

Individual Decision



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

Thursday, 29th November, 2018

Ref:	Title	Portfolio Member(s)	Page No.
ID3448	West Berkshire Council Forward Plan - 4 January 2019 to 30 April 2019	Councillor Graham Jones	3 - 14



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Individual Executive Member Decision

West Berkshire Council Forward Plan - 04 January 2019 to 30 April 2019 - Summary Report

Committee considering report:	Individual Executive Member Decision
Date of Committee:	29 November 2018
Portfolio Member:	Councillor Graham Jones - Leader of the Council
Forward Plan Ref:	ID3448

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 – 04 January 2019 to 30 April 2019

6.4 Appendix D – Notice of Private Decisions for 17 January 2019 Executive meeting

Individual Executive Member Decision

West Berkshire Council Forward Plan - 4 January 2019 to 30 April 2019 - 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 is currently a confidential item scheduled for the 17 January 2019, 14 February 2019, 28 March 2019 and 23 May 2019 Executive meetings. 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 9 January 2019. The items are:

17th January 2019:

- EX 3586 – Proposed Property Investment (*Paragraph 3 - information relating to financial/business affairs of particular person*) (if needed)

14th February 2019:

- EX 3587 – Proposed Property Investment (*Paragraph 3 - information relating to financial/business affairs of particular person*) (if needed)

28th March 2019:

- EX 3588 – Proposed Property Investment (*Paragraph 3 - information relating to financial/business affairs of particular person*) (if needed)

23rd May 2019:

- EX 3589 – Proposed Property Investment (*Paragraph 3 - information relating to financial/business affairs of particular person*) (if needed)

1.7 There has been one amendment made to the 17th January 2019 Executive meeting since the Forward Plan was last published:

- Protection of Land – Unauthorised Encampments has been delayed until the January 2019 meeting

1.8 The following Individual Decision has been added to the Forward Plan for January 2019:

- ID3672 Annual Equalities Report (31 January 2019)

1.9 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.

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

1.11 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
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:	30 October 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: 30 October 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
4 January 2019 - 30 April 2019

Key:	C= Council
	DOD= Delegated Officer Decision
	EX= Executive
	GE= Governance and Ethics Committee
	ID= Individual Decision
	PC= Personnel 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
EX3655	Protection of Land - Unauthorised Encampments	To provide a response to the Motion asking the Council to assess the susceptibility of	EX	01 January 2019	17/01/19 EX		09/01/19					Paul Hendry	Economy and Environment	Highways, Transport, Environment and
EX3609	Devolution	To determine plans for devolution to Parish and Town Councils.	EX	01 January 2019	17/01/19 EX		09/01/19					Jo Naylor	Resources	Community Resilience and Partnerships
EX3586	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 January 2019	17/01/19 EX		09/01/19					Richard Turner	Communities	Finance, Transformation and Property
ID3449	West Berkshire Council Forward Plan – 5 February 2019 to 31 May	To agree the Forward Plan for the next four months.	ID	01 January 2019		03/01/19	21/12/18					Moira Fraser	Resources	Leader of the Council, Strategy
ID3672	Annual Equalities Report	Provide an update on progress with the Council's Equalities Objectives which is required by legislation to be published on the Council's website in January each year.	ID	01 January 2019		31/01/19						Rachel Craggs	Resources	Leader of the Council
	Joint Public Protection Committee	To consider the effectiveness of the Public Protection Shared Service and the process for setting fees and charges.	OSMC	01 January 2019			07/01/19			15/01/19		Sean Murphy	Economy and Environment	Community Resilience and Partnerships
EX3593	Capital Financial Performance Report - Q3 of 2018/19	To inform Members of the latest financial performance of the Council.	EX	01 February 2019	14/02/19 EX		06/02/19					Shannon Coleman-Slaughter	Resources	Finance, Transformation and Property
EX3563	Revenue Financial Performance Report - Q3 of 2018/19	To inform Members of the latest financial performance of the Council.	EX	01 February 2019	14/02/19 EX		06/02/19					Melanie Ellis	Resources	Finance, Transformation and Property
EX3610	Devolution	To determine plans for devolution to Parish and Town Councils.	EX	01 February 2019	14/02/19 EX		06/02/19					Jo Naylor	Resources	Community Resilience and Partnerships
EX3587	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 February 2019	14/02/19 EX		06/02/19					Richard Turner	Communities	Finance, Transformation and Property
GE3406	Internal Audit – Interim Report 2018-19	To agree the interim Internal Audit report for 2018/19.	GE	01 February 2019			25/01/19		04/02/19 GE			Julie Gillhespey	Resources	Corporate Services
ID3450	West Berkshire Council Forward Plan – 19 March 2019 to 30 June 2019	To agree the Forward Plan for the next four months.	ID	01 February 2019		14/02/19	06/02/19					Moira Fraser	Resources	Leader of the Council, Strategy
C3650	Governance of the Code of Conduct Regime	To consider the governance arrangements around Standards complaints.	C	01 March 2019			25/01/19	05/03/19 C	04/02/19 GE			Sarah Clarke	Resources	Corporate Services
C3405	Amendments to the Constitution – Scheme of Delegation	To review and amend sections of the Scheme of Delegation in light of legislative changes and current practice.	C	01 March 2019			25/01/19	05/03/19 C	04/02/19 GE			Sarah Clarke	Resources	Corporate Services
C3576	Supplementary Planning Document for Sustainable Drainage	To agree the SPD for sustainable drainage.	C	01 March 2019			26/02/19	05/03/19 C				Stuart Clark	Environment	Planning, Housing and Waste
C3613	Investment and Borrowing Strategy 2019/20	In compliance with the Local Government Act 2003, this report summarises the Council's Borrowing Limits as set out by CIPFA's Prudential Code and recommends the Annual Investment and Borrowing Strategy for 2019/20	C	01 March 2019	14/02/19 EX		26/02/19	05/03/19 C				Gabrielle Esplin	Resources	Finance, Transformation and Property
C3615	Capital Strategy and Programme 2019/20 to 2023/24	To outline the five year Capital Strategy for 2019 to 2024, including the Minimum Revenue Provision (MRP) Statement and the Asset Management Plans for Property and Highways, and to set out the funding framework for the Council's five year Capital Programme for 2019/20 to 2023/24.	C	01 March 2019	14/02/19 EX		26/02/19	05/03/19 C				Shannon Coleman-Slaughter	Resources	Finance, Transformation and Property
C3614	Medium Term Financial Strategy 2019/20 to 2021/22	To agree the medium term financial planning and strategy for the organisation	C	01 March 2019	14/02/19 EX		26/02/19	05/03/19 C				Andy Walker	Resources	Finance, Transformation and Property
C3617	Statutory Pay Policy 2019	To seek Council's approval of the Statutory Pay Policy Statement for publication from 1st April 2019.	C	01 March 2019			26/02/19	05/03/19 C				Robert O'Reilly	Resources	Corporate Services

**West Berkshire Council Forward Plan
4 January 2019 - 30 April 2019**

Key:

C= Council
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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
C3616	Revenue Budget 2019/20	To consider and recommend to Council the 2019-20 Revenue Budget.	C	01 March 2019	14/02/19 EX		26/02/19	05/03/19 C				Melanie Ellis	Resources	Finance, Transformation and Property
C3647	West Berkshire Vision 2036	For the Council to approve the Vision 2036 document and the proposed delivery framework	C	01 March 2019			26/02/19	05/03/19 C				Gabrielle Mancini	Resources	Corporate Services
EX3422	Key Accountable Performance 2018/19: Quarter Three	To report Q3 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	EX	01 March 2019	28/03/19 EX		20/03/19			09/04/19		Catalin Bogos	Resources	Corporate Services
EX3611	Devolution	To determine plans for devolution to Parish and Town Councils.	EX	01 March 2019	28/03/19 EX		20/03/19					Jo Naylor	Resources	Community Resilience and Partnerships
EX3588	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 March 2019	28/03/19 EX		20/03/19					Richard Turner	Communities	Finance, Transformation and Property
PP3652	Public Protection Partnership Community Fund Applications	To consider applications for the Public Protection Community Fund and where	PP	01 March 2019			TBA				TBA	Paul Anstey	Economy and Environment	Cllr Iain McCracken - Bracknell Forest District
PP3653	Public Protection Partnership Control Strategy	To consider draft Public Protection Partnership Control Strategy and amend and Approve	PP	01 March 2019			TBA				TBA	Sean Murphy	Economy and Environment	Cllr Iain McCracken - Bracknell Forest District Council
PP3654	Public Protection Partnership Strategic Assessment	To consider draft Public Protection Partnership Strategic Assessment and amend and Approve	PP	01 March 2019			TBA				TBA	Sean Murphy	Economy and Environment	Cllr Iain McCracken - Bracknell Forest District Council
GE3426	Internal Audit Plan 2019/20	To outline the proposed internal audit work programme for the next three years	GE	01 April 2019			05/04/19		15/04/19 GE			Julie Gillhespey	Resources	Corporate Services
GE3427	External Audit Plan 2019-20	To provide Members with a copy of the External Audit Plan for 2018-19	GE	01 April 2019			05/04/19		15/04/19 GE			Lesley Flannigan	Resources	Corporate Services
GE3640	Risk Management Update Report Year End 2018/19	To provide an update with progress.	GE	01 April 2019			05/04/19		01/06/19 GE			Catalin Bogos	Resources	Corporate Services
GE3629	Internal Audit – Interim Report 2018-19	To update the Committee on the outcome of internal audit work.	GE	01 April 2019			05/04/19		15/04/19 GE			Julie Gillhespey	Resources	Corporate Services
ID3451	West Berkshire Council Forward Plan – 10 May 2019 to 31 August 2019	To agree the Forward Plan for the next four months.	ID	01 April 2019		04/04/19	27/03/19					Moira Fraser	Resources	Leader of the Council, Strategy

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	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.
17 January 2019	EX3586	Proposed Property Investment	<i>To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy</i>	Executive	Councillor Anthony Chadley Richard Turner	Report and associated appendices	(Paragraph 3 - information relating to financial/business affairs of particular person)

Andy Day
Head of Strategic Support
West Berkshire Council

Date: 21 November 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.