

EXECUTIVE

MINUTES OF THE MEETING HELD ON

THURSDAY, 26 JULY 2018

Councillors Present: Dominic Boeck, Graham Bridgman, Anthony Chadley, Jeanette Clifford, Hilary Cole, Lynne Doherty, Marcus Franks, James Fredrickson, Graham Jones and Rick Jones

Also Present: John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Karen Felgate (Contracts and Commissioning Manager), June Graves (Head of Care Commissioning, Housing & Safeguarding), Ian Pearson (Head of Education Service), Councillor Alan Law, Councillor Mollie Lock, Councillor Alan Macro and Linda Pye (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Jeff Brooks and Councillor Lee Dillon

PART I

26. Minutes

The Minutes of the meetings held on 14th and 21st June 2018 were approved as a true and correct record and signed by the Leader.

27. Declarations of Interest

Councillor Marcus Franks declared an interest in Agenda Items 8 and 12, but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate but did not vote on the matter.

28. Public Questions

There were no public questions submitted.

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

(a) Question submitted by Mrs Deborah Bartley-Brown to the Portfolio Holder for Planning, Housing and Waste

A question standing in the name of Deborah Bartley-Brown on the subject of whether the West Berkshire Council website had a tab to report Road Traffic Accidents, would receive a written response from the Executive Member for Planning, Housing and Waste.

29. Petitions

There were no petitions presented to the Executive.

30. Local Lottery (EX3602)

The Executive considered a report (Agenda Item 6) to agree actions set out in this report to progress a Council Lottery Scheme.

Councillor Anthony Chadley confirmed that transformational funding would be used to cover one-off set up costs of £13k and that the benefits of running the scheme would only be realised in the long term. Income in excess of £100k was anticipated which would be used to support local discretionary services and good causes. This was a new, exciting and innovative idea which had been brought forward by a member of staff.

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Councillor Alan Macro advised that the idea of a lottery had first been raised in 2016 by the Resources Select Committee and he stated that it was a shame that it had not been implemented earlier. He queried how much the prizes would be, how the prizes would be funded in the first stage and how the Management Company had been selected. Councillor Anthony Chadley responded that the External Licensed Manager formed part of the contract with Aylesbury Vale and was a standard system used for other Councils who operated a lottery. There was an indemnity in place to ensure that there were sufficient funds to cover off the prizes in the early stages. 20 pence of the £1 ticket price would go into the prize fund and the top prize would be £25k.

Councillor Chadley stated that it was proposed that the Community Solutions Panel should have its terms of reference expanded to include the award of lottery funding against a set of criteria to be agreed as part of the implementation plan. Marketing would be an essential part of the success of the lottery and any suggestions were welcome as to how this could be promoted across the whole community of West Berkshire.

RESOLVED that the proposed actions be agreed.

Other options considered: None

31. Options Paper Agency and Temporary Spend (EX3573)

The Executive considered a report (Agenda Item 7) which set out the options available for the supply and provision of agency and temporary workers following consideration of all of the options, and their relative benefits and risks. The proposals were based upon an analysis of spend and category data that was available to review the options for purchasing.

Councillor Anthony Chadley in introducing the report advised that agency spend was a necessity. Many of the roles were diverse and varied and some were specialised. The Council currently spent around £4m per annum on agency and temporary staff and therefore it was hoped that savings in the region of £150k per annum could be achieved. He thanked Councillor Alan Law for his continued encouragement to look at reducing the amount spent on agency staff.

Councillor Alan Macro explained that Councillor Jeff Brooks had been in the business of agency staffing for around 35 years and he believed that a £4m spend was comparatively low and that the Council would have difficulty in achieving savings. He would be keen to meet with Councillor Chadley to offer advice and discuss this issue. Councillor Chadley assured the Executive that the £4m figure quoted was correct and the saving was a safe estimate. Areas had been identified where it was thought that there had been an overspend and he was confident that the savings would be achieved. He would, however, be happy to meet with Councillor Brooks to discuss the issue.

Councillor Alan Macro asked how managers would be made aware that there was a framework in place. Councillor Alan Law advised that managers would only be able to procure temporary or agency staff through the framework and therefore they would have to use it.

RESOLVED that:

- (a) the ESPO framework be used; and
- (b) authority be delegated to the Head of Commissioning (in consultation with the Head of Finance and Head of Legal) to enter into a call off contract to the successful managed service provider via mini competition.

Other options considered: n/a

32. Extra Care Schemes (EX3603)

(Councillor Marcus Franks declared an interest in Agenda Item 8 by virtue of the fact that he was employed by Sovereign Housing Association. As his interest was personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate but did not vote on the matter.)

The Executive considered a report (Agenda Item 8) which set out the outcome of the tender process and sought delegated authority to award the contract. The existing arrangements were commercially unsustainable for the provider. The tender was running on an 'accelerated open procedure' which would give the Council the ability to conclude a tender process, and allow sufficient time for the provider to resource the schemes, in line with a start date of 1 October 2018.

Councillor Graham Bridgman stated that the report set out the options and sought approval of a way forward.

Councillor Alan Macro asked how this situation had arisen and how the decision to procure had been taken. June Graves responded that current service provision was at risk due to bid errors by the incumbent provider and this had been causing quality issues. There had been some misunderstandings about what was required in the contract. The current contract would terminate at the end of September and therefore a re-tender of the current contract was required as quickly as possible. Councillor Bridgman confirmed that Allied was in financial difficulty and June Graves had come to a decision with them that they could not continue to provide the service and therefore the process of accelerating the procurement of a new contract had commenced in order to provide a safe transition.

RESOLVED that delegation be granted to Head of Adult Social Care in consultation with Head of Finance and Head of Legal Services to enter into a contract with the successful bidder following conclusion of the evaluation.

Other options considered:

- Tender with restricted budget (not likely to encourage quality provision).
- Do nothing (would likely result in legal challenge and put service user safety at risk).
- Tender with guide budget standard procedure (would cause undue delay in securing a new supplier).
- Tender with guide budget on an 'accelerated procedure' – to ensure shortest possible timeframe for new supplier contract award and start date. This was the recommended approach.

33. Contract for Preventative Day Services known as Link Up, Growing for All and Friendship Skills (EX3575)

The Executive considered a report (Agenda Item 9) which sought approval to award a contract to West Berkshire Mencap for preventative day services known as Link Up, Growing for All and Friendship Skills.

Councillor Graham Bridgman stated that Councillor Rick Jones had been more involved with this in his time as Portfolio Holder and he applauded him for that.

Councillor Alan Macro asked how the Council could avoid getting into the same situation again. Councillor Bridgman responded that the provider market was often limited. The service took care around the contractual process but sometimes things happened whereby it was necessary to react. Councillor Rick Jones confirmed that there was a limited provider market which meant that they could dictate timescales.

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RESOLVED to award the contract for preventative day services known as Link Up, Growing for All and Friendship Skills to West Berkshire Mencap as set out in this report.

Other options considered: Terminate services – Adult Social Care relied on these essential services to deliver on their Care Act prevention agenda.

34. **Members' Questions**

There were no Member questions submitted.

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

(a) **Question to be answered by the Portfolio Holder for Highways and Transport, Environment and Countryside submitted by Councillor Alan Macro**

A question standing in the name of Councillor Alan Macro on the subject of what the Council was doing to reduce pollution and emissions from vehicles queueing for the Thatcham level crossing, which was answered by the Executive Member for Highways and Transport, Environment and Countryside.

(b) **Question to be answered by the Portfolio Holder for Planning, Housing and Waste submitted by Councillor Lee Dillon**

A question standing in the name of Councillor Lee Dillon on the subject of why the Council would not enter into a short term lease with the Newbury Community Football Group for use of the Faraday Road site, which was answered by the Executive Member for Planning, Housing and Waste.

(c) **Question to be answered by the Portfolio Holder for Planning, Housing and Waste submitted by Councillor Alan Macro**

A question standing in the name of Councillor Alan Macro on the subject of what plans did the Council have to accept more types of materials in kerbside recycling boxes, which was answered by the Executive Member for Planning, Housing and Waste.

(d) **Question to be answered by the Portfolio Holder for Children, Education and Young People submitted by Councillor Mollie Lock**

A question standing in the name of Councillor Mollie Lock on the subject of, what plans the Council had for school provision in the Theale area if the new primary school was not delivered for September 2019, was answered by the Executive Member for Children, Education and Young People.

(e) **Question to be answered by the Portfolio Holder for Planning, Housing and Waste submitted by Councillor Alan Macro**

A question standing in the name of Councillor Alan Macro on the subject of whether the Portfolio Holder for Waste could provide an update on when residents would have to start paying for their green waste collections, was answered by the Executive Member for Planning, Housing and Waste.

35. **Exclusion of Press and Public**

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned items of business on the grounds that they involve the likely disclosure of exempt information as contained in Paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006. Rule 8.10.4 of the Constitution also refers.

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36. Extra Care Schemes (EX3603)

(Paragraph 5 – information relating to legal privilege)

(Councillor Marcus Franks declared an interest in Agenda Item 8 by virtue of the fact that he was employed by Sovereign Housing Association. As his interest was personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate but did not vote on the matter.)

The Executive considered a report (Agenda Item 12) which sought to inform the Executive on the outcome of the tender process and sought delegated authority to award the contract. The existing arrangements were commercially unsustainable for the provider. The tender was running on an 'accelerated open procedure' which would give the Council the ability to conclude a tender process, and allowed sufficient time for the provider to resource the schemes, in line with a start date of 1 October 2018.

RESOLVED that the recommendations in the exempt report be agreed.

Other options considered: as outlined in the exempt report.

37. Contract for Preventative Day Services known as Link Up, Growing for All and Friendship Skills (EX3575)

(Paragraph 3 – information relating to financial/business affairs of a particular person)
(Paragraph 5 – information relating to legal privilege)

The Executive considered a report (Agenda Item 13) which sought approval to award a contract to West Berkshire Mencap for preventative day services known as Link Up, Growing for All and Friendship Skills.

RESOLVED that the recommendations in the exempt report be agreed.

Other options considered: as outlined in the exempt report.

(The meeting commenced at 5.00pm and closed at 5.46pm)

CHAIRMAN

Date of Signature