

Individual Decision



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

Thursday 14 June 2018

Ref:	Title	Portfolio Member	Page No.
ID3443	West Berkshire Council Forward Plan - 17 July 2018 to 31 October 2018	Councillor Graham Jones	3 - 18



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Individual Executive Member Decision

West Berkshire Council Forward Plan - 17 July 2018 to 31 October 2018 - Summary Report

Committee considering report: Individual Executive Member Decision

Date of Committee: 14 June 2018

Portfolio Member: Councillor Graham Jones

Forward Plan Ref: ID3443

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, Tandra Forster, Ian Pearson, 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 – 17 July 2018 to 31 October 2018

6.4 Appendix D – Notice of Private Decisions for 26 July 2018 Executive meeting

Individual Executive Member Decision

West Berkshire Council Forward Plan - 17 July 2018 to 31 October 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 26 July 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 18 July 2018. The items are:

- EX3603 Extra Care Schemes (Paragraph 5 - information relating to legal privilege)
- EX3575 Contract for Preventative Day Services known as Link Up, Growing for All and Friendship Skills (Paragraph 3 - information relating to financial/business affairs of particular person) (Paragraph 5 - information relating to legal privilege)
- EX3581 Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)

1.7 Details of decisions that Full Council, the Governance and Ethics Committee and the Personnel Committee are going to take are also included for ease of reference. It should, however, be noted that the 2012 Regulations only apply to Executive meetings.

1.8 It should also be noted that any changes made to Executive Member Portfolios will be reflected in the Forward Plan once they are known.

1.9 Publication of the Forward Plan remains a statutory requirement of the Local Authority. The Forward Plan, any General Exception Decision Notices and Notices of Private Decisions have to be available for inspection and also have to be published on the Council’s website.

Background Papers:

None.

Subject to Call-In:

Yes: No:

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

Officer details:

Name: Moira Fraser
Job Title: Democratic Services Manager
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Appendix B

Equality Impact Assessment - Stage One

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

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

Name of policy, strategy or function:	Forward Plan
Version and release date of item (if applicable):	
Owner of item being assessed:	Moira Fraser
Name of assessor:	Jo Reeves
Date of assessment:	4 June 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: Jo Reeves

Date: 4 June 2018

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

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West Berkshire Council Forward Plan

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West Berkshire Council Forward Plan
17 July 2018 - 31 October 2018

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

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
EX3573	Options Paper Agency and Temporary Spend	Options paper for future agency spend across WBC	EX	01 July 2018	26/07/18 EX		06/06/18					Karen Felgate	Resources	Adult Social Care		Yes	Yes
EX3602	Local Lottery	To agree the actions set out in this report to progress a Council Lottery Scheme.	EX	01 July 2018	26/07/18 EX							Leigh Hogan/June Graves	Resources	Finance, Transformation and Property			
EX3603	Extra Care Schemes (Paragraph 5 - information relating to legal privilege)	To seek delegated authority to award the contract for services.	EX	01 July 2018	26/07/18 EX		18/07/18					Robert Bradfield	Resources	Adult Social Care		Yes	No
EX3575	Contract for Preventative Day Services known as Link Up, Growing for All and Friendship Skills (Paragraph 3 - information relating to financial/business affairs of particular person) (Paragraph 5 - information relating to legal privilege)	To seek approval to award a contract to West Berkshire Mencap for preventative day services known as Link Up, Growing for All and Friendship Skills.	EX	01 July 2018	26/07/18 EX		18/07/18					Karen Felgate	Resources	Adult Social Care		Yes	No
EX3581	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 July 2018	26/07/18 EX		18/07/18					Richard Turner	Communities	Finance, Transformation and Property		Yes	No
EX3604	Devolution		EX	01 July 2018	26/07/18 EX							Jo Naylor	Resources	Community Resilience and Partnerships		No	Yes
GE3330	Internal Audit Annual Assurance Report	The Public Sector Internal Audit Standards (PSIAS) require the Audit Manager to make a formal annual report to those charged with governance within the Council	GE	01 July 2018			20/07/18		30/07/18 GE			Julie Gillhespey	Resources	Corporate Services		No	
GE3601	Review of Governance of Risk Management	To review the governance and management arrangements of the Council's Risk Management function.	GE	01 July 2018			20/07/18		30/07/18 GE			Andy Day	Environment	Corporate Services			
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 July 2018			20/07/18		30/07/18 GE			Julie Gillhespey	Resources	Corporate Services		No	Yes
GE3577	Planned Audit Fee for 2018/19	To note the contents of the audit fee letter.	GE	01 July 2018			20/07/18		30/07/18 GE			Lesley Flannigan	Resources	Chairman of Governance and Ethics Committee			
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			20/07/18		30/07/18 GE			Andy Walker	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			20/07/18		30/07/18 GE			Andy Walker	Resources	Corporate Services		No	
ID3391	Newbury Town Design Statement (2017)	To report on the formal public consultation undertaken on the Newbury Town Design Statement and to consider its adoption as part of the community planning process.	ID	01 July 2018		01/07/18	tbc					Sarah Conlon	Economy and Environment	Planning, Housing and Waste	Statutory consultees, local stakeholders and members of the public. Community involvement has been an integral part of the process to date.	No	Yes
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					Maira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service	No	No
ID3413	Parking scheme - Consolidation Order Amendment 28	To consider the responses received during statutory consultation	ID	01 August 2018		01/08/18	TBC					Alex Drysdale	Environment	Highways and Transport, Environment and Countryside	Statutory consultees, general public, Town and Parish Councils and Ward Members	No	Yes
ID3574	Traffic Regulation Order for the Closure of Rail Crossings	To decide any objections received	ID	01 August 2018		tbc	tbc					Glyn Davis	Environment	Highways and Transport, Environment and Countryside			
C3215	SACRE Annual Report	To provide Members with the Annual Report of the Standing Advisory Council on Religious Education (SACRE).	C	01 September 2018			06/09/18	13/09/18 C				Jo Watt	Resources	Children, Education & Young People		No	No
EX3272	Legal Shared Service	The purpose of this report is to seek an 'in principle' decision to consider a shared service for Legal Services.	EX	01 September 2018	06/09/18 EX		29/08/18					Sarah Clarke	Resources	Corporate Services		No	Yes

**West Berkshire Council Forward Plan
17 July 2018 - 31 October 2018**

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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
EX3420	Key Accountable Performance 2018/19: Quarter One	To report Q1 outturns for the Key Accountable Measures which monitor performance against the 2018/19 Council Performance Framework. To provide assurance that the objectives set out in the Council Strategy and other areas of significant activity are being managed effectively. To present, by exception, those measures that are predicted to be 'amber' or 'red' and provide information on any remedial action taken and the impact of that action. To recommend changes to measures/targets as requested by services.	EX	01 September 2018	06/09/18 EX		29/08/18			09/10/18		Catalin Bogos	Resources	Corporate Services		No	
EX3561	Revenue Financial Performance Report - Q1 of 2018/19	To inform Members of the latest financial performance of the Council.	EX	01 September 2018	06/09/18 EX		29/08/18					Melanie Ellis	Resources	Finance, Transformation and Property			
EX3421	Key Accountable Performance 2018/19: Quarter Two	To report Q2 outturns for the Key Accountable Measures which monitor performance against the 2018/19 Council Performance Framework. To provide assurance that the objectives set out in the Council Strategy and other areas of significant activity are being managed effectively. To present, by exception, those measures that are predicted to be 'amber' or 'red' and provide information on any remedial action taken and the impact of that action. To recommend changes to measures/targets as requested by services.	EX	01 September 2018	20/12/18 EX		12/12/18			15/01/19		Catalin Bogos	Resources	Corporate Services		No	
EX3578	Implications of the NJC Pay Award in April 2019	To make changes to the Council's Pay Policy Statement.	EX	01 September 2018	06/09/18 EX		29/08/18					Robert O'Reilly	Resources	Corporate Services		No	Yes
EX3582	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 September 2018	06/09/18 EX		29/08/18					Richard Turner	Communities	Finance, Transformation and Property		Yes	No
EX3591	Capital Financial Performance Report - Q1 of 2018/19	To inform Members of the latest financial performance of the Council.	EX	01 September 2018	06/09/18 EX		29/08/18					Gabrielle Esplin	Resources	Finance, Transformation and Property			
EX3605	Devolution		EX	01 September 2018	06/09/18 EX							Jo Naylor	Resources	Community Resilience and Partnerships		No	Yes
ID3445	West Berkshire Council Forward Plan – 9 October 2018 to 31 January 2019	To agree the Forward Plan for the next four months.	ID	01 September 2018		06/09/18	29/08/18					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service	No	No
ID3620	SEND Strategy	To approve the SEND Strategy	ID	01 September 2018		06/09/18						Nina Bhakiri	Communities	Children, Education & Young People			
PP3569	Public Protection Partnership Scheme of Delegation	Scheme of Delegation	PP	01 September 2018							JPPC 18/09/2018	Sean Murphy	Economy and Environment	Councillor Iain McCracken - Chairman of JPPC			
PP3570	Public Protection Partnership Budget 2019/20	To consider the draft budget prior to submission to the councils	PP	01 September 2018							JPPC 18/09/2018	Sean Murphy	Economy and Environment	Councillor Iain McCracken - Chairman of JPPC			
PP3571	Public Protection Partnership Community Fund Applications	To consider applications for the Public Protection Community Fund and where appropriate approve for payment	PP	01 September 2018							JPPC 18/09/2018	Paul Anstey	Economy and Environment	Councillor Iain McCracken - Chairman of JPPC			
EX3583	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 October 2018	18/10/18 EX		10/10/18					Richard Turner	Communities	Finance, Transformation and Property		Yes	No
EX3590	Corporate Offices and School Building Cleaning Services	To inform of the procurement route for the supply/provision of Corporate Offices	EX	01 October 2018	18/10/18 EX		10/10/18					Tracy Washer	Resources	Corporate Services and Children, Education and Community Resilience and Partnerships		Yes	
EX3606	Devolution		EX	01 October 2018	18/10/18 EX							Jo Naylor	Resources	Community Resilience and Partnerships		No	Yes
ID3446	West Berkshire Council Forward Plan – 13 November 2018 to 28 February 2019	To agree the Forward Plan for the next four months.	ID	01 October 2018		11/10/18	03/10/18					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.
26 July 2018	EX3603	Extra Care Schemes	To seek delegated authority to award the contract for services.	Executive	Robert Bradfield Adult Social Care	Report and associated appendices	<i>(Paragraph 5 - information relating to legal privilege)</i>
26 July 2018	EX3575	Contract for Preventative Day Services known as Link Up, Growing for All and Friendship Skills	To seek approval to award a contract to West Berkshire Mencap for preventative day services known as Link Up, Growing for All and Friendship Skills.	Executive	Karen Felgate Adult Social Care	Report and associated appendices	<i>(Paragraph 3 - information relating to financial/business affairs of particular person) (Paragraph 5 - information relating to legal privilege)</i>
26 July 2018	EX3581	Proposed Property Investment	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	Executive	Richard Turner Finance, Transformation and Property	Report and associated appendices	<i>(Paragraph 3 - information relating to financial/business affairs of particular person)</i>

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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.

Head of Strategic Support
West Berkshire Council

Date: 4 June 2018

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