

Individual Decision



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

Thursday, 26th April, 2018

Ref:	Title	Portfolio Member(s)	Page No.
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Individual Executive Member Decision

West Berkshire Council Forward Plan - 31 May 2018 to 31 August 2018 - Summary Report

Committee considering report: Individual Executive Member Decision

Date of Committee: 26 April 2018

Portfolio Member: Councillor Graham Jones

Forward Plan Ref: ID3442

1. Purpose of the Report

1.1 To advise Members and residents of items to be considered by West Berkshire Council over the next four months.

2. Recommendation

2.1 That the Leader of the Council agrees and where appropriate amends the West Berkshire Council Forward Plan.

3. Implications

3.1 **Financial:** The Forward Plan has no financial implications.

3.2 **Policy:** The Forward Plan details the Policies to be adopted by West Berkshire Council.

3.3 **Personnel:** The Forward Plan has no personnel implications.

3.4 **Legal:** The Forward Plan has no legal implications.

3.5 **Risk Management:** The Forward Plan has no risk management implications.

3.6 **Property:** The Forward Plan has no property implications.

3.7 **Other:** Not applicable.

4. Consultation Responses

Members:

Leader of Council: Leader of the Council

Overview & Scrutiny Management Commission Chairman: Councillor Emma Webster at Overview and Scrutiny Management Commission meetings.

Ward Members: All Members

Opposition Councillor Lee Dillon at Overview and Scrutiny Management

- Spokesperson:** Commission meetings.
- Local Stakeholders:** The West Berkshire Forward Plan will be published the first working day after the Individual Decision is signed.
- Officers Consulted:** Nick Carter, John Ashworth, Rachael Wardell, Heads of Service, Group Executive.
- Trade Union:** Not sought.

5. Other options considered

- 5.1 Not applicable.

6. Appendices

- 6.1 Appendix A – Supporting Information
- 6.2 Appendix B - Equalities Impact Assessment
- 6.3 Appendix C – West Berkshire Council Forward Plan – 31 May 2018 to 31 August 2018
- 6.4 Appendix D – Notice of Private Decisions for 14 June 2018 Executive meeting

Individual Executive Member Decision

West Berkshire Council Forward Plan - 31 May 2018 to 31 August 2018 – Supporting Information

1. Introduction/Background

- 1.1 West Berkshire Council's Forward Plan, which is published monthly, sets out the key decisions that the Executive (either collectively or by Individual Executive Members) are expected to take over the next four months.
- 1.2 Key decisions are defined by the Government (Regulation 8 of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2001) as:
- (1) Those which result in the Local Authority incurring expenditure which is, or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which the decision is related.
 - (2) Those which are significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Local Authority.
- 1.3 The introduction of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in September 2012 included a requirement to publish 28 clear days' notice of any intended key decision. It should be noted that "clear days" means working days, from midnight to midnight, and excludes weekends and public holidays, so 28 clear days equates to around 5½ normal weeks.
- 1.4 On occasions, however, situations may arise where an urgent decision needs to be made in respect of an item that does not appear on the Forward Plan. There are two different ways in which this can be done:
- (i) the authority can take an urgent key decision without giving 28 days' notice where it is impracticable to give the full notice, provided that the authority gives at least five days' clear notice to all Members of the Overview and Scrutiny Management Commission, which can then call in the decision to check that it was genuinely urgent; or
 - (ii) where a key decision is so urgent there is not even time to give five clear days' notice, the authority can take the decision if the Chairman of the Overview and Scrutiny Management Commission has agreed that the key decision is urgent and cannot reasonably be deferred.
- 1.5 In addition The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 introduced an entirely new requirement for the Council to publish 28 clear days' notice of the intention to hold a private meeting (or part of a meeting) of the Executive. This 28 day notice must be

reinforced by a five day notice which sets out the reasons for the meeting to be held in private, details of any propositions received as to why the meeting should be open, and the Council’s response. The response will be provided by the Monitoring Officer. The regulations again provide for an urgency procedure, under which the Council can decide the matter with shorter than 28 or five days’ notice, provided that it has first obtained the consent of the Chairman of the Overview and Scrutiny Management Commission.

- 1.6 There are currently two confidential items scheduled for the 14 June 2018 Executive meeting. The required notice is attached as Appendix B and will be displayed at the Council. If any representations are received the five day notice will be issued on 6 June 2018. The items are:
- EX3555 West Berkshire CYPIT (Children and Young Peoples Integrated Therapy Services) (Paragraph 5 - information relating to legal privilege)
 - EX3411 Block purchase '500' hours of Domiciliary Care (Paragraph 5 - information relating to legal privilege)
- 1.7 Details of decisions that Full Council, the Governance and Ethics Committee and the Personnel Committee are going to take are also included for ease of reference. It should, however, be noted that the 2012 Regulations only apply to Executive meetings.
- 1.8 It should also be noted that any changes made to Executive Member Portfolios will be reflected in the Forward Plan once they are known.
- 1.9 Publication of the Forward Plan remains a statutory requirement of the Local Authority. The Forward Plan, any General Exception Decision Notices and Notices of Private Decisions have to be available for inspection and also have to be published on the Council’s website.

Background Papers:

None.

Subject to Call-In:

Yes: No:

- | | |
|---|-------------------------------------|
| The item is due to be referred to Council for final approval | <input type="checkbox"/> |
| Delays in implementation could have serious financial implications for the Council | <input type="checkbox"/> |
| Delays in implementation could compromise the Council’s position | <input checked="" type="checkbox"/> |
| Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months | <input checked="" type="checkbox"/> |
| Item is Urgent Key Decision | <input type="checkbox"/> |
| Report is to note only | <input type="checkbox"/> |

Officer details:

Name: Moira Fraser
 Job Title: Democratic Services Manager
 Tel No: (01635) 519045
 E-mail Address: moira.fraser@westberks.gov.uk

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity.

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

Name of policy, strategy or function:	Forward Plan
Version and release date of item (if applicable):	
Owner of item being assessed:	Moira Fraser
Name of assessor:	Linda Pye
Date of assessment:	16 April 2018

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

1. What are the main aims, objectives and intended outcomes of the policy, strategy function or service and who is likely to benefit from it?	
Aims:	
Objectives:	
Outcomes:	
Benefits:	

2. Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this.
None		

Further Comments relating to the item:		

3. Result	
Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage 2 Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

4. Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	Yes

Name: Linda Pye

Date: 16 April 2018

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

West Berkshire Council Forward Plan

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Key:	C= Council
	DOD= Delegated Officer Decision
	EX= Executive
	GE= Governance and Ethics Committee
	ID= Individual Decision
	PC= Personnel Committee
	PP= Joint Public Protection Committee

West Berkshire Council Forward Plan
31 May 2018 - 31 August 2018

The items included in the Forward Plan were correct at the time of publication. The Forward Plan may however change and you are asked to contact Moira Fraser – Tel (01635) 519045 or email: moira.fraser@westberks.gov.uk to confirm the contents of any meeting agenda before attending. Executive decisions may be taken by the Executive acting as a collective body or by officers acting under delegated powers.

Reference	Item	Purpose	Decision Body	Month/Year	Executive	ID	Date Report Published	Council	Governance and Ethics Committee	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part II	Call In
EX3557	Contact Advice and Assessment Service and Multi Agency Safeguarding Hub- requirement for additional resource		EX	01 June 2018	14/06/18 EX		06/06/18					Karen Atalla	Communities	Children, Education & Young People		No	Yes
EX3558	Wash Common Library - Devolution	To consider the proposed transfer of the Wash Common Library to Newbury Town Council under the devolution agenda.	EX	01 June 2018	14/06/18 EX		06/06/18					Jo Naylor	Resources	Community Resilience & Partnerships		No	Yes
EX3555	West Berkshire CYPIT (Children and Young Peoples Integrated Therapy Services) (Paragraph 5 - information relating to legal privilege)	To seek approval for an exception to the Contract Rules of Procedure in order to secure a 3 year contract, delivering a cumulative saving for WBC. Savings will be realised by the DSG budget.	EX	01 June 2018	14/06/18 EX		06/06/18					Thomas Bailey	Communities	Children, Education & Young People		Yes	No
EX3306	Provisional Financial Outturn Report - 2017/18	To inform Members of the provisional financial performance of the Council for 2017/18 .	EX	01 June 2018	14/06/18 EX		06/06/18			10/07/18		Melanie Ellis	Resources	Finance, Transformation and Economic Development		No	Yes
EX3392	Joint Venture Proposal - Sovereign Housing Association	To approve the business case for a joint venture proposal with Sovereign Housing Association	EX	01 June 2018	14/06/18 EX		06/06/18					June Graves	Resources	Planning and Housing		No	Yes
EX3249	Key Accountable Performance 2017/18: Quarter Four	To report quarter four outturns against the Key Accountable Measures contained in the 2017/18 Council Performance Framework and any additional performance intelligence.	EX	01 June 2018	14/06/18 EX		06/06/18			10/07/18		Catalin Bogos	Resources	Leader of the Council, Strategy		No	Yes
EX3411	Block purchase '500' hours of Domiciliary Care (Paragraph 5 - information relating to legal privilege)	To tender and secure a provider to supply 500 hours of Domiciliary Care per week.	EX	01 June 2018	14/06/18 EX		06/06/18					Thomas Bailey	Resources	Adult Social Care		Yes	No
EX3440	Proposal for loan from West Berkshire Council to Berkshire Healthcare NHS Foundation Trust (Paragraph 3 – information relating to financial/business affairs of particular person)	To explain the purpose and terms of the proposed loan arrangement and to seek approval to enter into a loan agreement with the Berkshire Healthcare NHS Foundation Trust	EX	01 June 2018	14/06/18 EX		06/06/18					Gabrielle Esplin	Resources	Finance, Transformation and Economic Development		Yes	Yes
GE3270	Outcome of the External Review of Internal Audit	To provide members with the results of the external review of internal audit and seek comments on any proposed actions.	GE	01 June 2018			08/06/18		18/06/18 GE			Lesley Flannigan	Resources	Corporate Services		No	Yes
ID3437	A4 Newbury to Calcot Cycle Improvements (Phase 2)	To inform the Executive Member for Highways and Transport of responses received during public consultation on a highway improvement scheme and agree a course of action.	ID	01 June 2018		18/06/18	10/06/18					Neil Stacey	Environment	Highways & Transport		No	Yes
ID3443	West Berkshire Council Forward Plan – 17 July 2018 to 31 October 2018	To agree the Forward Plan for the next four months.	ID	01 June 2018		14/06/18	06/06/18					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service	No	No
PC3559	Transgender Policy	To seek Personnel Committee's approval of the new policy which aims to set out the Council's approach to transgender equality in recruitment and at work, and how it will support employees undergoing gender reassignment.	PC	01 June 2018			tbc				PC TBC	Katie Penlington	Resources	Corporate Services		No	Yes
C3215	SACRE Annual Report	To provide Members with the Annual Report of the Standing Advisory Council on Religious Education (SACRE).	C	01 July 2018			25/06/18	03/07/18 C				Jo Watt	Resources	Leader of the Council, Strategy		No	No
C3260	Amendments to the Constitution	To review and amend sections of the Scheme of Delegation in light of legislative changes and current practice.	C	01 July 2018			25/06/18	03/07/18 C	18/06/18 GE			Sarah Clarke	Resources	Corporate Services		No	No
C3417	New Greenham Park Local Development Order		C	01 July 2018			25/06/18	03/07/18 C			20/04/18 PAG	Michael Butler	Environment	Planning, Housing and Leisure		No	n/a

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West Berkshire Council Forward Plan
31 May 2018 - 31 August 2018

The items included in the Forward Plan were correct at the time of publication. The Forward Plan may however change and you are asked to contact Moira Fraser – Tel (01635) 519045 or email: moira.fraser@westberks.gov.uk to confirm the contents of any meeting agenda before attending. **Executive decisions may be taken by the Executive acting as a collective body or by officers acting under delegated powers.**

Reference	Item	Purpose	Decision Body	Month/Year	Executive	ID	Date Report Published	Council	Governance and Ethics Committee	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part II	Call In
GE3327	West Berkshire Council Financial Statements 2017/18 including External Auditor's Opinion	To provide Members with the final copy of the Council's Financial Statements	GE	01 July 2018			16/07/18		23/07/18 GE			Andy Walker	Resources	Corporate Services		No	
GE3330	Internal Audit Annual Report 2017/18	To provide an opinion on the effectiveness of the Council's internal control framework	GE	01 July 2018			16/07/18		23/07/18 GE			Julie Gillhespey	Resources	Corporate Services		No	
GE3331	Annual Governance Statement	To set out the Annual Governance Statement for the Council for 2017/18. This report includes Statements in Support of the AGS from the S151 Officer and Monitoring Officer.	GE	01 July 2018			16/07/18		23/07/18 GE			Andy Walker	Resources	Corporate Services		No	
ID3444	West Berkshire Council Forward Plan – 29 August 2018 to 30 November 2018	To agree the Forward Plan for the next four months.	ID	01 July 2018		26/07/18	18/07/18					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service	No	No

NOTICE OF A PRIVATE MEETING OF A DECISION-MAKING BODY¹

Notice of an imminent occasion when the public may be excluded from a meeting due to the likelihood that if members of the public were present during an item of business confidential or exempt information would be disclosed to them.

¹ In accordance with Regulation 5(7) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. At least 28 clear days before a private meeting² of a decision-making body, public notice³ must be given which must include a statement of reasons for the meeting to be held in private.
2. At least 5 clear days before a private meeting of a decision-making body, further public notice⁴ must be given which must include a statement of reasons for the meeting to be held in private, details of any representations received by the decision-making body about why the meeting should be open to the public and a statement of the Council's response to such representations.
3. Where the date by which a meeting must be held makes compliance with the above requirements impracticable, the meeting may only be held in private where the decision-making body has obtained agreement from the Chair of the Overview and Scrutiny Management Commission.

Date of Decision or period within which the decision is to be made	Ref No:	Matter in respect of which the decision is to be made	Short Description	Decision maker	Executive Member & Lead Officer	List of documents to be submitted to decision maker	Public or Private meeting. Statement of reasons if private.
14 June 2018	EX3555	West Berkshire CYPIT (Children and Young Peoples Integrated Therapy Services)	To seek approval for an exception to the Contract Rules of Procedure in order to secure a 3 year contract, delivering a cumulative saving for WBC. Savings will be realised by the DSG budget.	Executive	Children, Education & Young People Thomas Bailey	Report and Associated appendices	<i>(Paragraph 5 - information relating to legal privilege)</i>
14 June 2018	EX3411	Block purchase '500' hours of Domiciliary Care	To tender and secure a provider to supply 500 hours of Domiciliary Care per week.	Executive	Adult Social Care Thomas Bailey	Report and Associated appendices	<i>(Paragraph 5 - information relating to legal privilege)</i>

Andy Day
Head of Strategic Support
West Berkshire Council

Date: 16 April 2018

² A 'private meeting' means a meeting or part of a meeting of a decision making body which is open to the public except to the extent that the public are excluded due to the confidential or exempt business to be transacted.

³ In accordance with Regulation 5(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

⁴ In accordance with Regulation 5(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.