

Notice of Meeting



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Executive

Thursday 30 May 2019 at 5.00pm

**in the Council Chamber, Council Offices,
Market Street, Newbury**

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: Tuesday 21 May 2019

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Democratic Services Team on (01635) 519462

e-mail: executivecycle@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



WestBerkshire
C O U N C I L

To:	All Members of the Executive
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Agenda

Part I

Pages

1. **Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 7 - 20
To approve as a correct record the Minutes of the meetings of the Executive held on 28 March 2019 and 25 April 2019.
3. **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](#).
4. **Public Questions**
Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution.
 - (a) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Economic Development and Planning**
"November is now 178 days away (at time of writing) what steps is the council taking to ensure this years rough sleeping winter plan does not have to be re written in December to involve an emergency night shelter?"
 - (b) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Transport and Countryside**
"What is the purpose served by the compulsory acquisition of the memorial field in Thatcham for flood water retention, when that area has never flooded?"
 - (c) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Transport and Countryside**
"Do the new flood defences focus water to the memorial field?"
 - (d) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Transport and Countryside**
"What will happen to the dog enclosure in these plans?"



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- (e) **Question submitted by Mr Peter Norman to the Portfolio Holder for Economic Development and Planning**
“In light of the recent election results, when will the Council undertake a review of the current Core Strategy to ensure that it is still fit for purpose?”
-
- (f) **Question submitted by Mr Peter Norman to the Portfolio Holder for Economic Development and Planning**
“Will the Council review its current land allocations for new housing to ensure that current proposals best meet the challenges of: climate change, improving air quality and maintaining/improving biodiversity in the area?”
-
- (g) **Question submitted by Mrs Pamela Sergent to the Portfolio Holder for Transport and Countryside**
“Will the council admit that the hedge netting in Theale was not properly installed?”
-
- (h) **Question submitted by Mr Thomas Ward to the Portfolio Holder for Transport and Countryside**
“Having been informed that a meeting to discuss and prioritise all drainage works across the district would take place at the end of September 2018, when will the investigation required on the drainage layout on Englefield Road resume?”
-
- (i) **Question submitted by Mr Paul Morgan to the Portfolio Holder for Public Health and Community Wellbeing**
“What is the business case and associated up front and ongoing running costs associated with the latest new suggestion proposed by the Council for the Community Football Ground in Faraday Road?”
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- (j) **Question submitted by Mr Paul Morgan to the Portfolio Holder for Public Health and Community Wellbeing**
“What is the current status of the Playing Pitch Strategy and when will it be available for the general public to view?”
-
- (k) **Question submitted by Mr Jason Braidwood to the Portfolio Holder for Transport and Countryside**
“What quality controls will the Council put in its own Planning Application submission process to avoid a repeat of a recent application that Sport England stated was “extremely poor and lacks detail?”
-
- (l) **Question submitted by Mr Jack Harkness to the Portfolio Holder for Public Health and Community Wellbeing**
“What consultation took place and what evidence of need does the Council have to justify their latest plans announced in March 2019 of a MUGA at the community football ground in Faraday Road?”
-



(m) **Question submitted by Mr Lee McDougall to the Portfolio Holder for Public Health and Community Wellbeing**

“In the light of the recent election results and the influx of so many new Councillors does the Council not agree that it is now time to come together and engage with the wider Football Community of Newbury (together with Sport England and the Berks & Bucks FA) to provide a permanent solution for the ongoing issue of the re-instatement or re-provision of the Community Football Ground at Faraday Road - a solution that is genuinely supported and needed by the Community?”

(n) **Question submitted by Ms Alison May to the Portfolio Holder for Economic Development and Planning**

“Will West Berkshire Council agree to instigate an Ancient Woodland Inventory review, allocating the necessary funding, within West Berkshire Council's current financial year?”

(o) **Question submitted by Mr John Stewart to the Portfolio Holder for Public Health and Community Wellbeing**

“Regarding the delayed change of use of Newbury's main football ground at Faraday Road, please can the Council confirm what costs it incurred from the removal of the spectator stand, fencing, gates and floodlighting and whether any other parties benefitted financially from this?”

(p) **Question submitted by Dr Julie Wintrup to the Portfolio Holder for Internal Governance**

“Now that we have a new council, will the Executive reverse the previous council's decision only to review the unlawful deal with St Modwen's in the privacy of its Scrutiny committee, and instead agree a full public and independent review?”

5. Petitions

Councillors or Members of the public may present any petition which they have received. These will normally be referred to the appropriate Committee without discussion.

6. Members' Questions

Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.

(a) **Question submitted by Councillor Steve Masters to the Portfolio Holder for Economic Development and Planning**

“Given the success of the Night Shelter managed by West Berkshire Homeless will the portfolio holder join me in paying tribute to the voluntary sector (and indeed the landlord) for their work?”



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- (b) **Question submitted by Councillor Steve Masters to the Portfolio Holder for Economic Development and Planning**
“How many people and/or families are on the waiting list for social housing at the moment?”
-
- (c) **Question submitted by Councillor Steve Masters to the Portfolio Holder for Economic Development and Planning**
“How many social housing units have been brought into the local housing stock since May 2015?”
-
- (d) **Question submitted by Councillor Steve Masters to the Portfolio Holder for Economic Development and Planning**
“Does the Housing portfolio holder note any connection between the levels of homelessness and the lack of adequate social housing stock?”
-
- (e) **Question submitted by Councillor Steve Masters to the Portfolio Holder for Economic Development and Planning**
“Given we have invested £60million in commercial property with the option to extend to £100 million how many social housing units would this level of speculative, casino style investment yield if we were to build on existing council land?”
-
- (f) **Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Economic Development and Planning**
“Why and how was the decision made to de-couple the two Sandleford planning applications as revealed by comments recently made by both the CEO of West Berkshire and your Transport Policy Officer as published on the planning portal last month?”
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- (g) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Environment**
“What, if anything, is this Council doing to mark Clean Air Day?”
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- (h) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Transport and Countryside**
“Why were hedges near the construction site of the new Theale C of E Primary School removed during the bird nesting season?”
-
- (i) **Question submitted by Councillor David Marsh to the Portfolio Holder for Public Health and Wellbeing**
“The Secretary of State for Health has recently called for children to be protected from poisonous exhaust fumes through a ban on all vehicles near schools for 45 minutes in the morning and afternoon when they are arriving and leaving. What plans are there to implement this excellent proposal in West Berkshire?”
-



7. **Exclusion of Press and Public**

RECOMMENDATION: That members of the press and public be excluded from the meeting during consideration of the following item as it is likely that there would be disclosure of exempt information of the description contained in the paragraphs of Schedule 12A of the Local Government Act 1972 specified in brackets in the heading of each item. [Rule 8.10.4 of the Constitution refers.](#)

Part II

Item as timetabled in the Forward Plan

	Pages
8. Staffing Restructure at Birchwood Care Home (EX3726) <i>(Paragraph 1 – information relating to an individual)</i> <i>(Paragraph 2 – information identifying an individual)</i> Purpose: To summarise the changes made to the staffing structure at Birchwood Care Home following the 2019/20 investment and to seek approval to delete posts and make redundancy payments.	21 - 38

Sarah Clarke
Head of Legal and Strategic Support

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



DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

EXECUTIVE

MINUTES OF THE MEETING HELD ON THURSDAY, 28 MARCH 2019

Councillors Present: Dominic Boeck, Graham Bridgman, Jeanette Clifford, Hilary Cole, Lynne Doherty, James Fredrickson, Graham Jones and Richard Somner

Also Present: Nick Carter (Chief Executive), Sarah Clarke (Head of Legal Services), Andy Day (Head of Strategic Support), Tess Ethelston (Group Executive (Cons)), Tandra Forster (Head of Adult Social Care), Olivia Lewis (Group Executive (Lib Dem)), Gary Lugg (Head of Development & Planning), Gabrielle Mancini (Economic Development Officer), Stephen Chard (Principal Policy Officer), Councillor Lee Dillon, Councillor Tony Linden, Councillor Mollie Lock, Councillor Gordon Lundie and Councillor Quentin Webb

Apologies for inability to attend the meeting: John Ashworth, Councillor Anthony Chadley and Councillor Rick Jones

PART I

95. Minutes

The meeting commenced with all present observing a one minute silence for former District Councillor Ian Clay who had sadly passed away very recently. As well as being a former District Councillor, Ian had also been a Parish Councillor, a School Governor, had fulfilled roles with Sovereign Housing Association and Royal Berkshire Hospital Foundation Trust, as well as performing volunteer roles. This named just some of the roles that Ian had undertaken both across the District and in his more local area.

The Minutes of the meetings held on 14 February 2019 were approved as a true and correct record and signed by the Leader.

Councillor Graham Jones recorded his thanks for the accuracy of the minutes produced for Executive meetings over the past four year period.

96. Declarations of Interest

There were no declarations of interest received.

97. Public Questions

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

(a) **Question submitted by Miss Louise Harriet Coulson to the Leader of the Council**

A question standing in the name of Miss Louise Harriet Coulson on the subject of the amount of money held in the Council pension pot and the amount made through its investment would receive a written answer from the Portfolio Holder for Finance, Transformation and Property.

(b) **Question submitted by Mr Peter Norman to the Portfolio Holder for Economic Development and Communications**

A question standing in the name of Mr Peter Norman on the subject of the level of support given by the Council to enterprises across West Berkshire was answered by the Portfolio Holder for Economic Development and Communications.

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(c) **Question submitted by Mr Peter Norman to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Peter Norman on the subject of building zero carbon homes was answered by the Portfolio Holder for Planning, Housing and Waste.

(d) **Question submitted by Mr Peter Norman to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Peter Norman on the subject of the impact of new developments on pollution levels was answered by the Portfolio Holder for Planning, Housing and Waste.

(e) **Question submitted by Mrs Martha Vickers to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Mrs Martha Vickers asking how frequently were residents' parking schemes reviewed, in particular those areas where electric charging points were about to be installed, was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

(f) **Question submitted by Ms Lisa Cox to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Ms Lisa Cox (asked on her behalf by Ms Carolyne Culver) on the subject of the action taken by the Council's planning enforcement team after being advised of the poorly installed netting and trapped birds in Theale was answered by the Portfolio Holder for Planning, Housing and Waste.

(g) **Question submitted by Ms Paula Crawford to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Ms Paula Crawford (asked on her behalf by Ms Carolyne Culver) querying who sanctioned the installation of inappropriate hedge netting in Theale was answered by the Portfolio Holder for Planning, Housing and Waste.

(h) **Question submitted by Mrs Sharon Cox to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Ms Sharon Cox (asked on her behalf by Ms Carolyn Culver) seeking confirmation that the Council commissioned an independent Arboricultural Impact Assessment and Arboricultural Method Statement prior to the commencement of construction works in Theale and implemented its recommendations was answered by the Portfolio Holder for Planning, Housing and Waste.

(i) **Question submitted by Mr Tony Vickers to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Mr Tony Vickers on the subject of whether the Council would adopt a policy of 20mph speed limits outside all schools which had flashing lights at drop-off and pick-up times was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

(j) **Question submitted by Mrs Martha Vickers to the Leader of the Council**

A question standing in the name of Mrs Martha Vickers on the subject of whether the Council would follow the lead of other Councils and institute Litter Champions across the District was answered by the Leader of the Council.

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(k) **Question submitted by Mr Andy Moore to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Andy Moore on the subject of what plans the Council had for next winter's sleeping arrangements for the homeless was answered by the Portfolio Holder for Planning, Housing and Waste.

(l) **Question submitted by Mr Andy Moore to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Andy Moore on the subject of how the interaction over next winter's homeless provision between the Council and West Berkshire Homeless would be managed was answered by the Portfolio Holder for Planning, Housing and Waste.

(m) **Question submitted by Dr Julie Wintrup to the Portfolio Holder for Adult Social Care**

A question standing in the name of Dr Julie Wintrup (asked on her behalf by Dr Bob Chapman) on the level of confidence the Executive had that its mistake in managing its social care budget had not impacted on the care received by individuals was answered by the Portfolio Holder for Adult Social Care.

(n) **Question submitted by Dr Julie Wintrup to the Leader of the Council**

A question standing in the name of Dr Julie Wintrup (asked on her behalf by Dr Bob Chapman) on the subject of how the Council would rebuild confidence among the public that it was capable of managing large budgets and public services open and transparently was answered by the Leader of the Council.

(o) **Question submitted by Ms Carlyne Culver to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Ms Carlyne Culver asking how long the Council had been without a trained senior ecologist was answered by the Portfolio Holder for Planning, Housing and Waste.

(p) **Question submitted by Mr Stephen Masters to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Mr Stephen Masters asking whether the Council was seriously considering a western relief road was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

(q) **Question submitted by Ms Alison May to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Ms Alison May on the subject of whether the Council had a Rural Strategy for the defined rural areas of West Berkshire Homeless would receive a written answer from the Portfolio Holder for Planning, Housing and Waste.

(r) **Question submitted by Mr Paul Morgan to the Portfolio Holder for Economic Development and Communications**

A question standing in the name of Mr Paul Morgan (asked on his behalf by Mr Jack Harkness) on whether the Council would share the business case and associated up front and ongoing running costs for the next 3 years, associated with the latest proposal for the Faraday football ground, was answered by the Portfolio Holder for Economic Development and Communications.

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(s) **Question submitted by Mr Lee McDougall to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Lee McDougall asking why the Council's Positioning Statement on LRIE did not disclose that it needed to replace the football ground in order to meet the Government's National Planning Policy Framework was answered by the Portfolio Holder for Planning, Housing and Waste.

(t) **Question submitted by Ms Alison May to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Ms Alison May asking what proportion of North Wessex AONB meetings the Council had attended during the current Administration's four years in office would receive a written answer from the Portfolio Holder for Highways and Transport, Environment and Countryside.

(u) **Question submitted by Mr John Stewart to the Portfolio Holder for Economic Development and Communications**

A question standing in the name of Mr John Stewart on the subject of whether the new football facility, that formed part of the investment in Northcroft Leisure, would be of better or equivalent quality of Faraday Road, as per the requirements of Sport England, if the Faraday Road Football Ground was given planning permission for a change of use, was answered by the Portfolio Holder for Economic Development and Communications.

(v) **Question submitted by Mr Lee McDougall to the Portfolio Holder for Economic Development and Communications**

A question standing in the name of Mr Lee McDougall on the subject of whether the newly planned, bookable 5-a-side pitches at Faraday Road would re-open and make available the existing toilets, changing room, stands and floodlights when it re-opened the facility to the public, was answered by the Portfolio Holder for Economic Development and Communications.

(w) **Question submitted by Mr Stephen Masters to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Mr Stephen Masters asking what modelling and assessment did the Council use to analyse the cost benefits of road widening against the respective cost benefit analysis of spending on cycling and walking infrastructure was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

(x) **Question submitted by Mr Stephen Masters to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Stephen Masters asking what level of salary was required to purchase an 'affordable' home with a 90% mortgage in West Berkshire, and how this related to average household incomes, would receive a written answer from the Portfolio Holder for Planning, Housing and Waste.

98. **Petitions**

There were no petitions presented to the Executive.

99. **West Berkshire Council Economic Development Strategy (EX3674)**

The Executive considered a report (Agenda Item 6) concerning the draft Economic Development Strategy.

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Councillor James Fredrickson introduced the item by explaining that the Economic Development Strategy was designed to help meet forthcoming challenges for the District. Key amongst those challenges was the projected demographic shift in West Berkshire which suggested a move from the current position of having four working age people for every retired person to two working age people for every retired person. A projected 185% increase in over 85 year olds over the next 25 years was not sustainable as things stood and was being prepared for. The Economic Development Strategy had a key role in this.

West Berkshire's local economy was strong, resilient and diverse, and brought many benefits to meet future challenges. The district had an incredible amount to offer businesses and residents with excellent digital connectivity (including broadband in rural areas and a move to 5G connectivity), key strategic transport links, world class training opportunities and representation from a wide range of industries. Councillor Fredrickson added that West Berkshire Council had been nominated for an award for its plans to support economic growth.

In terms of specifics, Councillor Fredrickson highlighted (as one example of many initiatives) that the Economic Development Strategy would encourage the greater uptake of apprenticeships. A Community Apprenticeship Levy Fund would be created and used innovatively to enable a wider range of businesses to employ an apprentice.

The Executive was being asked to approve the Economic Development Strategy for consultation. Subject to gaining approval, the consultation process and the resultant adoption and then implementation of the document would be owned by the newly formed Economic Development Board.

Councillor Lee Dillon advised that he would make his comments in response to the consultation, but he questioned the absence of any mention of Brexit and/or the UK's relationship with the European Union (EU). Had that been considered in the production of the Strategy?

In response, Councillor Fredrickson explained that consideration was given in producing the Strategy to the political situation in relation to the EU and meeting changing market forces. The focus for the future was for West Berkshire to be more independent regardless of difficulties that might be encountered.

RESOLVED that the draft Strategy would be approved for consultation.

Other options considered: None.

100. **Key Accountable Performance 2018/19: Quarter Three (EX3422)**

The Executive considered a report (Agenda Item 7) which outlined quarter three outturns for the Key Accountable Measures (KAMs) which monitored performance against the 2018/19 Council Performance Framework; provided assurance that the objectives set out in the Council Strategy 2015-2019 and other areas of significant activity were being managed effectively; presented, by exception, those measures which were predicted to be 'amber' or 'red' at year end, provided information on any remedial action taken/its impact; and recommended changes to measures/targets requested by services.

Councillor Dominic Boeck in introducing the report drew attention to the fact that actions were being put in place to improve those measures reporting as 'amber' or 'red'. In particular, this included measures relating to:

- (1) The number of bed days due to Delayed Transfers of Care (DToC). This was already reported to Members, including the Overview and Scrutiny Management Commission (OSMC), on a regular basis.

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(2) The number of Adult Social Care (ASC) clients with Long Term Support receiving a review. Improvement actions included an invitation to the Local Government Association to conduct a focussed peer review to identify any further solutions to manage performance in this area.

The report also recommended that the following points be noted:

- House prices and planning measures, and their potential impact on the provision of affordable housing committed to in the draft Council Strategy.
- The increase in demand and its subsequent impact on performance and financial commitment in Children's Social Care and Adult Safeguarding Services.

Councillor Graham Bridgman added to the points made about DToC. He explained that significant improvements had been made in this area of work and this had been achieved with the help of cross-system and cross-organisation co-operation with health partners. However, while performance was considerably better than a year ago, the Council was not resting on its laurels and this work continued to be high on the radar. Benchmarking data was regularly analysed for comparison purposes and to help identify any further areas for improvement.

Turning to Long Term Support packages, Councillor Bridgman advised that plans were in place to review these in line with Care Act requirements. This activity was listed as a high priority as part of the ASC New Ways of Working review. He would be working with officers to continue to make progress in this area.

Finally, Councillor Bridgman made reference to improvements at Birchwood Nursing Home. He had recently visited the home with Councillor Marigold Jaques and they were very impressed by the work of the team at Birchwood. As Portfolio Holder he was satisfied by the considerable amount of work that had been and continued to be undertaken, and by the resource levels put in place. He felt this was in line with the requirements and expectations of the Care Quality Commission (CQC).

Councillor Hilary Cole drew attention to the Council's performance in the area of bin collection and street cleaning. The percentage of recycled, composted, reused and recovered household waste remained positive at an estimate of 89%. This equated with performance of previous years and it was expected that the annual target would be met.

The level of street cleanliness had been judged as 'Good' by Keep Britain Tidy.

Councillor Jeanette Clifford explained that since the report was written, the road condition annual report had been released and this showed that the condition of West Berkshire's roads was found to be better than they had ever been previously.

Councillor James Fredrickson referred to the Measure of Volume for residents in receipt of Job Seeker's Allowance and Universal Credit. He highlighted the point made by officers that under Universal Credit a broader span of claimants were required to look for work than under Jobseeker's Allowance thereby helping more residents find work.

Councillor Lee Dillon queried where it was most appropriate to ask questions on these quarterly performance reports. He had been advised previously to ask questions at OSMC, but this required attendance of Portfolio Holders so they could answer questions. Councillor Graham Jones responded with the view that questions could be answered in more depth at OSMC meetings. Councillor Dillon therefore hoped that at the very least either the Leader, Deputy Leader or Portfolio Holder for Corporate Services would be in attendance at the OSMC. Councillor Graham Jones suggested that dialogue on this matter continue outside of the meeting. Councillor Boeck added that relevant Portfolio Holder attendance at OSMC would be aided by planning work in advance of OSMC meetings.

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Councillor Dillon added comments on DToC, a topic which had been worked on by the OSMC. He commended the improvements that had been made in what was a multi-faceted area of work. Councillor Dillon noted that this was aided by the good relationship in place between the Council and the Royal Berkshire Hospital and felt that this was something to replicate with other hospitals.

Councillor Dillon next turned to the Key Accountable Performance Scorecard. He noted that of the seven priorities for improvement, three were reporting as 'red' and another three as partially 'red'. He queried therefore the level of investment given to these areas by the Council and the level of risk of not achieving these priorities.

Councillor Bridgman responded by pointing out that the 'red' performance in safeguarding vulnerable adults was only as a result of the CQC rating awarded to Birchwood Nursing Home. This would not change until the home was re-inspected. Councillor Bridgman therefore advised that it was necessary to understand the detail behind the RAG ratings.

Councillor Graham Jones encouraged further dialogue on this point at OSMC meetings, with appropriate Members invited to participate in the debate.

RESOLVED that:

- Progress against the KAMs and key achievements in all services be noted.
- Those areas reported as 'amber' and 'red' had been reviewed to ensure that appropriate actions were in place, in particular for the measures relating to:
 - (1) the number of bed days due to Delayed Transfers of Care (DToC) already reported to elected Members during the OSMC on a regular basis; and
 - (2) the number of ASC clients with Long Term Support receiving a review – improvement actions included Corporate Board's recommendation that the LGA be invited to conduct a focused peer review to identify any further solutions to manage performance in this area.
- The house price and planning measures, and their possible impact on the provision of affordable housing committed to in the draft Council Strategy, be noted.
- The increase in demand and its subsequent impact on performance and financial commitment in Children's Social Care and Safeguarding Services be noted.

Other options considered: None.

101. Senior Management Arrangements from April 2019 - Final Proposals (EX3679)

The Executive considered a report (Agenda Item 8) which set out the final proposals for a new emergent senior management structure which, if agreed, would start to be implemented from April 2019.

Councillor Graham Jones commented that a strong and stable senior management structure had been in place at the Council for many years. However, some Heads of Service had retired and others were due to retire in the relatively near future and therefore this emergent senior management structure had been put forward. While an efficient and, as much as possible, a cost effective structure would continue to be in place, a need for enhanced strategic capacity was reflected in the proposed new structure as was the need for different skill sets.

Councillor Graham Jones continued by explaining that the senior management review was not driven by a desire to find savings. There was however an expectation that the changes, including enhanced remuneration, would be met from within the existing budget envelope. Overall financial savings would be delivered through reducing the number of senior managers at Tiers 1 to 3. This was likely to be offset by an increase in

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remuneration but more significantly by a likely increase in capacity and capability at Tier 4. The appointment of an Executive Director (Resources) would create a budget pressure although this would be offset in part by a reduction in the numbers of Heads of Service within the Resources Directorate. It was recommended that any short term budget pressure emerging during 2019/20 would be met from the Restructuring Reserve.

Councillor Lee Dillon advised that the Liberal Democrat Group had received a briefing from the Chief Executive on this report and its proposals. While concern had been expressed of the potential for increased costs, it was felt that the phased approach to the new structure was sensible with implementation as and when Heads of Service retired.

RESOLVED that:

- (1) the consultation comments in paragraphs 2.21 – 2.29 of the main report be noted along with the resulting commentary;
- (2) the proposed new management structure outlined in Appendix E2 be agreed subject to further consideration of the Service Director (Children and Young People) post at an appropriate point in the future;
- (3) the proposal to implement this new management structure from April 2019 (subject to consultation) be noted, and that implementation of the new structure will be emergent;
- (4) appointment to the post of Executive Director (Resources) commences immediately in accordance with the Person Specification, Job Description and Remuneration set out in Appendix F. The Personnel Committee will be asked to authorise that this post is assigned the Council's Section 151 Officer;
- (5) an annual review of the progress with implementing the management structure is undertaken by the Head of Paid Service to determine whether sufficient progress has been made with implementing the new arrangements;
- (6) on the subsequent appointment of Service Director posts, the Tier 4 management arrangements be reviewed and proposals brought forward on a Department by Department basis by the Service Director working to an agreed corporate framework;
- (7) a paper specifying remuneration levels for the Chief Executive, Executive Director, and Service Director posts be brought forward by the Head of HR after April 2019 and that this includes an option to enhance the current grade structure to assist recruitment and retention at Tier 4.

Other options considered: An independent review by South East Employers is set out at Appendix D. This highlights the structural options that have been explored as part of this review. In practice there are not many to choose from. Further potential options are also briefly set out within this paper. The retention of the status quo has not been actively considered given it is deemed necessary to review remuneration levels and if these increase then there is a need to contain the overall cost of any new senior management structure within the existing financial envelope. This can only be done through restructuring.

102. Members' Questions

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

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

A question standing in the name of Councillor Mollie Lock asking what sum of money was needed to get schools out of deficit without further spending cuts was answered by the Portfolio Holder for Children, Education and Young People.

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(b) **Question submitted by Councillor Lee Dillon to the Portfolio Holder for Adult Social Care**

A question standing in the name of Councillor Lee Dillon asking the Portfolio Holder about his involvement in the management of the Adult Social Care budget was answered by the Portfolio Holder for Adult Social Care.

(c) **Question submitted by Councillor Lee Dillon to the Portfolio Holder for Corporate Services**

A question standing in the name of Councillor Lee Dillon on the subject of whether or not there was an outstanding contract with St Modwen in relation to the LRIE was answered by the Portfolio Holder for Corporate Services.

(d) **Urgent Question submitted by Councillor Gordon Lundie to the Portfolio Holder for Planning, Housing and Waste**

An urgent question standing in the name of Councillor Gordon Lundie, asking under what circumstances could a CIL charge be cancelled or set aside, was answered by the Portfolio Holder for Planning, Housing and Waste.

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

An urgent question standing in the name of Councillor Mollie Lock asking for an update on the Highwood Copse project, given that the contractor had gone into administration, was answered by the Portfolio Holder for Children, Education and Young People.

Prior to the move to exclude members of the press and public, Councillor Graham Jones took the opportunity to say farewell to Andy Day, the Head of Strategic Support, who was in attendance at his last Executive meeting before he retired and to place on record his thanks for Andy's work over many years at the Council.

Andy's career in local government started on 20 June 1977 at Gosport Borough Council at the age of 17. In 1988, Andy became an Associate of the Institute of Chartered Secretaries. Andy joined West Berkshire Council in 2001 and had been Head of Service since 2007.

Aside from the workplace, Andy was a passionate footballer. He played semi-professionally for Portsmouth and Councillor Graham Jones enjoyed Andy's regular use of football metaphors at meetings.

Councillor Graham Jones concluded by once again thanking Andy and stating that it had been a great pleasure to work with him.

Councillor Lee Dillon echoed the comments made by the Leader. He added, from Liberal Democrat Members, that Andy's role in Strategic Support and in supporting Members had always extended across both parties in an encouraging way. For example, when Liberal Democrat Members had brought forward propositions, Andy had helped find the best way to bring them before the Council. Councillor Dillon, on behalf of the Opposition, gave thanks to Andy and, on a personal level, thanked Andy for his help in discussing Council issues and stated that his advice had always been welcomed.

Councillor Mollie Lock then gave her thanks to Andy for procuring the Chairman's badges. This was very much appreciated as it recognised that a Member had undertaken this important role.

Councillor Graham Jones then extended his thanks to officers for the support given to himself over many years as this was his last Executive meeting before he stood down as a Councillor. In particular, he singled out Nick Carter, Chief Executive, with whom he had

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worked since 2005, and stated that it had been an absolute pleasure to work with him over such a long period. Nick stated that it had likewise been an absolute pleasure to work with Graham.

As this was Councillor Graham Jones last Executive meeting, Councillor Hilary Cole, on behalf of the Executive, reflected on Graham's time as Leader of the Council. He had served two periods as Leader and in his second spell as Leader he had done exceptionally well, particularly during the very sad and difficult period of time when former Leader, Councillor Roger Croft, had sadly passed away.

She continued by explaining that Graham's consensual and inclusive approach had been both essential and exceptional. He was willing to take the views of others into account and this was important when considering the large Conservative Group and the, at some times, differing views of its Members.

Councillor Cole concluded by stating that it had been an absolute delight to work with Graham and an honour and a privilege to be his Deputy in more recent times. She wished Graham all the very best for the future.

Councillor Dillon referred to the comments already made in relation to Graham's leadership at the Full Council meeting in March 2019. As mentioned by Councillor Cole, Graham took over as Leader in very difficult circumstances when Councillor Croft sadly passed away and his experience, together with already fulfilling the Deputy Leader role and his wide knowledge of how the Council operated, brought much needed stability at that difficult time to the Administration. Councillor Dillon added his best wishes to Graham for the future.

Councillor Dillon then extended best wishes to other Council Members who would not be standing again as Councillors or might not remain in their Seats beyond the May elections.

Councillor Dillon felt that over the past four years, while there had only been a small Opposition, there had been a dignified and respectful relationship between the Administration and Opposition, and the two Groups had worked together well. This had been a very important factor for the Council.

Councillor Graham Jones gave thanks for these many kind comments. He would miss West Berkshire Council, but felt it was the right time to look to new challenges and he already had many plans for his retirement from politics.

Councillor Graham Jones felt that the collegiate atmosphere across the Council, 'The West Berkshire Way', created a positive way of working. He felt that this was the best way to ensure that a good level of service continued to be delivered to West Berkshire's residents.

103. Exclusion of Press and Public

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 1 and 2 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.

104. Youth Offending Team - Redundancy Payments (EX3712)

The Executive considered an exempt report (Agenda Item 11) which sought approval for redundancy payments associated with the organisational change process in the Youth Offending Team.

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RESOLVED that the recommendation in the exempt report be agreed.

Other options considered: as outlined in the exempt report.

(The meeting commenced at 5.00pm and closed at 6.25pm)

CHAIRMAN

Date of Signature

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DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

EXECUTIVE

MINUTES OF THE MEETING HELD ON THURSDAY, 25 APRIL 2019

Councillors Present: Dominic Boeck, Graham Bridgman, Anthony Chadley, Jeanette Clifford, Hilary Cole, Lynne Doherty, Graham Jones, Rick Jones and Richard Somner

Also Present: John Ashworth (Corporate Director - Environment), Bill Bagnell (Manager - Special Projects), Nick Carter (Chief Executive), Tess Ethelston (Group Executive (Cons)), Ian Pearson (Head of Education Service), Shiraz Sheikh (Principal Solicitor), Peta Stoddart-Crompton (Public Relations Officer), Stephen Chard (Principal Policy Officer) and Councillor Mollie Lock

Apologies for inability to attend the meeting: Councillor James Fredrickson

PART I

105. Declarations of Interest

There were no declarations of interest received.

106. Highwood Copse Project (Urgent Item)

The Executive considered a report (Agenda Item 3) which sought approval for an exception to be granted to the Council's Contract Rules of Procedure for the retender of the Highwood Copse Construction Contract. This would be by way of issuing an Invitation to Tender document to two identified contractors and to award the contract to the successful bidder.

Councillor Lynne Doherty explained that this was being proposed as the contractor delivering the Highwood Copse project, Dawnus Construction, had gone into administration in mid-March 2019.

The Council's greatest priority for this project had always been to school children and their families, and the granting of this exception would enable the school to be completed ahead of the Spring of 2020. This would give prospective school children and their families an opportunity to view the completed school before it opened in September 2020.

Councillor Jeanette Clifford asked Councillor Doherty to comment on whether or not due diligence had been followed for the original appointment of this contract.

Councillor Doherty explained that the Council had appointed Dawnus Construction following a full tender process. All required due diligence checks had been undertaken as part of this process including accounts. No issues had been raised at this time. In addition, the Council had appointed Dawnus Construction on previous occasions and therefore had experience of their work.

Councillor Doherty added that advanced payments had not been made to Dawnus Construction with payments only made for works that had been completed.

RESOLVED that an exception would be granted to the Council's Contract Rules of Procedure under Paragraph 11.11.7(c) for the retender of the Highwood Copse Construction Contract by way of issuing an Invitation to Tender document to two identified contractors and to award the contract to the successful bidder.

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Other options considered:

- Full tender starting with advertisement. Longest timescale to deliver with no prospect of achieving a competitive price.
- Select a framework. Quick timescale but where the two identified contractors most likely to provide value for money are not on the same framework.
- Revisit contractors who tendered the contract during 2018. Long timescale and where, with the exception of one contractor, there is no prospect of achieving a competitive price. The one competitive contractor in this previous process is one of the two contractors from whom it is proposed to seek a tender price.
- Direct award to one contractor. Quickest timescale and but with no competition.

(The meeting commenced at 5.00pm and closed at 5.03pm)

CHAIRMAN

Date of Signature

Agenda Item 8.

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