOFT DRINKS AND REFRESHMENTS	£7.00	Yes
03.01.18	Jeff Beck	Corn Exchange (Newbury) Limited	a Performance of 1997 Pantomime		No
03.01.18	Jeff Beck	Newbury Town Council 26/11/17 - Invitation to attend at the Switching –On of Newbury's Christmas Lights	Mulled Wine and Mince Pies	£5.00	Yes
03.01.18	Jeff Beck	Volunteer Centre West Berkshire Volunteers' Thank You Evening 05/12/17	Drinks and Refreshments	£10.00	Yes
03.01.18	Jeff Beck	Lambourn River Renewal Steering Group Volunteers' Thank You Evening 14/12/17	Christmas Meal and Drinks	£18.00	Yes
03.01.18	Jeff Beck	Cold Ash Parish Council Councillors' Christmas Gathering 16/12/17	Drink	£5.00	Yes
03.01.18	Jeff Beck	Newbury Town Council 17/12/17 Accepted Invitation to attend at the Mayor's Christmas Carol Service	Tea and Mince Pies	£5.00	Yes
23.01.18	Adrian Edwards	AGM and Dinner of SERFCA at the Army and Navy Club on 14 March	Dinner	£48.00	Yes
26.03.18	Hilary Cole	A workshop on the Grazeley proposal, run by Wokingham Borough Council, at Wokefield Park on Saturday 24th March 2018	Lunch and coffee	Approx £25	Yes
28.03.18	Graham Bridgman	Wokingham BC Local Plan Update Masterplanning Community Workshop re Grazeley on Saturday 24th March 2019	Lunch and coffee	Approx £25	Yes

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Officers' Register of Interests, Gifts & Hospitality

1.4.2017 - 31.3.2018

Code:

Communities
Economy & Environment
Resources

No.	Date of declaration	Job title	Team	Details	Received from	Value	Accepted ?	Notes
1339	24.4.17	Assistant Planning Officer	Development and Planning	I have just had a visit from service user, who I have been dealing with for some time with problems arising from his planning application. The application was eventually granted permission a couple of weeks ago. Although I had already advised him that we are not allowed to accept gifts he has brought me a bottle of "Marula" all the way from South Africa.	Service user	?	Referred to MO	MO advised to contact service user and ask to collect as unable to accept and if not collected, donate to raffle. LH asked to confirm action LH confirmed that she would do as advised.
1340	5.5.17	Highways Project Manager	Transport & Countryside	River Cruise - London	Odyssey		No	
1341	10.5.17	Family Support Worker	Family Resource Centre	Box of chocolates	Service user	£5.00 - £8.00	Shared with team	
1342	15.5.17	Social Worker	Family Resource Centre	Handmade apron	Service user		Yes	
1343	22.5.17	Legal Executive	Legal	Box of chocolates	Service user		Yes and shared with team	
1344	1.6.17	Economic Development Officer	Development and Planning	Small box of chocolates	Candy Girl Sweets	£1.50	Yes	
1345	15.6.17	Family Support Worker	Family Resource Centre	Bunch of flowers	Service user	£5	Yes	
1346	26.6.17	Economic Development Officer	Development and Planning	Notebook and pen Desk calendar Promotional mug	Telelink	£13	Yes	

1347	21.6.17	Shaw House Manager	Shaw House	Following an embarrassing banking error on their side NatWest have gifted us four bottles of wine and a wine bag.	Natwest		Yes	One given to Danielle Beaumont - Finance team for raffle - others distributed by drawing straws
1348	6.7.17	Care Home staff		Daughter of deceased resident wanting to recognise the kindness of staff as her mother had wished	Daughter of deceased resident			Referred to MO for advice. Advised small tokens could be accepted or joint gift for staff. 10.7.17 Sent to Sue Brain - asked to update
1349	3.10.17	Economic Development Officer		Hot chocolate	Regus	£3	Yes	
1350	16.10.17	Principal Planning Officer & Principal Conservation and Design Officer	Development and Planning	Book launch at Benham Valance following work on a Planning Application	Michael Fresson ATP Architecture		No	
1351	18.10.17	Senior Environmental Health Officer	Public Protection Partnership	£5 M&S gift card	Service user	£5	Yes	
1352	17.10.17	Principal Officer - Licensing	Licensing	Lunch at a meeting	Parish Councillor - Remenharn Parish Council	£9	Yes	
1353	4.12.17	Server and storage manager, ICT	ICT	Box of chocolates	ServNet	£100	Yes - donated to Christmas raffle	4.12.17 confirmed value
1354	13.9.17	YOT Officer Intensive	West Berkshire Youth Offending Team	Thank you gift - bath bombs	Service user	£9	Yes	
1355	4.12.17	Principal Transport Policy Officer	Development and Planning	Attending a Great Western Railway Stakeholder Event in central London - issued with Duty Travel Pass and lunch	GWR	£120-£150 plus lunch	Yes	Agreed by MO

1356	4.12.17	Head of Transport & Countryside	Transport & Countryside	Attending the Chartered Institute of Highways and Transport annual luncheon in London	Acting as a guest of Volker Highway Services	£30	Yes	
1357	4.12.17	Social Worker	Adult Social Care	Two bottles of wine	Service User	Less than £20	Yes	
1358	4.12.17	Senior Environmental Health Officer	Public Protection and Culture	6 home made cupcakes	Client	Under £10	Yes	
1359	10.12.17	Corporate Director (Communities)	Director & Support (Communities)	Trip to Turkey to visit Erasmus project with a West Berkshire maintained primary school	Katie Dickens, Head Teacher, Welford and Wickham School		No	
1360	12.12.17	Parking Manager	Transport & Countryside – Parking	bottle of champagne	Martin Taylor – Premier Property Services	£20.00	Yes	Referred to MO for advice. In view of the above, the MO would suggest that the gifts should be declined with an explanation that in the circumstances, officers are unable to accept these gifts. Unable to return as gift consumed, been advised not to accept in future and to inform Contractor

1361	12.12.17	Parking Enforcement team leader	Transport & Countryside – Parking	bottle of champagne	Martin Taylor – Premier Property Services	£20.00	Yes	Referred to MO for advice. In view of the above, the MO would suggest that the gifts should be declined with an explanation that in the circumstances, officers are unable to accept these gifts. Unable to return as gift consumed, been advised not to accept in future and to inform Contractor
1362	14.12.17	Senior Environmental Control Officer	Public Protection and Culture	A box of chocolates	Client	£10.00		
1363	14.12.17	Senior Environmental Health Officer	Public Protection and Culture	a box of M+S chocolates	Client	£10.00	Yes	
1364	19.12.17	Principal Officer - Licensing Pol.&Gov	Public Protection and Culture	a box of Quality Street	Private hire operators	£3.00	Yes	Will share chocolates among colleagues
1365	20.12.17	Team Leader - Development Control	Development Control	a box of Fox's biscuits	Michael Pagliaroli Architects	£5.00	Yes	Will share chocolates among colleagues
1366	27.12.17	Member Services Officer	Strategic Support	Bottle of champagne	Quentin Webb (Chairman)	£20.00	Yes	
1367	21.12.17	Family Support Worker	Children and Family Services	'gift' and christmas card	Client	£25	Yes	
1368	21.12.17	Contracts & Commissioning Officer	Commissioning	Box of chocolate biscuits Mixture of diaries/calendars	Promedica24 Real Care + care agency	Less than £10	Yes	
1369	21.12.17	Communications Manager	Strategic Support	pre-Christmas drinks	Newbury Weekly News	Less than £10	Yes	
1370	21.12.17	Social Care Practitioner	Adult Social Care	Box of celebration chocolates	Service User	£5	Yes	

1371	21.12.17	Elections Assistant	Strategic Support	1 tub of Celebrations, 1 tin of biscuits and a large box of biscuits and two bottles of wine	X-Press Legal Services Search Solutions Property Search Group Gardner Leader		Yes	Will share chocolates among colleagues
1372	21.12.17	Land Charges Officer	Strategic Support	1 tub of Celebrations, 1 tin of biscuits and a large box of biscuits and two bottles of wine	X-Press Legal Services Search Solutions Property Search Group Gardner Leader		Yes	Will share chocolates among colleagues
1373	19.12.17	Solicitor – Interim Head of Legal Services	Legal Services	biscuits	former colleague	£3	Yes	
1374	11.12.17		Reablement Service	Chocolates	Service User		Yes	
1375	19.12.17		Reablement Service	Box of Chocolates	Service User		Yes	
1376	19.12.17		Reablement Service	Box of Chocolates	Service User		Yes	
1377	21.12.17		Reablement Service	Box Maltesers, pen & £1 scratchcard	Service User		Yes	
1378	21.12.17		Reablement Service	Box Maltesers, pen & £1 scratchcard	Service User		Yes	
1379	27.12.17		Reablement Service	Chocolate Santa and Chocolate Snowman	Service User		Yes	
1380	27.12.17		Reablement Service	Chocolate Santa and Chocolate Snowman	Service User		Yes	
1381	27.12.17		Reablement Service	Chocolate	Service User		Yes	
1382	27.12.17		Reablement Service	Box of Chocolates and scratch card	Service User		Yes	
1384	28.12.17		Reablement Service	Pen	Service User		Yes	
1385	28.12.17		Reablement Service	Pen	Service User		Yes	

1386	19.12.17 20.12.17		Reablement Service	Box of Quality Street Box of Biscuits Box of Lindor Chocolates Box of Guylian Chocolates	Service User		Yes	
1387	28.12.17		Reablement Service	Guest Soap Box Maltesers, pen & £1 scratchcard Box Dairy Milk	Service User		Yes	
1388	03.01.18	Assitant Team Manager	Targeted Intervention	a box of Werther's original	Service User		Yes	
1389	4.01.18	EHC Co-ordinator	Education Services	chocolates and a bunch of flowers	Service User	£15	Yes	
1390	08.01.18	Developer's Contribution Team Leader	Development and Planning	box of biscuits	Reed Employment agency		Yes	
1391	08.01.18	Integrated Youth Support Service Worker	Children and Family Services	A box of Werther's Original Golden Mix		£10	Yes	
1392	09.01.18	Social Worker	Children and Family Services	Baby Blanket	Service user	£10	Yes	
1393	10.01.18	Technical Officer	Licensing	box of biscuits and a box chocolates	Taxi Drivers	£10	Yes	All shared with PPP team ie put out on desk for people to help themselves
1394	10.01.18	Technical Officer	Licensing	box of biscuits and a box chocolates	Taxi Drivers	£10	Yes	All shared with PPP team ie put out on desk for people to help themselves
1395	15.01.18		Libraries	Pack of seniettes 2 plants 1 Baul Bulbs 2 mini plants, in mini character pots	Service user		Yes	
1396	15.01.18		Libraries	bottle red wine packet of shortbread after eight mins stem ginger cookies fox's biscuit selection 6 mince pies	Service user		Yes	

1397	22.12.17		Waste Tea	Christmas Lunch provided by Veolia as part of the monthly contract meeting	Veolia	£30 each	Yes	Referred to MO for advise
1398	05.02.18	Legal Administrator	Legal	a gift bag containing sweets, a mug and 2 pens.	Reed Employment agency Lynn Homes		Yes	
1399	15.2.18	Environmental Health Officer	Public Protection	4 x £9.99 vouchers for buffet meals	Cheng Zhang	£40.00	No - returned following advice of MO	Referred to MO and advised to return the vouchers - asked to be updated on action - 26.2.18
1400	26.02.18	Family Support Worker	Children and Family Services	Thorntons chocolates and a small bunch of roses	Service user	Under £25	Yes	
1401	15.03.2018	Legal Administrator	Legal Services	a small bunch of flowers	Temp Staff	under £25	Yes	
1402	20.03.2018	Solicitor	Legal Services	sweets, chocolate, pens and post-it notes. Also 'won' a bottle of wine from Sellick who are recruitment consultants	external law firms and barrister's chambers	under £10	Yes	
1403	22.03.2018	Social worker	Children and Family Services	Lindt Chocolate - £5-8 Card - £0.59 Versace Cologne - £35	Service user	around £43	No - returned following advice of MO chocolate and card accepted	Referred to MO and advised to return the aftershave. Asked for update of action 26.03.2018. Updated 28.03, advised they will return the gift by the end of the week.

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Updated Strategy for Use of Capital Receipts 2018/19

Committee considering report:	Council on 8 May 2018
Portfolio Member:	Councillor Anthony Chadley
Date Portfolio Member agreed report:	11 April 2018
Report Author:	Gabrielle Esplin
Forward Plan Ref:	C3452

1. Purpose of the Report

- 1.1 To update the Council's Strategy for flexible use of capital receipts taking into account actual receipts in 2016/17 and 2017/18 and the actual and forecast costs of projects planned to be funded from capital receipts.

2. Recommendations

- 2.1 That £3.06m spend on activities and projects to transform Council services set out in this report should be funded from the total capital receipts available for this purpose.
- 2.2 That the balance of £561,000 available capital receipts be transferred to the Council's Transformation Reserve to be allocated to future eligible projects by Budget Board.

3. Implications

- 3.1 **Financial:** £3.62m capital receipts from 2016/17 and 2017/18 are available for the purpose of transforming Council services. £2.69m of this sum has been spent on projects covered by the strategy and a further £369k is committed, leaving £561k available to fund additional projects in 2018/19.
- 3.2 **Policy:** The initial strategy for flexible use of capital receipts was approved by the Council in March 2016 as part of the 2016/17 revenue budget proposal. This report provides an update to that strategy, taking into account the latest level of capital receipts available
- 3.3 **Personnel:** There are no new personnel implications of this strategy for Council staff, but the personnel implications of any future projects will be considered by Budget Board.
- 3.4 **Legal:** The power to use capital receipts to fund revenue spend associated with the transformation of Council services in order to achieve efficiency savings was set out by the Department for Communities and Local Government in the guidance notes accompanying the 2015 Local Government

funding settlement. The 2018/19 settlement extended this power for a further three years 2021/22.

3.5 **Risk Management:** There are no significant risks associated with this strategy

3.6 **Property:** No direct property implications arise from this strategy.

4. Other options considered

4.1 Capital receipts could alternatively be used to fund capital spend in order to increase the amount of capital funding available and/or to reduce the revenue cost of borrowing. However, the annual revenue savings expected to be achieved from the projects proposed to be funded as proposed in this report are greater than the annual savings in borrowing costs which could be likely to be achieved if these funds were used to fund capital spending (up to a maximum of £752,000 per year, if used to replace borrowing over five years).

4.2 Alternative uses for the assets which have been sold to generate these capital receipts were considered by the Council's Asset Management Group prior to their disposal. The group concluded that the best value course of action for the Council was to dispose of these assets.

5. Executive Summary

Proposals

- 5.1 Capital receipts of £3.62m are available from the sale in 2016/17 and 2017/18 of Council assets including the former Pound Lane depot, the Starting Gate Pub and from the Council's interest in formerly Council owned shared ownership properties. Receipts have also been generated from an overage payment for the re-development of a former Council property at Greenham Park and from considerations for the release of covenants on other formerly Council owned properties.
- 5.2 £3.06m of this sum has been spent or committed to date on projects to help transform Council services in order to achieve revenue savings. This includes £994k for the cost of redundancies as a result of restructuring of Council services in 2016/17 and 2017/18; £1.6m in connection with the conversion of John O' Gaunt to academy status; £245k on the Digital Transformation project to improve online access to Council Services and £200k to reduce the cost of street cleansing.
- 5.3 £561,000 remains from the capital receipts currently available for this purpose. This can be used to fund additional transformation projects, subject to approval by Budget Board.

Equalities Impact Assessment Outcomes

- 5.4 The strategy does not have a direct equalities impact, but more detailed equalities assessments will be carried out for new projects to be funded from this source.

6. Conclusion

- 6.1 Projects already funded under this strategy have achieved annual revenue savings of £2.89m which has been built into the 2016/17 and 2017/18 revenue budgets. Further savings of £664k per year are expected to be achieved in 2018/19 and 2019/20 through the digital transformation project, and changes to the street cleaning service. These additional savings will help to meet revenue savings targets for 2018/19 and 2019/20. The likely savings to be achieved from any future transformation projects will be assessed by Budget Board prior to their approval.

7. Appendices

- 7.1 Appendix A – Supporting Information
- 7.2 Appendix B – Equality Impact Assessment

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Updated Strategy for Use of Capital Receipts 2018/19

1. Background

1.1 As part of the 2015 Local Government Spending Review, the Government provided Councils with the flexibility to use Capital Receipts received in the financial years 2016/17, 2017/18 and 2018/19 to fund transformation and restructuring of services in order to achieve efficiencies and revenue cost savings. The 2018/19 settlement extended this flexibility for a further three years to 2021/22.

1.2 The Government defined expenditure qualifying for funding from capital receipts as follows:

“Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs or to improve the quality of service delivery in future years. Within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility. Set up and implementation costs of any new processes or arrangements can be counted as qualifying expenditure. The ongoing revenue costs of the new processes or arrangements cannot be classified as qualifying expenditure.”

2. The Initial Efficiency Strategy

2.1 In order to qualify for this flexibility an Efficiency Strategy was prepared and approved by the Council in March 2016 as part of the 2016/17 revenue budget. The initial strategy proposed to use the £2.9m capital receipt expected to be received from the sale of the Pound Lane depot to fund the following costs:

Table 1

Project	Capital Receipts funded / £m	Other sources / £m	Expected Annual Savings / £m
Expected cost of redundancies incurred in the financial year 2016/17	1.9	0	2.7
Transformation of service provision	1	0	0.5

3. Updated Efficiency Strategy as at April 2018

- 3.1 The sale of the Pound Lane depot was completed in November 2017. It is therefore now possible to update the strategy taking into account all the available capital receipts from 2016/17 and 2017/18 and the latest estimates of the cost of transformation projects planned to be funded from those receipts.
- 3.2 The actual level of capital receipts available from 2016/17 and 2017/18 to fund the cost of transforming Council Services is as follows:

Table 2

Capital Receipts Available for Transformation Projects 2016/17 and 2017/18	
	£
Pound Lane Depot	3,120,000
The Starting Gate Pub	203,500
Overage payment from Greenham Common Trust in respect of development of site on Greenham Park	187,400
Sale of Council's Interest in Shared Ownership Properties to former tenants	232,500
Other receipts (including considerations for release of covenants on former Council properties)	10,700
Total capital receipts in 2016/17 and 2017/18	3,754,100
Less cost of disposal of assets	- 133,500
Capital receipts available for transformation projects	3,620,600

- 3.3 The actual and forecast future cost of measures proposed to transform Council services in order to achieve efficiency savings is as follows:

Table 3

	Actual Cost in 2016/17	Actual Cost in 2017/18	Total Cost to Date	Forecast Future Costs	Total Proposed to be funded from capital receipts	Annual revenue savings already achieved	Revenue Savings expected to be achieved in 2018/19	Revenue Savings expected to be achieved in 2019/20
	£	£	£	£	£	£	£	£
Redundancies and other staff exit costs incurred in order to achieve efficiency savings	628,218	366,110	994,328	-	994,328	2,700,000		
Conversion of John O' Gaunt School to Academy status - repayment of accumulated deficit and payment to academy sponsor in respect of forecast deficit 2016/17 to 2018/19	1,623,150	-	1,623,150	-	1,623,150	192,718		
Digital Transformation Project - improving online access to Council services	11,700	61,260	72,960	169,494	242,454		50,000	14,000
Redundancies and loss on disposal of vehicles for Veolia from reduction in street cleansing and litter picking service	-	-	-	200,000	200,000		600,000	
Total	2,263,068	427,370	2,690,438	369,494	3,059,932	2,892,718	650,000	14,000

- 3.4 Of the £2.3m costs incurred in 2016/17, £0.6m was funded from capital receipts. Of the remaining spend in 2016/17, £0.7m was funded from the earmarked reserves for Council restructuring and future budget requirements and £1m from the reserve for schools in financial difficulty. Now that the sale of the Pound Lane depot has been completed, those reserves have been replenished from the proceeds of the sale.
- 3.5 The revenue savings already achieved as a result of these measures were built into the 2016/17 revenue budget. The additional revenue savings expected in 2018/19 and 2019/20 will help meet the revenue savings targets set for those years.
- 3.6 If all of the above spend were to be funded from available capital receipts, £561,000 would still be available to fund projects to transform Council Services in 2018/19 and future years. It is proposed that this sum should be transferred to the Council's transformation reserve. Bids can then be submitted to Budget Board for future projects to be funded from this reserve.

4. Impact on Prudential Indicators for Affordability of Capital Investment

- 4.1 The capital programmes for 2016/17, 2017/18 and 2018/19 have been set on the assumption that the capital receipts listed above will not be available to fund capital spend.
- 4.2 However it has been assumed that £725,000 of capital receipts from before 2016/17 and of receipts expected from future sales of assets will be used to help fund the 2018/19 and 2019/20 capital programmes. On this basis the remainder of the Council funded element of the capital programme is planned to be funded from prudential borrowing, supported by an increase of £500,000 per year in the revenue budget for capital financing, which has been allowed for in the MTFS for 2018/19 to 2020/21.

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

Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim:

MEC – Become an even more effective Council

The proposals contained in this report will help to achieve the following Council Strategy priority:

MEC1 – Become an even more effective Council

Officer details:

Name: Gabrielle Esplin
Job Title: Finance Manager – Capital, VAT, Education and Treasury
Tel No: 01635 519836
E-mail Address: gabrielle.esplin@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:	Updated Strategy for Flexible Use of Capital Receipts
Version and release date of item (if applicable):	Version 1 – 28 March 2018
Owner of item being assessed:	Gabrielle Esplin
Name of assessor:	Gabrielle Esplin
Date of assessment:	28 th March 2018

Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	Yes	Already exists and is being reviewed	Yes
Function	No	Is changing	Yes
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:	To set a framework for using capital receipts to fund measures aimed at transforming Council services.
Objectives:	To provide funding for costs and projects associated with the transformation of Council services.
Outcomes:	To enable Council services to be delivered more efficiently.
Benefits:	To achieve revenue savings and improve value for money from Council Services.

<p>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.</p> <p>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race,</p>

Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Further Comments relating to the item:		
No vulnerable groups are directly affected by this item, but equalities impact assessments will be carried out of any individual projects to be funded under this strategy.		

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	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	

Name: Gabrielle Esplin

Date: 28th March 2018

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