

Notice of Meeting



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Executive

Thursday 5 September 2019 at 5.00pm

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

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Date of despatch of Agenda: Thursday, 29 August 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

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WestBerkshire
C O U N C I L

To:	Councillors Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Jeff Cant, Hilary Cole, Lynne Doherty, Rick Jones, Richard Somner and Howard Woollaston
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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 - 16
To approve as a correct record the Minutes of the meeting of the Executive held on 25 July 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 Vaughan Miller to the Portfolio Holder for Public Health and Community Wellbeing**
"Are there any areas of disagreement between Sports England, The FA & WBC preventing publication of the Playing Pitch Strategy, which was commissioned in June 2017?"
 - (b) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Transport and Countryside**
"In relation to the new park at the Nature Discovery Centre. Why does the council keep referring back to using an outdated DDA legislation repealed in 2010 and replaced by the Equalities act when looking into Disability access?"
 - (c) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Internal Governance**
"While previous attempts by the newspaper have been blocked, do you think it's in the public interest to release details of any minor offences councillor may have committed as a way to for the public to fully understand our elected councillors?"



(d) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Economic Development and Planning**

“With less than 70 days (at time of submission) until the stage of winter, does the council have sufficient beds for SWEP provision without having to require spaces from West Berkshire Homeless?”

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.

Petition to be presented by Mrs Jackie Paynter in relation to the third runway at Heathrow.

Items as timetabled in the Forward Plan

	Page(s)
6. 2019/20 Revenue Financial Performance Report - Quarter One (EX3795) Purpose: To report on the quarter one revenue financial performance.	17 - 60
7. 2019/20 Capital Programme Financial Performance Report - Quarter One (EX3799) Purpose: To report on the quarter one capital financial performance.	61 - 76
8. Treasury Management Annual Report 2018-19 (EX3806) Purpose: To inform Members of the treasury management activity, including short and long term borrowing, and the performance of the Council's investments for the financial year 2018/19.	77 - 92
9. Devolution: garage adjacent to Beansheaf Community Centre, Calcot (EX3756) Purpose: To obtain authority to devolve the freehold interest in the garage at the Beansheaf Community Centre, Calcot, from West Berkshire Council to Holybrook Parish Council for a nominal consideration.	93 - 104
10. Reducing rough sleeping in West Berkshire: A plan to ensure no-one has the need to sleep rough (EX3724) Purpose: To adopt a plan that sets out how the Council intends to address rough sleeping.	105 - 134



11. **Protection of Land - Unauthorised Encampments (EX3655)** 135 - 152
(CSP:)

Purpose: On the 13th September 2018 a Motion was submitted to Council as follows:

“The Council resolves that an assessment of the susceptibility of each of its green areas in towns and villages to unauthorised encampments be urgently carried out. The assessment should assess each site on its vulnerability to incursions and the likely impact on nearby homes. The assessment to be used to prioritise a programme to improve the security of the sites against future incursions.”

The Motion was referred without debate to Executive. The purpose of this report is therefore to consider the various options in order to fulfil the objectives of the Motion.

Items not timetabled in the Forward Plan

	Page(s)
12. Interim report on progress since declaring a Climate Emergency (information item)	153 - 158
13. 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 Carlyne Culver to the Portfolio Holder for Internal Governance <i>“When will environmental impact assessments apply to all projects, as equality impact assessments already do?”</i>	
(b) Question submitted by Councillor Carlyne Culver to the Portfolio Holder for Economic Development and Planning <i>“What is the timescale for recruiting an in house ecologist?”</i>	
(c) Question submitted by Councillor Carlyne Culver to the Portfolio Holder for Environment <i>“What is the Council's initial reaction to the results of the ‘Consultation on consistency in household and business recycling collections in England: analysis of responses’ published in July?”</i>	



(d) **Question submitted by Councillor Martha Vickers to the Portfolio Holder for Transport and Countryside**

“Will the Council reconsider introducing free parking in the Wharf car park in Newbury on Thursdays in order to increase footfall in the town centre on Market Day?”

14. **Exclusion of Press and Public**

RECOMMENDATION: That members of the press and public be excluded from the meeting during consideration of the following items 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

15. **Land on Love Lane (EX3787)** 159 - 182
(Paragraph 3 – information relating to financial/business affairs of particular person)
(Paragraph 5 – information relating to legal privilege)
Purpose: To propose the transfer of an asset.
16. **Staffing implications due to a proposed Contact Centre Management Restructure (EX3818)** 183 - 186
(Paragraph 1 - information relating to an individual)
(Paragraph 2 - information identifying an individual)
Purpose: To set out the staffing implications which are likely to result from the proposed management restructure of the Council’s Contact Centre.

Sarah Clarke
Head of Legal and Strategic Support

West Berkshire Council Strategy Priorities

Council Strategy Priorities:

PC1: Ensure our vulnerable children and adults achieve better outcomes

PC2: Support everyone to reach their full potential

OFB1: Support businesses to start, develop and thrive in West Berkshire

GP1: Develop local infrastructure to support and grow the local economy

GP2: Maintain a green district

SIT1: Ensure sustainable services through innovation and partnerships

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



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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 JULY 2019

Councillors Present: Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Jeff Cant, Hilary Cole, Lynne Doherty, Richard Somner and Howard Woollaston

Also Present: Robert Bradfield (Service Manager - Commissioning), Rebecca Braithwaite (Contracts & Commissioning Officer), Nick Carter (Chief Executive), Tess Ethelston (Group Executive (Cons)), Karen Felgate (Contracts and Commissioning Manager), Mark Lewis (Strategic Commissioning & Compliance Manager), Olivia Lewis (Group Executive (Lib Dem)), Ian Pearson (Head of Education Service), Shiraz Sheikh (Deputy Monitoring Officer), Andy Walker (Head of Finance and Property), Jon Winstanley (Head of Transport and Countryside), Councillor Adrian Abbs, Councillor Jeff Brooks, Stephen Chard (Principal Policy Officer), Councillor Carolyne Culver, Councillor Owen Jeffery, Councillor Ross Mackinnon, Councillor Alan Macro, Councillor Steve Masters, Councillor Andy Moore, Councillor Erik Pattenden and Jo Reeves (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor Lee Dillon, Councillor Rick Jones and Councillor David Marsh

PART I

17. Minutes

The Minutes of the meeting held on 13 June 2019 were approved as a true and correct record and signed by the Leader.

18. Declarations of Interest

There were no declarations of interest received.

19. Public Questions

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

(a) Question submitted by Mrs Jackie Paynter to the Portfolio Holder for Environment

A question standing in the name of Mrs Jackie Paynter on the subject of whether the Council planned to increase its recycling rate to emulate that of neighbouring South Oxfordshire Council was answered by the Portfolio Holder for Environment.

(b) Question submitted by Mrs Jackie Paynter to the Portfolio Holder for Environment

A question standing in the name of Mrs Jackie Paynter on the subject of whether the Council planned to encourage residents to produce less waste, as councils like Stroud had done, was answered by the Portfolio Holder for Environment.

(c) Question submitted by Mr Lee McDougall to the Portfolio Holder for Economic Development and Planning

A question standing in the name of Mr Lee McDougall querying the level of funding that the Council felt it would need to provide a replacement facility for the football ground at

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Faraday Road, that was of an equivalent or better quality, was answered by the Portfolio Holder for Economic Development and Planning.

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

A question standing in the name of Mr Lee McDougall on the subject of whether representatives of the children and women users of the community football ground had been invited to join the membership of the London Road Project Board was answered by the Portfolio Holder for Economic Development and Planning.

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

A question standing in the name of Mr Lee McDougall asking how the London Road Project Board intended to consult with the public about the potential impact to the community football ground to ensure all views were captured was answered by the Portfolio Holder for Economic Development and Planning.

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

A question standing in the name of Mr Lee McDougall, which sought confirmation of the terms of reference of the recently set up London Road Project Board, was answered by the Portfolio Holder for Economic Development and Planning.

20. **Petitions**

There were no petitions presented to the Executive.

21. **Key Accountable Performance 2018/19: Quarter Four (EX3423)**

The Executive considered a report (Agenda Item 6) concerning the Council's Key Accountable Performance 2018/19: Quarter Four. Councillor Howard Woollaston introduced the report 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; and presented, by exception, those measures which were reported 'red' at year end; and outlined remedial action taken/its impact.

Councillor Woollaston reported that the Council was performing well against many of its demanding targets and continually strived to improve standards. He proposed acceptance of the report's recommendations.

Councillor Lynne Doherty added that the Council had, in general, coped well in areas of high demand, in particular Adult Social Care (ASC) and Children and Family Services.

Councillor Doherty was disappointed that the very ambitious and challenging educational attainment targets had not been met. However, she was pleased that improvements had still been made. It was the case that school standards were improving nationally and this made the achievement of targets, that would place West Berkshire in the top quartile, even more challenging.

Turning to the strategic priority to close the educational attainment gap, Councillor Doherty stated that work to improve the attainment of pupils eligible for Free School Meals (FSM) and help them achieve their potential would continue to be a focus of the new Council Strategy. The responsibility for this did not solely fall to schools, partner organisations also had a key role to play. Early years settings in particular played a very important role in working with this cohort of pupils.

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Councillor Doherty commended the work of schools, officers and partner organisations for all their efforts in this difficult area. Councillor Dominic Boeck did likewise and also highlighted the fact that many of these pupils had complex educational needs.

Councillor Doherty concluded her comments by pointing out that alongside the Council's new strategic priorities, its core business/business as usual would continue. She highlighted improvements to the timeliness of processing benefit claims and for determining planning applications. These were two areas which highlighted the importance given to a positive customer focus.

Councillor Graham Bridgman spoke on the three recommendations relating to ASC. He firstly confirmed that actions continued to be taken to decrease the number of bed days due to a Delayed Transfer of Care (DToc). As discussed many times previously, this was a complex area and there were a number of different elements which could contribute to delays in transferring a patient from hospital to a home care package/alternative care. Councillor Bridgman stated that the issue was more predominant on the healthcare side. Work continued between Health and ASC colleagues to manage this on an ongoing basis.

Councillor Bridgman was satisfied that this area was being given sufficient focus.

Secondly, Councillor Bridgman referred to the proposal for the Overview and Scrutiny Management Commission (OSMC) to further analyse the timeliness of reviews of ASC clients with Long Term Support to ensure this had happened within the past 12 months. Councillor Bridgman welcomed the OSMC's involvement. He described work being undertaken to understand how these reviews were being conducted by other local authorities to establish whether changes could be made to the Council's processes, i.e. could some reviews be brought forward and were there cases where a delay was more acceptable.

Finally, the Executive was asked to note the increasing concern in 2018/19 regarding safeguarding and quality relating to some external ASC providers which had arisen following CQC inspections. Councillor Bridgman confirmed that ASC Safeguarding Officers had been closely involved in responding to these concerns.

Councillor Hilary Cole referred to the 'red' indicator for determining planning applications. She pointed out that revised targets were adopted in Quarter Two and it had not been possible to achieve the new higher performance target for the full year. The targets were however achieved within Quarter Four and there was therefore confidence that the targets would be met in 2019/20.

Councillor Alan Macro referred to the project to establish the Joint Venture with Sovereign Housing and queried when this would begin to provide homes. Councillor Cole explained that the Joint Venture was nearing its conclusion. Subject to the receipt of legal advice, it could be signed off by the Chief Executive under delegated powers. Once this had happened, the plan to deliver new homes could progress relatively quickly.

Councillor Macro noted that a review of the Housing Service was being undertaken and asked when the review was due for completion and when the implementation of any recommendations would therefore commence. Councillor Cole explained that a peer review was held in early July 2019. The report was received on 24 July 2019 and consideration of the findings of this report and the implementation of its recommendations would therefore commence. This was being led by the recently appointed Housing Service Manager.

Councillor Macro drew attention to the exception report for relieving or preventing homelessness. The Quarter Four performance of 41% was some way short of the 75% target. Recruitment difficulties were highlighted and Councillor Macro queried plans to

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resolve these. Councillor Cole acknowledged that performance in assessing the increased number of people presenting as homeless, following the introduction of the Homelessness Reduction Act, and requiring a Personal Housing Plan had decreased due to staff sickness and problems recruiting. Efforts were ongoing to resolve these.

Councillor Macro felt there was an inconsistency in the report that needed to be clarified. Paragraph 2.3 (6) (c) stated that work was on track in relation to submitting a new Local Plan and a Minerals and Waste Plan for Examination. However, page 40 of the agenda pack stated that the submission of both these documents was behind schedule. Councillor Cole acknowledged that work on the new Local Plan was currently behind schedule, however it was still anticipated that the consultation, which would incorporate the Minerals and Waste Plan, would take place as per the timetable.

Councillor Owen Jeffery voiced a concern at required timeframes for reviews for ASC clients with long term support not being met. This meant there were instances where an individual was not receiving the required level of care until the review was held, impacting on the individual. It was also the case that timely reviews could identify a reduced level of need and the potential to reduce the care package and its cost. Councillor Jeffery sought reassurance that both these instances were being avoided.

Councillor Jeffery questioned the point made that DToC was more of an issue within hospitals on the healthcare side. If clear care pathways had not been established by the Council then this could result in patients having to remain in hospital or swiftly return to hospital.

Councillor Bridgman responded to these two points. Evidence from reviews of long term care packages highlighted that the level of need would more likely increase rather than decrease and thereby increase costs. However, regardless of this point, he acknowledged that reviews, which were a duty of the Care Act, should be conducted in a timely manner.

On DToC, Councillor Bridgman agreed to provide a chart to Councillor Jeffery which gave a breakdown of the number of delayed days and their causes. This demonstrated that causes were more often health related.

Councillor Carolyn Culver noted that the performance of pupils eligible for FSM at the Early Years Foundation Stage and the support they could be provided with to improve was impacted by the very small number of pupils in this cohort. She questioned if the same issues would apply to a larger group. Councillor Lynne Doherty advised that it was more straightforward to deliver support to a larger cohort as an intervention could be delivered to an entire class. This was much more difficult to provide for a small cohort within a class as they would need to be taught in a different way to the rest of the pupils. This would often have to be delivered to the small group outside of their classroom.

In response to a question from Councillor Culver in relation to the target and performance in completing affordable homes, Councillor Cole explained that the target for 1,000 completions for the period covering 2015 to 2019 was a commitment within the Conservative Manifesto of 2015. In total, 615 affordable homes had been built in West Berkshire in that timeframe. There was also extant planning permission for a further 800 units which had yet to be built out.

Councillor Erik Pattenden queried the absence of a responsible officer against seven of the indicators which fell within the strategic priorities of improving educational attainment and closing the educational attainment gap. The Council was ranked in the fourth quartile for some of these indicators. Councillor Boeck explained that the post had been vacant, but it had been filled and the appointee would soon commence in the role.

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Councillor Pattenden acknowledged that ambitious targets had been set. However, he questioned the Council's low national ranking against some indicators and whether a shortage of resource was a contributing factor in the ranking. Councillor Pattenden particularly highlighted '% of pupils eligible for FSM achieving a Good Level of Development (GLD) at Foundation Stage' where the Council was ranked 150/152. Councillor Boeck stated that performance against this indicator had been acutely observed, but a number of measures were in place to address this and improve performance. This was part of a long term programme.

Councillor Doherty added that this was of particular concern and, as already referenced, this was a continued focus of the new Council Strategy. As indicated by Councillor Boeck, a number of approaches were being taken as there was not a one size fits all solution. It was also the case that performance fluctuated in this area through the year and time needed to be taken to assess a child's needs when they were new to the Foundation Stage. This was an area of focus for schools, but there were wider societal issues to address for what was a national issue.

Councillor Pattenden sought assurance that additional focus to improve performance in one area would not result in a decrease in performance elsewhere. Councillor Boeck advised that all possible efforts would always be made to improve performance and improvements in one area would not be at the expense of another area.

RESOLVED that:

- Progress against the KAMs and key achievements in all services be noted.
- Those areas reported as 'red', as detailed in Appendix F, had been reviewed to ensure that appropriate actions were in place, especially for the measures relating to the Superfast Broadband Project for West Berkshire and the number of bed days due to DToC.
- The following areas be referred for further analysis at the Overview and Scrutiny Management Commission (OSMC). Namely, the results and improvement actions for:
 - (a) the education attainment for Free School Meals cohorts,
 - (b) the timeliness of reviews of ASC clients with Long Term Support,
 - (c) the homelessness prevention and alleviation, and
 - (d) a number of measures reported under the Protecting Children core business.
- The increasing concern in 2018/19 regarding safeguarding and quality relating to some Adult Social Care providers be noted.

Reason for the decision: report quarter four outturns for the Key Accountable Measures (KAMs) which monitor performance against the 2018/19 Council Performance Framework.

Other options considered: n/a

22. Final Schools Funding Formula 2019/20 (EX3783)

The Executive considered a report (Agenda Item 7) concerning the Final Schools Funding Formula 2019/20. Councillor Jeff Cant introduced the report which explained that the Council's Executive was required to agree, on an annual basis, the school funding formula for primary and secondary schools. The report was approved by Executive in February 2019, but due to a calculation error the formula needed to be approved again. It became apparent after sending out the final allocations to schools on 1 March 2019 that there had been a significant change in the total allocation. Schools

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had received a detailed explanation as to what had happened and this was covered in the report. The corrected formula was approved by the Schools Forum on 17th June 2019.

Councillor Owen Jeffery asked how the error occurred and stated he hoped that an apology had been made to schools. Councillor Cant advised that a spreadsheet formula was incorrect and further training had been provided to staff.

RESOLVED that the funding formula be approved.

Reason for the decision: the Council's Executive must agree on an annual basis the school funding formula for primary and secondary schools.

Other options considered: n/a

23. **Framework Agreement for the provision of Community Home Care Services (EX3748)**

The Executive considered a report (Agenda Item 8) concerning the framework agreement for the provision of Community Home Care Services. Councillor Graham Bridgman introduced the report which sought to inform the Executive of the tender process and sought delegated authority for the Head of Adult Social Care, in consultation with the Head of Finance and Property and Head of Legal and Strategic Support, to award each of the lot, block and spot contracts that made up the Framework Agreement to the successful bidders.

Councillor Owen Jeffery queried the risks of moving from the current 30 providers on the framework to the seven proposed. In response, Councillor Bridgman explained that having an arrangement with 30 providers could add complexities. A smaller number would enable officers to have a more direct relationship with providers and achieve good rates. The Council commissioned an average of 10,000 home care hours per week for 894 clients.

Councillor Alan Macro referred to the lot and block areas listed in the report and queried whether Tilehurst, Purley and Theale, which were not specifically listed, would be included. Councillor Bridgman agreed to respond to this point in writing.

RESOLVED that authority be delegated to the Head of Adult Social Care, in consultation with Head of Finance and Property and Head of Legal and Strategic Support, to award each of the lot, block and spot contracts that made up the framework to the successful bidders.

Reason for the decision: The current framework will expire in October 2019.

Other options considered:

Do nothing – costs would increase due to having to spot purchase without a framework. Workloads would also increase due to quality of care needing to be monitored.

Contract extension – this is a framework so there is no scope to extend past four years, the current framework ends in October 2019.

Re-tender a spot purchase only framework – we want to encourage as many providers in and increase efficiencies within the sector. There are often not enough providers who are on the current framework to manage the demand so this is not a viable option to continue in the same way as the current agreement.

24. **WBC Catering - Care Homes and Resource Centre Catering (EX3752)**

The Executive considered a report (Agenda Item 9) concerning a contract for Care Homes and Resource Centre Catering. Councillor Graham Bridgman introduced the

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report which proposed the urgent award of a contract for the provision of Care Homes and Resource Centre Catering with a start date of 1st September 2019.

Councillor Owen Jeffery asked why the contract was not proposed to include school meals. Councillor Bridgman advised that he would answer in Part II.

RESOLVED that the Part I report, which sought delegated authority for the Head of Adult Social Care to award the contract to the successful bidder for the Care Homes and Resource Centre Catering contract (following the evaluation process) in consultation with the Head of Finance and the Portfolio Holder for Adult Social Care, would be noted prior to consideration within Part II of the meeting.

25. **Newbury College (Urgent Item)**

The Executive considered a report (Agenda Item 10) concerning a proposed loan to Newbury College. Councillor Jeff Cant introduced the report which sought to support the University Centre development at the Newbury College campus by providing a loan to the College to help fund its construction.

Councillor Cant explained that the College had requested a loan of £3.5 million from the Council to be drawn down on the 1 September 2019 at the earliest to enable the completion of the building by September 2020. The College proposed that the loan be secured by a legal charge on the eight acres of land to the east of the campus which they intended to sell and they would repay the loan on completion of the sale of this land.

Additional funding had also been secured by the College from the Thames Valley Berkshire Local Enterprise Partnership, dependant on the facility being open to students from September 2020.

Councillor Cant was supportive of the recommendation, subject to Part II discussions. The University Centre development was excellent news for the town and the district.

Councillor Dominic Boeck added his support to this bold and forward thinking concept which would benefit residents and businesses. The recommendation for approval made clear the Council's high ambitions for all young people and aligned with West Berkshire's continued Vision for the district to be a fantastic place to live, work and learn.

Councillor Carlyne Culver queried whether graduates from the University Centre would have a link to local apprenticeships with local businesses. Councillor Lynne Doherty advised that this was detailed within the appendices to the report.

RESOLVED that the Part I report, which sought delegated authority for the Head of Finance & Property, in consultation with the Head of Legal & Strategic Support, to enter into facility agreement and associated legal charge and agreements with Newbury College to provide a loan to the College, would be noted prior to consideration within Part II of the meeting.

26. **Members' Questions**

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

(a) **Question submitted by Councillor Jeff Brooks to the Portfolio Holder for Internal Governance**

(Councillor Jeff Brooks joined the meeting at 6.01pm)

A question standing in the name of Councillor Jeff Brooks on the subject of whether the Council was considering becoming involved in the 5G testbeds and trials projects, recently announced by the Department of Culture, Media and Sport, was answered by the Portfolio Holder for Internal Governance.

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(b) **Question submitted by Councillor Martha Vickers to the Portfolio Holder for Transport and Countryside**

A question standing in the name of Councillor Martha Vickers, asked on her behalf by Councillor Andy Moore, questioning what the Council intended to do to mitigate the issue of disruption in Newbury Town Centre, created by poorly managed building works and uncoordinated utility works, was answered by the Portfolio Holder for Transport and Countryside.

(c) **Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Environment**

A question standing in the name of Councillor Adrian Abbs asking what data was available to the Council showing usage of electric vehicle points in West Berkshire, to help plans for locations and quantity, was answered by the Portfolio Holder for Environment.

(d) **Question submitted by Councillor Erik Pattenden to the Portfolio Holder for Children, Young People and Education**

A question standing in the name of Councillor Erik Pattenden on the subject of the environmental and economic impact of primary and secondary school pupils not being given places at their nearest school was answered by the Portfolio Holder for Children, Young People and Education.

(e) **Question submitted by Councillor Erik Pattenden to the Portfolio Holder for Children, Education and Young People**

A question standing in the name of Councillor Erik Pattenden querying the number of schools in West Berkshire who were continuing to buy into the school meals service from the central contract was answered by the Portfolio Holder for Children, Young People and Education.

(f) **Question submitted by Councillor Erik Pattenden for the Portfolio Holder for Children, Education and Young People**

A question standing in the name of Councillor Erik Pattenden on the subject of whether the Department of Education grant funding for improvement activities that led to improvements in phonics and maths at a group of schools in West Berkshire was going to be renewed, was answered by the Portfolio Holder for Children, Young People and Education.

(g) **Question submitted by Councillor Erik Pattenden to the Portfolio Holder for Children, Education and Young People**

A question standing in the name of Councillor Erik Pattenden asking how and by when teacher assessments of reading, writing and mathematics for pupils aged seven would be improved was answered by the Portfolio Holder for Children, Young People and Education.

(h) **Question submitted by Councillor Erik Pattenden for the Portfolio Holder for Children, Education and Young People**

A question standing in the name of Councillor Erik Pattenden querying the price per meal for a school meal provided under the current school meals service from the central contract was answered by the Portfolio Holder for Children, Young People and Education.

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(i) **Question submitted by Councillor Owen Jeffery to the Leader of the Council**

A question standing in the name of Councillor Owen Jeffery asking how the Executive intended to reduce the ten year life expectancy gap between the better off and least well off parts of the District was answered by the Leader of the Council.

(j) **Question submitted by Councillor Owen Jeffery to the Portfolio Holder for Adult Social Care**

A question standing in the name of Councillor Owen Jeffery asking what steps the Executive had taken and would take to ensure the continuation of domiciliary care services across the District, should increasing numbers of European Union (EU) citizens leave the country (assuming the UK left the EU on 31 October 2019) was answered by the Portfolio Holder for Adult Social Care.

(k) **Question submitted by Councillor Adrian Abbs for the Portfolio Holder for Environment**

A question standing in the name of Councillor Adrian Abbs, which asked the Executive to confirm that it would end the green bin charge to help encourage more recycling and help to reduce society's carbon footprint, was answered by the Portfolio Holder for Environment.

27. **Exclusion of Press and Public**

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned items of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 3 and 6 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.

28. **WBC Catering - Care Homes and Resource Centre Catering (EX3752)**

(Paragraph 3 – information relating to financial/business affairs of particular person)

The Executive considered an exempt report (Agenda Item 13) concerning a contract for care homes and resource centre catering.

RESOLVED to delegate authority to the Head of Adult Social Care to award the contract to the successful bidder following the evaluation process, in consultation with the Head of Finance and the Portfolio Holder for Adult Social Care.

Other options considered: as outlined in the exempt report.

29. **Nursery Site Acquisition (EX3749)**

The Executive considered an exempt report (Agenda Item 14) concerning the acquisition of a nursery site.

RESOLVED that the recommendation in the exempt report be approved.

Other options considered: as outlined in the exempt report.

30. **Newbury College Loan (Urgent Item)**

The Executive considered an exempt report (Agenda Item 15) concerning a proposed loan to Newbury College.

RESOLVED to delegate authority to the Head of Finance and Property, in consultation with the Head of Legal and Strategic Support, to enter into a facility agreement and associated legal charge and agreements with Newbury College to provide a loan to the College.

EXECUTIVE - 25 JULY 2019 - MINUTES

Other options considered: as outlined in the exempt report.

(The meeting commenced at 5.00pm and closed at 6.52pm)

CHAIRMAN
Date of Signature

2019/20 Revenue Financial Performance: Quarter One

Committee considering report:	Executive
Date of Committee:	5 September 2019
Portfolio Member:	Councillor Jeff Cant
Date Portfolio Member agreed report:	6 August 2019
Report Author:	Melanie Ellis
Forward Plan Ref:	EX3795

1. Purpose of the Report

- 1.1 To report on the Quarter One revenue financial performance.

2. Recommendation

- 2.1 To note the report.

3. Implications

- 3.1 **Financial:** The Quarter One forecast is an over spend of £620k, of which £210k is provided for in service risk reserves and risk management provision, which if used, could result in a year end position of a £410k over spend. This is 0.3% of the Council's 2019/20 net revenue budget of £125m.
- 3.2 **Policy:** N/A
- 3.3 **Personnel:** N/A
- 3.4 **Legal:** N/A
- 3.5 **Risk Management:** N/A
- 3.6 **Property:** There is a forecast under achievement of commercial investment income.
- 3.7 **Other:** N/A

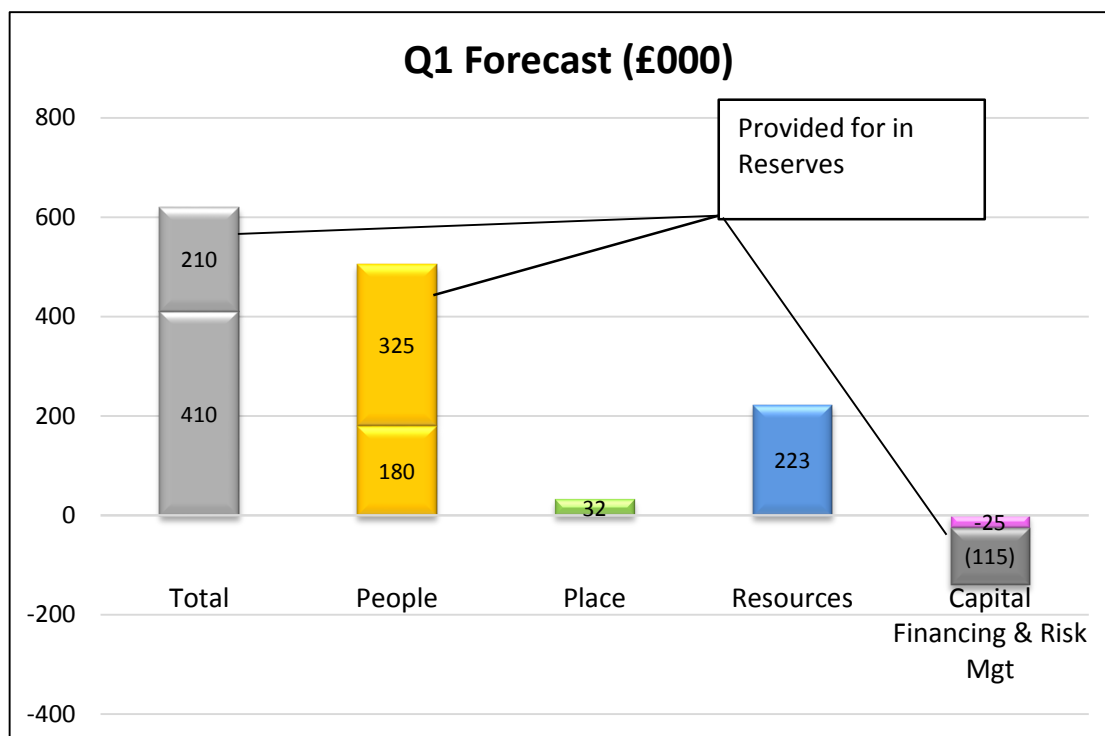
4. Other options considered

- 4.1 None

Executive Summary

5. Introduction

- 5.1 The Quarter One forecast is an over spend of £620k, of which £210k is provided for in service risk reserves and risk management provision, which if used, could result in a year end position of a £410k over spend. This is 0.3% of the Council's 2019/20 net revenue budget of £125m.
- 5.2 The Directorate forecasts are shown in the chart below.



- 5.3 The People Directorate is forecasting an over spend of £505k, of which £325k is provided for in service risk reserves and risk management provision.
- (1) Adult Social Care is forecasting an over spend of £153k, mostly arising in the care home workforce, in particular at Birchwood, due to difficulty recruiting and reliance on agency staff. There are pressures as a result of an Extra Care Housing provider terminating the contract at two provisions. There is a £161k service risk reserve for risks that have arisen.
 - (2) In Children & Family Services, there is a forecast over spend of £203k, predominantly in Independent Fostering Agency (IFA) placements. There is a £49k service risk reserve against this. There is a potential under spend in residential placements which could go towards mitigating the IFA over spend, but it is too early in the year to forecast this.
 - (3) In Education, there is a forecast over spend of £180k. The removal of the SEND grant is driving a £115k pressure, which Budget Board agreed to report as an over spend during 2019/20. This can be funded from the risk management provision at year end. There is a shortfall of

income at Castle Gate, due to insufficient beds to sell to neighbouring authorities. However, the placement of West Berkshire children here, is leading to cost avoidance on the disability support budget.

- 5.4 The Place Directorate is forecasting an over spend of £32k, largely arising in Public Protection and Culture from contract pressure and delay to digitalisation savings.
- 5.5 The Resources Directorate is forecasting an over spend of £223k. In Finance & Property there is a £290k income shortfall forecast in from commercial property, as the portfolio is not invested at the level expected. In Commissioning, there is a £72k contract pressure from the school meals service.
- 5.6 In Capital Financing & Risk Management, there is a forecast under spend of £140k. £100k income target for commercialisation which is currently forecast not to be met, but additional investment income, reduced levy costs and other under spends are offsetting this.
- 5.7 The 2019/20 savings and income generation programme of £6.2m, is 83% Green, 8% Amber and 9% Red. The relatively high level of red savings of £558k is a factor in the overall over spend position.

6. Proposal

- 6.1 To note the Quarter One forecast of £620k.
- 6.2 To note that £210k of the forecast over spend has been provided for in reserves, which if used could reduce the over spend to £410k.

7. Conclusion

- 7.1 The Council is reporting a forecast over spend of £620k, of which £210k is provided for in service risk reserves and risk management provision, leading to a year end forecast of £410k. The report highlights what each directorate is putting in place to mitigate their forecast over spends, and any implications for budget setting. There is a £6.2m savings and income generation programme which is forecasting 83% achieved at Quarter One.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information
- 8.4 Appendix D – People Directorate
- 8.5 Appendix E – Place Directorate
- 8.6 Appendix F – Resources Directorate
- 8.7 Appendix G – Quarter One Report
- 8.8 Appendix H – Deficit Schools outturn position 2018/19

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Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Resources
Service:	Finance and Property
Team:	Accountancy
Lead Officer:	Melanie Ellis
Title of Project/System:	Q1 Financial Performance
Date of Assessment:	23/8/19

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p><small>Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”</small></p>	<input type="checkbox"/>	x
<p>Will you be processing data on a large scale?</p> <p><small>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</small></p>	<input type="checkbox"/>	x
<p>Will your project or system have a “social media” dimension?</p> <p><small>Note – will it have an interactive element which allows users to communicate directly with one another?</small></p>	<input type="checkbox"/>	x
<p>Will any decisions be automated?</p> <p><small>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</small></p>	<input type="checkbox"/>	x
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	x
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	x
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p><small>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</small></p>	<input type="checkbox"/>	x

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

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 as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	No decision.
Summary of relevant legislation:	
Does the proposed decision conflict with any of the Council's key strategy priorities?	
Name of assessor:	Melanie Ellis
Date of assessment:	23/8/19

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 proposed decision and who is likely to benefit from it?	
Aims:	
Objectives:	
Outcomes:	
Benefits:	

2 Note which groups may be affected by the proposed decision. 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
Age		
Disability		
Gender Reassignment		
Marriage and Civil		

Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		

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

Name:

Date:

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

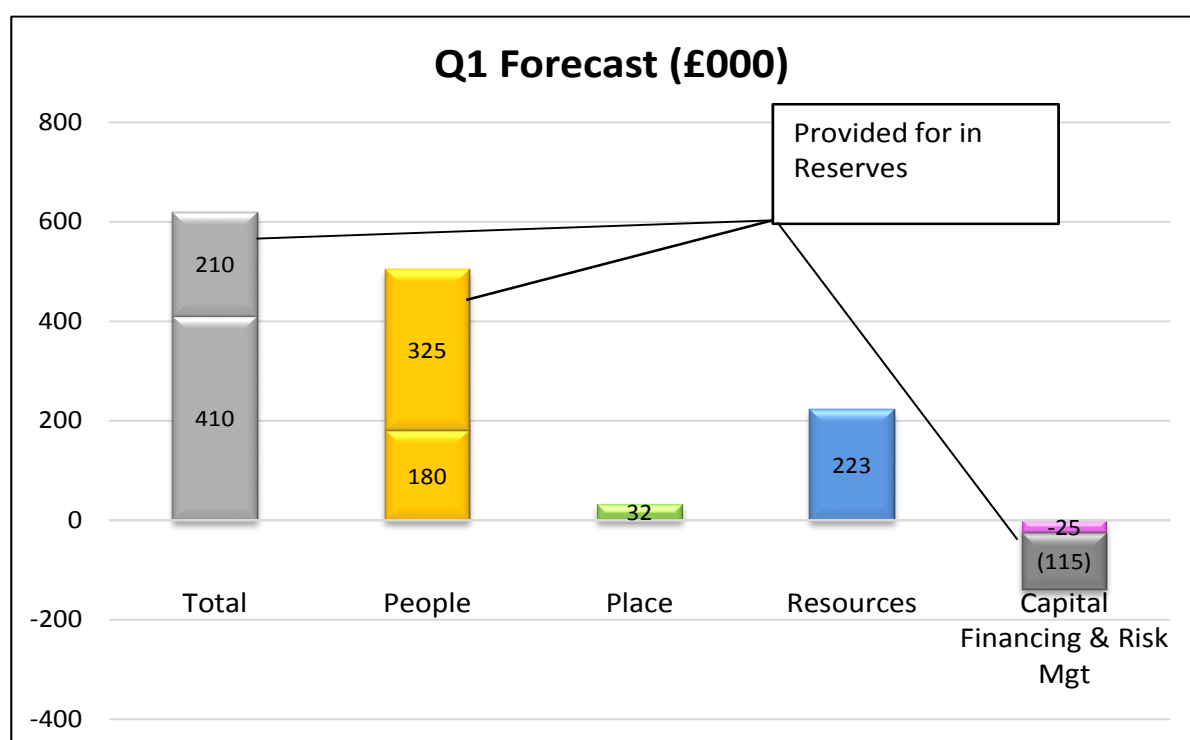
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2019/20 Revenue Financial Performance: Quarter One – Supporting Information

1. Introduction

1.1 The Quarter One forecast is an over spend of £620k, of which £210k is provided for in reserves and risk management provision, which if used, could result in a year end position of a £410k over spend. This is 0.3% of the Council's 2019/20 net revenue budget of £125m.

1.2 The Directorate forecasts are shown in the chart below.



Directorate Summary	Current Net Budget £000	Net Forecast £000	Forecast (under)/over spend		
			Quarter One £000	Provided for in Reserves £000	Year End Forecast £000
People	73,620	74,125	505	(325)	180
Place	29,979	30,011	32	0	32
Resources	11,768	11,991	223	0	223
Capital Financing & Risk Mgt	9,285	9,145	(140)	115	(25)
Total	124,652	125,272	620	(210)	410

2. Quarter One

2.1 The Service forecasts are shown in the following chart:

	Current Net Budget	Net Forecast	Forecast (under)/over spend		
			Quarter One	Use of Reserves	Year End Forecast
	£000	£000	£000	£000	£000
Adult Social Care	48,232	48,384	153	(161)	(8)
Children & Family Services	16,885	17,088	203	(49)	154
Executive Director	226	196	(30)	0	(30)
Education DSG funded	(444)	(444)	0	0	0
Education	8,606	8,786	180	(115)	65
Public Health & Wellbeing	114	114	0	0	0
People	73,620	74,125	505	(325)	180
Executive Director	186	186	0	0	0
Development & Planning	2,935	2,905	(30)	0	(30)
Public Protection & Culture	3,753	3,805	52	0	52
Transport & Countryside	23,105	23,115	10	0	10
Place	29,979	30,011	32	0	32
Executive Director	91	91	0	0	0
Chief Executive	927	927	0	0	0
Commissioning	700	772	72	0	72
Customer Services & ICT	2,983	3,001	18	0	18
Finance & Property	2,284	2,398	114	0	114
Human Resources	1,440	1,447	7	0	7
Legal and Strategic Support	3,343	3,355	12	0	12
Resources	11,768	11,991	223	0	223
Capital Financing	11,005	10,880	(125)	0	(125)
Commercialisation	(100)	0	100	0	100
Movement through Reserves	(2,059)	(2,059)	0	0	0
Risk Management	439	324	(115)	115	0
Capital Financing & Risk Mgt	9,285	9,145	(140)	115	(25)
Total	124,652	125,272	620	(210)	410

NB. Rounding differences may apply to nearest £k.

3. People Directorate

3.1 The forecast position is an over spend of £505k, of which £210k is provided for in service risk reserves and £115k from risk management provision, leading to a year end forecast of £180k if reserves are released. The main drivers of this are detailed below, with further explanation in the Directorate Appendix.

- (1) In Adult Social Care there is a forecast over spend of £153k. The provider for Extra Care Housing at two provisions has terminated their contract. This is a risk that has been provided for in the risk reserve. The service over spend is largely being driven by the lack of a

permanent care workforce, leading to additional agency usage in WBC care homes. The main area of concern is Birchwood, where recruiting both nursing staff and dementia specialists remains challenging. Spend on long and short terms services is forecast to be broadly in line with budget.

- (2) In Children & Family Services, there is a forecast over spend of £203k, predominantly from Independent Fostering Agency (IFA) placements demand. There is a £49k risk reserve provision for this. There is a potential under spend in residential placements which could go towards mitigating the IFA over spend, but it is too early in the year to forecast this.
- (3) In Education, there is a forecast over spend of £180k. The removal of the SEND grant is driving a £115k pressure, which Budget Board agreed to report as an over spend during 2019/20. This can be funded from the risk management provision at year end. There is a shortfall of income at Castle Gate; the placement of West Berkshire children here has meant there are insufficient beds to sell to neighbouring authorities. However, this is leading to cost avoidance on the disability support budget.

4. Place Directorate

4.1 The forecast position is an over spend of £32k. The main drivers of this are detailed below, with further explanation in the Directorate Appendix.

- (1) In Public Protection and Culture, there is a £52k pressure overall. This has arisen in libraries due to a cost pressure from the corporate cleaning contract and due to digitisation savings from online bookings looking unlikely to be achieved this year. £30k relates to a red efficiency savings target on the Head of Service cost centre.

5. Resources Directorate

5.1 The forecast position is an over spend of £223k. The main drivers of this are detailed below, with further explanation in the Directorate Appendix.

- (1) In Finance & Property, there is a £290k forecast income shortfall from commercial property. The current year £1.5m investment income target was assumed to be delivered from an average property value totalling £75m in year. However, the current portfolio stands at £62m and there is uncertainty around whether the portfolio will increase any further in year.
- (2) In Commissioning, there is a £72k unbudgeted cost increase in catering costs which has arisen from issues in the tender process for the schools meals service. Action has been taken to address this going forwards, but the pressure will continue for the 2019/20 academic year.

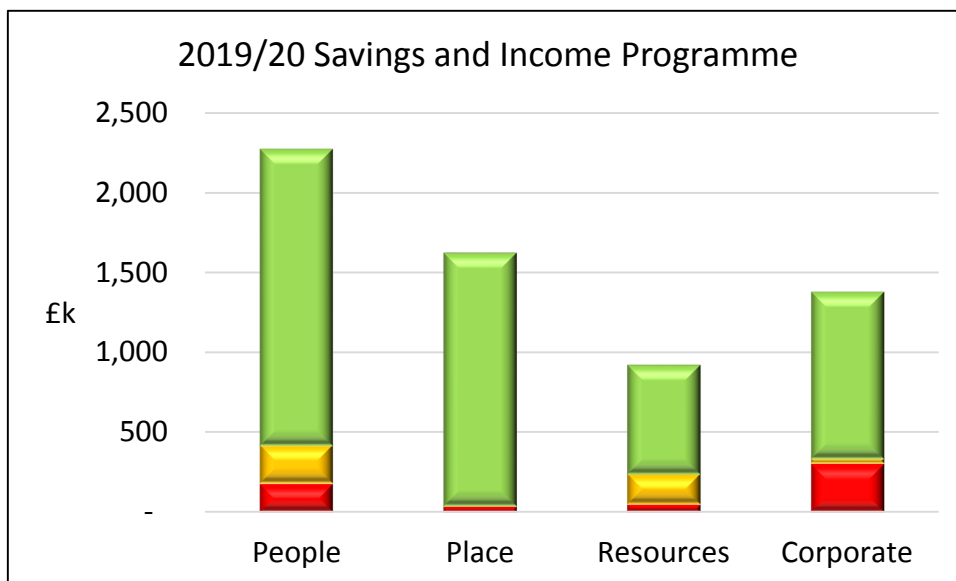
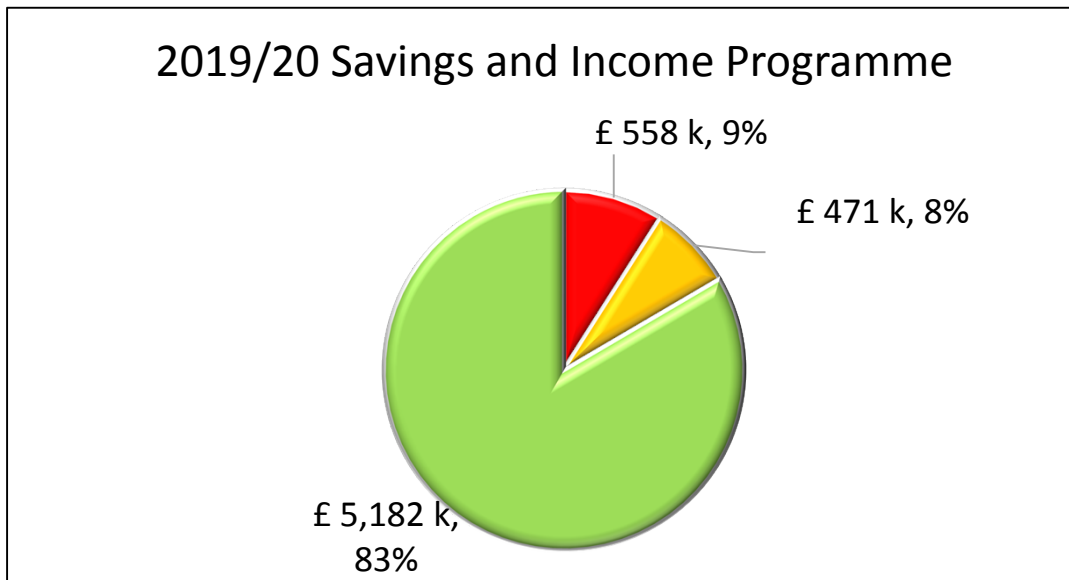
6. Capital Financing and Risk Management

6.1 The forecast position is an under spend of £140k. This comprises:

- (1) £100k income target from commercialisation that is currently forecast not to be met.
- (2) £125k saving on levy costs and forecast additional investment income from treasury management
- (3) £115k under spend on the risk management budget (offsetting the SEND pressure in Education)

7. 2019/20 Savings and Income Generation Programme

7.1 In order to meet the funding available, the 2019/20 revenue budget was built with a £6.2m savings and income generation programme. The programme is monitored using the RAG traffic light system. The status of the programme is shown in the following charts with detailed explanations for unmet savings shown in the Directorate Appendices:



7.2 The relatively high level of red savings of £558k (9%) is a factor in the overall over spend position.

7.3 The corporate savings and income generation programme is summarised below:

Corporate	Red	Amber	Green	Total	Achieved
	£k	£k	£k	£k	
Total	300	34	1,048	1,382	76%

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
Corporate (F&P)	Commercial Property Investment	Income	300		700	1,000	Target set on a forecast investment level of £75m. Currently £62m invested.
Corporate (F&P)	Introduce digital technology to make existing Council Tax and Housing Benefit/Council Tax Subsidy processes more efficient.	Efficiency			56	56	
Corporate (SSU)	Boundary Review - reduction in Member allowances	Efficiency			80	80	
Corporate (F&P)	E-Payment Card Solution	Efficiency		11		11	
Corporate (SSU)	Corporate Digitisation Enablers	Efficiency		23		23	
Corporate (F&P)	Essential car user savings	Efficiency		-	112	112	
Corporate	Commercialisation	income			100	100	
Corporate			300	34	1,048	1,382	

8. Proposals

8.1 To note the Quarter One forecast of £620k.

8.2 To note that £210k of the forecast over spend has been provided for in reserves, which if used could reduce the over spend to £410k.

9. Conclusion

9.1 The Council is reporting a forecast over spend of £620k, of which £210k is provided for in reserves, leading to a year end forecast of £410k. The report highlights what each directorate is putting in place to mitigate their forecast over spends, and any implications for budget setting. There is a £6.2m savings and income generation programme which is forecasting 83% achieved at Quarter One.

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: Melanie Ellis
Job Title: Chief Management Accountant
Tel No: 2142
E-mail Address: melanie.ellis@westberks.gov.uk

Appendix D: People Directorate

2019/20 Quarter One Revenue Financial Performance

1. Summary

People	Current Net Budget £000	Net Forecast £000	Forecast (Under)/Over spend		
			Quarter One £000	Provided for in Reserves £000	Year End Forecast £000
Adult Social Care	48,232	48,384	153	(161)	(8)
Children & Family Services	16,885	17,088	203	(49)	154
Executive Director	226	196	(30)		(30)
Education DSG funded	(444)	(444)	0		0
Education	8,606	8,786	180	(115)	65
Public Health & Wellbeing	114	114	0		0
Total	73,620	74,125	505	(325)	180

- 1.1 The Directorate forecast is an over spend of £505k, which is 0.7% against a net budget of £74million. £210k has been provided for in the service risk reserves and £115k from risk management provision, which if used, could reduce the over spend to £180k, which is 0.2% of the net budget.

2. Adult Social Care

2.1 Explanation for over or under spend

Adult Social Care is forecasting an over spend of £153k at Quarter One, which is 0.3% of the £48m net budget. However, this overspend can be mitigated in its entirety, if required, from the ASC risk reserve of £161K, set aside due to the provider for Extra Care Housing at two provisions terminating their contract. The projected outturn for ASC is therefore a balanced position subject to the application of risk reserves.

Spend on long and short term services is forecast to be broadly in line with budget, the one area of significant pressure is in our own provider services (care homes and resource centres).

This forecast pressure is driven by the lack of a care workforce, leading to additional costs for agency staff. Within WBC care homes we have an over spend on agency staff, which is not fully offset by savings on the permanent staffing budgets. The forecasting does assume a staggered increase in permanent staff throughout the year. Whilst these staffing led pressures exist in three of our four homes, the main problem is Birchwood where recruiting both nursing staff and dementia specialist remains challenging.

2.2 Explanation of changes from last quarter

Not applicable.

2.3 Remedial action being taken

A number of options are being explored to recruit to the vacancies within our care homes. It is also hoped that once Birchwood has been inspected by the CQC in August it will obtain a higher rating and therefore be more attractive to potential employees.

The year-end forecast is based on the assumption that we are able to maintain the net weekly increase in spend on long term services at an average of £1,500. All requests for long term services are scrutinised weekly at Good Practice Forum by senior management to ensure Care Act compliance and the best use of resources. It is important to note that we cannot refuse to meet eligible care needs for financial reasons.

2.4 Implications for next year's budget

The options to mitigate reliance on agency staff may include the need to review the current salary grades of the small number of specialist roles where recruitment is proving problematic.

The ASC Model for Long Term Services will be updated throughout this financial year.

3. Children and Family Services

3.1 Explanation for over or under spend

Children and Family Services is reporting an over spend of £203k at Quarter One which is 1.2% of the £17m net budget. The over spend is predominantly due to the Independent Fostering Agency (IFA) placements demand of £222k. The forecast over spend is due to additional placements being required (a typical placement cost is £45k per annum) and also a challenging savings target of £120k.

The complexity of care needs and cultural requirements can make it a challenge to adequately meet the needs from our own fostering provision. As a consequence we have to spot purchase from specialist providers is required. In West Berkshire our IFA usage as a proportion of foster placements is 29%, nationally it is 39%. (source:Dept of Education). So, whilst we have ambitions to reduce IFA use, the context shows this is a challenge.

The Head of Service has consciously made decisions in two cases of providing higher support IFA placements to prevent the child requiring a much more costly residential placement (typically £200k per annum).

There is a £49k provision in the service risk reserve that could be used to offset this pressure. If this were used, the year-end forecast would be an over spend of £154k.

3.2 Explanation of changes from last quarter

Not applicable.

3.3 Remedial action being taken

The residential placements budget is currently underspent, however, the service is continuing to manage this challenging area in order to minimise the numbers of children going into residential. It is too early at this stage to predict whether one or two children may be placed, in-year, in residential which will negate the under spend. We will continue to effectively manage placements as part of our Children and Family service Accommodation & Resources Panel.

There is a risk reserve of £49k which can be accessed for IFA costs if needed.

3.4 Implications for next year's budget

The modelling work carried out in 2018/19 which was the basis of the pressure bid for 2019/20 will need to be refined.

4. Education

4.1 Explanation for over or under spend

The Education service is reporting an over spend of £180k at Quarter One which is 2.1% of the £8.6m net budget. This relates to two areas; firstly there is £115k reported pressure relating to the removal of the SEND grant from 2019/20. This has been reported to Budget Board, who agreed the service could overspend by the amount of the lost grant and funded by the risk management provision. The other area causing an in year pressure relates to a shortfall of income at Castle Gate. This is due to West Berkshire children taking the available places leaving insufficient beds to sell to neighboring authorities.

4.2 Explanation of changes from last quarter

Not applicable.

4.3 Remedial action being taken

Castle Gate are exploring options on letting out bed space to other authorities.

4.4 Implications for next year's budget

There will need to be a 2020/21 pressure bid for the SEND grant as the work is still ongoing.

5. Education DSG

5.1 Explanation for over or under spend

The DSG first forecast is a Month Five.

5.2 Explanation of changes from last quarter

Not applicable.

5.3 Remedial action being taken

Report going to Operations Board on remedial action.

5.4 Implications for next year's budget

There is a deficit budget set for 2019/0 for the High Needs Block. This is part of a report going to Operations Board.

6. Public Health and Wellbeing**6.1 Explanation for over or under spend**

Public Health is currently reported as on line. There is a £11k Red saving regarding The Edge which is being covered off by small under spends elsewhere.

6.2 Explanation of changes from last quarter

Not applicable.

6.3 Remedial action being taken

No remedial action needed.

6.4 Implications for next year's budget

No implications although previous years the in-year underspends have been carried forward as part of the Public Health reserves.

7. 2019/20 Savings and Income Generation Programme - RAG

7.1 The People Directorate savings and income generation programme is summarised below with explanation for unmet savings in the service tables:

People	Red	Amber	Green	Total	Achieved
	£k	£k	£k	£k	
Adult Social Care	0	172	910	1,082	84%
Children & Family Services	120	0	449	569	79%
Education	44	70	365	479	76%
Public Health	11	0	136	147	93%
Total	175	242	1,860	2,277	82%

2019/20 Quarter One Revenue Financial Performance

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
ASC	Staffing review of Sensory Needs Team	Efficiency			58	58	Post deleted
ASC	Sensory Services - generating income from providing consultancy service to other Local	Income		2		2	The service is due to commence in August 2019 for a neighbouring LA.
ASC	staffing budgets across the service.	Efficiency			38	38	all taken
ASC	Removal of long term services home carers	Efficiency			175	175	done
ASC	Review of learning disability clients with existing care packages	Efficiency			48	48	on track
ASC	Review of direct payments	Efficiency		170	151	321	Good progress has been made, work will continue to achieve the remaining target by year end.
ASC	Consolidation of Adult Social Care adult Advocacy services	Efficiency			13	13	done
ASC	Capitalisation of part of the Occupational Therapist team	Capitalisation			427	427	done
ASC			-	172	910	1,082	

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
CFS	Deletion of ex Head of Service post	Efficiency			60	60	
CFS	Deletion of Family Support Worker post	Efficiency			31	31	
CFS	Deletion of post within Youth Offending Team	Efficiency			12	12	Post deleted as part of YOT £100k - saving found as part of CS Car Allowance / Mileage review
CFS	Review of usage of supplies and services budgets within the newly restructured Targeted Intervention Service.	Efficiency			12	12	
CFS	Family Placement Team - Supplies & Services review of historic underspends	Efficiency			30	30	
CFS	Merging of support arrangements for Berkshire West Local Safeguarding Children Boards	Efficiency			4	4	
CFS	Reduction in care leavers placements	Efficiency			150	150	
CFS	Reduction in independent fostering agency usage	Efficiency	120			120	The savings target is proving a challenge due to increase of children coming into care, many of whom with complex care or cultural needs that cannot be fully met within our own service. Efforts are being made for additional recruitment of own carers, and increasing the skill mix of own carers to meet some of these complex needs.
CFS	Turnaround Families income	Income			50	50	
CFS	Youth Offending Team	Efficiency			100	100	
CFS			120	-	449	569	

2019/20 Quarter One Revenue Financial Performance

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
Education	Post 16 tracking and statutory returns, reduce NEETS, Elevate. Utilise available Elevate programme funding	Efficiency			30	30	Programme and funding ceased. Alternative saving found from reduced PRC contribution
Education	HTST(1) - Effective commissioning of route and vehicles and review of eligibility	Transformation			160	160	
Education	Virtual school - Targeted use of grant funding to provide support	Efficiency			30	30	
Education	Emotional Health Academy	Income		70		70	Commercialisation of the Emotional Health Academy started in February 2019. Operations Manager departing WBC in August, therefore potential to generate income is reduced.
Education	Family Hubs - Staff costs reduction and increased income	Efficiency			40	40	
Education	Admission and appeals - staffing reductions	Transformation			10	10	
Education	Early Development Intervention Team (EDIT) - rationalisation of funding sources with minimum operational impact	Efficiency			36	36	
Education	SEN training - reduction in non statutory services	Transformation			9	9	
Education	team	Capitalisation			20	20	
Education	Aids & Adaptions - Capitalisation of costs	Efficiency			30	30	
Education	Castlegate (A) Transformation - increase income from other LAs	Income	44			44	Insufficient number of beds to sell to neighbouring authorities, allowing West Berkshire children to take available places, leading to cost avoidance. Reviewing business plan.
Education			44	70	365	479	

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
Public Health	Reduction in funding to smoking cessation service	Efficiency			100	100	
Public Health	The Edge	Efficiency	11		25	36	£11k saving against the Edge unlikely to be achieved. Conversations ongoing regarding new model for delivery of the service
Public Health	Overall reduction to contribution to voluntary sector	Efficiency			11	11	
Public Health			11	-	136	147	

Appendix E: Place Directorate

2019/20 Quarter One Revenue Financial Performance

1. Summary

Place	Forecast (under)/over spend				
	Current Net Budget	Net Forecast	Quarter One	Provided for in Reserves	Year End Forecast
	£000	£000	£000	£000	£000
Corporate Director	186	186			0
Development & Planning	2,935	2,905	(30)		(30)
Public Protection & Culture	3,753	3,805	52		52
Transport & Countryside	23,105	23,115	10		10
Total	29,979	30,011	32	0	32

- 1.1 The Directorate forecast at Quarter One is £32k overspent which is 0.1% of the net budget of £30m.

2. Development and Planning

2.1 Explanation for over or under spend

It is anticipated that there will be a saving on staff costs at the year-end of £30k due to vacancies.

2.2 Explanation of changes from last quarter

N/A

2.3 Remedial action being taken

N/A

2.4 Implications for next year's budget

None

3. Public Protection & Culture

3.1 Explanation for over or under spend

The service is forecasting an over spend of £52k. Overspends in the service including those to be mitigated are:

- Libraries – changes to the corporate cleaning contract has resulted in a cost pressure in 2019/20 of £18k, which will be mitigated in year.
- Digitisation savings from online bookings are unlikely to be achieved this year causing a pressure of £23k, invest to save costs associated with building up the wedding business at Shaw house £17k, and a savings target of £30k which is to be mitigated in year.

3.2 Explanation of changes from last quarter

N/A

3.3 Remedial action being taken

Libraries - ongoing negotiation with Commissioning over the central cleaning contract, related inflationary pressures and performance issues. Service's desired outcome would be direct employment of cleaning staff as part of the wider team.

Head of Service (HoS) - ongoing discussion with the project team leading on digitisation. Agreement in principle to shift unmet savings targets into 2020/21 as the phase 2 elements have not been implemented. Other pressures will be mitigated from in year from slow down savings as far as possible and also from capitalisation of HoS budgets against projects is being considered and potential income from Emergency Planning due to off-site planning events.

3.4 Implications for next year's budget

Libraries -There should be some improvement if the service receives agreement to directly employ cleaning staff and is successful in recruiting cleaners. Knowledge of the local market suggests this pressure should reduce.

Head of Service - a review of the intended outcomes from digitisation should establish the ability to make savings. At this stage it is likely this will continue as a pressure.

Building Control - ongoing discussion with Wokingham about income profile, marketing and market share. With significant changes in the private sector post Grenfell, there is confidence that income will improve.

4. Transport and Countryside

4.1 Explanation for over or under spend

A number of small variances make up this overspend. None are significant.

4.2 Explanation of changes from last quarter

N/A

4.3 Remedial action being taken

Mitigation will be sought from within the service.

4.4 Implications for next year's budget

None at this stage

5. 2018/19 Savings and Income Generation Programme - RAG

5.1 The Place Directorate savings and income generation programme is summarised below with explanation for unmet savings in the service tables.

2019/20 Quarter One Revenue Financial Performance

Place	Red	Amber	Green	Total	Achieved
	£k	£k	£k	£k	
Development & Planning	0	0	155	155	100%
Public Protection & Culture	30	0	414	444	93%
Transport & Countryside	5	5	1,018	1,028	99%
Total	35	5	1,587	1,627	98%

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
D&P	DC Pre-applications charges	Income			10	10	
D&P	Introduce Planning Policy pre-application charges	Income			10	10	
D&P	Review CL Admin charges	Income			50	50	
D&P	Capitalise transport policy post	Capitalisation			45	45	
D&P	Charge for self build register	Income			5	5	
D&P	DC reduced application numbers and so less Planner resource is required and so can be frozen.	Disinvestment			35	35	
D&P			-	-	155	155	

Savings/Income Programme 2019/20							
Service	Description of Saving/Income	£k	£k	£k	Total £k	Comments	
PP&C	Corn Exchange - cease grant			174	174		
PP&C	Partnership Business Plan '5% plan'			58	58		
PP&C	Leisure R&M			18	18		
PP&C	Marriage income			20	20		
PP&C	Capitalise Library Book Stock			94	94		
PP&C	Museum income			3	3		
PP&C	Business Continuity contract for West Berks			8	8		
PP&C	Energy – estate management phase 2			39	39		
PP&C	Efficiencies	30			30	Unmet savings target, in year mitigation being sought from slow down savings	
PP&C		30	-	414	444		

2019/20 Quarter One Revenue Financial Performance

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
T&C	Capitalising spend - Hand Patching	Capitalisation			100	100	
T&C	Capitalising spend - Drainage, Sign and Road Markings,	Capitalisation			200	200	
T&C	Garden waste charging	Income			200	200	
T&C	Street Lighting - staffing reduction following LED project	Efficiency			30	30	
T&C	Countryside review	Disinvestment			20	20	
T&C	Car washing	Income	5	5	-	10	Taken longer than anticipated to agree changes to the lease with the Kennet Centre owners.
T&C	Review of TRO charges	Income			55	55	
T&C	Part capitalise Traffic Services Manager post	Capitalisation			24	24	
T&C	Delete Senior Highways DC post	Efficiency			49	49	
T&C	Transition to a new delivery model for passenger transport	Efficiency			150	150	
T&C	Reduce training budgets	Efficiency			5	5	
T&C	Further reduce car park cleaning	Disinvestment			10	10	
T&C	Reduce bus station cleaning	Efficiency			5	5	
T&C	Streetworks Permit charges	Income			100	100	
T&C	Highways TMC rate review	Efficiency			40	40	
T&C	Routeguard App	Income			5	5	
T&C	BBOWT reduction in payment	Disinvestment			25	25	
T&C			5	5	1,018	1,028	

Appendix F: Resources Directorate

2019/20 Quarter One Revenue Financial Performance

1. Summary

Resources	Forecast (under)/over spend				
	Current Net Budget	Net Forecast	Quarter One	Provided for in Reserves	Year End Forecast
	£000	£000	£000	£000	£000
Executive Director	91	91	0		0
Chief Executive	927	927	0		0
Commissioning	700	772	72		72
Customer Services & ICT	2,983	3,001	18		18
Finance & Property	2,284	2,398	114		114
Human Resources	1,440	1,447	7		7
Legal & Strategic Support	3,343	3,355	12		12
Total	11,768	11,991	223	0	223

1.1 The Directorate Quarter One forecast is £223k overspent which is 1.9% of the net budget of £12m.

1.2 The main variances are explained below.

2. Commissioning

2.1 Explanation for over or under spend

Changes to the contract catering costs which are unbudgeted will amount to £133k in total for the 19/20 academic year of which £72k will fall into 2019/20. This pressure has arisen due to issues in the tender process for the school meals service which were unresolvable in the time available to complete the work before the end of the 18/19 academic year. Action has been taken to reduce the pressure, address the issues, extend current arrangement for a further year and to move forward with a new tender process. The remaining pressure is as a result of extending the current contract for a further year at current rates.

2.2 Explanation of changes from last quarter

N/A

2.3 Remedial action being taken

Mitigation is being sought to fund this pressure from within the service through staff changes and other savings initiatives.

2.4 Implications for next year's budget

Costs of £61k will fall into next year and result in a one off pressure in 2020/21.

3. Customer Services and ICT

3.1 Explanation for over or under spend

The ICT schools traded service has seen reduced income over the years and this year will face an income pressure of £13k as Newbury Schools Academy trust has not bought into the service for 2019/20.

A smaller pressure of £5k has been identified against pensions as changes in staff resulted in more staff joining the pension scheme that was budgeted.

3.2 Explanation of changes from last quarter

N/A

3.3 Remedial action being taken

Mitigation will be sought during the year to cover off these pressures if possible.

3.4 Implications for next year's budget

These, unless mitigated are unavoidable pressures that will have an impact on next year's budget. They are not significant for the authority as a whole.

4. Finance and Property

4.1 Explanation for over or under spend

The current year investment income from commercial property budget of £1.5m was assumed to be delivered from an average property value totalling £75m in year. However, the current portfolio stands at £62m and there is uncertainty around whether the portfolio will increase any further in year resulting in a forecast income shortfall of £290k overall.

Other small pressures include £20k for external rent at West Point which is no longer receivable, but remains in the budget as an income target.

Vacancy savings within the housing benefits team are forecast to amount to £100k by the end of the year. The move to universal credit has seen reduced demand for the service.

There are two vacancies at the Finance Manager level in Accountancy, and other vacancies in the team, which will take some time to recruit to. As a result £100k savings are forecast.

4.2 Explanation of changes from last quarter

N/A

4.3 Remedial action being taken

Clarification of the position regarding the future of the commercial property investment strategy is required to ascertain if current pressures are one-off in

nature or are ongoing. Once this has been resolved, a plan of remedial action will be formulated.

4.4 Implications for next year's budget

If the portfolio remains at £62m, the shortfall will become an ongoing pressure and the target of increased income in the MTFs for 20/21 of £500k will be at risk.

A £170k MTFs savings relating to the Revenue and Benefits and customer services is included in for 20/21.

Loss of rental income at West Point, if unmitigated will require a pressure bid to be submitted for consideration for £20k.

5. Human Resources

5.1 Explanation for over or under spend

Reduced uptake of car leases by staff has resulted in a small pressure of £7K in the payroll service as the admin fee for providing this service has reduced.

5.2 Explanation of changes from last quarter

N/A

5.3 Remedial action being taken

Costs of this service are being reviewed and reduced where possible. Mitigation of this pressure in year will be sought.

5.4 Implications for next year's budget

A pressure bid for loss of income will be submitted for consideration.

6. Legal and Strategic Support

6.1 Explanation for over or under spend

The graphic design team are unlikely to meet their external income target this year. An internal recharge for graphic design services was removed for 2019/20 and external/traded services work has not increased insufficiently to cover the income lost from the removal of internal charges.

6.2 Explanation of changes from last quarter

N/A

6.3 Remedial action being taken

A new marketing strategy is being developed through the Marketing Officer post created earlier in the year. A draft strategy will be reviewed by the Marketing Officer, Communications Manager and Graphic Design and Multimedia team on

Wednesday 17 July. It is expected that implementation will begin immediately thereafter. These activities will generate further awareness of the graphic design and multimedia service and it is hoped generate further business for the team.

6.4 Implications for next year's budget

External marketing of the graphic design and multimedia service is a new area of activity as the focus last year was on internal recharges. Therefore there is no previous data on which to forecast future demand. It can take some time for new commercial ventures to establish themselves but hopefully the results of the new marketing plan will begin to emerge before the end of Quarter Two.

7. 2018/19 Savings and Income Generation Programme - RAG

7.1 The Resources Directorate savings and income generation programme is summarised below with explanations for unmet savings in the service tables.

Resources	Red	Amber	Green	Total	Achieved
	£k	£k	£k	£k	
Customer Services & ICT	0	22	144	166	87%
Commissioning	0	155	155	310	50%
Finance & Property	39	0	181	220	82%
Human Resources	9	13	36	58	63%
Legal & Strategic Support	0	0	172	172	100%
Total	48	190	688	925	74%

Service	Description of Saving/Income	Category	£k	£k	£k	Total	Comments
Commissioning	Renegotiation of the Children & Family Services arrangements for placement and advocacy, advice and information services.	Efficiency		99	-	99	Reliant on the presentation of highcost placements for alternative arrangements and therefore possible the full amount will not be achieved - looking at alternative options to cover
Commissioning	Renegotiation of the Education Service's arrangements for (1) special school arrangements (2) speech and language therapies, sensory hearing, independent	Efficiency		13	-	13	Services are funded via DSG budgets and therefore not appropriate for revenue savings
Commissioning	Category management for stationery	Efficiency			30	30	
Commissioning	Lottery income (net)	Income			4	4	
Commissioning	Category management for agency	Efficiency			118	118	
Commissioning	Trading Commissioning support services with schools	Income			3	3	
Commissioning	Category management for corporate catering	Efficiency		43	-	43	Changes to planned tender arrangements possible saving may not now be achieved -
Commissioning			-	155	155	310	

2019/20 Quarter One Revenue Financial Performance

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
CSI	IT Helpdesk restructuring	Efficiency		8	10	18	Kevin
CSI	Staffing reduction/capitalise	Capitalisatio			17	17	
CSI	Renegotiate BT call costs	Efficiency			4	4	
CSI	Move from physical remote access tokens to 'soft' tokens	Efficiency			4	4	
CSI	Postage cost savings due to driving down demand	Efficiency			7	7	
CSI	Delete vacant post in postal team/courier	Efficiency			33	33	
CSI	Reduce ICT Help Desk support costs by using fewer supplier support days, use inhouse expertise instead	Efficiency			3	3	
CSI	Delete vacant post Corporate Data Team	Disinvestme			15	15	
CSI	Move staffing to schools cost centres	Efficiency		14	-	14	Demand for ICT service from schools has reduced this year and this saving is unlikely to be achieved in full
CSI	Remove unused IT budget	Efficiency			8	8	
CSI	Network circuit cost reductions from supplier negotiations	Disinvestme			30	30	
CSI	Reduce ICT training budget	Disinvestme			6	6	
CSI	Reduce ICT infrastructure maintenance costs	Efficiency			7	7	
CSI			-	22	144	166	

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
F&P	Insurance cover	Efficiency			15	15	
F&P	Universal Credit impact on housing benefit claims	Disinvestment			45	45	
F&P	Staffing	Efficiency			50	50	
F&P	Increase in summons (court) costs recovery of council tax debt	Income	39		-	39	Report yet to be written on the "reasonableness of increasing the costs"
F&P	Salary savings - move to risk based quarterly financial	Disinvestment			51	51	
F&P	Capitalisation of 0.25 fte finance manager	Capitalisation		-	20	20	
F&P			39	-	181	220	

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
HR	Reduction of non-staffing budgets	Transformation			3	3	
HR	Introduce salary sacrifices AVCs to save on NI	Transformation		4	3	7	NI savings on AVC, currently below target - benefit to be re-advertised
HR	Reduction in staffing	Efficiency		9	30	39	Reduction in staff hours not possible to be mitigated for the full year
HR	Increased income on Adult SCT short courses	Income	9		-	9	This target is to increase training fee income - demand is below target and increase in income will not be achieved
HR			9	13	36	58	

2019/20 Quarter One Revenue Financial Performance

Service	Description of Saving/Income	Category	£k	£k	£k	Total £k	Comments
L&SS	Legal review of online supply	Efficiency			7	7	
L&SS	Income generation incl reduction in counsels fees for preliminary hearings in Crown Court	Income			50	50	
L&SS	Capitalisation	Capitalisation			27	27	
L&SS	Remove the Chairman's budget	Disinvestment			3	3	
L&SS	Reduce Funding to the Volunteer Centre	Disinvestment			5	5	
L&SS	Corporate programme	Disinvestment			25	25	
L&SS	Members Training	Disinvestment			4	4	
L&SS	Reduction in Staffing Communication and Info Officer	Disinvestment			17	17	
L&SS	Reduction in IT support	Disinvestment			21	21	
L&SS	Reduction in hours in the PRC Team	Disinvestment			8	8	
L&SS	Reduction in Members Travel	Disinvestment			5	5	
L&SS			-	-	172	172	

2019/20 Budget Monitoring for Period 201903. Run on 16/07/2019 at 13:12:46.

				Expenditure			Income			Net
	Original Budget £	Budget Changes £	Current Budget £	Annual Expenditure Budget £	Annual Expenditure Forecast £	Forecast Expenditure Variance £	Annual Income Budget £	Annual Income Forecast £	Forecast Income Variance £	Forecast Net Variance £
Adult Social Care	47,934,790	296,730	48,231,520	65,788,090	66,105,320	317,230	-17,556,570	-17,721,010	-164,440	152,790
Childrens and Family Services	16,031,300	854,070	16,885,370	18,482,800	18,827,930	345,130	-1,597,430	-1,739,600	-142,170	202,960
Executive Director - People	226,220	0	226,220	226,220	196,220	-30,000	0	0	0	-30,000
Education (DSG Funded)	-444,000	0	-444,000	103,494,530	103,494,530	0	-103,938,530	-103,938,530	0	0
Education	8,402,690	203,660	8,606,350	11,684,610	11,621,300	-63,310	-3,078,260	-2,835,420	242,840	179,530
Public Health & Wellbeing	-80,000	194,450	114,450	5,954,340	5,954,340	0	-5,839,890	-5,839,890	0	0
People	72,071,000	1,548,910	73,619,910	205,630,590	206,199,640	569,050	-132,010,680	-132,074,450	-63,770	505,280
Corporate Director - Economy & Environment	185,820	0	185,820	185,820	185,820	0	0	0	0	0
Development and Planning	2,826,630	107,800	2,934,430	5,283,420	5,253,420	-30,000	-2,348,990	-2,348,990	0	-30,000
Public Protection and Culture	3,814,750	-61,580	3,753,170	8,602,740	8,648,800	46,060	-4,849,570	-4,843,440	6,130	52,190
Transport and Countryside	23,093,180	11,970	23,105,150	33,707,450	33,408,990	-298,460	-10,602,300	-10,293,640	308,660	10,200
Place	29,920,380	58,190	29,978,570	47,779,430	47,497,030	-282,400	-17,800,860	-17,486,070	314,790	32,390
Executive Director - Resources	0	90,760	90,760	90,760	90,760	0	0	0	0	0
Commissioning	709,910	-9,510	700,400	7,003,110	7,075,110	72,000	-6,302,710	-6,302,710	0	72,000
Customer Services and ICT	2,994,290	-10,820	2,983,470	3,896,110	3,901,110	5,000	-912,640	-899,640	13,000	18,000
Chief Executive	830,850	96,380	927,230	927,230	927,230	0	0	0	0	0
Finance and Property	2,233,000	51,140	2,284,140	47,455,700	46,391,520	-1,064,180	-45,171,560	-43,993,850	1,177,710	113,530
Human Resources	1,439,720	0	1,439,720	1,951,120	1,869,300	-81,820	-511,400	-422,580	88,820	7,000
Legal and Strategic Support	3,282,870	59,900	3,342,770	3,977,380	3,989,380	12,000	-634,610	-634,610	0	12,000
Resources	11,490,640	277,850	11,768,490	65,301,410	64,244,410	-1,057,000	-53,532,920	-52,253,390	1,279,530	222,530
Capital Financing & Management	10,787,140	118,430	10,905,570	11,413,250	11,387,920	-25,330	-507,680	-507,680	0	-25,330
Movement Through Reserves	-117,000	-1,942,240	-2,059,240	-2,059,240	-2,059,240	0	0	0	0	0
Risk Management	500,000	-61,140	438,860	438,860	323,860	-115,000	0	0	0	-115,000
Capital Financing and Risk Management	11,170,140	-1,884,950	9,285,190	9,792,870	9,652,540	-140,330	-507,680	-507,680	0	-140,330
Total	124,652,160	0	124,652,160	328,504,300	327,593,620	-910,680	-203,852,140	-202,321,590	1,530,550	619,870

Source: Live
Report Name: BU006

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Schools: Deficit Recovery

Report being considered by: Schools Forum
On: 17.6.2019
Report Author: Melanie Ellis
Item for: Information **By:** All Maintained Schools Representatives

1. Purpose of the Report

- 1.1 This report reports on the outturn position of the nine schools that set a deficit budget in 2018/19 and provides an update on the work that has been carried out to support these schools.

2. Recommendation

- 2.1 That the report be noted.

Will the recommendation require the matter to be referred to the Council or the Executive for final determination?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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3. Introduction

- 3.1 Schools are permitted to set a deficit budget if they meet certain conditions. This is termed a licensed deficit. The conditions of a licensed deficit are set out in the Scheme for Financing Schools (the legal contract the Council has with schools) and include a requirement to have a robust plan to repay the deficit within five years.
- 3.2 If the conditions are not met by the school, the Council has the power to issue a Notice of Concern, which ultimately could mean removal of a school's delegation.
- 3.3 Nine schools set a licensed deficit budget for 2018/19 totalling £870k.

4. West Berkshire Strategy for Schools in Deficit

- 4.1 The Council has adopted a strategy aimed to minimise the number and size of deficits. It is in two parts:
- (1) Procedures to support schools to reduce/eliminate or avoid a deficit
 - (2) Intervention for schools not meeting their deficit recovery plan.
- 4.2 Approval of a licensed deficit requires the school to do the following:
- (1) Submit monthly budget monitoring reports (M3 and then M5 to M11 inclusive)

Schools: Deficit Recovery

- (2) Submit a copy of draft governor meeting minutes (including Part 2) where the budget is discussed
- (3) To attend meetings with the local authority when requested to address any budget concerns
- (4) Submit deficit recovery progress reports when requested, which will be reported to Schools' Forum
- (5) Submit five year detailed deficit recovery plan.

4.3 The Council Schools Finance team has been restructured to provide a dedicated resource to work with the schools that have set a deficit budget.

4.4 The Schools Forum has previously agreed that schools in deficit using the WBC Finance service to work with them on their deficit recovery have associated costs refunded directly from the Schools in Financial Difficulty fund direct rather than schools needing to submit individual bids to the Schools Forum.

5. 2018/19 Outturn Position - Licensed Deficit Schools

5.1 Nine schools had a licensed Main School Budget (MSB) deficit in 2018/19, totalling £870k. At Period Nine, the forecast deficit for these nine schools was £604k and the final outturn position is a closing deficit balance of £212k. A summary is shown below:

SCHOOLS WITH LICENSED DEFICITS 2018/19	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
1 The Willows	-£130,797	-£91,997	£37,892	-£168,689	-£129,889
2 Kintbury St Mary's	-£15,576	£202	£16,372	-£31,948	-£16,170
3 Parson's Down	-£92,212	-£39,024	£5,673	-£97,885	-£44,697
4 St Johns	-£46,000	-£8,686	£3,462	-£49,462	-£12,148
5 John Rankin Federation	-£131,033	-£53,291	£0	-£131,033	-£53,291
Subtotal	-£415,618	-£192,796	£63,399	-£479,017	-£256,195
6 Westwood Farm Federation	-£45,280	-£40,612	-£26,786	-£18,494	-£13,826
7 Beenham	-£36,153	-£50,502	-£40,676	£4,523	-£9,826
8 St Finians	-£61,542	-£62,837	-£56,722	-£4,820	-£6,115
9 The Willink	-£311,588	-£257,345	-£151,086	-£160,502	-£106,259
Subtotal	-£454,563	-£411,296	-£275,270	-£179,293	-£136,026
Total	-£870,181	-£604,092	-£211,871	-£658,310	-£392,221

5.2 The overall improvement from budget to year end is £658k which is an excellent outturn. Five schools ended the year out of deficit.

(1) The Willows Primary School

	MSB Balance	
2016/17	-£17,826	Deficit
2017/18	-£212,694	Deficit
2018/19	£37,892	Surplus

The final outturn position was a £37.9k surplus balance, which is £168.7k better than the budgeted deficit of £130.8k.

SCHOOLS WITH LICENSED DEFICITS 2018/19	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
1 The Willows	-£130,797	-£91,997	£37,892	-£168,689	-£129,889

The main variances to original budget are shown in the following table:

The Willows MSB Outturn Summary VARIANCE: Original Budget to Final Outturn		
Staffing Budget	-£85,723	Underspend
Non Staffing Budget	£29,896	Overspend
TOTAL EXPENDITURE	-£55,827	
TOTAL INCOME	-£41,263	Additional Income
NET EXPENITURE	-£97,091	
Business rates adjustment	£6,375	Unknown at time of budget build
Early years in year adjustment	£4,951	Over budgeted
Schools in Financial Difficulty funding	-£65,573	Unknown at time of budget build
Teachers Pay Grant	-£7,413	Unknown at time of budget build
SEN	-£1,594	Under budgeted
Pupil Premium Grant- Early Years and LAC	-£5,619	No budget
Free School Meal Supplementary Grant & adjustment	-£2,722	Unknown at time of budget build
TOTAL FUNDING	-£71,595	
TOTAL VARIANCE TO ORIGINAL BUDGET	-£168,686	

The review meeting took place on 18th October 2018.

(2) Kintbury Primary School

MSB Balance		
2017/18	-£12,317	Deficit
2018/19	£16,372	Surplus

The final outturn position was a £16.4k surplus balance, which is £31.9k better than the original budgeted deficit of £15.6k.

SCHOOLS WITH LICENSED DEFICITS 2018/19	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
2 Kintbury St Mary's	-£15,576	£202	£16,372	-£31,948	-£16,170

The main variances to original budget are shown in the following table:

Kintbury MSB Outturn Summary VARIANCE: Original Budget to Final Outturn		
Staffing Budget	-£8,174	Underspend
Non Staffing Budget	-£71	Underspend
TOTAL EXPENDITURE	-£8,245	
TOTAL INCOME	-£15,418	Additional Income
NET EXPENDITURE	-£23,663	
Business Rates Adjustment	£468	Overbudgeted at budget build
Teachers Pay Grant	-£2,887	Unknown at time of budget build
SEN	-£2,335	Underbudgeted at budget build
Universal Infant Free School Meals	-£3,505	Overbudgeted at budget build
TOTAL FUNDING	-£8,259	
TOTAL VARIANCE TO ORIGINAL BUDGET	-£31,922	

The review meeting took place on 13th November 2018.

(3) Parsons Down Schools Federation

	MSB Balance	
2017/18	-£22,432	Deficit
2018/19	-£5,673	Deficit

The final outturn position was a £5.7k deficit balance, which is £97.9k better than the original budgeted deficit of £92.2k.

SCHOOLS WITH LICENSED DEFICITS 2018/19	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
3 Parson's Down	-£92,212	-£39,024	£5,673	-£97,885	-£44,697

The main variances to original budget are shown in the following table:

Parsons Down Partnership MSB Outturn Summary VARIANCE: Original Budget to Final Outturn		
Staffing Budget	-£62,487	Underspend
Non Staffing Budget	£54,824	Overspend
TOTAL EXPENDITURE	-£7,663	
TOTAL INCOME	-£53,933	Additional Income
NET EXPENDITURE	-£61,596	
Business rates adjustment	£1,172	Unknown at time of budget build
Excluded pupils-transfer funding between schools	£1,214	Unknown at time of budget build
Schools in Financial Difficulty funding	-£32,106	Unknown at time of budget build
Teachers Pay Grant	-£8,894	Unknown at time of budget build
SEN	£2,234	Over budgetted
Free School Meal Supplementary Grant & adjustment	£105	Unknown at time of budget build
TOTAL FUNDING	-£36,275	
TOTAL VARIANCE TO ORIGINAL BUDGET	-£97,871	

The review meeting took place on 6th November 201

(4) St John the Evangelist Infant School

	MSB Balance	
2016/17	-£22,725	Deficit
2017/18	-£37,759	Deficit
2018/19	£3,462	Surplus

The final outturn position was a £3.5k surplus balance, which is £4.8k better than the original budgeted deficit of £61.5k.

SCHOOLS WITH LICENSED DEFICITS 2018/19	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
4 St Johns	-£46,000	-£8,686	£3,462	-£49,462	-£12,148

The main variances to original budget are shown in the following table:

St John the Evangelist MSB Outturn Summary VARIANCE: Original Budget to Final Outturn		
Staffing Budget	£18,998	Overspend
Non Staffing Budget	-£7,987	Underspend
TOTAL EXPENDITURE	£11,011	Overspend
TOTAL INCOME	-£42,412	Additional Income
NET EXPENDITURE	-£31,401	
Pupil Premium Grant	£288	Overbudgeted at budget build
Teachers Pay Grant	-£3,960	Unknown at time of budget build
Early Years In Year Adjustment	-£13,142	Underbudgeted at budget build
SEN	-£1,066	Underbudgeted at budget build
Universal Infant Free School Meals	-£182	Underbudgeted at budget build
TOTAL FUNDING	-£18,062	
TOTAL VARIANCE TO ORIGINAL BUDGET	-£49,463	

The review meeting took place on 23rd November 2018 and was followed by a short support visit by the WBC Senior Accountant (Projects) to work with the outgoing School Business Manager.

(5) John Rankin Schools Federation

	MSB Balance	
2014/15	-£28,693	Deficit
2015/16	-£169,724	Deficit
2016/17	-£122,680	Deficit
2017/18	-£189,992	Deficit
2018/19	£0	

The final outturn position was a zero balance, which is £131k better than the budgeted deficit of £131k.

SCHOOLS WITH LICENSED DEFICITS 2018/19	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
5 John Rankin Federation	-£131,033	-£53,291	£0	-£131,033	-£53,291

The main variances to original budget are shown in the following table:

John Rankin Schools MSB Summary VARIANCE: Original Budget to Final Outturn		
Staffing Budget	-£33,197	Underspend
Non Staffing Budget	£44,979	Overspend
TOTAL EXPENDITURE	£11,783	Overspend
TOTAL INCOME	-£110,579	Additional Income
NET EXPENDITURE	-£98,796	
Business rates adjustment	£342	Unknown at time of budget build
Growth funding	£433	Over budgeted
Schools in Financial Difficulty	-£2,833	Unknown at time of budget build
Teachers Pay Grant	-£11,463	Unknown at time of budget build
SEN	-£2,928	Under budgeted
Pupil Premium Grant	-£12,650	Under budgeted
Free School Meal Supplementary Grant & adjustment	-£3,125	Unknown at time of budget build
TOTAL FUNDING	-£32,224	
TOTAL VARIANCE TO ORIGINAL BUDGET	-£131,020	

The WBC Senior Accountant (Projects) made induction visits to work with the school's Finance Manager on 5th November and 11th December, and the review meeting took place on 12th October 2018.

(6) Westwood Farm Schools Federation

	MSB Balance	
2015/16	-£40,270	Deficit
2016/17	-£67,108	Deficit
2017/18	-£82,753	Deficit
2018/19	-£26,786	Deficit

The final outturn position was a £26.8k balance, which is £18.5k better than the original budgeted deficit of £43.3k.

SCHOOLS WITH LICENSED DEFICITS 2018/19	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
6 Westwood Farm Federation	-£45,280	-£40,612	-£26,786	-£18,494	-£13,826

The main variances to original budget are shown in the following table:

Westwood Farm Schools Federation		
MSB Summary		
VARIANCE: Original Budget to Final Outturn		
Staffing Budget	£5,542	Overspend
Non Staffing Budget	£114,627	Overspend
TOTAL EXPENDITURE	£120,169	
TOTAL INCOME	-£102,607	Additional Income
NET EXPENDITURE	£17,562	
Main School Budget Delegation	£2,944	Overbudgeted at budget build
Business Rates Adjustment	£1,665	Overbudgeted at budget build
Pupil Premium Grant	-£213	Underbudgeted at budget build
Teachers Pay Grant	-£7,972	Unknown at time of budget build
Early Years In Year Adjustment	-£23,616	Underbudgeted at budget build
SEN	-£2,146	Underbudgeted at budget build
Universal Infant Free School Meals	-£6,712	Underbudgeted at budget build
TOTAL FUNDING	-£36,050	
TOTAL VARIANCE TO ORIGINAL BUDGET	-£18,488	

The review meeting took place on 10th December 2018.

(7) **Beenham Primary School**

	MSB Balance	
2016/17	-£37,090	Deficit
2017/18	-£64,783	Deficit
2018/19	-£40,676	Deficit

The final outturn position was a £40.7k deficit balance, which is £4.6k worse than the original budgeted deficit of £36.1k.

SCHOOLS WITH LICENSED DEFICITS 2018/19	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
7 Beenham	-£36,153	-£50,502	-£40,676	£4,523	-£9,826

The main variances to original budget are shown in the following table:

Beenham		
MSB Summary		
VARIANCE: Original Budget to Final Outturn		
Staffing Budget	£1,105	Overspend
Non Staffing Budget	£19,277	Overspend
TOTAL EXPENDITURE	£20,382	
TOTAL INCOME	-£15,813	Additional Income
NET EXPENDITURE	£4,569	
Schools in Financial Difficulty - additional Schools Accountancy support	-£200	Underbudgeted at budget build
Business Rates Adjustment	£108	Overbudgeted at budget build
Pupil Premium Grant	£3,980	Overbudgeted at budget build
Teachers Pay Grant	-£1,776	Unknown at time of budget build
SEN	-£2,964	Underbudgeted at budget build
Universal Infant Free School Meals	£861	Overbudgeted at budget build
TOTAL FUNDING	£9	
TOTAL VARIANCE TO ORIGINAL BUDGET	£4,578	

The WBC Senior Accountant (Projects) made a support visits to the school on 8th October and 4th December.

The first review meeting took place on 16th November. Given the significant forecast overspend a second review meeting took place on 15th February.

(8) St Finians Catholic Primary School

	MSB Balance	
2017/18	-£7,714	Deficit
2018/19	-£56,722	Deficit

The final outturn position was a £56.7k deficit balance, which is £4.8k better than the original budgeted deficit of £61.5k.

SCHOOLS WITH LICENSED DEFICITS 2018/19	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
8 St Finians	-£61,542	-£62,837	-£56,722	-£4,820	-£6,115

The main variances to original budget are shown in the following table:

St Finians MSB Summary VARIANCE: Original Budget to Final Outturn		
Staffing Budget	-£3,603	Underspend
Non Staffing Budget	£7,847	Overspend
TOTAL EXPENDITURE	£4,244	Overspend
TOTAL INCOME	-£9,609	Additional Income
NET EXPENDITURE	-£5,365	
Business rates adjustment	£810	Unknown at time of budget build
Pupil Premium Grant	£2,760	Overbudgeted at budget build
Teachers Pay Grant	-£3,395	Unknown at time of budget build
SEN	-£184	Underbudgeted at budget build
Universal Infant Free School Meals	£554	Overbudgeted at budget build
TOTAL FUNDING	£545	
TOTAL VARIANCE TO ORIGINAL BUDGET	-£4,820	

The WBC Senior Accountant (Projects) made a support visit to work with the Headteacher and School Business Manager on 22nd January 2019.

The review meeting took place on 6th November 2018. Whilst the school is forecasting a year end figure greater than the licensed deficit, the sum is at this time not considered significant so there is currently no plan to make a second review visit.

A bid will be submitted in July 2019 for Schools in Financial Difficulty funding to cover the reduced funding as a result of small cohort year.

(9) The Willink School

	MSB Balance	
2016/17	-£2,630	Deficit
2017/18	-£98,684	Deficit
2018/19	-£151,086	Deficit

The final outturn position was a deficit of £151k, which is £160.5k better than the budgeted deficit of £312k.

SCHOOLS WITH LICENSED DEFICITS 2018/19	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
9 The Willink	-£311,588	-£257,345	-£151,086	-£160,502	-£106,259

The main variances to original budget are shown in the following table:

The Willink MSB Summary VARIANCE: Original Budget to Final Outturn		
Staffing Budget	-£5,421	Underspend
Non Staffing Budget	£33,647	Overspend
TOTAL EXPENDITURE	£28,226	Overspend
TOTAL INCOME	-£139,490	Additional Income
NET EXPENDITURE	-£111,264	
Teachers Pay Grant	-£26,528	Unknown at time of budget build
Sixth Form	-£1,200	Under budgeted at budget build
SEN	-£21,349	Under budgeted at budget build
Pupil Premium Grant	£4,245	Over budgeted at budget build
Free School Meal Supplementary Grant	-£4,400	Unknown at time of budget build
TOTAL FUNDING	-£49,232	
TOTAL VARIANCE TO ORIGINAL BUDGET	-£160,496	

The West Berkshire Council (WBC) Senior Accountant (Projects) made support visits to work with the school's Finance Manager on 4th October 2018 and 14th January 2019. The review meeting took place on 9th November 2018.

6. Schools ending year with unplanned deficits

6.1 In addition to the nine schools above, three schools ended the financial year 2018/19 with an unlicensed deficit. Each of the three schools has submitted a balanced budget for 2019/20.

SCHOOLS THAT FINISHED 2018/19 WITH AN UNLICENSED DEFICIT	Original MSB	P9 Forecast	P13 Closing Balance	VARIANCE Original MSB to P13 Closing Balance	VARIANCE P9 Forecast to P13 Closing Balance
1 Stockcross	£6,510	£454	-£25,899	£32,409	£26,353
2 Welford & Wickham	£7,940	£3,560	-£13,208	£21,148	£16,768
3 Enborne Primary School	£2,950	-£3,396	-£3,167	£6,117	-£229
	£17,400	£618	-£42,274	£59,674	£42,892

7. Conclusion

- 7.1 The overall improvement for the nine schools that set a deficit budget for 2018/19 is an excellent outturn. Five schools ended the year out of deficit, and all schools have reduced their budgeted deficit by £658k.
- 7.2 This has been achieved by schools applying rigorous budget management, securing better value for money, putting new staffing structures in place and generating income. The Primary Schools in Financial Difficulty fund has been awarded to qualifying schools to support one off costs.
- 7.3 Review meetings have taken place throughout the year to monitor and support these schools.

2019/20 Capital Programme Financial Performance Report Quarter One

Committee considering report:	Executive
Date of Committee:	5 September 2019
Portfolio Member:	Councillor Jeff Cant
Date Portfolio Member agreed report:	15 August 2019
Report Author:	Shannon Coleman-Slaughter
Forward Plan Ref:	EX3799

1. Purpose of the Report

- 1.1 The financial performance reports provided to Members throughout the financial year reports on the under or over spend against the Council's approved capital budget.
- 1.2 This report presents the Quarter One financial performance for Members to note, no decisions are required.

2. Recommendation

- 2.1 Not applicable.

3. Implications

- 3.1 **Financial:** Any potential capital slippage during 2019/20 will be monitored in year and impacts on the 2020/21 capital programme reviewed by the Capital Strategy Group (CSG).
- 3.2 **Policy:** Not applicable
- 3.3 **Personnel:** Not applicable
- 3.4 **Legal:** Not applicable
- 3.5 **Risk Management:** Any significant delays in project delivery impact on the provisional budget for 2020/21 and subsequent years. Not fully utilising the Commercial Property budget (£35 million) will result in the Property Investment Strategy not being fully invested and compromising budgeted revenue returns in 2019/20 and planned returns for 2020/21.
- 3.6 **Property:** Not applicable
- 3.7 **Other:** Not applicable

4. Other options considered

4.1 Not applicable

Executive Summary

5. Introduction / Background

- 5.1 The financial performance report provided to Members on a quarterly basis during the financial year, details progress against the current years capital programme, and key capital schemes identified as high risk.
- 5.2 A capital budget for 2019/20 of £75 million was set by Council in March 2019 with funding of £20.8 million from external grants, £5.4 million section 106 contributions and Community Infrastructure Levy and with £48.8 million planned to be funded from borrowing.
- 5.3 During the year budget changes may occur, mainly as a result of budgets brought forward from the previous financial year, additional grants and section 106 allocations received in year and spend re-profiled into 2020/21. The revised budget at Quarter One is £88.1 million. As part of the yearend process for 2018/19 £8.5 million of slippage was agreed by CSG and is now included within the 2019/20 budget allocation. Appendix D gives a breakdown of programme slippage by service and all other changes to the capital budget.

6. Proposals

- 6.1 None

7. Conclusions

- 7.1 At the end of Quarter One expenditure of £48.4 million has been forecast against the revised budget of £88.1 million, an overall underspend of £39.6 million, 45% of the budget.

Directorate Summary	Current Budget	Quarter One		Quarter Two		Quarter Three		Change in Forecast from Last Quarter
		Forecast Spend in Year	Forecast (under)/Over Spend	Forecast Spend in Year	Forecast (under)/Over Spend	Forecast Spend in Year	Forecast (under)/Over Spend	
	£'000	£'000	£'000	£'000	£'000			£'000
People	18,605	16,963	(1,642)					
Place	30,282	27,282	(3,000)					
Resources	39,215	4,215	(35,000)					
Totals	88,102	48,460	(39,641)	0	0	0	0	0

- 7.2 The key areas contributing to the underspend position are:

- (1) Commercial Property (within Finance and Property Services, Resources Directorate), is forecasting a £35 million underspend. Executive agreed in June 2019 to review the property investment strategy. Until the strategy review is complete, forecasting is based on the likelihood that the Commercial Property budget of £35 million will not be spent in year and the full budget is forecast as an underspend at Quarter One.

- (2) Development and Planning (within the Place Directorate), is forecasting a £3 million underspend relating to the redevelopment of Four Houses Corner, purchase of temporary accommodation and anticipated usage of the Disabled facilities Grant.
- (3) Education Services (within the People Directorate), is forecasting £1.8 million underspend primarily relating to delays in the Willink expansion (at feasibility stage), Speenhamland two form entry expansion and the East Area Pupil Referral Unit redevelopment. This is partially offset by an overspend forecast by Adult Social Care of £154k relating to use of Occupational Therapists capitalised as part of the corporate mitigation programme in 2018/19.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information
- 8.4 Appendix D – 2019/20 Budget Changes

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Resources
Service:	Finance & Property
Team:	Accountancy
Lead Officer:	Andy Walker
Title of Project/System:	Capital Programme Financial Performance Monitoring
Date of Assessment:	18.7.19

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	X
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	X
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	X
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	X
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	X
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	X
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	X

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

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 as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	To note report
Summary of relevant legislation:	N/a
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Andy Walker
Date of assessment:	18.7.19

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

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To inform re financial performance against agreed capital programme
Objectives:	To inform re financial performance against agreed capital programme
Outcomes:	To inform re financial performance against agreed capital programme
Benefits:	To inform re financial performance against agreed capital programme

2 Note which groups may be affected by the proposed decision. 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
Age	Not applicable	Not applicable
Disability		

Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	Yes/No
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	Yes/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 Two 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	N/a
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Andy Walker

Date: 18.7.19

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

2019/20 Capital Programme Financial Performance Report Quarter One – Supporting Information

1. Introduction/Background

- 1.1 This financial performance report, provided to Members quarterly, reports on progress with major capital schemes and forecast spend against the 2019/20 approved capital budget.
- 1.2 A capital budget for 2019/20 of £75 million was set by Council in March 2019 with funding of £20.8 million from external grants, £5.4 million section 106 contributions and Community Infrastructure Levy and with £48.8 million planned to be funded from borrowing.
- 1.3 The repayment of principle and interest on loans which are used to fund capital spending are met from the revenue budget for capital financing and risk management. Forecast spend on this budget is reported in the Revenue Financial Performance Report.

2. Revised Budget as at Quarter One

- 2.1 During the year budget changes may occur, mainly as a result of budgets brought forward from the previous financial year, additional grants and section 106 allocations received in year and spend re-profiled into 2020/21. Allocations of additional funding of less than £50k can be approved by the Chief Financial Accountant and the relevant Head of Service, all other budget changes must be approved by Capital Strategy Group (CSG) as set in the Council's Financial Regulations.
- 2.2 The revised budget at Quarter One is £88.1 million. As part of the yearend process for 2018/19 £8.5 million of slippage was agreed by CSG and is now included within the 2019/20 budget allocation. Appendix D gives a breakdown of programme slippage by service and all other changes to the capital budget.

3. Position as at Quarter One

Directorate Summary	Current Budget	Quarter One		Quarter Two		Quarter Three		Change in Forecast from Last Quarter
		Forecast Spend in Year	Forecast (under)/Over Spend	Forecast Spend in Year	Forecast (under)/Over Spend	Forecast Spend in Year	Forecast (under)/Over Spend	
	£'000	£'000	£'000	£'000	£'000			£'000
People	18,605	16,963	(1,642)					
Place	30,282	27,282	(3,000)					
Resources	39,215	4,215	(35,000)					
Totals	88,102	48,460	(39,641)	0	0	0	0	0

- 3.1 At the end of Quarter One expenditure of £48.4 million has been forecast against the revised budget of £88.1 million, an overall underspend of £39.6 million, 45% of the budget.

3.2 The key areas contributing to the underspend position are:

- (1) Commercial Property (within Finance and Property Services, Resources Directorate), forecast £35 million underspend.
- (2) Development and Planning, forecast £3 million underspend.
- (3) Education Services, forecast £1.8 million underspend.

4. People Directorate Review

People	Current Budget	Quarter One		Quarter Two		Quarter Three		Change in Forecast from Last Quarter
		Forecast Spend in Year	Forecast (under)/Over Spend	Forecast Spend in Year	Forecast (under)/Over Spend	Forecast Spend in Year	Forecast (under)/Over Spend	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Adult Social Care	1,486	1,640	154		0			
Children & Family Services	7	7	0		0			
Education Services	17,112	15,316	(1,796)		0			
Totals	18,605	16,963	(1,642)	0	0	0	0	0

4.1 The directorate is forecasting an underspend of £1.6 million (9% of the budget).

4.2 Adult Social Care is forecasting an overspend of £154k relating to funding of Occupational Therapists capitalised as part of a corporate mitigation programme in 2018/19. The occupational Therapists are funded from the budget for the NRS equipment. Use of the NRS contract has been increased to deliver a revenue saving for doubled handed care.

4.3 Education Services is forecasting a £1.8 million underspend. Key projects influencing the forecast position are:

- (1) Theale Primary basic need, £354k overspend. The project is expected to complete during 2019/20, with all construction costs incurred in 2019/20.
- (2) The Willink (expansion feasibility), £664k underspend. The project is currently delayed at the design stage.
- (3) Speenhamland two form entry expansion project, £647k underspend. The project is delayed as awaiting for Land Acquisition Committee approval for project design.
- (4) Trinity School basic need, £380k overspend. The project is progressing more quickly than anticipated incurring additional costs in 2019/20.
- (5) East Area Pupil Referral Unit redevelopment, £1,008 million underspend. The project is significantly delayed due to need to re-design; planning issues and decision to slip project to align with a later move out date to reduce time in temporary accommodation contributing to the forecast position.
- (6) Across the balance of the Education programme there are a number of smaller over and underspends of under £150k across multiple projects.

4.4 Children & Family Services are forecasting an online position.

5. Places Directorate

Place	Current Budget	Quarter One		Quarter Two		Quarter Three		Change in Forecast from Last Quarter
		Forecast Spend in Year	Forecast (under)/Over Spend	Forecast Spend in Year	Forecast (under)/Over Spend	Forecast Spend in Year	Forecast (under)/Over Spend	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Development & Planning	4,194	1,385	(2,809)		0			
Public Protection & Culture	2,594	2,594	(0)		0			
Transport & Countryside	23,494	23,303	(191)		0			
Totals	30,282	27,282	(3,000)	0	0	0	0	0

5.1 The directorate is forecasting an underspend of £3 million, (10% of the budget).

5.2 Development and Planning is forecasting a £2.8 million underspend, key projects contributing to the forecast position are:

- (1) Redevelopment of Four Houses Corner, £2 million underspend. Delays on the project have been incurred through issues with existing occupants vacating the site allowing for works to commence.
- (2) Purchase of temporary accommodation, £263k underspend. Two properties are still to be purchased.
- (3) Disabled Facilities Grant, £559k underspend. Demand led budget,
- (4) Across the balance of the Development and Planning programme there are a number of smaller over and underspends of under £60k across multiple projects.

5.3 Transport and Countryside is forecasting a £191k underspend relating to the development of the Henwick Worthy Sports Facilities funded by section 106. The project is not expected to be undertaken in 2019/20.

5.4 Public Protection and Culture are forecasting an online position.

6. Resources Directorate

Resources	Current Budget	Quarter One		Quarter Two		Quarter Three		Change in Forecast from Last
		Forecast Spend in	Forecast (under)/Over	Forecast Spend in	Forecast (under)/Over	Forecast Spend in	Forecast (under)/Over	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Customer Services & ICT	1,532	1,532	0					
Finance & Property	2,243	2,243	0					
Finance & Property - Commercial Property	35,000	0	(35,000)					
Human Resources	61	61	(0)					
Strategic Support & Legal	344	344	0					
Chief Executive	35	35	0					
Totals	39,215	4,215	-35,000	0	0	0	0	0

6.1 The directorate is forecasting an overspend of £35 million, (89% of the budget).

6.2 The forecast £35 million underspend relates to the Commercial Property budget held within Finance and Property Services. Executive agreed in June 2019 to

review the property investment strategy. Until the strategy review is complete, forecasting is based on the likelihood that the Commercial Property budget of £35 million will not be spent in year and the full budget is forecast as an underspend at Quarter One.

6.3 All other services within the directorate are forecasting on line positions.

7. Options for Consideration

7.1 None

8. Proposals

8.1 None

9. Conclusion

9.1 Progress with all capital schemes will continue to be monitored by CSG throughout the financial year. The final outturn position will be reported to Executive in June 2020.

10. Consultation and Engagement

10.1 John Ashworth – Corporate Director for Economy & Environment. Andy Walker – Head of Finance and Property

Subject to Call-In:

Yes: No: X

- 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 X

Officer details:

Name: Andy Walker
 Job Title: Head of Finance and Property
 Tel No: 01635 519433
 E-mail Address: andy.walker@westberks.gov.uk

Appendix D

2019/20 Budget Changes

Service Area	Service Code	Original Budget 2019/20	Budget Agreed by CSG to be Slipped from 2018/19	Other Agreed Changes to 2019/20 Budget	Revised Budget for 2019 /20	Explanation of Other Agreed Changes	Approved by
		£000	£000	£000	£000		
PEOPLE DIRECTORATE							
Adult Social Care	COMASC	1,576	(90)	0	1,486		
Children's Services	COMCS	13	(6)	0	7		
Education Services	COMES	16,120	992	0	17,112		
Total for the People Directorate		17,709	896	0	18,605		
PLACE DIRECTORATE							
Development and Planning	ENVDP	3,582	612	0	4,194		
Public Protection & Culture	ENVPPC	2,379	216	(1)	2,594		
Transport & Countryside	ENVTC	12,645	6,374	4,475	23,494	£1.9 m reprofiled from 18/10	CSG 19/07/18
						£2,575m reprofiled from 18/19	CSG 08/11/18
Total for the Place Directorate		18,606	7,202	4,474	30,282		
RESOURCES DIRECTORATE							
Customer Services and ICT	RESCSI	1,446	82	4	1,532	£4k to ICT for Lone working	CSG 09/05/19
Finance & Property	RESFIN	1,996	165	6	2,167	£6k to Finance for IDEA Software	CSG 09/05/19
Finance & Property : Corporate Allocation Budget	87620	98	0	(22)	76	£4.5k to ICT for Lone Working, £12k to Legal for Iken, £6k to finance for IDEA Software	CSG 09/05/19
Finance & Property : Commercial Property Budget	89900	35,000	0	0	35,000		
Human Resources	RESHR	0	61	0	61		
Strategic Support & Legal	RESSG	161	171	12	344	£12k To Legal for Iken	CSG 09/05/19
Chief Exec	RESCX	35	0	0	35		
Total for Resources Directorate		38,736	479	0	39,215		
Totals		75,051	8,577	4,474	88,102		

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Treasury Management Annual Report 2018/19

Committee considering report:	Executive on 5 September 2019
Portfolio Member:	Councillor Jeff Cant
Date Portfolio Member agreed report:	15 August 2019
Report Author:	Gabrielle Esplin
Forward Plan Ref:	EX3806

1. Purpose of the Report

- 1.1 To inform Members of the treasury management activity, including short and long term borrowing, and the performance of the Council's investments for the financial year 2018/19.

2. Recommendation

- 2.1 To note the contents of the report.

3. Implications

- 3.1 **Financial:** The Treasury function is responsible for the daily cash flow management of the Council. In 2018/19, net interest of £687k was earned on short term investments, as compared with £360k in 2017/18.
- 3.2 **Policy:** The Council's cash flow, borrowing and investments are carried out in accordance with the Annual Investment Strategy agreed by Council.
- 3.3 **Personnel:** None
- 3.4 **Legal:** None
- 3.5 **Risk Management:** All investments are undertaken with a view to minimising the risk of financial loss. The Treasury Management Strategy approved by the Council sets parameters to ensure this.
- 3.6 **Property:** The Council's Property investment strategy is closely aligned to the overarching Investment and Borrowing Strategy. Progress with property investment will be reported as part of quarterly financial performance monitoring.

4. Other options considered

- 4.1 Not applicable.

Executive Summary

5. Summary of Treasury Performance in 2018/19

- 5.1 The aim of the Council's Treasury Management Strategy is to manage cash flow to ensure sufficient funds are available on a day to day basis for the Council's operations. Surplus funds are invested to maximise interest, while minimising the exposure of investments to risk. Investment and borrowing activities in 2018/19 were affected by the increase in the Bank of England base rate of interest from 0.50% to 0.75% in August 2018.
- 5.2 The average level of funds invested by the Council in 2018/19 (net of short term borrowing) was £37.9 million (£22.6 million in 2017/18). Funds were invested in instant access deposit accounts with:
- Natwest at up to 0.2% until September 2018 and up to 0.3% from October 2018
 - the Bank of Scotland at 0.35% until July 2018 and 0.6% from August 2018
 - Santander UK at 0.15% throughout the year
 - the Goldman Sachs Sterling Liquid Reserve money market fund, at a variable rate of interest averaging 0.59%.
- Fixed term deposits were also placed with UK Building Societies for an average period of 282 days and an average rate of 1.05%. The maximum amount invested with any one institution was £5 million. A number of short term loans were also arranged from other Local Authorities to cover our short term cash flow needs. The average length of loan was 13 days and the average rate of interest paid was 0.79%.
- 5.3 Total interest earned on investments (net of interest paid on short term borrowing) was £314k, or 0.83% of the average fund value (compared with £129k or 0.57% in 2017/18). We also received a discount of 2.7% or £373k by paying our contributions to the Berkshire Pension Fund in advance. The total earned through cash flow management was therefore £687k which represents a return of 1.53%.
- 5.4 £46.1 million new longer term loans were also taken from the Public Works Loans Board (PWLB) in 2018/19. This included £39.8 million new 50 year maturity loans at an average rate of 2.51% to fund the acquisition of investment property. The remaining loans were all annuity loans, to finance capital expenditure, for between 10 years at 1.66% interest and 50 years at 2.66%. The length of loan was linked to the estimated useful life of the asset funded. £5.4 million repayments were made on existing capital financing loans, bringing the Council's total long term capital financing debt with the PWLB to £200.4 million.

6. Conclusion

- 6.1 The return on investments in 2018/19 compared favourably to the previous year's performance due to a higher fund balance, higher interest rates and proactive cash flow management. Interest rates have increased over the last 12 months and are currently expected to remain fairly stable for the remainder of the financial year 2019/20. We therefore anticipate that, by continuing to pursue the current treasury management policy, returns on investments for the current financial year will be at least as good as or slightly better than in 2018/19.
- 6.2 However it is likely that the fund balance will be lower in 2020/21 when capital schemes which have been subject to delay are expected to be completed. The

effect of a £5 million reduction in the fund balance **or** a 0.25% reduction in interest rates would be a reduction in interest earned of approximately £75k.

- 6.3 Treasury activities will continue to be reviewed and scrutinised by the Treasury Management Group and any significant changes to forecast performance will be reported to the Executive through the quarterly financial performance monitoring process.

7. Appendices

- 7.1 Appendix A – Data Protection Impact Assessment
- 7.2 Appendix B – Equalities Impact Assessment
- 7.3 Appendix C – Supporting Information

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Resources
Service:	Finance and Property
Team:	Accountancy
Lead Officer:	Gabrielle Esplin
Title of Project/System:	Treasury Management
Date of Assessment:	23/7/19

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	No
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	No
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	No
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	No
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	No
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	No
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	No

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

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 as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	No decision – report to note only
Summary of relevant legislation:	
Does the proposed decision conflict with any of the Council’s key strategy priorities?	No
Name of assessor:	Gabrielle Esplin
Date of assessment:	23/7/19

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

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	Not applicable – report on 2018/19 activity to note only
Objectives:	
Outcomes:	
Benefits:	

2 Note which groups may be affected by the proposed decision. 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
Age	Not applicable – report on 2018/19 activity to note only	
Disability		
Gender Reassignment		
Marriage and Civil		

Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision 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 Two 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	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Gabrielle Esplin

Date: 23/7/19

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

Treasury Management Annual Report 2018/19

Supporting Information

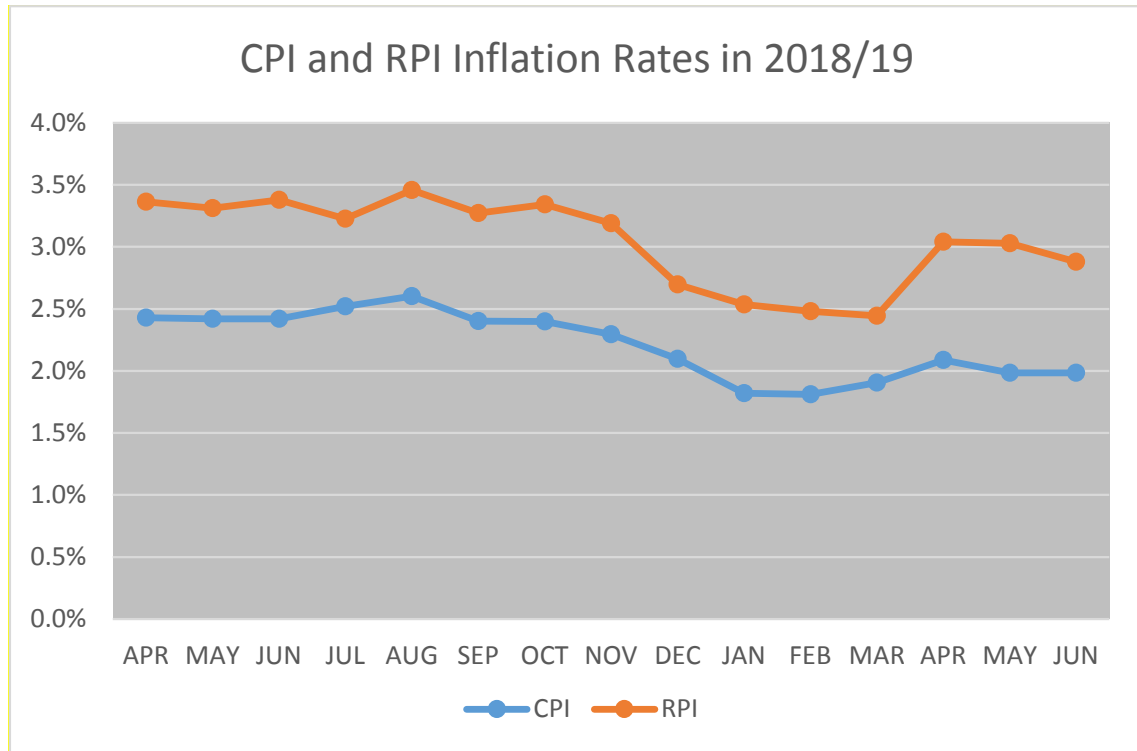
1. Introduction

- 1.1. The CIPFA Code of Practice for Treasury Management in the Public Services, revised in December 2017, requires the Section 151 Officer to report to the Executive before the start of the financial year on the treasury strategy for the coming year and, after the end of the financial year on Treasury Management activity and performance for the previous year.
- 1.2. The regulatory environment places onus on Members for the review and scrutiny of treasury management policy and activities (which are defined by CIPFA as “the management of the Council’s investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”).
- 1.3. The Treasury Management Group met three times during the course of 2018/19 to review performance and detailed implementation of policy. This group includes the Portfolio Member for Finance, together with the Head of Finance and Property, the Chief Financial Accountant, the Finance Manager for Capital, VAT and Treasury, the Treasury Accountant.
- 1.4. This annual report, which provides details of the treasury activities and compliance with the Council’s policies throughout 2018/19 for the benefit of all Executive Members, includes:
 - A summary of the economic factors affecting treasury policy and performance
 - A summary of the approved strategy for 2018/19 and 2019/20
 - A review of treasury management performance in line with the strategy in 2018/19.

2. Economic conditions

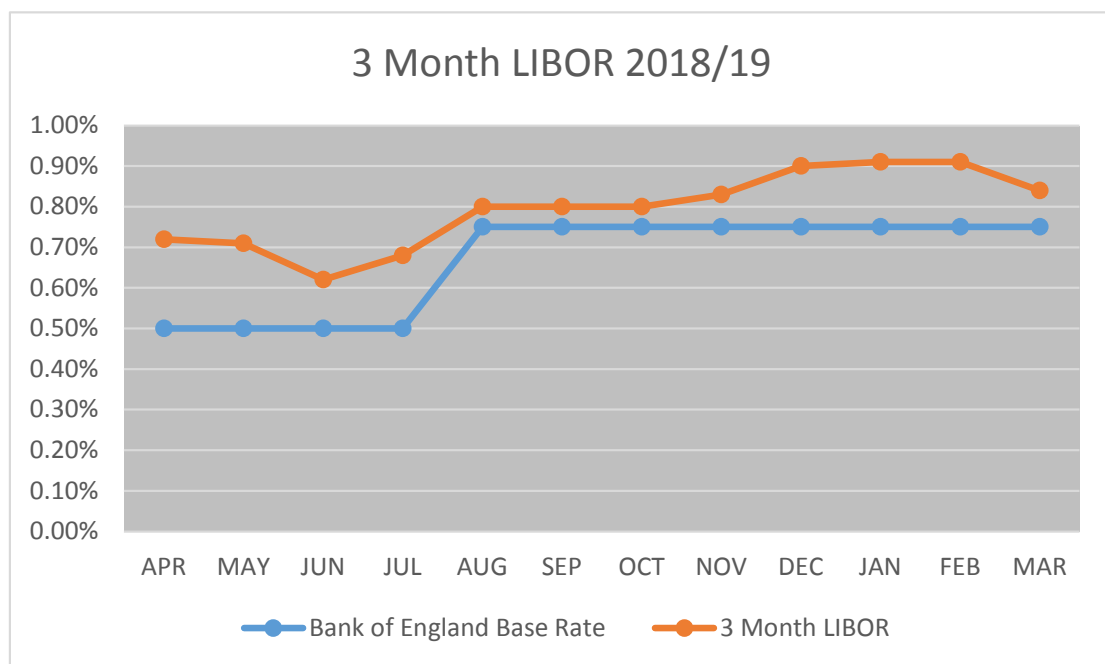
- 2.1 The UK economy was influenced during 2018 by slow growth in the global economy and uncertainty over the outcome of the Brexit process. Despite these effects, CPI inflation remained above the Bank of England target of 2% in the first quarter of the financial year. A rise in the Bank of England base rate from 0.5% to 0.75% in August 2018 was followed by a reduction in the CPI rate to 1.9% by March 2019.

Chart 1



2.2 The interest rates which the Council can earn on its investments reflect the three month sterling London Inter-Bank Offer Rate or LIBOR (this is the rate at which the banks are prepared to lend to each other). LIBOR (see Chart 2) rose from 0.62% from in June 2018 to a peak of 0.92% in February 2019, which was broadly in line with the change in the Bank of England base rate.

Chart2



- 2.3 The effect of this has been that interest rates available to the Council from banks and building societies have increased during 2018/19. For example, a 1 year investment with a top 20 building society in June 2018 earned 0.80% but equivalent rates peaked at 1.25% by December 2018.
- 2.4 The Bank of England forecast in May 2019 that inflation is likely to remain steady for the next 12 to 18 months and then to increase somewhat above the 2% target. The base rate is not now expected to show any further rises during 2019 and only to rise to 1% by the end of 2021 (about a year later than was forecast this time last year).

3. Overview of Cash Flow and Treasury Management Strategy

- 3.1 The aim of the Council's investment strategy (last approved by the Council in March 2019) is to manage cash flow to ensure sufficient funds are available on a day to day basis for the Council's operations. Surplus funds are invested to generate the most beneficial interest receipts, while minimising the exposure of investments to risk.
- 3.2 The amount of cash held by the Council fluctuates throughout the year and within each month. In general terms, funds are high on the first working day of the month when a large proportion of Council tax and government grant is received and low on the last working day of the month when the majority of staff salaries are paid. Funds also tend to be lower towards the end of the financial year as some of the smaller government grants are paid in full at the start of the financial year and the majority of Council tax payments are made in ten equal instalments between April and January, so Council tax receipts are much lower in February and March.

4. Treasury management activity in 2018/19

- 4.1 The treasury position as at 31st March 2019, compared to the previous year was as follows:

Table 1

	31st March 2019 £000	Average Rate	31st March 2018 £000	Average Rate
Fixed Rate Debt				
PWLB Loans Balance	200,438	3.16%	159,693	3.30%
PFI Debt	13,651	6.1%	14,293	6.1%
Short Term Borrowing	8,500	0.90%	-	
Total Debt	222,589		173,986	
Instant access cash deposits	10,020	0.59%	7,401	0.25%
Fixed term fixed rate investments	26,000	1.1%	18,000	0.8%
Total Cash & Investments	36,020		25,401	

- 4.2 In order to meet the Council's day to day cash flow requirements, a sum of between approximately £1 million and £20 million is held in instant access accounts. In line with the Council's Treasury Management Strategy, accounts are held with banks rated by Moody's Credit Ratings Agency at P1 (maximum deposit £5 million) or P2 (maximum deposit £4 million) while the money market fund is rated AAA. These ratings indicate a very low risk of default on short term investments.

4.3 The interest rates and credit ratings for these accounts are as follows:

Table 2

Institution:	Interest Rate:	Changes:	Moody's Rating:
Bank of Scotland	0.60%	Increased from 0.35% in August 2018	P1
NatWest	0.2% < £1m 0.3% > £1m	Increased from 0.1 in October 2018	P2
Santander UK	0.15%	No change in 2018/19 but increased to 0.5% in April 2019	P1
Goldman Sachs Money Market Fund	Variable averaging 0.59%	0.33% average in 2017/18; peaked at 0.74% in January 2019; currently 0.69%	AAA

4.4 At various points in the year the Council had surplus funds which it placed in fixed term, fixed rate investments until they were needed to cover outgoings. The longer the term of the investment, the higher the rate of interest earned. During the year, 18 fixed term investments of between £1 million and £5 million were made for periods of between 14 and 364 days. All of these investments were placed with the top 20 British Building Societies. The average length of investment was 282 days and the average interest earned was 1.05%.

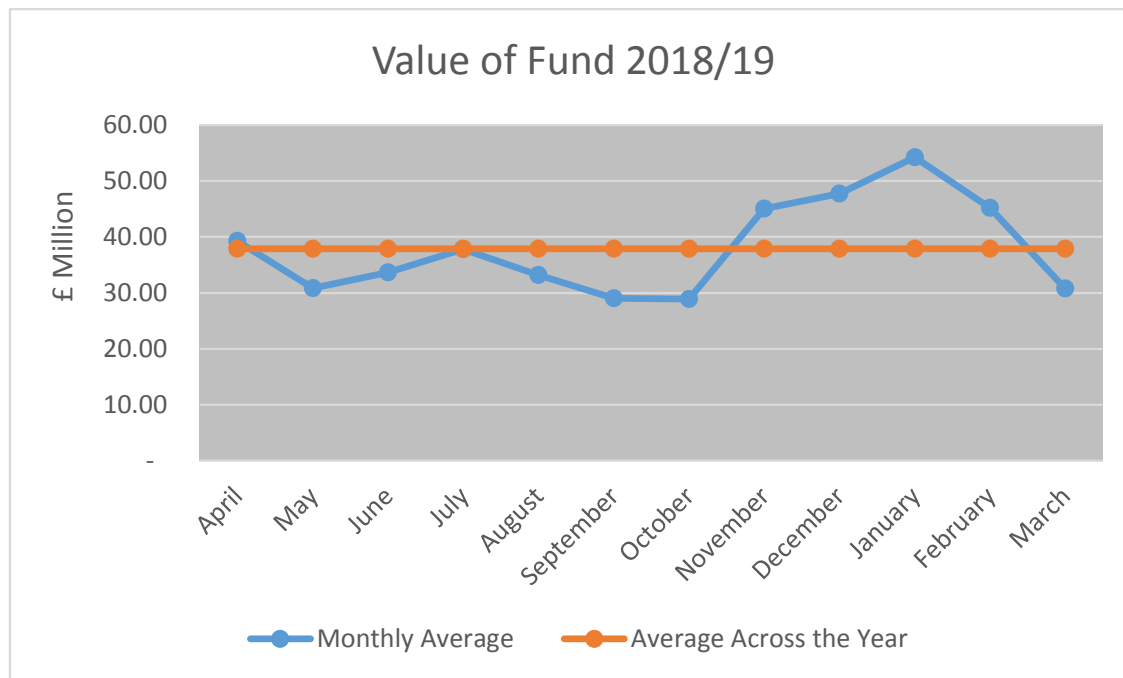
4.5 It was also necessary from time to time for the Council to take out short term loans to cover its cash flow requirements. 14 short term loans of between £1 million and £6 million were taken out during the financial year. These were all from other local authorities, for periods of between 4 days and 59 days, at rates of interest between 0.40% and 0.92%. Eight of these loans were for 14 days or less. The average length of loan was 13 days and the average interest paid on these loans was 0.79%.

4.6 The majority of the Council's investments are arranged through one of five firms of financial brokers, which have ready access to the most competitive interest rates on the market each day.

5. Overall Performance of the Treasury Fund

5.1 The average value of the fund during the year (i.e. the total of temporary investments less temporary borrowing) was £37.9 million (see Chart 3). This was higher than the average value of the fund in 2017/18 of £22.6 million. This increase was partly because of delays to major capital schemes (mainly new schools) and the receipt in advance of capital grants for highways maintenance and new school places. The net value of the fund at 31st March 2018 was £27.5 million.

Chart 3



- 5.2 The net amount of interest earned from the Council’s investment and short term borrowing activities in 2018/19 was £314k compared with £129k in 2017/18. This represents a net rate of return of 0.83% as compared with the average bank base rate for the year of 0.67%. The higher level of interest earned in 2018/19 was as a result of a combination of the higher fund balance and interest rates which increased during the course of the year.
- 5.3 In addition, the Royal Borough of Windsor and Maidenhead, who manage the Berkshire pension fund, offered West Berkshire a discount of 2.7% on its total pension contributions due for the year, in exchange for paying the contributions in advance, in April 2018, instead of in monthly instalments. In this way, the Council achieved a saving of £373k, by, in effect, making a temporary investment of £14 million with the Berkshire Pension Fund at a rate of return of 2.7%. This was achieved because the Pension Fund is much bigger than the West Berkshire treasury fund and is able to invest over longer periods and therefore to earn a higher rate of return. Taking into account this saving, therefore, the total net investment income earned was £687k.
- 5.4 If the average fund balance is adjusted to include the average level of prepaid pension contributions (approximately £7 million on average across the year), and if the saving achieved through this arrangement is included in our return on investments, the overall rate of return would equate to 1.53%. (1.27% in 2017/18)
- 5.5 Table 3 (below) shows that investment and borrowing activities in 2018/19 were largely in line with the Treasury Management Strategy approved by Council in March and with the more detailed Treasury Management Policies, which underpin the Strategy. There were a few exceptional circumstances when unexpected payments were received into or paid out of the Council’s main bank account. In these cases the account was returned to its approved limit on the next working day.

Table 3

Policy	Target	Actual	Explanation
Credit limit with counterparties not exceeded	100%	98.0%	Late clearing of receipts into the Council's main bank account meant that on 5 out of 252 working days the £5 million counterparty limit with Natwest was exceeded. On all occasions this was corrected the next working day.
All counterparties on approved lending list	100%	100%	
All investments are approved investments	100%	100%	
Segregation of duties complied with	100%	100%	
Target for short term debt of £15m not exceeded	100%	100%	

6. Long Term Borrowing in 2018/19

- 6.1 With the exception of debt embedded in the PFI contract, all the Council's long term debt is with the Public Works Loans Board (PWLB). The level of long term borrowing in 2018/19 was in line with the prudential borrowing limits set out in the annual Investment and Borrowing Strategy 2018/19 and the Capital Strategy 2018 to 2022, which were both approved by the Council in March 2018. The operational borrowing limit agreed for 2018/19, as part of the Investment and Borrowing Strategy, was £223 million, which includes temporary borrowing and debt embedded in the PFI contract. This limit was increased to £273 million in July 2018 to accommodate the revised Property Investment Strategy. Borrowing needs were also reviewed during the year by the Treasury Management Group.
- 6.2 At 1 April 2018 the Council had long term PWLB loans of £159.7 million (including £20.5 million remaining from the loans inherited from the former Berkshire County Council). During 2018/19 new PWLB loans of £46.1 million were taken out as follows:

Table 4

New PWLB Loans 2018/19	Amount	Type	Rate	Start Date	Finish Date	Total Amount to be repaid
To fund capital expenditure on property investment	£15,855,000	Maturity	2.43%	Apr 18	Apr 68	£35,118,825
To fund capital expenditure on property investment	£9,740,000	Maturity	2.58%	Oct 18	Oct 68	£22,304,600
To fund capital expenditure on property investment	£6,937,700	Maturity	2.53%	Dec 18	Dec 68	£15,713,891
To fund capital expenditure on property investment	£7,487,000	Maturity	2.49%	Mar 19	Mar 69	£16,808,315
To fund capital expenditure in 2016/17 on assets with a useful life of 10 years	£1,348,400	Annuity	1.66%	Dec 18	Dec 28	£1,472,715
To fund capital expenditure in 2015/16 on assets with a useful life of 30 years	£3,813,400	Annuity	2.49%	Dec 18	Dec 48	£5,436,027
To fund capital expenditure in 2015/16 on assets with a useful life of 50 years	£948,400	Annuity	2.66%	Dec 18	Dec 68	£1,720,380

- 6.3 £5.4 million loan repayments were made in 2018/19, leaving the balance of long term debt with the PWLB at 31st March 2019 at £200.4 million.
- 6.4 The Capital Strategy for 2019/20 assumes that the Council's total long term PWLB debt will increase by approximately £45.3 million, to £245.7 million, to allow for the financing of planned capital expenditure in 2019/20. This includes a further £37 million borrowing to fund planned investment in property in 2019/20. However, if the Council's Property Investment Strategy is amended during the course of the current year, this may affect the total level of borrowing by the end of March 2020.
- 6.5 These figures do not include the debt embedded in the Waste PFI contract to finance the cost of building the Padworth Waste Management facility. This debt, which is included in the total borrowing shown on the Council's balance sheet, stood at £13.7 million at end of March 2019. (Repayments of this debt are included in the monthly waste contract charges, which are paid from the revenue budget for waste management).
- 6.6 The level of the Council's long term debt is expected to reach a peak of approximately £268 million by 2025. This debt level is in line with the capital strategy and MTFs approved by Council in March 2019. From 2025 onwards, the Council's long term debt is expected to start to decrease by about £1.3 million per year.

7. Consultation and Engagement

Internal Consultation:

Andy Walker – Head of Finance and Property
 Jeffery Cant – Portfolio Holder for Finance

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: Gabrielle Esplin
Job Title: Finance Manager – Capital, VAT and Treasury
Tel No: 01635 519836
E-mail Address: gabrielle.esplin@westberks.gov.uk

Devolution: garage adjacent to Beansheaf Community Centre, Calcot

Committee considering report:	Executive on 5 September 2019
Portfolio Member:	Councillor Jeff Cant
Date Portfolio Member agreed report:	15 August 2019
Report Author:	Colin Broughton
Forward Plan Ref:	EX3756

1. Purpose of the Report

- 1.1 To obtain authority to devolve the freehold interest in The Garage at Beansheaf Community Centre, Calcot, from West Berkshire Council to Holybrook Parish Council for a nominal consideration.

2. Recommendation

- 2.1 That West Berkshire Council transfers the freehold interest in The Garage at Beansheaf Community Centre to Holybrook Parish Council for a peppercorn.

3. Implications

- 3.1 **Financial:** The premises are currently let to the Holybrook Parish Council for a peppercorn under a lease expiring 16 February 2025 and the Parish Council pay for all repairs, insurance costs etc. The garage is of little value to West Berkshire Council due to its location and nominal rental value, but has potential benefits as ancillary storage space for the Community Centre which is owned freehold by Holybrook Parish Council.
- 3.2 **Policy:** Under the Councils Devolution programme, property that can better deliver local services and is not required by the Council, are considered for transfer either on long leases or freehold subject to pre-emption, to local Parish or Town Councils, who maintain and run the property at their cost. As West Berkshire Council has no current or future use for the garage at Beansheaf it would be a suitable property to consider transferring to the Parish Council.
- 3.3 **Personnel:** Property Services and Legal Services
- 3.4 **Legal:** Legal Service representatives have attended all Devolution meetings where this matter has been discussed and agreed to the terms of the Transfer.
- 3.5 **Risk Management:**

3.6 **Property:** Property Services involvement relates to agreeing terms of transfer to the Parish Council following application by the Parish Council, and discussion at the devolution meetings where the terms of Transfer were approved.

3.7 **Other:**

4. Other options considered

4.1 Retain the Garage and continue leasing to Holybrook Parish Council at Nil rent.-

Executive Summary

5. Introduction / Background

- 5.1 Holybrook Parish Council was created in 2000 under an Order dated 1st March 2000 when it split from Theale Parish Council and the ownership of Beansheaf Community Centre was transferred from Theale PC to Holybrook PC.
- 5.2 When the Beansheaf Community Centre was built its ownership was retained by Theale Parish Council, and the then Newbury District Council had some changing rooms and toilets built on to the end of the Community Centre to service the adjoining playing field, these being shown edged blue on the attached plan. Newbury District Council retained ownership of the changing rooms and the garage which adjoins the Community Centre, the Garage being shown edged red on the plan attached.
- 5.3 Newbury District Council and more lately West Berkshire Council used the Garage for ground maintenance equipment up until 2004 when a request was made by the Youth and Community Team of the Council to use the Garage for a drop in centre for young people of the parish of Holybrook and planning consent was obtained for the change of use under application No 04/00947/FUL.
- 5.4 An approach was made by Holybrook Parish Council to take over the operation of the Garage as a Youth Drop in centre and a 10 year lease was granted to the Parish council from 2014 at nil rent.
- 5.5 As part of the Council's devolution programme, the Holybrook PC has requested that the freehold of the Garage be transferred to them for a nominal sum and provisionally terms have been agreed that the property be transferred for £1 and that the use of the premises is restricted to storage and uses ancillary to Beansheaf Community Centre as the use as a Drop in Centre has declined in recent years.
- 5.6 Provision in the transfer is to be made whereby there is a right of pre-emption if the Parish Council ceases to use the property for a period of 6 months or the property becomes surplus to the Parish Council or any successors needs, whereupon the property must be transferred back to West Berkshire Council in no worse state than at this transfer for £1.

6. Proposals

- 6.1 That West Berkshire Council transfers the freehold of the Garage at Beansheaf Community Centre to Holybrook Parish Council for a nominal sum of £1, the use of the premises being restricted to that of storage and uses ancillary to Beansheaf Community Centre and subject to the pre-emption proviso.

7. Conclusion

- 7.1 The freehold of The Garage at Beansheaf Community Centre be transferred to Holybrook Parish Council as proposed above.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment

8.2 Appendix B – Equalities Impact Assessment

8.3 Appendix C - Plan showing location of The Garage.

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Resources
Service:	Finance and Property
Team:	Property
Lead Officer:	Colin Broughton
Title of Project/System:	Devolution: garage adjacent to Beansheaf Community Centre, Calcot
Date of Assessment:	23/07/19

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	x <input type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	x <input type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	x <input type="checkbox"/>
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	x <input type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	x <input type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	x <input type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	x <input type="checkbox"/>

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

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 as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	To approve the conversion of a leasehold interest held by Holybrook Parish Council to the freehold ownership subject to conditions.
Summary of relevant legislation:	
Does the proposed decision conflict with any of the Council's key strategy priorities?	No. It is supported by Devolution policy.
Name of assessor:	Colin Broughton
Date of assessment:	23 July 2019

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

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To transfer property interests to local Parish and town councils
Objectives:	Reduce property liabilities and associated costs.
Outcomes:	Less management time and costs.
Benefits:	As above

2 Note which groups may be affected by the proposed decision. 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
Age	None	Use of property remains the same
Disability	None	Use of property remains the same

Gender Reassignment	None	
Marriage and Civil Partnership	None	
Pregnancy and Maternity	None	
Race	None	
Religion or Belief	None	
Sex	None	
Sexual Orientation	None	
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Use continues as currently	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Use continues as currently	

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 Two 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](#).

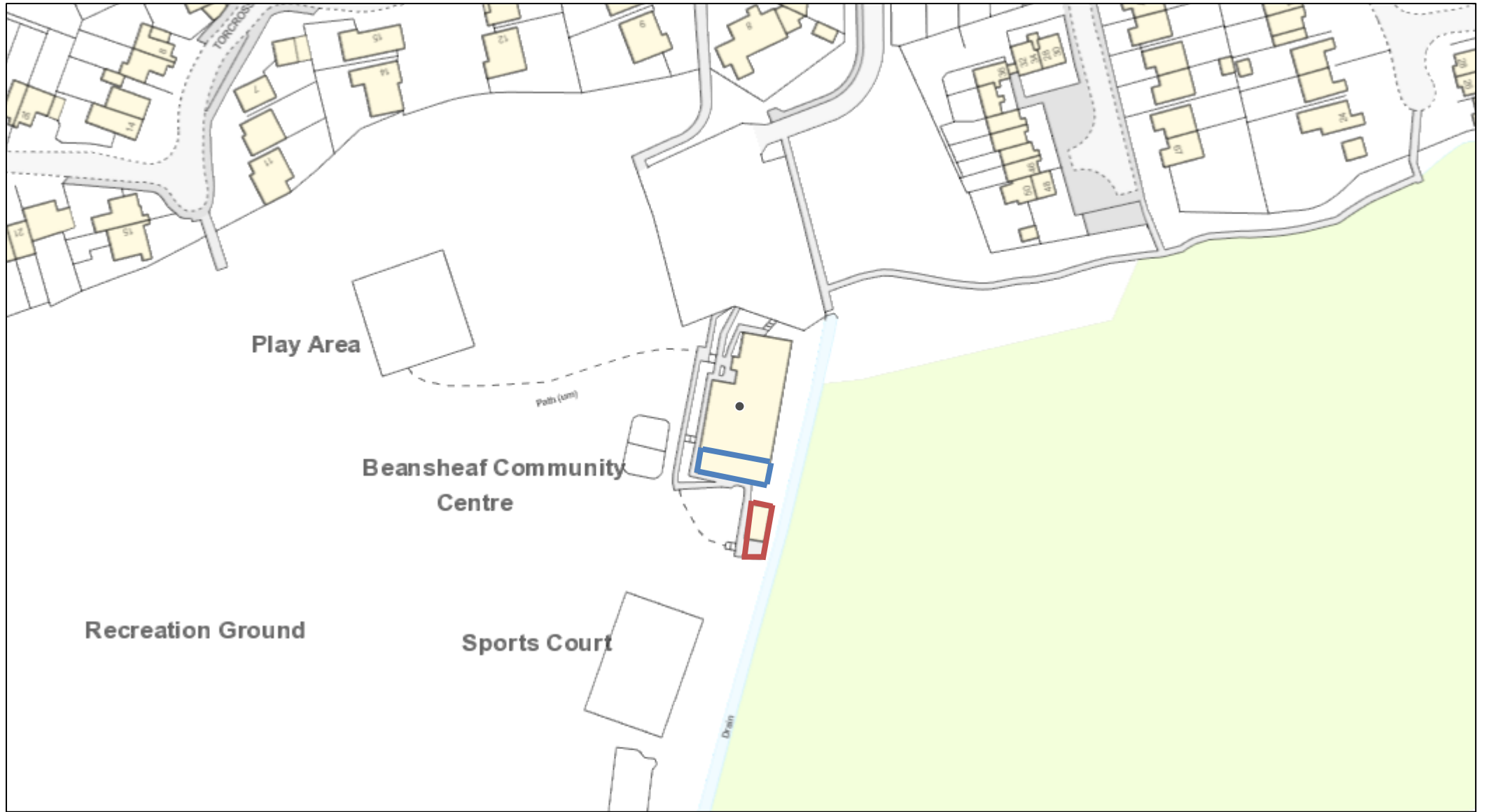
4 Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Colin Broughton

Date: 23 July 2019

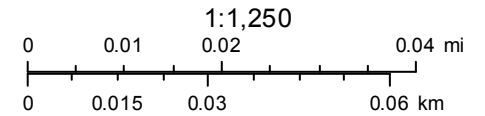
Devolution: garage adjacent to Beansheaf Community Centre, Calcot

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



July 22, 2019

 DISTRICT BOUNDARY



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Reducing rough sleeping in West Berkshire: a plan to ensure no-one has the need to sleep rough

Committee considering report:	Executive
Date of Committee:	5 September 2019
Portfolio Member:	Councillor Hilary Cole
Date Portfolio Member agreed report:	15 August 2019
Report Author:	Neil Coles
Forward Plan Ref:	EX3724

1. Purpose of the Report

- 1.1 To adopt a plan that sets out how the Council intends to address rough sleeping.

2. Recommendation

- 2.1 That the plan titled – ‘Reducing rough sleeping in West Berkshire: A plan to ensure no-one has the need to sleep rough’ be adopted.

3. Implications

- 3.1 **Financial:** The failure to adopt the proposed plan as required by Ministry of Housing, Communities and Local Government (MHCLG) may result in the clawback of funding secured through the Rough Sleeper Initiative and Rapid Rehousing Pathway funding streams.
- 3.2 **Policy:** The proposed plan links to the Council’s Homelessness Strategy.
- 3.3 **Personnel:** The proposed plan relies on staffing resource currently funded through the Rough Sleeper Initiative which currently does not provide funding after 2019/20.
- In the event that further funding opportunities are not offered or where funding bids are not successful the proposed plan may need to be reviewed to determine future deliverability.
- 3.4 **Legal:** None
- 3.5 **Risk Management:** None

3.6 **Property:** None

3.7 **Other:** None

4. **Other options considered**

4.1 The option not to adopt a rough sleeping plan was dismissed as the adoption of a plan is a requirement of the Ministry of Housing, Communities and Local Government in connection with the Rough Sleeper Initiative and Rapid Rehousing Pathway funding awarded to the Council for 2018/19 and 2019/20.

Executive Summary

5. Introduction / Background

- 5.1 The Ministry of Housing, Communities and Local Government (MHCLG) has awarded the Council Rough Sleeper Initiative funding for 2018/19 (part) and 2019/20 to deliver a range of specified services to address rough sleeping.
- 5.2 During 2018/19 the Council received £211,312 in Rough Sleeper Initiative funding and this increased to £261,820 for 2019/20. This funding is to be used to deliver a range of interventions agreed with and monitored by MHCLG, underpinned by the appointment of a Homelessness Reduction Co-ordinator post which is funded until March 2020.
- 5.3 Further funding was awarded following a bid to the Rapid Rehousing Pathway resulting in £102,560 funding for 2019/20 to deliver a Navigator post to provide support to rough sleepers, and a Supported Lettings Officer post to assist rough sleepers to secure sustainable accommodation.
- 5.4 There is currently no indication whether future funding streams will be available beyond 2020, and there remains a degree of uncertainty regarding future funding specifically targeting the prevention of rough sleeping. It is assumed therefore that no further Government funding will be available in the future for addressing rough sleeping.
- 5.5 A condition attached to the funding is that the Council adopt a rough sleeping plan that sets out how rough sleeping will be reduced.
- 5.6 'Reducing rough sleeping in West Berkshire: A plan to ensure that no-one has the need to sleep rough' is the proposed rough sleeping plan to meet MHCLG's requirements.
- 5.7 The Homelessness Strategy Group was consulted on the proposed plan on 31 January 2019 and 04 April 2019 and comments from partners have been incorporated into the plan accordingly.
- 5.8 MHCLG have also been consulted on the most recent draft plan and their comments have been incorporated into the proposed plan. MHCLG supported the Council's approach to deliver a plan with a range of largely generic actions that responds to the fluctuating diversity of the cohort of rough sleepers at any one time.
- 5.9 As of 31 July 2019 there were 11 rough sleepers across the district – a reduction from the 18 that were present in November 2018 when the annual rough sleeper count was conducted.

6. Proposals

- 6.1 The proposed rough sleeping plan builds on the work that is currently undertaken by the Council and partner agencies to address the problem of rough sleeping, and also sets out the context of rough sleeping in West Berkshire. The plan assumes that no further Government funding will be available once the current funding ends in March 2020.

- 6.2 As the cohort of people sleeping rough is small and does not comprise a static group of individuals, the proposed plan incorporates a range of generic outcomes rather than targeted outcomes based on a specific needs assessment of a static cohort of individuals.
- 6.3 The proposed plan does not replace the range of statutory duties placed on the Council in respect of homeless households under the various pieces of housing legislation - it is complimentary to these obligations.
- 6.4 The plan sets the challenging ambition of continuing to ensure that no-one has the need to sleep rough, and details 5 priorities to achieving this goal:
- i) Delivering targeted support and accommodation services that meet the needs of rough sleepers;
 - ii) Providing innovative solutions to assist entrenched rough sleepers leave the streets
 - iii) Improving the health and well-being of rough sleepers;
 - iv) Preventing residents at risk of rough sleeping from needing to sleep rough, and;
 - v) Tackling the negative public perceptions surrounding rough sleeping.
- 6.5 The plan includes a detailed action plan that sets out the key actions to deliver each of the priorities, and includes the responsible party and delivery timescales.
- 6.6 As the plan relates directly to operational matters it is important that it remains flexible to address emerging challenges, to respond to local factors, and to embrace future MHCLG requirements. Any necessary future amendments will be completed in accordance with existing delegated authority detailed within the Council's Constitution.

7. Conclusions

- 7.1 The proposed plan is required to be adopted to satisfy the funding requirements of MHCLG, and assumes that no further Government funding will be available once the current funding ends in March 2020.
- 7.2 Failure to adopt the plan may result in the withdrawal of future MHCLG Rough Sleeper Initiative and Rapid Rehousing Pathway funding and the requirement to repay funding previously awarded.

Background Papers:

1. Reducing rough sleeping in West Berkshire: A plan to ensure that no-one has the need to sleep rough

Subject to Call-In:

Yes: No:

Wards affected:

All wards

Officer details:

Name: Neil Coles
Job Title: Strategy, Development and Review Manager
Tel No: 01635 503020
E-mail Address: neil.coles1@westberks.gov.uk

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Reducing rough sleeping in West Berkshire: a plan to ensure no-one has the need to sleep rough

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Economy and Environment
Service:	Development and Planning
Team:	Housing
Lead Officer:	Neil Coles
Title of Project/System:	Reducing rough sleeping in West Berkshire: A plan to ensure that no-one has the need to sleep rough
Date of Assessment:	29/04/19

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

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 as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	To adopt a plan setting out how the Council intends to address rough sleeping
Summary of relevant legislation:	N/A
Does the proposed decision conflict with any of the Council's key strategy priorities?	The proposed plan links to the Council's Homelessness Strategy
Name of assessor:	Neil Coles
Date of assessment:	29/04/19

Is this a:		Is this:	
Policy	No	New or proposed	Yes
Strategy	Yes	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 proposed decision and who is likely to benefit from it?	
Aims:	To adopt a plan setting out how the Council intends to address rough sleeping.
Objectives:	To reduce the level of rough sleeping across the district.
Outcomes:	Reduced levels of rough sleeping.
Benefits:	Positive health impact on single homeless at risk of, or sleeping rough.

2 Note which groups may be affected by the proposed decision. 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
Age	Positive impact	The plan seeks to reduce rough sleeping to all individuals at risk of street homelessness, or sleeping rough.

Disability	Positive impact	The plan seeks to reduce rough sleeping to all individuals at risk of street homelessness, or sleeping rough.
Gender Reassignment	Positive impact	The plan seeks to reduce rough sleeping to all individuals at risk of street homelessness, or sleeping rough.
Marriage and Civil Partnership	Positive impact	The plan seeks to reduce rough sleeping to all individuals at risk of street homelessness, or sleeping rough.
Pregnancy and Maternity	Positive impact	The plan seeks to reduce rough sleeping to all individuals at risk of street homelessness, or sleeping rough.
Race	Positive impact	The plan seeks to reduce rough sleeping to all individuals at risk of street homelessness, or sleeping rough.
Religion or Belief	Positive impact	The plan seeks to reduce rough sleeping to all individuals at risk of street homelessness, or sleeping rough.
Sex	Positive impact	The plan seeks to reduce rough sleeping to all individuals at risk of street homelessness, or sleeping rough.
Sexual Orientation	Positive impact	The plan seeks to reduce rough sleeping to all individuals at risk of street homelessness, or sleeping rough.
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: The proposed plan impacts positively on all persons at risk of, or sleeping rough.	
Will the proposed decision have an adverse impact upon the lives of	No

people, including employees and service users?	
Please provide an explanation for your answer:	
The proposed plan impacts positively on all persons at risk of, or sleeping rough.	

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 Two 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	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Neil Coles

Date: 29/04/19

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

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Reducing rough sleeping in West Berkshire: A plan to ensure no-one has the need to sleep rough

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Version No: 1.1
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Head of Service:	Gary Lugg, Head of Development and Planning	Sign & Date:	tbc
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1.0	20/06/19	Document created	N/A
1.1	01/08/19	Amendments following Corporate Board comments and further consultation with MHCLG	

Related Documents

Reference	Title	Tier

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1. Background

West Berkshire is committed to reducing homelessness of all types, including rough sleeping which represents the most visible and also extreme form of homelessness.

No individual chooses to become homeless and rough sleeping can be attributed to a wide range of factors. Individuals who are entrenched rough sleepers will often have complex needs and may lead more chaotic lifestyles than the wider cohort of homeless households.

The Government published its Rough Sleeping Strategy in August 2018¹ with a commitment to halving rough sleeping by 2022, and ending rough sleeping by 2027. To support this aim, the Ministry of Housing, Communities and Local Government (MHCLG) awarded the Council Rough Sleeper Initiative funding of £211k for 2018/19 and £265k for 2019/20 to deliver a range of interventions to prevent and relieve rough sleeping. Further funding of £103k has been awarded for 2019/20 through MHCLG's Rapid Rehousing Pathway to provide additional interventions to support rough sleepers into sustainable accommodation.

This plan has been subject to consultation with the Homelessness Strategy Group – a stakeholder group of homelessness charities, registered providers, and homelessness service providers, working across West Berkshire. This plan has also been subject to consultation with MHCLG as part of their oversight of the Council's actions in respect of the Rough Sleeping Initiative.

2. Defining rough sleeping

Rough sleeping is defined by Government as:

'People sleeping, about to bed down (sitting on/in or standing next to their bedding) or actually bedded down in the open air (such as on the streets, in tents, doorways, parks, bus shelters or encampments).

*People in buildings or other places not designed for habitation (such as stairwells, barns, sheds, car parks, cars, derelict boats, stations, or 'bashes'²).*³

The definition does not include people accommodated in hostels or shelters, people on campsites or other sites used for recreational purposes or organised protest. Squatters are excluded from the definition as are Gypsies and Travellers.

It is important to note that the definition of rough sleepers also excludes those individuals who are at risk of rough sleeping, for example people who are so-called 'sofa-surfing' or 'homeless at home' who remain at high risk of sleeping on the street and therefore becoming a rough sleeper. This can often be misunderstood when considering rough sleeping statistics.

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/733421/Rough-Sleeping-Strategy_WEB.pdf

² A 'bash' is a makeshift shelter often comprised of cardboard boxes

³ <https://www.gov.uk> – Homelessness data: notes and definitions

3. Measuring rough sleeping

Nationally rough sleeping has risen year on year since 2010⁴, and although the position in West Berkshire has fluctuated over the same period – and has reduced significantly since a peak in 2014 - the level of rough sleeping remains a concern.

Table 1 – Rough sleeping in England and West Berkshire since 2010

Area	Year								
	2010	2011	2012	2013	2014	2015	2016	2017	2018
England	1,768	2,181	2,309	2,414	2,744	3,569	4,134	4,751	4,134
South East	310	430	442	532	609	827	956	1,119	956
West Berkshire	5	6	11	8	23	15	14	20	18

The level of rough sleeping across West Berkshire for the period 2015 to 2018 has shown a strong correlation to the level of rough sleeping across both the South East and England as a whole. This suggests that West Berkshire is not experiencing a localised problem as has been suggested by some local observers who suggested in 2018 that West Berkshire ‘now appears to be experiencing an unprecedented rise in rough sleeping...’⁵

Across Berkshire there is no clear picture in respect of the level of rough sleeping in each local authority area with varying levels likely to be attributable to geographical location, the presence of transport hubs associated with town centres, and the provision of support services for rough sleepers.

Table 2 – Rough sleeping across Berkshire, 2017 and 2018

Local authority	Number of rough sleepers		Number of rough sleepers per 1,000 households	
	2017	2018	2017	2018
Bracknell Forest	6	19	0.12	0.39
Reading	31	25	0.47	0.38
Slough	27	29	0.49	0.53
West Berkshire	20	18	0.31	0.27
Windsor and Maidenhead	11	11	0.18	0.18
Wokingham	10	7	0.16	0.10

⁴ <https://www.gov.uk/government/statistics/rough-sleeping-in-england-autumn-2018>

Table 1: Street counts and estimates of rough sleeping, by local authority district and region

⁵ Healthwatch West Berkshire – Homeless and Rough Sleepers Report 2018 –

<https://www.healthwatchwestberks.org.uk>

4. Our priorities

West Berkshire Council is committed to reducing rough sleeping and ensuring that no-one has the need to sleep rough.

This plan sets out how the Council, working with its partners, will achieve this challenging goal through 5 key priorities:

- 1) Delivering targeted support and accommodation services that meet the needs of rough sleepers
- 2) Providing innovative solutions to assist entrenched rough sleepers leave the streets
- 3) Improving the health and well-being of rough sleepers
- 4) Preventing residents at risk of rough sleeping from needing to sleep rough
- 5) Tackling the negative public perceptions surrounding rough sleeping

5. **Priority 1 - Delivering targeted support and accommodation services that meet the needs of rough sleepers**

There are a wide range of reasons that result in individuals sleeping rough. As such a 'one size fits all' approach will never guarantee positive outcomes for rough sleepers and due to often specific needs, may actually result in the individual disengaging and becoming more entrenched as a rough sleeper. The use of co-production techniques to engage service users and partners is essential to design services that deliver effective and sustainable outcomes.

Each individual, therefore, requires a person-centred approach that considers individual needs which are often complex and are inextricably linked to the rough sleeping lifestyle. This principle has underpinned the Council's 'Making Every Adult Matter' (MEAM)⁶ project which works to ensure people with multiple needs are supported by effective and coordinated services, and empowered to tackle their problems to reach their full potential and contribute to their communities.

Action 1.1 – Deliver services to rough sleepers using a person-centred approach

In a minority of cases individuals are excluded from accessing services due to previous behaviours that present an unacceptable level of risk to accommodation or service providers. In these cases, it is essential that the Council works with our partners to secure alternative service provision so that services may be accessed as appropriate.

Action 1.2 – Review individual cases where exclusion to services is identified and work to secure alternative provision

In some cases, individuals who are rough sleeping do not feel able to access services delivered by the Council within the Council offices. Individuals may, for example feel

⁶ Making Every Adult Matter (MEAM) is a coalition of national charities – Clunks, Homeless Link, Mind and associate member Collective Voice. Together MEAM represents over 1,300 frontline organisations across England

uneasy entering large buildings, or may feel excluded by virtue of their clothing or appearance. The Council acknowledges this and already supports outreach services that provides a point of access direct to rough sleepers within the community, however there is an opportunity to improve this offer and reduce unnecessary required visits to Council office locations.

Action 1.3 – Review processes requiring rough sleepers to visit the Council offices to access specific services

The Council works closely with a wide range of partners to deliver complimentary support and accommodation services to the rough sleeping community, and this partnership working is invaluable in the goal of improving individual's life chances. This work is largely co-ordinated and reviewed by the Homelessness Strategy Group at which all partners are represented.

Action 1.4 – Continue to support and contribute to the Homelessness Strategy Group and its operational groups

The Council is currently delivering a range of initiatives through the Rough Sleeper Initiative funding by central government following a successful bidding process, and it is important that the Council remains active in bidding for new funding streams to further reduce rough sleeping as they become available.

Action 1.5 – Review opportunities to bid for future funding streams to address rough sleeping as they become available

6. Priority 2 - Providing innovative solutions to assist entrenched rough sleepers leave the streets

Entrenched rough sleepers are often characterised by multiple complex needs including addictions and other challenging behaviours. These needs are often negatively impacted by sleeping rough and any personalised pathway to independence should include support and assistance to address the specific complex needs alongside a tailored accommodation offer.

Action 2.1 – Continue to work with partners to deliver the 'Housing First' pilot project to provide accommodation for rough sleepers with multiple and complex needs

Action 2.2 – Explore opportunities with partners to extend the 'Housing First' pilot to provide additional accommodation solutions with targeted support for rough sleepers

Where an individual is particularly negatively impacted by substance misuse and addiction, it is unlikely that any accommodation offer would be sustainable until the individual has commenced on a recovery pathway (see below).

7. Priority 3 – Improving the health and well-being of rough sleepers

Homelessness has a direct impact on the health and well-being of residents and this is particularly the case with rough sleepers who often experience the extreme health and well-being impacts. It is well documented that the average life expectancy of the homeless (including rough sleepers) is significantly reduced from that of the population as a whole, with life expectancy reduced to 47 and the average age of death being 44 for men and 43 for women, compared with 76 years and 81 years for men and women within the population as a whole⁷.

This can be due to a wide range of issues, however rough sleepers in particular struggle to access routine health care where general practitioners and dentists require addresses for registration and are often unable to access appointments due to barriers accessing transport. Lifestyle issues present additional challenges attending appointments on time, and the cost of prescriptions can be prohibitive.

Action 3.1 – Review the effectiveness of the Health Outreach Liaison Team (HOLT) drop in sessions to provide health care outcomes for rough sleepers

A particular health and well-being concern for homeless individuals is the differing causes of mortality, with accidents (including drug overdoses), suicide and liver disease representing over half of all deaths unlike the population as a whole⁸.

Action 3.2 – Explore opportunities to offer and fund specific recovery programmes for rough sleepers with an on-going and persistent history of substance misuse and addiction

8. Priority 4 - Preventing residents at risk of rough sleeping from needing to sleep rough

The cohort of individuals rough sleeping at any point in time will vary as individuals accept temporary accommodation options and recovery pathways etc, however there are further individuals who are especially at risk of becoming rough sleepers who are actively staying with family and friends and sleeping under cover wherever possible. These individuals are often referred to as 'sofa surfing' or being 'homeless at home'.

Action 4.1 – Promote the range of advice and assistance available to those at risk of rough sleeping, including but not limited to the ability to approach the Council as being threatened with homelessness

Single people at risk of rough sleeping are particularly negatively affected by the limited supply of shared accommodation (i.e. rooms within a house in multiple occupation with shared facilities) available across West Berkshire which is affordable to those in receipt of welfare benefits.

Action 4.2 – Explore opportunities to facilitate the delivery of additional shared accommodation within the district targeted at those individuals at risk of homelessness and rough sleeping

⁷ www.ONS.gov.uk – Deaths of homeless people in England and Wales: 2013 to 2017

⁸ ibid

The council is committed to ensuring that everyone at risk of sleeping rough can access accommodation so that there is no need to start sleeping rough. This 'No first night out' approach has been delivered by the Council for several years through the provision of hostel accommodation to prevent rough sleeping.

Action 4.3 – Continue to deliver a 'No first night out' service to those at risk of sleeping rough for the first time

9. Priority 5 - Tackling the negative public perceptions surrounding rough sleeping

Rough sleeping is the most visible manifestation of homelessness and is often associated with individuals seen begging on the streets of the district. While this can be the case, in some cases the generosity of residents is abused by those who are not rough sleeping and have accommodation in which they live.

Where residents donate money direct to rough sleepers or other individuals there is a risk that this income is used to fuel addictions and may not contribute to supporting the individual towards independence, and it is far more beneficial if donations are directed to agencies that provide support and assistance to rough sleepers.

Action 5.1 – Explore the opportunity to launch an awareness campaign across the district to educate residents on the risks associated with direct donations and to promote donations to partner agencies working with rough sleepers

West Berkshire has seen the use of tented encampments by rough sleepers in specific areas and this has resulted in negative perceptions of rough sleeping, has increased levels of entrenched rough sleeping, and has attracted individuals to the area seeking to exploit others. To ensure that future encampments do not result in negative impacts for rough sleepers an encampment policy will be developed.

Action 5.2 – Adopt an encampment policy that sets out the degree of tolerance that will be used in respect of future rough sleeper encampments, alongside the legal enforcement mechanisms that will be used when appropriate to displace encampments

There is a poor perception within the rough sleeping community regarding the accommodation options that are available to them, and this is impacting on its effectiveness. Further consultation with rough sleepers to establish real concerns and identify potential barriers to accessing accommodation services can assist future service delivery of supported accommodation.

Action 5.3 – Undertake consultation with rough sleepers to identify barriers to accessing accommodation options and review services accordingly

10. Action planning

The action plan set out in Appendix 1 below details the actions that will be delivered through this plan, including key timelines and responsibilities. The Council will regularly review the operation of this plan, along with the associated actions to ensure that progress continues to be made towards achieving our priorities.

Appendix 1 – Action Plan

Ref	Action	Officer	Outcome	Performance measures	Others involved in delivery	Risk Management		Date
						Risk	Mitigation	
Priority 1 - Delivering targeted support and accommodation services that meet the needs of rough sleepers								
1.1	Deliver services to rough sleepers using a person-centred approach	HPM	Building on the MEAM approach, individual clients are assigned specialist housing options officers who will provide consistent support and work with partners to deliver targeted services to secure an agreed pathway to independence.	Reduced number of rough sleepers	MHCLG	Staffing resources	Delegation to other staff	31/10/19
1.2	Review individual cases where exclusion to services is identified and work to secure alternative provision.	HPM	All individuals are provided with a relevant and appropriate accommodation offer that takes into account exclusions and any other relevant risks alongside MEAM support.	Reduced number of individuals sleeping rough who are excluded from service accommodation provision	N/A	Challenges securing suitable housing	Engage with housing partners to increase housing options	31/10/19

Ref	Action	Officer	Outcome	Performance measures	Others involved in delivery	Risk Management		Date
						Risk	Mitigation	
1.3	Review processes requiring rough sleepers to visit the Council offices to access specific services	SHOO	Required visits to council offices replaced with outreach interventions	Increased outreach interventions for service users	N/A	Staffing resources	Delegation to other staff	31/10/19
		SHOO	Processes streamlined to reduce the number of customer contacts required	Reduced attendance at council offices		Staffing resources	Delegation to other staff	31/10/19
1.4	Continue to support and contribute to the Homelessness Strategy Group and its operational groups	HSM/SDRM	Engagement with partners to deliver professional and relevant services targeted at the individual needs and demands of the rough sleeping cohort.	Attendance and contribution at each partnership meeting	N/A	Staffing resource	Delegation to other staff	31/03/20
1.5	Review opportunities to bid for future funding streams to address rough sleeping as they become available	HRC	Funding bids considered and submitted where targeted towards improving serves to reduce rough sleeping	Bids submitted as appropriate	MHCLG	Staffing resource	Delegation to other staff	On-going

Ref	Action	Officer	Outcome	Performance measures	Others involved in delivery	Risk Management		Date
						Risk	Mitigation	
Priority 2 - Providing innovative solutions to assist entrenched rough sleepers leave the streets								
2.1	Continue to work with partners to deliver the 'Housing First' pilot project to provide accommodation for rough sleepers with multiple and complex needs.	HPM/ HRC	'Housing First' model provides suitable accommodation for rough sleepers with complex needs alongside dedicated housing and tenancy sustainment support	10 service users accommodated	MHCLG Housing First partners	Delay in securing suitable housing Poor tenancy sustainment	Increase number of housing providers Review support package and tailor to individual needs	31/03/20
2.2	Explore opportunities with partners to extend the 'Housing First' pilot to provide additional accommodation solutions with targeted support for rough sleepers.	HRC	Feasibility appraisal for extension of 'Housing First' completed	Aspiration to deliver 10 additional units	MHCLG Housing First partners	Limited funding to continue to deliver	Bid for future funding opportunities	31/03/20

Ref	Action	Officer	Outcome	Performance measures	Others involved in delivery	Risk Management		Date
						Risk	Mitigation	
Priority 3 – Improving the health and well-being of rough sleepers								
3.1	Review the effectiveness of the Health Outreach Liaison Team (HOLT) drop in sessions to provide health care outcomes for rough sleepers.	HRC	Service users are supported to access health care	Service users experience improved health and well-being	N/A	Limited funding to continue to deliver	Bid for future funding opportunities	30/09/19
3.2	Explore opportunities to fund specific recovery programmes for rough sleepers with an on-going and persistent history of substance misuse and addiction.	HPM	Service users with complex addiction issues offered the opportunity to attend tailored recover programme	Service users have increased accommodation choices	MHCLG Homelessness Strategy Group	Limited funding to deliver multiple interventions	Bid for future funding Approach other agencies for funding	31/03/20

Ref	Action	Officer	Outcome	Performance measures	Others involved in delivery	Risk Management		Date
						Risk	Mitigation	
Priority 4 - Preventing residents at risk of rough sleeping from needing to sleep rough								
4.1	Promote the range of advice and assistance available to those at risk of rough sleeping, including but not limited to the ability to approach the Council as being threatened with homelessness.	SHOO	Service users are better informed regarding their housing options	Increased take-up of temporary accommodation options	Homelessness Strategy Group	Lack of engagement of service users	Work with partner agencies to increase engagement	31/03/20
4.2	Explore opportunities with partners to facilitate the delivery of additional shared accommodation within the district targeted at those individuals at risk of homelessness and rough sleeping.	HRC	Feasibility appraisal of shared accommodation options completed	Aspiration to deliver 10 bed spaces for individuals at risk of homelessness and rough sleeping	Homelessness Strategy Group	Lack of engagement from partners	Engagement with partners through the Homelessness Strategy Group	31/03/20
4.3	Continue to deliver a 'No first night out' service to those at risk of sleeping rough for the first time	HPM	Individuals at risk of rough sleeping offered hostel accommodation to prevent the need to start sleeping rough	Reduced number of people starting to sleep rough	MHCLG	Increased demand outstrips funding	Re-profile RSI funding	On-going

Ref	Action	Officer	Outcome	Performance measures	Others involved in delivery	Risk Management		Date
						Risk	Mitigation	
Priority 5 - Tackling the negative public perceptions surrounding rough sleeping								
5.1	Explore the opportunity to launch an awareness campaign across the district to educate residents on the risks associated with direct donations and to promote donations to partner agencies working with rough sleepers.	HRC	Awareness campaign launched	Reduced number of people begging in Newbury town centre Increased donations for local partners	Homelessness Strategy Group MHCLG	Limited funding to deliver campaign	Seek to re-profile RSI funding	31/12/19
5.2	Adopt an encampment policy that sets out the degree of tolerance that will be used in respect of future rough sleeper encampments, alongside the legal enforcement mechanisms that will be used when appropriate to displace encampments	HRC	Encampment Policy completed	Encampment Policy adopted	N/A	Lack of resource	Delegation to other staff	30/12/19

Ref	Action	Officer	Outcome	Performance measures	Others involved in delivery	Risk Management		Date
						Risk	Mitigation	
5.3	Undertake consultation with rough sleepers to inform service delivery	SHOO	Views of service users obtained to identify barriers to accessing accommodation options and	90% of rough sleepers surveyed in person	Service users Homelessness Strategy Group	Lack of engagement from service users	Enhance outreach service	31/12/19
			Review existing services as appropriate with existing service providers to identify potential service improvements	Increase in take-up of accommodation provision			Financial impact	

Key: HPM – Homelessness Prevention Manager
HRC – Homelessness Reduction Coordinator
HSM – Housing Service Manager
SHOO – Senior Housing Options Officer
SDRM - Strategy, Development, and Review Manager



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Protection of Land, Unauthorised Encampments

Committee considering report:	Executive
Date of Committee:	5 September 2019
Portfolio Member:	Councillor Richard Somner
Date Portfolio Member agreed report:	15 August 2019
Report Author:	Paul Hendry
Forward Plan Ref:	EX3655

1. Purpose of the Report

- 1.1 On the 13th September 2018 a motion was submitted to Council as follows:

The Council resolves that an assessment of the susceptibility of each of its green areas in towns and villages to unauthorised encampments be urgently carried out. The assessment should assess each site on its vulnerability to incursions and the likely impact on nearby homes. The assessment to be used to prioritise a programme to improve the security of the sites against future incursions.”

- 1.2 The motion was referred without debate to Executive. The purpose of this report is therefore to consider the various options in order to fulfil the objectives of the Motion.

2. Recommendation

- 2.1 That Executive notes the options set out in this Report and the potential implications in terms of both staff time and budget. Further that Executive advise on their preferred approach and response to the Motion.

3. Implications

- 3.1 **Financial:** Each option will have a financial implication. Significant resources will be required dependent on preferred option. Over a number of years the initial capital expenditure may be written off against a reduced number of unauthorised encampments and therefore associated costs.
- 3.2 **Policy:** Protecting vulnerable land in our communities is in accordance with the strategic aim of maintaining a high quality of life within our communities. As parishes will have to be actively involved and encouraged to implement their own solutions this is in accordance with our priority to support communities to do more for themselves.
- 3.3 **Personnel:** This can be achieved utilising existing resources but any capital works required will have to be prioritised over a number of financial years depending on the preferred option.

- 3.4 **Legal:** There are clear equalities issues and the report outcomes must be balanced against any duty owed to the travelling community.
- 3.5 **Risk Management:** There is a risk that we may simply be moving the problem into other locations within the District.
- 3.6 **Property:** Additional open space security measures could change the nature of the land in some areas.
- 3.7 **Other:** The proposal is in accordance with the current Thames Valley Police and Local Authority Joint Protocol which recommends a review of vulnerable land and increased security measures.

4. Other options considered

- 4.1 None

Executive Summary

5. Introduction / Background

- 5.1 In 2018 there was a marked increase in the number of unauthorised encampments in the District. Although most of these encampments were insignificant in terms of impact, a small number became high profile due to the nature of the nuisance and disturbance to local communities, particularly in Theale, Newbury and Thatcham. The Motion, submitted to full Council on the 13th September 2018 and referred without debate to the Executive came about as a consequence of these events.
- 5.2 Gypsies and Irish Travellers are ethnic minorities whose rights are protected by legislation. Actions arising out of this report and the proposed Motion need to balance the needs and expectations of the settled community against any duty owing to the travelling community.
- 5.3 Traveller movements in West Berkshire are largely seasonal and numbers of unauthorised encampments from year to year are generally sporadic. Although 2018 presented significant challenges, this year, to date, there has been no reported issues of unauthorised encampments on Council owned or managed land.
- 5.4 Government guidance and the joint Council/Thames Valley Police Protocol exists which provides guidance on managing unauthorised encampments. This guidance endorses site protection measures for vulnerable sites but is clear that this should not be the only approach considered. Further, target hardening may have the effect of displacing unauthorised encampments onto other more vulnerable land where impacts on the settled community are greater.
- 5.5 Security measures taken in last financial year in Theale and in Thatcham in total amounted to £35,000 for a range of security measures at 3 locations, 2 in Theale and 1 in Thatcham.
- 5.6 Local authority powers in relation to unauthorised encampments are complex. Due to the requirement for a complaint to be laid with magistrates, with an eventual court hearing, then many days will elapse before possession of land is secured.
- 5.7 The police have greater powers than local authorities and an eviction can, under certain circumstances, be carried out within a few hours. Strict criteria are applied under these circumstances but this has been used effectively to protect land and communities. In the last few years both this Council and the local police have cooperated fully in relation to encampments and have dealt with the most problematic encampments quickly and effectively, reducing impacts on communities.
- 5.8 The Countryside Service manages around 750 open spaces in the District, some very small, others much larger, with play facilities and other features provided for recreation purposes. Evaluating the security of land and implementing security measures will require significant investment of staff resources. Consequently site protection measures must target the most vulnerable locations and take into account the likelihood of displacement and available budget.
- 5.9 In May 2019 local parishes were invited to a forum at Shaw House to discuss unauthorised encampments. This meeting indicated that parishes were keen to

work on preventative measures to protect land in their area. Utilising this resource may help to reduce the amount of officer time involved in researching and identifying vulnerable land.

- 5.10 Officers consider that this Motion has to be considered in light of costs, both revenue and capital, and weighed against the seasonal and sporadic nature of encampments. Further the effective use of local authority and especially police powers may be considered sufficient to protect land and communities.
- 5.11 The proposals set out in Table 2 at Appendix C have been assessed in terms of their respective advantages and disadvantages and are designed to allow Members to make an informed choice on the best way forward in response to the Motion.

6. Proposals

- 6.1 Executive is asked to consider the options at Table 2 and advise on their preferred approach and response to the Motion. Bearing in mind the background set out at Appendix C, officers recommend option 3 which provides a more measured approach to the assessment of sites and the implementation of security measures.

7. Conclusions

- 7.1 The Motion submitted on the 13th September 2018 provides an opportunity to review best practice across local authority areas and to consider a process which identifies and protects the most vulnerable land in the District thereby reducing impact on local communities. Town and parish councils will be encouraged to participate in this process in order to provide an effective approach across the District.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Environment
Service:	Transport and Countryside
Team:	Countryside
Lead Officer:	Paul Hendry
Title of Project/System:	Process for evaluating the vulnerability of land to unauthorised camping.
Date of Assessment:	04/06/2019

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation</i>”</p>		No
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>		No
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>		No
<p>Will any decisions be automated?</p> <p>Note – does your system or process involve circumstances where an individual’s input is “scored” or assessed without intervention/review/checking by a human being? Will there be any “profiling” of data subjects?</p>		No
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>		No
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>		No
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		No

If you answer “Yes” to any of the above, you will probably need to complete [Data Protection Impact Assessment - Stage Two](#). If you are unsure, please consult with the Information Management Officer before proceeding.

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 as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	To authorise officers to establish best practice and a process for the protection of land from unauthorised camping in the District.
Summary of relevant legislation:	The Human Rights Act 1998 as it relates to ethnic Gypsies.
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Paul Hendry
Date of assessment:	04/06/2019

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

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To provide reassurance to our communities and balance this with the needs of the travelling community
Objectives:	Protection of land from unauthorised camping
Outcomes:	A process which is based on best practice which considers the best means to protect land and which considers the needs of both settled and traveller communities.
Benefits:	Community reassurance. A balanced approach which seeks to protect land but which recognises that traditional stopping sites exist.

2 Note which groups may be affected by the proposed decision. 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
Age	N/A	
Disability	N/A	
Gender Reassignment	N/A	
Marriage and Civil Partnership	N/A	
Pregnancy and Maternity	N/A	
Race	Gypsies and travellers: There are positive and beneficial impacts. There are areas of land which are entirely unsuitable for gypsies to settle due to their proximity to the settled community and the potential for conflict. The process aims to identify and protect these, whilst recognising that there are traditional stopping locations which cause very few issues for local communities	Historical records support this and recent local conflict and police records will show this.
Religion or Belief	N/A	
Sex	N/A	
Sexual Orientation	N/A	
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: Site security measures will be assessed against criteria which aims to balance the needs of the settled and travelling communities.	
Will the proposed decision 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 Two 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	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Paul Hendry

Date: 15th July 2019

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

Protection of Land, Unauthorised Encampments – Supporting Information

1. Introduction/Background

- 1.1 As a consequence of a number of high profile unauthorised traveller encampments causing disruption to communities in 2018, on the 13th September 2018 a motion was submitted to Council as follows:

“The Council resolves that an assessment of the susceptibility of each of its green areas in towns and villages to unauthorised encampments be urgently carried out. The assessment should assess each site on its vulnerability to incursions and the likely impact on nearby homes. The assessment to be used to prioritise a programme to improve the security of the sites against future incursions.”

- 1.2 The motion was referred without debate to Executive. The purpose of this report is therefore to consider the most effective option to fulfil the objectives of the Motion and to make a recommendation.
- 1.3 Before considering a formal response to this Motion it is important to consider the background to unauthorised encampments in West Berkshire.
- 1.4 Gypsies and Irish Travellers are ethnic minorities whose rights are protected by legislation. Local authorities are required to give proper consideration to race and equality implications in their policies and actions. This includes delivery of statutory duties to the travelling community. Actions arising out of this report and the proposed Motion need to balance the needs and expectations of the settled community against any duty owing to the travelling community. This is reflected in the Equalities Impact Assessment which forms part of this Report.
- 1.5 There are marked seasonal differences in the numbers of gypsies and travellers in West Berkshire, with increased numbers during the summer. Most travelling groups pass through the District, stopping for short periods, before moving on without causing any issues or drawing the attention of the police or Council. These are truly transitory families travelling through the District to traditional fairs and festivals.
- 1.6 Encampments in the District vary in size from small family groups of 2 – 3 caravans, to large scale encampments of up to 20 caravans. It is these larger groups which are most problematic as they often enter land which also has a wider community use. In the last 2-3 years there has been a tendency for larger groups of travellers to move back and forward in the County across local authority boundaries. There are often significant antisocial and sometimes criminal behaviour associated with these groups. They are however in the minority in terms of overall traveller movements in this area.
- 1.7 The Countryside Service manages around 750 open spaces in the District, some very small, others much larger, with play facilities and other features provided for recreation purposes. In the main towns these open spaces are more like small parks. Most of these open spaces are very close to residential areas and form part

of the landscape of the community and are used accordingly. Very few have security features designed in.

- 1.8 The Council works closely with the local police when dealing with unauthorised encampments in the District. The current Thames Valley Police and Local Authority Joint Protocol (see link below), calls for a similar approach to that set out in the Motion. This Protocol encourages local authorities to establish the location of any particularly vulnerable locations which may require target hardening:

https://www.thamesvalley.police.uk/SysSiteAssets/foi-media/thames-valley-police/other_information/unauthorised-encampments-protocol-with-local-authorities.pdf

- 1.9 Good general advice on managing unauthorised encampments is also provided in the document ‘*Guidance on Managing Unauthorised Camping*’ produced by the DCLG (see link) below. Of particular relevance is paragraph 4.9 of the guidance which addresses site protection and security, this states, ‘*protection of land, which is vulnerable to unauthorised encampment, is a valid part of a strategy, but should not be the sole strategy*’.

<https://webarchive.nationalarchives.gov.uk/20120919222422/http://www.communities.gov.uk/documents/housing/pdf/157323.pdf>

- 1.10 The Police Joint Protocol aims to strike an appropriate balance between the needs and legitimate expectations of members of the settled community, local businesses and other landowners, and the interests of Gypsies and Travellers. This approach is reflected in the options set out in this Report.
- 1.11 In May 2019, officers met with a number of local councils to discuss the actions that all parties; landowners, councils and the police, can take to protect land from unauthorised access, not just related to the travelling community but also from criminal activity. The outcome of this indicated very clearly that there is a desire for all interested parties to work together to assess vulnerable land.

2. Supporting Information

- 2.1 Traveller movements are largely seasonal, mostly between Easter and the end of September but with less truly transitory groups persisting in the District for a longer period. Table 1 below provides information on the numbers of unauthorised encampments dealt with by the Countryside Service in the years 2013 to date. Approximate costs relating to unauthorised encampments are also shown:

Year	No. of Encampments (WBC land)	Approx. Associated Costs (£)
2013	13	3,000
2014	7	2,100
2015	2	2,300
2016	11	1,100
2017	9	11,000

Year	No. of Encampments (WBC land)	Approx. Associated Costs (£)
2018	17	50,000
2019	0	0

Table 1

- 2.2 This information indicates that the numbers of encampments stopping in the District is generally sporadic and difficult to anticipate. Costs indicated here include all associated litter and fly tipping costs which are often (but not always) associated with the encampment. In 2017 and 2018 the costs shown include a capital sum for target hardening measures, mostly gates, fencing and concrete barriers.
- 2.3 In 2018 there was a marked increase in the number of unauthorised encampments in the District. Although most of these encampments were insignificant in terms of impact, a small number became high profile due to the nature of the nuisance and disturbance to local communities, particularly in Theale, Newbury and Thatcham. In some cases these encampments were repeat visits to the same location leading to local unrest and anger amongst the nearby, settled, community. There were known antisocial and criminal associations with several of these encampments.
- 2.4 To date in 2019 there have been no unauthorised encampments on land owned or managed by the Council. This is perhaps an example of the unpredictability of traveller movements in this area. Certainly it is a consideration when determining the response to this Motion.
- 2.5 It should be noted that land security measures can prove to be costly. Measures taken in last financial year in Theale and in Thatcham in total amounted to £35,000 for a range of security measures including concrete blocks, ditches, bunds, bollards, and fencing and gates. This work was centred on 3 locations only, Meadow Way and Woodfield Way in Theale, and Dunstan Green in Thatcham. Further work is planned, subject to funding, on Stroud Green in Newbury. This Report indicates the approximate budget which will need to be allocated depending on the option.
- 2.6 In some cases site protection measures can have the effect of forcing Gypsies and Travellers to stop in more prominent and unsuitable places including farmland and other private land, prompting complaints from the landowner. This consideration needs to form part of any site assessment considering security measures. Further, there are some traditional stopping locations in the District which are periodically and temporarily occupied without any significant concerns being raised, or negative impacts on the local community.
- 2.7 Officers do not deal with unauthorised encampments in isolation. Over the last few years there has been greater collaboration and understanding between officers of this Council and local police. The joint Local Authority/Police Protocol provides for a collaborative assessment of each and every unauthorised encampment, this aims to balance the needs of both the travellers and settled communities.
- 2.8 There are strict criteria for evictions. The police (s61 Criminal Justice and Public Order Act) have greater powers than local authorities and an eviction can, under

certain circumstances, be carried out within a few hours. Local authority powers are more complex and consequently take longer, often up to 10 days due to the requirement for scrutiny (of the process followed in each case) and the issuing of relevant orders, by local magistrates. Neither the police nor local authorities have immediate eviction powers.

- 2.9 Working together both the Council and the police are largely effective in dealing with large encampments on open spaces or parks. The police have specific criteria they use before they invoke s61. This criteria, considering matters of criminality (note that trespass is a civil not a criminal matter), individual and group behaviour, impact on the community including loss of access to an amenity, is strictly applied. Under such circumstances, although the Council take a lead role, the police will seek to move the travellers on as quickly as possible. Encampments have been dealt with appropriately by this means on many occasions leading to a swift resolution of community tensions and reassurance that the relevant authorities are in control.
- 2.10 There are therefore some locations and circumstances where the presence of an encampment would not be tolerated and available police powers may be considered an adequate tool to protect land, therefore negating the requirement for expensive and possibly unsightly physical deterrents. This needs to form part of any site assessment process.

3. The Motion

- 3.1 Officers consider that this motion needs to be considered in light of the background set out above and summarised as follows:
- Largely unauthorised encampments are sporadic seasonal occurrences which cause only temporary nuisance to the public.
 - Most travelling groups pass through the District only stopping for short periods in locations away from communities, causing few problems.
 - Occasionally larger encampments settle for longer in areas which are unsuitable and directly impact, sometimes significantly on the local community.
 - The Countryside Service manages approximately 750 open spaces of various sizes, very few of which have any security measures or deterrents to access.
 - There is a growing problem with persistent, semi nomadic travellers, moving across local authority boundaries, who cause significant problems in West Berkshire and Reading Borough.
 - The Joint Protocol provides a format for collaborative action between WBC and Thames Valley Police (TVP). This approach provides a balanced approach and a means for a robust approach under certain circumstances, limiting impacts on communities.
 - The Protocol calls for an assessment of land for the purposes of securing vulnerable areas (target hardening).
 - Government guidance is that site security measures should form part of a strategy for dealing with unauthorised encampments but should not be *the* strategy.

- Without taking a holistic overview, the effect of target hardening is likely to be displacement to more vulnerable locations.
- Target hardening measures will be costly and there will be a requirement, depending on the recommended option, for this expenditure to be managed by temporary consultancy or agency staff.
- There are large open space areas near communities where it would be unreasonable to fully secure the land.
- Parishes are keen to be involved in this process and have invaluable knowledge of their own local area and communities.

4. Options for Consideration

4.1 In light of the background set out above, there are 3 possible options, the pros and cons of each are set out below at table 2.

Option	Advantages	Disadvantages	Costs: Officer Time. All costs approximate.	Costs: Capital for works. All costs approximate.
1. Adopt the motion as presented to Full Council on the 13 th October 2019.	An assessment provides a structured approach to the protection of land. This approach is proactive and will reassure some communities.	Due to the large number of open spaces in towns and villages and their vulnerability, capital costs will be significant. To date the capital costs involved in securing 3 sites is approximately £35,000. The Motion raises expectation amongst communities which we may not be able to meet. The motion makes takes no account of potential costs. There are significant impacts on officer time, each open space having to be assessed. This option may simply move the problem elsewhere on to our neighbours land. Target hardening changes the nature of 'open space' and may not be completely welcomed by some residents.	£40,000 Significant Officer time involved. Suggest this is carried out by temporary agency staff with the remit of visiting each location, carrying out an assessment and procuring any works required.	£500,000 minimum. Capital funding will be required of this order given the size and complexity of sites.

Option	Advantages	Disadvantages	Costs: Officer Time. All costs approximate.	Costs: Capital for works. All costs approximate.
<p>2. Do not adopt the motion and rely on the collaborative approach set out in the Local Authority/TVP Joint Protocol. Consider that the police and Council powers to take action are adequate in most circumstances.</p>	<p>Both the local police and Council officers will determine when and if target hardening is required on a reactive basis. Concerns about displacement would be considered as part of the joint assessment. The most 'popular' problematic stopping places are ultimately protected into the future. Capital costs are less than in other options</p>	<p>The least expensive option. This is a reactive approach and there will be continued criticism of the police and Council for a failure to anticipate issues and protect the interests of settled communities.</p>	<p>Minimal cost. Assessment carried out at each and every occasion by the Traveller Liaison Officer or Grounds Maintenance Officer</p>	<p>£50,000</p> <p>This work will be reactive as the current practice.</p>
<p>3. Implement a compromise solution: Carry out a desk top study, in partnership with the police, to establish the most vulnerable areas, the most 'popular' stopping locations, and other areas identified by parishes. Implement security measures ONLY where appropriate and against agreed criteria. Criteria to be developed as part of this process.</p>	<p>This is a more targeted approach building on existing information held by parishes, the Council and the police. Only those sites which absolutely require protection will be considered. This approach avoids unnecessary expenditure where unauthorised encampments are rarely encountered. Involvement of parishes provides a link to communities who can become engaged with the process. Capital expenditure will be required and can be programmed over a number of years based on priorities.</p>	<p>Locations where there is no history of unauthorised encampments may still be vulnerable especially considering displacement. Capital investment will be required in some locations.</p>	<p>£20,000</p> <p>Desktop exercise can be carried out within current staffing levels. On site assessment and procurement of works to be carried out by temporary agency staff.</p>	<p>£100,000 – £300,000</p> <p>Budget can be targeted at the most vulnerable locations which have a recorded history of unauthorised access and community tension.</p>

Table 2

5. Proposals

5.1 Executive is asked to consider the options at Table 2 above and advise on their preferred approach. Bearing in mind the background set out above at 3.1 Officers recommend option 3 which provides a measured approach to the assessment of sites and the implementation of security measures. Thereafter:

- Officers will undertake a review of the locations of previous encampments and establish what preventative measures have been taken and where further work is required. This process will involve police colleagues and local councils.
- Officers review with other local authorities in the region what criteria they use to evaluate where security measures are required and what form they take. Principally this is about establishing best practice.
- Officers then liaise with police colleagues to discuss the outcomes and review what we jointly believe is best practice.
- Officers write a process note based on best practice which evaluates site security in light of priorities and available funding. Due to the potential costs involved and impacts on communities, it is intended that decisions will be taken in discussion with the portfolio and ward members.
- Capital funding will be required under all the options provided. Provision of an adequate budget will have to be considered by Procurement Board. Both revenue and capital funding may have to be allocated over a number of years.
- Officers will also write to our parish and town councils asking them to undertake a review of their open spaces in light of this criteria and to take appropriate measures where required. The Traveller Liaison Officer will be able to provide advice on suitable security solutions. This builds on work already carried out with parishes in May 2019.

6. Conclusion

- 6.1 The Motion submitted on the 13th September 2018 provides an opportunity to review best practice across local authority areas and to consider a process which identifies and protects the most vulnerable land in the District thereby reducing impact on local communities. The Motion appears to be onerous in terms of staff time and available budget and may in fact raise expectation amongst our communities, when in fact many open spaces in rural areas have no history of encroachment.
- 6.2 Not all open space can be protected, it is neither desirable nor appropriate to do so and therefore considering limited funding, this process needs to prioritise actions to protect the most vulnerable land in the most cost effective manner. Town and parish councils will be encouraged to participate in this process in order to provide an effective approach across the District.
- 6.3 The options at table 2 have advantages and disadvantages identified which perhaps allow members to make a more considered and informed recommendation.

7. Consultation and Engagement

- 7.1 Discussions have taken place with Thames Valley Police throughout 2018 on an approach to target hardening open spaces and vulnerable locations.
- 7.2 In May 2019 local parishes were invited to a forum at Shaw House to discuss unauthorised encampments and the powers of the police, West Berkshire Council and town and parish councils. This meeting indicated that parishes were keen to work on preventative measures to protect land in their area.

7.3 Officers In legal services have been consulted on the format and content of this Report.

Background Papers:

Thames Valley Police and Local Authority Joint Protocol
Guidance on Managing Unauthorised Camping (DCLG)

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

Wards affected:

All wards will have an interest in the content of this report.

Officer details:

Name: Paul Hendry
Job Title: Countryside Manager
Tel No: 01635 519858
E-mail Address: paul.hendry@westberks.gov.uk

Climate Emergency Update

Committee considering report:	Operations Board
Date of Committee:	22 August 2019
Portfolio Member:	Councillor Steve Ardagh-Walter
Date Portfolio Member agreed report:	28 August 2019
Report Author:	Paul Anstey/Adrian Slaughter
Forward Plan Ref:	Information Item

1. Purpose of the Report

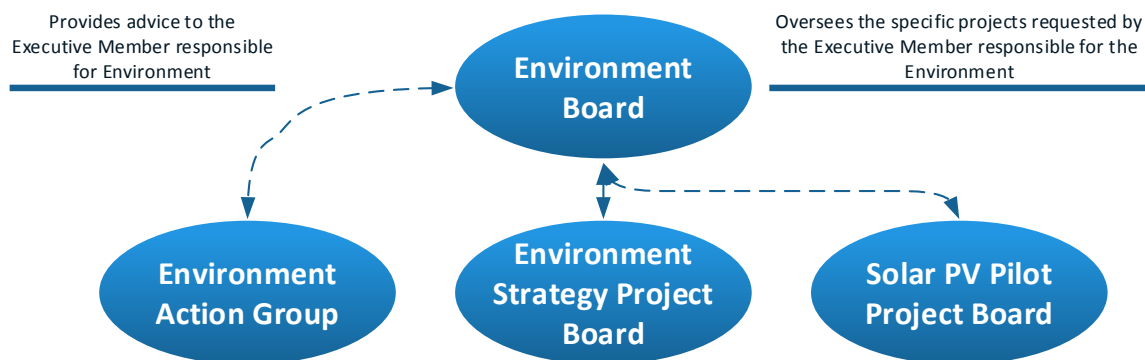
- 1.1 The purpose of this report is to summarise the actions that have been taken since the Council formally made a Climate Emergency Declaration on 2nd July 2019, committing the Council to a carbon neutral district by 2030.

2. Introduction

- 2.1 At the meeting of the Council on 2nd July 2019 the Council requested the Environment Board provide an interim report with the progress made to date.

3. Work Undertaken Since the Declaration

- 3.1 Embedded suitable governance arrangements to ensure delivery. See **Appendix A** for governance schedules.



More project boards will be created as the workload of the Environment Board develops.

- 3.2 Initial summary review of Council activity which is considered to fall within the scope of the Environment Board. See **Appendix B** as a guide.
- 3.3 A review of the corporate report templates is currently underway and as part of that work an environmental implications section will be added to all reports.

- 3.4 Identification of potential partners to assist with the progression of projects overseen by the Environment Board. This includes colleagues from the Association of Public Service Excellence (APSE) who are recognised in this field.
- 3.5 Timetable for delivery of an Environment Strategy by end of the calendar year 2019. This will describe how the Council and its partners will aim to work together to achieve carbon neutrality by 2030. Work will include an assessment of the evidence and data available to support the vision and objectives. This will be followed by an initial summary delivery plan to support the strategy.
- 3.6 Organisation of a Climate Conference to be held on 28th October 2019. This is currently being planned with the objective of gathering stakeholders to explore different ways in which residents, businesses, local organisations and the Council in West Berkshire (and potentially beyond) can work together and support the achievement of a carbon neutral district by 2030.

APPENDICES

APPENDIX A – GOVERNANCE SCHEDULES

Environment Board

- (1) Meeting every month. Chaired by the Executive Director for Place.
- (2) Created and convened first Environment Board on 18th July.
- (3) Terms of Reference have been agreed.
- (4) The identified role of the board is to oversee the development, implementation and overarching governance of the Council's Environment Strategy.

Environment Advisory Group

- (5) Chaired by the Executive Portfolio Holder responsible for Environment.
- (6) Created and convened first Environment Advisory Group on 23rd July.
- (7) Terms of Reference have been agreed.
- (8) There is cross party representation on the group.
- (9) The group has been established with the responsibility to provide advice, scrutiny and challenge to the Executive Portfolio Holder for Environment and to contribute to the development of the Environment Strategy and any associated documents.

Environment Strategy Project Board

- (10) Meeting every month. Sponsored by the Executive Director for Place and project managed by Head of Public Protection and Culture.
- (11) A Project Brief has been created and is in the process of being updated following the meeting on the 15th August.
- (12) A draft Project Plan has been outlined for the creation, stakeholder consultation and publication of the Environment Strategy by the end of the calendar year.

Solar PV Pilot Project Board

- (13) Meeting every month. Sponsored by the Head of Public Protection and Culture and project managed by the Senior Energy Efficiency Officer.
- (14) The Board was established earlier in the year and is currently in the process of awarding a contract.

APPENDIX B – PREVIOUS ACTIVITIES

Transport

- (15) LEP funded Sustrans route for the West Berkshire stretch of the National Cycle Network route 422 which is a new route linking Newbury to Ascot in Windsor and Maidenhead (and then on into London). This is expected to be complete through Thatcham and Newbury this financial year;
- (16) Hermitage to Hampstead Norreys Cycle Improvements - improvements to the bridges on the section along the disused railway line. Construction has started on site with completion expected by October 2019;
- (17) Improved links to Theale Station;
- (18) Improvements to cycle facilities at four stations on the Newbury to Reading line;
- (19) Improvements to Newbury Railway station to improve drop off, bus and cycling facilities as well as other changes to the station's fabric to make it a greener building.
- (20) A West Berkshire EV and EV Infrastructure Strategy is currently being developed.
- (21) Funding was obtained for the Co-Wheels Car Club which includes an electric vehicle. Co-Wheels Car Club is a low emission, hybrid or electric car hourly hire in Newbury <http://www.co-wheels.org.uk/newbury> and WBC has provided Electric Vehicle (EV) charging points in the Kennet Centre (for public and car club use) and in the Eight Bells car park (car club users only).
- (22) Earlier this year the Council secured a grant from the Office for Low Emission Vehicles for the delivery of on street residential EV charge points for properties without off street parking. 18 charge points have been installed in the Eastfields and Westfields areas of Newbury and further locations are being surveyed at present with a view to a further 18 being installed during the summer months. An EV Charging network for West Berkshire is in the process of being designed. An initial scoping report should be available by the end of August. This report will feed into and influence the draft West Berkshire EV and EV infrastructure Strategy.
- (23) Other non WBC funded EV charging points are located around West Berkshire, including in the Parkway Car Park (4 free points), and at Chieveley Service Station (4). For further sites visit: <https://www.zap-map.com/locations/newbury-charging-points/#> The Council continues to work with GWR to ensure that rail stations within West Berkshire will have charging points and for Newbury rail station these are proposed as part of the Market Street redevelopment.
- (24) The Council monitor local road networks to generate information and intelligence about air quality trends and publish content on the subject of air quality, further information is available via <http://info.westberks.gov.uk/airquality>

- (25) Route management signage has been placed on the A339 at the Swan roundabout to encourage HGV's to join the A34 to travel north rather than driving through Newbury.
- (26) The first stages of the 'Green Wave' intelligent traffic system, a demand responsive Traffic System linking the traffic signals through journey time, is being implemented. In the future this can be linked to air quality and journey time information to manage the flow of traffic along the A4. Further work to follow this financial year.
- (27) The Council support several schemes to promote early lifestyle learning, encouraging exercise when travelling to school, and cycle training:
 - (a) Walking and Cycling to School:
<http://info.westberks.gov.uk/index.aspx?articleid=27870>
 - (b) Bikeability Training for young people
<http://info.westberks.gov.uk/index.aspx?articleid=27869>
 - (c) Travel to School rewards schemes – Go Kinetic and Steposaurus:
<http://info.westberks.gov.uk/index.aspx?articleid=27870>

Energy

- (28) A feasibility pilot project to install solar PV on existing Council buildings which are currently using the Council's energy contract is in its latter stages and now looking to progress to implementation. This pilot is being used as a 'proof of concept' and has a number of potential business and environmental benefits for the Council sites currently chosen.
- (29) LED and control fittings for the Street Lighting replacement for West Berkshire was completed in 2016. 96.22% of our street lighting stock (12,471 units) are LED and 1048 LED sign lanterns (signs/bollards/zebra crossings) have been installed throughout the district, which includes LED retrofit lanterns.
- (30) A number of sections of street lights on the A4 are being switched off between midnight and 5.30am. Street lighting designs in estate streets have been identified as possible additional energy savings by dimming the existing lanterns.
- (31) Projects that have been implemented in previous years include:
 - (a) Smart metering programme for non-half hourly electricity meters;
 - (b) Corporate monitoring & targeting software for energy consumption within the Council's Central Energy Contract;
 - (c) LED light replacement in Multi-Storey Car Parks;
 - (d) Project support and/or advice to other areas e.g. Solar PV on Henwick Worthy Sports Field building; St George goes green (Church in Wash Common);

- (e) Voltage Optimisation in Multi-Story Car Parks;
- (f) Solar PV on Market Street, plus a number of schools;
- (g) Air source heat pumps in two buildings;
- (h) Ground Source Heat pumps in one primary school.

Planning Policy

- (32) All planning applications for new non - residential development must demonstrate that they will meet the BREEAM Excellent rating and, from 2019, Zero Carbon core strategy Policy CS15.

Parks & Countryside

- (33) Last year we appointed a new Grounds Maintenance contractor who has a commitment to assist the Council in meeting the government-set targets for local authorities and the wider public sector to phase out peat products. Suppliers to our contract will be instructed not to use peat-based growing media for any plants required for the contract.
- (34) We are working with our contractors to plant more trees than we lose as part of our carbon offsetting objectives; reduce chemical weed controls to the absolute minimum and explore non chemical technologies in some locations. We utilise selected battery powered plant and machinery on the grounds maintenance contract. We aim to recycle over 90% of our green waste through the contract.

General

- (35) Thatcham Dunstan Park and South East Thatcham Flood Alleviation Scheme. Sustainable drainage measures and extensive tree planting.
- (36) Sustainable Drainage Policy approved and being actively used to ensure sustainable drainage solutions on new developments.
- (37) As part of our work in Newbury town centre we are investigating and designing urban tree planting in Wharf Road and Bart Street North.

Agenda Item 15.

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Agenda Item 16.

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