

# Notice of Meeting

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# Executive

**Thursday, 16th January, 2020 at 5.00 pm**

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

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Date of despatch of Agenda: Thursday, 9 January 2020

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](mailto:executivecycle@westberks.gov.uk)

Further information and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)



To:	Councillors Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman (Vice-Chair, in the Chair), Jeff Brooks, Hilary Cole, Lynne Doherty, Rick Jones, Ross Mackinnon, Alan Macro, Richard Somner and Howard Woollaston
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# Agenda

## Part I

Page(s)

- 1. Apologies for Absence**  
To receive apologies for inability to attend the meeting (if any).
- 2. Minutes** 5 - 18  
To approve as a correct record the Minutes of the meetings of the Executive held on 19 December 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. *(Note: There were no questions submitted relating to items not included on this Agenda.)*
- 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.

## Items as timetabled in the Forward Plan

Page(s)

- 6. Schools Funding Formula 2020/21 (EX3784)** 19 - 44  
(CSP: PC1)  
Purpose: To set out the requirements and changes for setting the primary and secondary school funding formula for 2020/21 and to set out West Berkshire Council's funding proposals to go out to consultation with all schools.
- 7. Granting the Leasehold of the Stratfield Mortimer Library Building to Stratfield Mortimer Parish Council (EX3865)** 45 - 58  
Purpose: To seek approval for Stratfield Mortimer Parish Council's request for the Council to grant a 99 year lease of the Stratfield Mortimer



**Agenda - Executive to be held on Thursday, 16 January 2020 (continued)**

Library building so they can increase community use of the building alongside the Council's Library Service.

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**8. 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.

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(a) **Question to be answered by the Portfolio Member for Economic Development and Planning submitted by Councillor Tony Vickers**

*"Given that it is over 10 years since the current Administration steered Sandford Park into pole position in the race for 'Strategic' site status in our current Local Plan and that little has been achieved towards that aim, what is the Council doing to secure delivery of the much needed 2000 new dwellings there?"*

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(b) **Question to be answered by the Portfolio Member for Economic Development and Planning submitted by Councillor Jeff Brooks**

*"Can the Executive confirm when the Economic Development Plan will be published?"*

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(c) **Question to be answered by the Portfolio Member for Economic Development and Planning submitted by Councillor Alan Macro**

*"Why has the publication of the Housing and Economic Land Availability Assessment (HEELA) been delayed?"*

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(d) **Question to be answered by the Portfolio Member for Environment submitted by Councillor Adrian Abbs**

*"Since the climate emergency was declared, how much has WBC's carbon footprint been reduced by?"*

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(e) **Question to be answered by the Portfolio Member for Environment submitted by Councillor Adrian Abbs**

*"What has been the actual usage of Electric Vehicle charging points in West Berkshire during 2019 (measured by month, charging type and location, including fast charging points and normal charging points)?"*

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(f) **Question to be answered by the Portfolio Member for Economic Development and Planning submitted by Councillor Steve Masters**

*"After hearing that the portfolio holder believes that the targets for social and affordable housing on greenfield and brownfield sites across West Berkshire are something to be proud of can I request a full outline of the actual numbers of both affordable and social units delivered by developers since May 2015?"*

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(g) **Question to be answered by the Portfolio Member for Economic Development and Planning submitted by Councillor Steve Masters**

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*“Prior to releasing the Market Street site to the developer Grainger, did the council explore setting up a company such as the one in Bristol in order to ensure that the council’s aspirations for maximising social and affordable units are met?”*

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**9. Questions and Answers**

59 - 70

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**

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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, 19 DECEMBER 2019

**Councillors Present:** Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Hilary Cole, Lynne Doherty, Rick Jones, Ross Mackinnon, Richard Somner and Howard Woollaston

**Also Present:** John Ashworth (Corporate Director - Environment), Sarah Clarke (Head of Legal and Strategic Support), Martin Dunscombe (Communications Manager), Tess Ethelston (Group Executive (Cons)), Joseph Holmes (Executive Director - Resources), Andy Sharp (Executive Director (People)), Councillor Adrian Abbs, Councillor Jeff Brooks, Stephen Chard (Principal Policy Officer), Councillor Carlyne Culver, Councillor Lee Dillon, Councillor Owen Jeffery, Councillor Alan Macro, Councillor David Marsh, Councillor Steve Masters and Councillor Tony Vickers

**Apologies for inability to attend the meeting:** Councillor Erik Pattenden

### PART I

#### 59. Minutes

Councillor Lynne Doherty opened the meeting by explaining that due to the General Election that took place on 12 December 2019 and the associated purdah restrictions, the Council was not able to issue an agenda which included the substantive discussion items. These items would be discussed as part of the special meetings which would take place immediately after this meeting.

The Minutes of the meeting held on 21 November 2019 were approved as a true and correct record and signed by the Leader.

#### 60. Declarations of Interest

There were no declarations of interest received.

#### 61. 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 to the Portfolio Holder for Transport and Countryside by Mr Alan Pearce**

A question standing in the name of Mr Alan Pearce on the subject of the drainage system in place for the A339 road junction for the new access into the London Road Industrial Estate was answered by the Portfolio Holder for Transport and Countryside.

(b) **Question submitted to the Portfolio Holder for Economic Development and Planning by Mr Neil Taylor**

A question standing in the name of Mr Neil Taylor on the subject of the positive steps that the Council was taking with regards to housing in the district was answered by the Portfolio Holder for Economic Development and Planning.

#### 62. Petitions

There were no petitions presented to the Executive.

**63. 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 to the Portfolio Holder for Environment by Councillor Adrian Abbs**

A question standing in the name of Councillor Adrian Abbs, asking whether the Environment Advisory Group would be changed to a committee status, was answered by the Portfolio Holder for Environment.

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

A question standing in the name of Councillor Adrian Abbs on the subject of the achievements to date of the Environment Advisory Group was answered by the Portfolio Holder for Environment.

**(c) Question submitted to the Portfolio Holder for Transport and Countryside by Councillor Alan Macro**

A question standing in the name of Councillor Alan Macro on the subject of the efforts made by the Council to ensure that road traffic signs were kept clean and were not obscured by vegetation was answered by the Portfolio Holder for Transport and Countryside.

**(d) Question submitted to the Leader of the Council by Councillor David Marsh**

A question standing in the name of Councillor David Marsh which sought assurance that the Council's staff and Members would not be asked to participate in the distribution of political propoganda was answered by the Leader of the Council.

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

A question standing in the name of Councillor Martha Vickers (asked on her behalf by Councillor Tony Vickers) on the subject of whether the Council would reinstate a fund to send a young person to the Youth Parliament was answered by the Portfolio Holder for Children, Education and Young People.

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

A question standing in the name of Councillor Tony Vickers on the subject of when on-street electric charging points would be put to use was answered by the Portfolio Holder for Transport and Countryside.

*(The meeting commenced at 5.00pm and closed at 5.25pm)*

**CHAIRMAN** .....

**Date of Signature** .....

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## EXECUTIVE

### MINUTES OF THE MEETING HELD ON THURSDAY, 19 DECEMBER 2019

**Councillors Present:** Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Hilary Cole, Lynne Doherty, Rick Jones, Ross Mackinnon, Richard Somner and Howard Woollaston

**Also Present:** John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Sarah Clarke (Head of Legal and Strategic Support), Martin Dunscombe (Communications Manager), Tess Ethelston (Group Executive (Cons)), Joseph Holmes (Executive Director - Resources), Andy Sharp (Executive Director (People)), Jon Winstanley (Head of Transport and Countryside), Councillor Adrian Abbs, Rebecca Bird (HR Manager), Councillor Jeff Brooks, Stephen Chard (Principal Policy Officer), Councillor Carlyne Culver, Councillor Lee Dillon, Councillor Owen Jeffery, Councillor Alan Macro, Councillor David Marsh, Councillor Steve Masters and Councillor Tony Vickers

**Apologies for inability to attend the meeting:** Councillor Erik Pattenden

#### PART I

#### 64. Declarations of Interest

Councillor Lee Dillon declared an interest in Agenda Item 3 by virtue of the fact that he worked for Sovereign Housing Association, but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate.

Councillor Steve Masters declared an interest in Agenda Item 3 by virtue of the fact that he was the Chair of Trustees for Eight Bells for Mental Health, but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate.

Councillor Carlyne Culver declared an interest in Agenda Item 5 by virtue of the fact that she had investments in Abundance (the private company proposed to administer the Community Investment Scheme), but reported that, as her interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, she determined to remain to take part in the debate.

Sarah Clarke (Monitoring Officer) reported that both Nick Carter (Chief Executive) and John Ashworth (Corporate Director – Place) had an interest in Agenda Item 6 by virtue of the fact that the proposals, if approved, would affect their salary scales. They would therefore be leaving the meeting during the course of consideration of the matter.

#### 65. Preventing Homelessness and Rough Sleeping Strategy (EX3832)

The Executive considered a report (Agenda Item 3) concerning the Preventing Homelessness and Rough Sleeping Strategy.

Councillor Hilary Cole introduced the report by explaining that the Ministry of Housing, Communities and Local Government (MHCLG) required all councils to have a strategy adopted by 31 December 2019.

She was pleased to propose West Berkshire's Preventing Homelessness and Rough Sleeping Strategy for adoption. Councillor Cole gave thanks to partner agencies for their input. This was a good example of partnership working.

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Councillor Cole highlighted some key achievements in respect of delivering services for households who were homeless or threatened with homelessness:

- Assisted 68% of homelessness prevention duty cases in 2018/19 into long term accommodation.
- Utilised Discretionary Housing Payments (DHP) to support 33% of households to prevent homelessness.
- Assisted 25% of homelessness relief duty cases in 2018/19 into social housing.

Councillor Rick Jones seconded the proposed adoption of the Strategy. He commended the exemplary work of officers and Members to reduce homelessness in West Berkshire, most particularly over the past year. He also praised the work of the Homelessness Strategy Group in helping to make improvements.

Councillor Alan Macro was disappointed that prevention was not highlighted as a priority in its own right in the Strategy, as prevention work saved money in other areas. In response, Councillor Cole explained that the Housing Team provided an excellent service to people who were homeless or at risk of being homeless. The team had been restructured and a new manager was in place. Prevention work was key and formed the main thrust of the Council's work. Prevention was also a requirement of the Homelessness Reduction Act.

Councillor Macro next questioned what was being done to lobby Government for a change in policy. The Strategy highlighted concerns over areas including low Local Housing Allowance (LHA) rates and Government legislation on benefit incomes. Councillor Cole confirmed that the Council lobbied Government on a regular basis and held discussions with Members of Parliament. She added that the Council had a good working relationship with the MHCLG and were able to communicate points of concern. The Council had been successful in securing Government funding.

Councillor Macro followed this question by asking if lobbying would be resumed once the new Government had reshuffled. Councillor Cole confirmed that lobbying would continue.

Councillor Macro then queried plans to purchase temporary accommodation. Councillor Cole explained that the purchase of three further temporary units was in process. She added that the Council had been successful in placing people into temporary accommodation rather than bed and breakfast. She gave thanks to officers for this work.

Councillor Macro next highlighted the importance of bringing empty homes back into use to alleviate homelessness. It was therefore disappointing that there was no longer an Empty Homes Officer. Councillor Cole advised that the potential to reinstate the post was being looked into. She also made the point that properties could be empty for a number of reasons. Councillor Cole also added that as of April 2019, a higher rate of Council Tax (3 times higher) was set for empty homes.

Finally, Councillor Macro referred to the number of units available at Thomas Askew House. The report stated 26 units, but he was aware this was only 10. He was therefore concerned that other figures in the Strategy could be incorrect. Councillor Cole agreed to provide a written response to confirm the number of units at Thomas Askew House. She was however confident on the accuracy of the Strategy beyond this point of clarification.

Councillor Steve Masters was concerned that there was a gap between the required social/affordable housing stock and the reality. Opportunities should not be missed for affordable homes. Councillor Cole disputed that there was a gap and stated that affordable homes were being provided. She acknowledged that the Market Street development had a lower affordable housing provision but this was an exemption. This particular development would provide many other benefits including a bus station, multi-



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storey car park and a new approach to the train station. The housing units would all be available for rent and this would be more affordable than mortgages.

Councillor Cole added that work was ongoing to reinstate the Landlord Forum.

Councillor Owen Jeffery referred to paragraph 5.2 of the report, which stated that new legislation should be allowed to bed in before reviewing the Council's strategic approach to homelessness and rough sleeping. He questioned this approach and whether the Council should instead be responding more immediately to new legislation.

Councillor Cole advised that 12 individuals needed to be recruited to help implement the legislative requirements of the Homelessness Reduction Act, seven of whom had already been recruited. The Council had moved as swiftly as possible in this area and had worked unrelentingly to implement the legislative requirements.

Councillor Jeffery also referred to paragraph 5.6 (5) to point out that the percentages needed correcting.

Councillor Masters reiterated a question he asked at a previous Executive on the cost of employing Ridgeway Associates to undertake the consultation process. Councillor Cole did not have the sum to hand and would therefore provide it in writing. However, irrespective of this cost, the Council needed to adopt the Strategy by the end of the calendar year. There was not the available resource to conduct this internally and so consultants were employed. Doing so was not out of keeping with other areas of the Council's activity.

Councillor Carolyn Culver returned to the point already made that LHA rates were low. However, she queried how this compared with other local authorities. Councillor Cole responded by explaining that the LHA rate in West Berkshire was low compared to surrounding local authorities.

Councillor Culver also queried the amount by which the Council was subsidising private sector rents for eligible residents. Councillor Cole advised that this was covered within discretionary housing payments and was not a standalone figure.

**RESOLVED that** the Preventing Homelessness and Rough Sleeping Strategy be adopted, subject to a double check of the points raised at this meeting on percentages and numbers of housing units.

**Other options considered:** The option not to adopt a Preventing Homelessness and Rough Sleeping Strategy was dismissed as the adoption of a strategy before 31 December 2019 is a requirement of the Ministry of Housing, Communities and Local Government.

### 66. **Response to a Motion on reopening London Road Industrial Estate Football Ground (EX3844)**

The Executive considered a report (Agenda Item 4) which proposed a response to the Motion put to Council to reopen the London Road Industrial Estate (LRIE) football ground and to reinstate its facilities to their previous condition.

Councillor Rick Jones proposed the report's recommendations. This included the recommendation that the LRIE football ground would not be reopened. Councillor Jones explained that reopening the ground as a Step 5 facility would incur very significant costs. This was felt to be a poor investment when considering that the football ground site would form part of the wider LRIE redevelopment.

The provision of a high quality facility would be sought as soon as possible in line with the Playing Pitch Strategy.

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The report also recommended that the ground be opened as an informal area of grassland for general sports and recreation use, until such time as the ground was required as part of the LRIE redevelopment.

Councillor Jones added that the Newbury Community Football Group (NCFG) had seen the current condition of the football ground and he felt that they recognised its poor state. The Group had requested that some competitive football could still be played on the site and this would be investigated.

Councillor Lee Dillon gave thanks for the report. He recognised that refurbishment costs of the football ground would be high. However, he felt this was a result of the ground not being looked after properly. It had not been played on for three years and no action had been taken on the site. Councillor Dillon felt that the ground should have been decommissioned in a more sensitive manner.

Councillor Dillon continued by stating that the regeneration of the LRIE was needed. However, the Liberal Democrat Group would have sought an alternative home for the football club before they were evicted.

Councillor Jones stated that efforts had been made to find alternative provision. He reiterated the intention to provide a high quality facility as quickly as possible.

Councillor David Marsh referred to the regular attendance of members of the NCFG at Executive meetings. He felt that more should have been done to engage with the group and he questioned whether they had been consulted. Councillor Jones stated that he had engaged personally with the NCFG for many months, including meeting with them at the site. He sought to work positively with them.

The NCFG had not been consulted on the Playing Pitch Strategy as they were not a constituted sporting body.

Councillor Steve Masters welcomed the fact that the football ground would be opened in some form. He questioned whether the Council had prematurely closed the football ground. Councillor Jones advised that the important point to focus on was moving forward positively to resolve the issue and the solution would not come from one football ground. The Playing Pitch Strategy would cover all levels of football. He did however add that the ground was closed due to the Council's circumstances at that time, but unfortunately the redevelopment project had suffered delays.

Councillor Tony Vickers drew attention to the policy implications in the report, specifically the reference to Policy CS18 of the West Berkshire Core Strategy (2012). This stated that the loss of green infrastructure was only permitted in exceptional circumstances and if an exception was agreed then a replacement of equal or greater size and standard would be required. Councillor Vickers felt that the length of time this had taken was disgraceful.

Councillor Jones advised that alternative provision would be found as soon as possible.

### **RESOLVED that:**

- The Council does not re-open the LRIE football ground.
- The Executive proceeds with plans to open the ground as an informal area of grassland for general sports and recreational use until such time as the ground is required as part of the LRIE redevelopment.
- The Executive approves a budget of £85,000 to appoint consultants to produce a new development brief and masterplan for the LRIE.
- In the New Year, consultants are appointed by competitive tender to review and plan the reprovision of football facilities elsewhere within Newbury.

### Other options considered:

- To allow the football ground to be re-occupied. The football ground and associated facilities occupies approximately 20% of the developable land on the LRIE and where all other land on the LRIE is protected employment land. In order to financially support regeneration of employment land and where such development is financially far more challenging than residential development, a quantum of land within the LRIE must be found in order to deliver residential development which will financially support regeneration of employment land. Unless financial cost of redevelopment is not a consideration, regeneration of the LRIE is not possible without inclusion of the football ground land. Further to this relocating football within Newbury to a new site capable of being offered on a long lease represents an opportunity to create a sustainable site, capable of fully expanding to Step 5 and where the cost of such expansion can attract external funding.
- To convert the former football pitch to a grass based multi-use games area (MUGA) with floodlighting and 4m high security fencing and hoarding similar to the existing degraded fencing at a cost of £130,000. This option will cost substantially more than conversion to a timber post and rail fenced area of simple grassland available for general public access and yet will achieve little more than the grassland timber post and rail option. During negotiations with Sport England over the Council's recently approved Play Pitch Strategy, it is clear the FA no longer has a long term interest in the former LRIE football ground now that sustainable football re-provision options, capable of reaching Step 6 or higher within Newbury, have been identified in the Play Pitch Strategy. As a result the £130,000 cost of conversion to a MUGA is seen as poor value and has been discounted as an option.

### 67. Community Investment Scheme (EX3860)

The Executive considered a report (Agenda Item 5) which set out the ability for the Council to take part in a pilot of local authorities to issue community "bonds" that provide funding for infrastructure.

Councillor Ross Mackinnon introduced the report and stated that this was an excellent scheme. In order to align with the Council's climate emergency and emerging Environment Strategy, it was proposed that the community bond be established as a "Climate Change Bond" to fund activities to help deliver the commitment to be carbon neutral by 2030.

The scheme would be administered by a private company on behalf of the Council. This could enable the Council to access borrowing rates at a cheaper rate than via the Public Works Loans Board. If successful, the pilot could be rolled out more widely, including to residents. This would enable residents to take a personal stake in the Environment Strategy.

Councillor Steve Ardagh-Walter seconded the report. Its proposals would strongly support the Environment Strategy.

Councillor Carolyne Culver welcomed the proposal. She did however have a number of queries. She firstly sought reassurance that the funding would be utilised within West Berkshire. Councillor Mackinnon expected the vast majority if not all funding to be used in West Berkshire to help deliver the Environment Strategy.

Councillor Culver noted that an external grant of up to £25,000 was anticipated. However, she questioned the certainty of this funding when considering that it was

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European Union (EU) funding. Councillor Mackinnon advised that to date, the grant was assured. He was not aware of any doubt over receipt of this funding.

Councillor Culver's next queried if there were examples of other successful projects run by Abundance (the private company referred to). Councillor Mackinnon explained that many local authorities had worked with Abundance.

In response to Councillor Culver's final question on this item, Councillor Mackinnon felt that the community bond would be an attractive investment that would achieve a positive rate of return.

Councillor Culver stated that she looked forward to hearing more. She raised the importance of publicising this to residents at the appropriate time.

Councillor Adrian Abbs also felt that this was a good initiative. He did however have concerns in relation to the timescales being worked to when the Council had committed to being carbon neutral by 2030, and whether the Council needed to be more ambitious. As this was only a pilot scheme it would take time before full implementation. Councillor Mackinnon felt that the Council was being suitably ambitious. He felt that the pilot would be a useful way to test the scheme in the first instance.

### **RESOLVED that:**

- Approval be granted for the Council to take part in the pilot scheme for Community Bonds.
- A subsequent paper would come back to the Executive to approve or otherwise the issuing of Community Bonds.

### **Other options considered:**

- Not progress with the pilot. This has been discounted as this is a rare opportunity to be part of a scheme such as this at its inception.
- Progress with other non-Public Works Loans Board (PWLB) borrowing. This option is being progressed simultaneously to ascertain the options for private sector and public sector borrowing, but will be on a similar timescale to the Community Bond. The Community Bond alone will not provide, in the pilot, all of the Council's borrowing requirement for the coming years.

### **68. Senior management posts of Chief Executive, Executive Director (Place), Service Director and Service Lead (EX3825)**

*(Nick Carter and John Ashworth left the meeting at 6.10pm).*

The Executive considered a report (Agenda Item 6) which sought permission to increase the salary range for the post of Chief Executive in accordance with the external independent advice from South East Employers (SEE) from 1 April 2020.

The report proposed the establishment of the post of Executive Director (Place) on 1 April 2020. The Executive had already decided on the remuneration levels for the new posts of Executive Director (People) and Executive Director (Resources). Both of these posts had been filled. The Executive was now asked to approve the establishment and remuneration level for the post of Executive Director (Place) from 1 April 2020.

The report proposed the establishment of two levels of senior management posts of Service Director and Service Lead based on external independent advice received from SEE.

The new salary scales for the post of Chief Executive and Executive Director (Place) would take effect from 1 April 2020. The remuneration for the posts of Service Director

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and Service Lead would take effect on the first day of a new appointment if that was before 1 April 2020. The salary would then increase within the National Joint Council (NJC) 'cost of living' award on 1st April 2020.

Councillor Howard Woollaston felt that the Council had an outstanding senior management team who should be remunerated appropriately. He commended the report to the Executive. Councillor Lynne Doherty seconded the report. She raised the importance of future proofing the organisation for the years ahead.

Councillor Graham Bridgman felt it was important to reflect and act upon the independent advice given by SEE. The Chief Executive and Executive Directors needed to be paid at an appropriate level. In Councillor Bridgman's view, the Chief Executive was currently underpaid in comparison to the market. An increased salary would need to be offered to recruit a new Chief Executive in the future.

If the proposals were approved then the Council would still be in the lower quartile for senior officer pay across the Berkshire unitary authorities and beyond.

Councillor Jeff Brooks felt it would have been useful to include in the report a comparison of the salaries paid by the Council with the salaries of other areas. Councillor Doherty explained that this was contained in the original paper to the Executive in March 2019. However, she acknowledged that it would have been useful to repeat this information.

Councillor Carolyne Culver questioned if this was the right approach to take. She felt that it sent the wrong message as the gap to the lowest paid employees was growing. Percentage increases should apply to all staff. Councillor Doherty advised that all staff had received 2% increases in each of the last two financial years.

Councillor Culver then queried the inclusion of car allowances for some senior managers. Councillor Doherty explained that this was because this formed part of the original contract and terms for some officers. It was however removed for all new employees.

### **RESOLVED that:**

- the current post holder be moved into the new salary scale for Chief Executive on 1st April 2020 at a scale point no less than his current salary;
- the current Corporate Director (Economy & Environment) is moved into the new role of Executive Director (Place) on 1st April 2020 on the salary scale proposed and at a spinal column point no less than the post holder's current salary;
- the posts of Service Director for Adult Social Care, Environment and Strategy & Governance be established and recruited to early in 2020;
- any Special Recruitment Payment to be applied to a Service Director post should be approved by the Head of Paid Service (Chief Executive) in conjunction with the Leader of the Council; and
- the final decision on pay structure for the Service Lead posts should be delegated to the Head of Paid Service.

**Other options considered:** None – the need for this report was approved by the Executive on 28 March 2019.

### **69. Revenue Financial Performance Report - Q2 of 2019/20 (EX3796)**

*(Nick Carter and John Ashworth returned to the meeting).*

The Executive considered a report (Agenda Item 7) concerning the Council's Quarter Two revenue financial performance.

Councillor Ross Mackinnon introduced the report and commended the Council's strong financial management. The Quarter Two forecast was an overspend of £222k. This was

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0.2% of the Council's 2019/20 net revenue budget of £125m. £263k of costs had reserve provision against them which, if used, would lead to a year end forecast of a £41k underspend.

The small underspend was primarily due to Adult Social Care clients in some services tracking at a lower level than the modelled demand. However, demand led services in particular would continue to be closely monitored.

Councillor Graham Bridgman commented that the modelling was working, although there were fewer clients than modelled. Councillor Bridgman acknowledged that there had been a significant increase to the Council's Adult Social Care budget, but this report showed that financial management was on track.

Councillor Bridgman commended officers for their work in obtaining Continuing Healthcare funding to support the Council's budget for relevant clients with high cost care packages.

Councillor Owen Jeffery added his thanks to officers for rightly securing Continuing Healthcare funding.

Councillor Jeffery then queried whether the reduced demand and the resultant underspend could be related to a higher number of elderly clients sadly reaching the end of their life earlier than expected. Councillor Bridgman acknowledged the point. However, he did not believe this to be a particular issue. This was an area regularly monitored by officers.

Councillor Alan Macro referred to the increase in court costs for the recovery of Council Tax debt of £39k. The commentary explained that a report had yet to be written on the reasonableness of increasing the costs. Councillor Macro queried the reasons for this delay. He recalled raising this at a previous meeting.

Councillor Mackinnon explained that the £39k did not relate to a delayed report. Councillor Macro felt that the report could aid justification of increasing costs if it improved cost recovery. Councillor Lynne Doherty agreed to provide a written response on that point.

Councillor Jeff Brooks queried whether it would not be necessary in this financial year for the Resources Directorate budget to help balance the budget. In response, Nick Carter commented that he was no longer the Resources Director.

**RESOLVED** that the Quarter Two revenue financial performance report be noted.

**Other options considered:** None.

### 70. **Capital Programme Financial Performance Report - Q2 of 2019/20 (EX3800)**

The Executive considered a report (Agenda Item 8) concerning the Council's Quarter Two capital financial performance.

Councillor Ross Mackinnon raised the importance of funding and undertaking capital projects for the benefit of residents. For example, education projects and infrastructure improvements.

Councillor Dominic Boeck confirmed that much of the programme was devoted to improving school facilities.

Councillor Jeff Brooks queried the level of confidence that the capital funding allocation for 2019/20 would be spent as planned. Councillor Mackinnon was very hopeful that this would be the case.

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**RESOLVED that** the Quarter Two capital financial performance report be noted.

**Other options considered:** Not applicable.

**71. Exclusion of Press and Public**

**RESOLVED that** members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 1 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006. Rule 8.10.4 of the Constitution also refers.

**72. Proposed Redundancies (EX3808)**

*(Paragraph 1 – information relating to an individual)*

*(Paragraph 2 – information identifying an individual)*

The Executive considered an exempt report (Agenda Item 10) which sought approval to make the redundancy payments set out in the exempt report associated with savings to deliver the 2020/21 revenue budget.

**RESOLVED that** the recommendations in the exempt report be agreed.

**Other options considered:** Not applicable.

*(The meeting commenced at 5.25pm and closed at 6.37pm)*

**CHAIRMAN** .....

**Date of Signature** .....

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# DRAFT

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

## EXECUTIVE

### MINUTES OF THE MEETING HELD ON THURSDAY, 19 DECEMBER 2019

**Councillors Present:** Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Hilary Cole, Lynne Doherty, Rick Jones, Ross Mackinnon, Richard Somner and Howard Woollaston

**Also Present:** John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Sarah Clarke (Head of Legal and Strategic Support), Martin Dunscombe (Communications Manager), Tess Ethelston (Group Executive (Cons)), Joseph Holmes (Executive Director - Resources), Andy Sharp (Executive Director (People)), Councillor Adrian Abbs, Councillor Jeff Brooks, Stephen Chard (Principal Policy Officer), Councillor Carlyne Culver, Councillor Lee Dillon, Councillor Owen Jeffery, Councillor Alan Macro, Councillor David Marsh, Councillor Steve Masters and Councillor Tony Vickers

**Apologies for inability to attend the meeting:** Councillor Erik Pattenden

#### PART I

#### 73. Declarations of Interest

Councillor Dominic Boeck declared an interest in Agenda Item 3 by virtue of the fact that he was a member of Kennet Leisure Centre in Thatcham, but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillors Owen Jeffery and Steve Masters declared an interest in Agenda Item 3 by virtue of the fact that they were members of Kennet Leisure Centre in Thatcham, but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate.

Councillor Lee Dillon declared an interest in Agenda Item 3 by virtue of the fact that he was a substitute on the Henwick Worthy Joint Management Committee, but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate.

#### 74. Leisure Centre Fees and Charges 2020 (EX3846)

The Executive considered a report (Agenda Item 3) which sought approval to implement the contractual requirement for an annual price review for 2020 for the leisure contractor to come into effect on 1 January 2020.

Councillor Rick Jones presented the annual report. The contract with the leisure provider included an annual review and the proposal was for an average price increase of 2.6% which was less than the rate of inflation. It was also slightly lower than the benchmark level. There was high service user satisfaction of leisure services.

Councillor Adrian Abbs was concerned at some of the price increases which exceeded the rate of inflation (three times the rate of inflation in some cases). He felt that residents were being penalised, with less of an impact on non-Council residents.

Councillor Jones did not accept that residents were being penalised. He offered to address the point on inflationary rises in writing.

Councillor Lee Dillon queried whether, in light of the above, there was the potential to defer this decision. Sarah Clarke (Monitoring Officer) advised that it could not be deferred

## EXECUTIVE - 19 DECEMBER 2019 - MINUTES

as it was a contractual requirement to determine the annual price review by the end of December 2019. Councillor Dillon questioned therefore why the decision had been left this late.

Councillor Hilary Cole made the point that Members had received the paperwork in advance of the meeting and this point could have been questioned/clarified ahead of the meeting.

Councillor Lynne Doherty noted the points raised by Councillor Abbs. She did however clarify that the prices for West Berkshire residents were lower than the prices for non-West Berkshire residents in all cases.

**RESOLVED that** the proposed increase in fees and charges, as outlined in Appendix D, be approved for the leisure management contract.

### **Other options considered:**

- The Fees and Charges for the Leisure Centres are set by the leisure contractor, the proposals outlined are those which have been presented by Legacy Leisure for the maximum fees for identified Core Activity, as part of their business plan for the West Berkshire Contract for 2020.
- Consideration is given both to achieving standard tariffs across all centres and to the level of fees and charges set by local competitors in the industry and nearby Local Authority facilities in neighbouring districts and boroughs.

*(The meeting commenced at 6.37pm and closed at 6.45pm)*

**CHAIRMAN** .....

**Date of Signature** .....

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## Schools Funding Formula 2020/21

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<b>Committee considering report:</b>	Executive on 16 January 2020
<b>Portfolio Member:</b>	Councillor Ross Mackinnon
<b>Date Portfolio Member agreed report:</b>	19 December 2019
<b>Report Author:</b>	Melanie Ellis
<b>Forward Plan Ref:</b>	EX3784

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### 1. Purpose of the Report

- 1.1 Political ratification by the Council's Executive must be obtained on an annual basis for the school funding formula for primary and secondary schools. In 2020/21, as in previous years, each Local Authority (LA) has discretion over their schools funding formulae, in consultation with local schools. The LA is responsible for making the final decisions on the formula.
- 1.2 This report sets out the funding proposals for 2020/21 after consultation with all schools.

### 2. Recommendations

- (1) To replicate the DfE's National Funding Formula to calculate the funding allocations and to introduce the mobility factor into the local formula
  - (2) To address any surplus or shortfall in funding by a combination of reduced AWPU (age weighted pupil unit) rates and a cap on gains
  - (3) Apply a top slice of 0.25% to the schools' funding, in order to support High Needs, which would provide £261k additional funding for high needs.
- 2.2 If the Schools Forum do not agree with the proposals, the Local Authority can make the final decision on funding allocations, and can appeal to the Secretary of State to make a block transfer.

### 3. Implications

- 3.1 **Financial:** Schools are funded by the ring fenced Dedicated Schools Grant (DSG) and the school formula allocations do not impact on the Council's own resources. However, the cost of unmanageable school deficits or closing schools may fall on the Council. The schools funding formula allocates £104.5m of Dedicated Schools Grant to the Schools Block. It is allowed, subject to Schools Forum approval, to transfer up to 0.5% of this to another DSG Block, such as the High Needs Block.

- 3.2 **Policy:** n/a
- 3.3 **Personnel:** Any reductions in funding allocations for individual schools could lead to staffing restructures and possible redundancies in schools.
- 3.4 **Legal:** The allocation of funding to schools must comply with The Schools and Early Years Finance Regulations 2019.
- 3.5 **Risk Management:** For many schools their funding allocation will not increase by anywhere near the amount required to cover current increases in costs; the number of schools at risk of deficit could increase, and the non-viability of small schools may become a reality. The Council has in place a dedicated resources supporting schools in financial difficulty.
- 3.6 **Property:** n/a
- 3.7 **Other:** n/a

#### 4. Other options considered

- 4.1 A number of options were considered and consulted on for formula allocation.

## Executive Summary

### 5. Introduction / Background

- 5.1 The Government announced in August that funding for schools and high needs will rise by 2.6 billion for 2020/21. For the West Berkshire Schools' Block allocation, this is an increase of £5.3m (including growth fund). The minimum per pupil level (MMPL) is being increased to £3,750 for primary and £5,000 for secondary in 2020/21, and is being further increased to £4,000 for primary schools in 2021/22.
- 5.2 All mainstream (academies and maintained) school funding is allocated to the Local Authority (LA) through the Dedicated Schools Grant (DSG). The grant is split into four funding blocks: Schools, Early years, High needs and Central Schools Services.
- 5.3 The Schools Block is ring fenced, but up to 0.5% can be transferred to other funding blocks subject to consultation with all schools and Schools' Forum agreement. Secretary of State approval is required for transfers above this limit or where the Schools' Forum has opposed the transfer but the Local Authority wishes to appeal.
- 5.4 2020/21 is the third year of the National Funding Formula (NFF). The government has confirmed its intention to move to a single 'hard' NFF to determine every school's budget, and will work closely with local authorities and other stakeholders in making this transition in the future. In 2020/21, as in previous years, each LA will continue to have discretion over their schools funding formulae, in consultation with local schools. The LA is responsible for making the final decisions on the formula. Political ratification by the Council's Executive must be obtained before the 21 January 2020 deadline.
- 5.5 Provisional 2020/21 NFF allocations were published at a local authority level by the Department for Education (DfE) in October 2019, including notional school level allocations. Funding levels and allocations were announced later than in previous years, giving LA's less time for modelling and consultation.

### 6. Consultation

- 6.1 West Berkshire Council replicates the NFF as far as possible. However, after funding business rates uplifts, pupil characteristic changes and any transfers of funding, the formula has to be altered to ensure we remain within the total funding available. There are a number of options for ensuring affordability, which effectively means deciding on a methodology for allocating any funding shortfall or block transfer. The authority modelled a number of scenarios to determine the impact of these options on individual school budgets, and consulted with all schools on this.
- 6.2 A consultation document went out to schools containing the above proposals, and seeking views on a transfer to the High Needs Block. Due to the short timescales, the results cannot go to the Schools Forum until the 20 January 2020 meeting.
- 6.3 16 responses were received to the following questions:
  - (1) Do you agree that, subject to final affordability, West Berkshire should mirror the DfE's 2020/21 NFF and that this formula should be used to calculate funding allocations?

16 responses, 15 agree, 1 disagree

- (2) Do you agree that West Berkshire should introduce the mobility factor into the local formula in order to mirror the NFF?

16 responses, 16 agree

- (3) Do you agree that any shortfall in funding is addressed by using a combination of reduced AWPU values and applying a cap on gains?

16 responses, 13 agree, 3 disagree

- (4) Which of the following options would you support regarding a transfer from the Schools Block to the High Needs Block for 2020/21?  
a) 0% b) 0.125% c) 0.25% d) 0.5%

16 responses, a) 7, b) 0, c) 4, d) 3 plus 2 responders supporting a transfer but not saying which percentage.

Overall against a transfer 7, supporting a transfer 9.

## 7. Proposals

### 7.1 Based on the results of the consultation:

- (1) It is proposed to replicate the NFF as far as possible (as was the case for 2019/20).
- (2) It is proposed to use a combination of a cap on gains and a reduced Age Weighted Pupil Unit (AWPU) to calculate the distribution of any reduction in funding.
- (3) It is proposed to transfer 0.25% from the Schools Block to the High Needs Block, which would provide £261k additional funding for high needs.

## 8. Conclusion

- 8.1 Since the government intends to move towards a “hard” NFF formula it is logical for West Berkshire to replicate these rates as far as possible and to follow the same methodology as last year in the formula setting.

## 9. Appendices

- 9.1 Appendix A – Data Protection Impact Assessment
- 9.2 Appendix B – Equalities Impact Assessment
- 9.3 Appendix C, D and E – Consultation documents

## 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](mailto:dp@westberks.gov.uk)

Directorate:	Communities
Service:	DSG
Team:	Schools Block
Lead Officer:	Melanie Ellis
Title of Project/System:	20/21 Schools Funding Formula
Date of Assessment:	27.11.19

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

	Yes	No
<p><b>Will you be processing SENSITIVE or “special category” personal data?</b></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 <input type="checkbox"/>
<p><b>Will you be processing data on a large scale?</b></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 <input type="checkbox"/>
<p><b>Will your project or system have a “social media” dimension?</b></p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	No <input type="checkbox"/>
<p><b>Will any decisions be automated?</b></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 <input type="checkbox"/>
<p><b>Will your project/system involve CCTV or monitoring of an area accessible to the public?</b></p>	<input type="checkbox"/>	No <input type="checkbox"/>
<p><b>Will you be using the data you collect to match or cross-reference against another existing set of data?</b></p>	<input type="checkbox"/>	No <input type="checkbox"/>
<p><b>Will you be using any novel, or technologically advanced systems or processes?</b></p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	No <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.

<b>What is the proposed decision that you are asking the Executive to make:</b>	Agree the school funding formula for primary and secondary schools as proposed in the report.
<b>Summary of relevant legislation:</b>	
<b>Does the proposed decision conflict with any of the Council's key strategy priorities?</b>	No
<b>Name of assessor:</b>	Melanie Ellis
<b>Date of assessment:</b>	27.11.19

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

<b>1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	
<b>Objectives:</b>	
<b>Outcomes:</b>	
<b>Benefits:</b>	

<b>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.</b> (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.)		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>
Age		
Disability		
Gender Reassignment		

Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
<b>Further Comments relating to the item:</b>		

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

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](#).

<b>4 Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	
<b>Owner of Stage Two assessment:</b>	
<b>Timescale for Stage Two assessment:</b>	

Name:

Date:

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

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# Consultation Summary 2020/21

## 1. Introduction

- 1.1 There are two consultations to respond to:
- (a) A consultation on West Berkshire Council's proposed school funding formula arrangements for 2020/21.
  - (b) A consultation on the potential transfer of up to 0.5% from the School's DSG funding to support High Needs.
- 1.2 The proposed areas of consultation have been discussed by Schools Forum at its meeting of 9 December 2019. The consultation will be open from 10 December 2019 to 31 December 2019.

## 2. How to respond to this consultation

- 2.1 Please e-mail your response to Melanie Ellis, Chief Accountant [melanie.ellis@westberks.gov.uk](mailto:melanie.ellis@westberks.gov.uk) by **31st December 2019**.

## 3. Consultation Questions

1. Do you agree that, subject to final affordability, West Berkshire should mirror the DfE's 2020/21 NFF and that this formula should be used to calculate funding allocations? If not, please let us know with your reasons why.

2. Do you agree that West Berkshire should introduce the mobility factor in the local formula in order to mirror the NFF? If not, please let us know with your reasons why.

3. Do you agree that any shortfall in funding is addressed by using Option 3, using a combination of reduced AWPU values and applying a cap on gains? If not, please let us know with your reasons why.

4. If you have any comments/suggestions on the additional funds proposal or the criteria set to access the other additional funds please provide details.

5. If you do not agree with any of the proposed services being de-delegated, please let us know with your reasons why.

6. Which of the following options would you support regarding a transfer from the Schools Block to the High Needs Block for 2020/21?  
a) 0% b) 0.125% c) 0.25% d) 0.5%

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# Schools Funding Formula 2020/21 – Briefing & Consultation Document for Schools on the 2020/21 funding formula

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## 4. How to respond to this consultation

- 4.1 Schools are invited to make comments on specific areas in the consultation. Please e-mail your response to Melanie Ellis, Chief Accountant [melanie.ellis@westberks.gov.uk](mailto:melanie.ellis@westberks.gov.uk) by **31st December 2019**.
- 4.2 Any suggestions for change should be accompanied by clear rationale on why your proposal is a better solution and fair and equitable for all schools in West Berkshire Council (WBC), and not just for your own individual school. You should also check that it falls within the current funding regulations. Policy and operational documents relating to the 2020/21 NFF can be accessed on these webpages:

<https://www.gov.uk/government/publications/national-funding-formula-for-schools-and-high-needs>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/831848/Schools\\_operational\\_guide\\_2020\\_to\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/831848/Schools_operational_guide_2020_to_2021.pdf)

It remains a Local Authority decision on how the funding is allocated to schools through the formula factors. There is no requirement to stick to the NFF rates, or to use all the factors other than the mandatory minimum per pupil funding factor.

## 5. Purpose

- 5.1 The purpose of this consultation is to outline West Berkshire Council's proposed school funding formula arrangements for 2020/21 and the criteria to be used to allocate additional funds. The principle consulted on and adopted in previous years, was to move as closely as possible to the National Funding Formula (NFF). This has largely been achieved in West Berkshire which means there is little change to the formula for 2020/21.
- 5.2 The proposed areas of consultation have been discussed by Schools Forum at its meeting of 9 December 2019 prior to the release of the consultation. The consultation will be open from 10 December 2019 to 31 December 2019. Due to short timescales, the results will be emailed to the Schools Forum members to review and comment on ahead of the meeting on 20 January 2020.

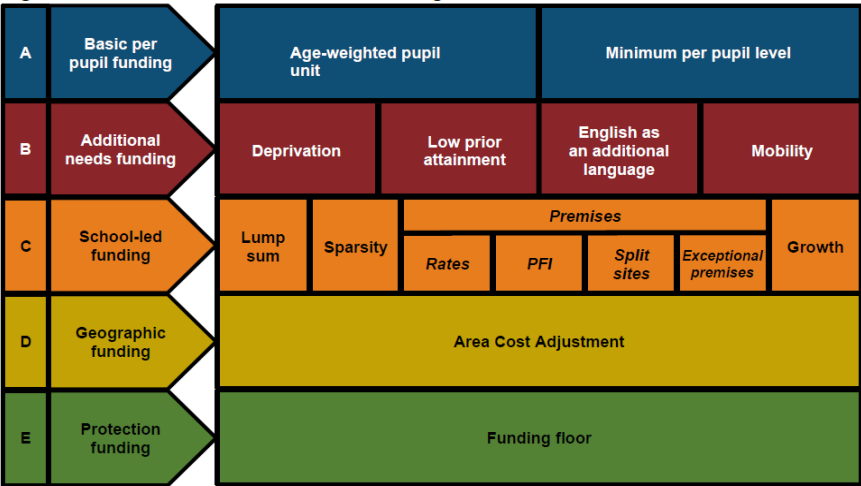
## 6. Introduction

- 6.1 All mainstream (academies and maintained) school funding is allocated to the Local Authority (LA) through the Dedicated Schools Grant (DSG). The grant is split into four funding blocks: Schools, Early years, High needs and Central Schools Services (such as licences, admissions, education welfare).

- 6.2 The Schools Block is only for Primary and Secondary school formula allocations, plus growth funding for new or growing schools (such pupils are not included in the funding allocation as they did not exist in the previous census).
- 6.3 The Schools Block is ring fenced, but up to 0.5% can be transferred to other funding blocks subject to consultation with all schools and Schools' Forum agreement. Secretary of State approval is required for transfers above this limit or where the Schools' Forum has opposed the transfer but the Local Authority wishes to appeal.
- 6.4 2020/21 is the third year of the National Funding Formula (NFF). The government has confirmed its intention to move to a single 'hard' NFF to determine every school's budget, and will work closely with local authorities and other stakeholders in making this transition in the future.
- 6.5 In 2020/21, as in previous years, each LA will continue to have discretion over their schools funding formulae, in consultation with local schools. The LA is responsible for making the final decisions on the formula. Political ratification by the Council's Executive must be obtained before the 21 January 2020 deadline.
- 6.6 Provisional 2020/21 NFF allocations were published at a local authority level by the Department for Education (DfE) in October 2019, including notional school level allocations. Funding levels and allocations were announced later than in previous years, giving LA's less time for modelling and consultation.
  - In December 2019, the funding will be updated for the October 2019 Primary and Secondary pupil numbers to produce the Schools Block DSG allocation.
  - A sum for growth funding is added which will be calculated separately for 2020/21 to give the final DSG total.

**7. The National Funding Formula (NFF)**

7.1 The basic structure of the NFF is not changing for 2020/21. The factors that will be taken into account when calculating schools block DSG funding through the NFF are shown in the chart below.



- 7.2 The NFF assigns funding rates to each of the factors. All key factors in the NFF have been increased by 4%. For some local authorities the factors are uplifted by an area cost adjustment (ACA). For West Berkshire this is 1.0347.
- 7.3 The minimum per pupil level (MMPL) is being increased to £3,750 for primary and £5,000 for secondary in 2020/21, and is being further increased to £4,000 for primary schools in 2021/22. The government has made the use of the national MMPL a mandatory factor in local formulae from 2020/21, taking into account all factors except business rates.
- 7.4 The 2020/21 funding floor is set at 1.84% above the 2019/20 funding floor baselines – again taking into account all factors except rates.
- 7.5 There will be no NFF gains cap, so that all schools attract their full allocations under the formula. LA's will still be able to use a cap in the local formula.
- 7.6 The free school meals factor has been increased by 1.84% in line with inflation. Premises funding will continue to be allocated at a LA level on the basis of actual spend in 2019/20.
- 7.7 LAs will continue to set a Minimum Funding Guarantee (MFG) which must be between 0.5% and 1.84%.
- 7.8 In 2020/21 the government has introduced a formulaic approach to allocating mobility funding based on tracking individual pupils through censuses from the past three years. In previous years the mobility factor has not been used in the local formula, but this consultation proposes introducing this factor based on the principle of mirroring the NFF.
- 7.9 Table 1 sets out the national rates and West Berkshire's cost adjusted rates.



Table 1: Factor	National Rate	WBC National Rate (with ACA)	National Rate	WBC National Rate (with ACA)	WBC Total	WBC Total
	2019/20		2020/21		2019/20	2020/21
<b>1.Basic Entitlement:</b>						
Primary	£2,747	£2,841	£2,857	£2,956	£37,798,558	£39,330,457
Secondary KS3	£3,863	£3,994	£4,018	£4,157	£22,805,740	£23,738,868
Secondary KS4	£4,386	£4,535	£4,561	£4,719	£16,530,075	£17,201,739
<b>2.Deprivation:</b>						
Primary current FSM	£440	£455	£450	£466	£463,190	£474,001
Primary FSM Ever 6	£540	£558	£560	£579	£914,543	£949,666
Primary IDACI Band F (0.2–0.25)	£200	£207	£210	£217	£95,037	£99,761
Primary IDACI Band E (0.25–0.3)	£240	£248	£250	£259	£135,256	£141,081
Primary IDACI Band D (0.3–0.4)	£360	£372	£375	£388	£22,021	£22,968
Primary IDACI Band C (0.4–0.5)	£390	£403	£405	£419	£60,957	£63,385
Primary IDACI Band B (0.5–0.6)	£420	£434	£435	£450	£84,307	£87,432
Primary IDACI Band A (over 0.6)	£575	£595	£600	£621	£0	£0
Secondary current FSM	£440	£455	£450	£466	£295,750	£302,653
Secondary FSM Ever 6	£785	£812	£815	£843	£1,174,462	£1,219,704
Secondary IDACI Band F	£290	£300	£300	£310	£122,802	£127,063
Secondary IDACI Band E	£390	£403	£405	£419	£151,705	£157,747
Secondary IDACI Band D	£515	£533	£535	£554	£60,274	£62,599
Secondary IDACI Band C	£560	£579	£580	£600	£70,910	£73,498
Secondary IDACI Band B	£600	£620	£625	£647	£84,362	£87,993
Secondary IDACI Band A	£810	£838	£840	£869	£0	£0
<b>3.Prior Attainment:</b>						
Primary	£1,022	£1,057	£1,065	£1,102	£4,078,134	£4,252,363
Secondary	£1,550	£1,603	£1,610	£1,666	£2,935,621	£3,051,156
<b>4.English as an Additional Language:</b>						
Primary EAL 3	£515	£532	£535	£554	£423,021	£440,164
Secondary EAL 3	£1,385	£1,432	£1,440	£1,490	£133,285	£138,680
<b>5.Sparsity</b>						
Primary	£25,000	£25,852	£26,000	£26,902	£112,176	£116,732
Secondary	£65,000	£67,216	£67,600	£69,946	£53,100	£55,257
<b>6.Lump Sum:</b>						
Primary	£110,000	£113,751	£114,400	£118,370	£8,711,431	£9,065,145
Secondary	£110,000	£113,751	£114,400	£118,370		
<b>7.Rates:</b>						
Primary	17/18 estimate		18/19 estimate		£1,487,173	£1,487,173
Secondary	17/18 estimate		18/19 estimate			
<b>8. Mobility</b>						
Primary Mobility	n/a	n/a	£875	£905	£0	£54,723
Secondary Mobility	n/a	n/a	£1,250	£1,293	£0	£0
<b>Total Allocation (excluding minimum per pupil funding level and MFG funding total)</b>					£98,803,890	£102,802,008

Factor	National Rate	WBC National Rate (with ACA)	National Rate	WBC National Rate (with ACA)	WBC Total	WBC Total
	2019/20		2020/21		2019/20	2020/21
<b>Total Allocation (excluding minimum per pupil funding level and MFG funding total)</b>					£98,803,890	£102,802,008
Additional funding to meet the minimum funding level	Primary				£98,040	£326,678
	Secondary				£343,074	£373,246
<b>Total Allocation including minimum funding adj</b>					£99,245,004	£103,501,932
Funding floor adjustment					£578,508	£0
<b>Total Allocation including funding floor protection</b>					£99,823,512	£103,501,932
MFG adjustment					-£369,710	£150,315
<b>Post MFG budget</b>					£99,453,802	£103,652,247

7.10 The NFF has been replicated at this point however, the final amount of funding available to allocate to schools could go up or down for the following reasons:

- (1) The final funding allocation will reflect the October 2019 pupil numbers.
- (2) The final allocation will **not** reflect any changes in pupil characteristics (such as deprivation and prior attainment).
- (3) Actual business rates used in the local formula may be greater than the amount allocated through the DSG formula allocation.
- (4) Funding requirements in other blocks such as high needs, would require approval of a transfer of funding out of the schools block (subject to a maximum of 0.5%), and would reduce funding available.

7.11 In addition to agreeing on the funding formula, a decision therefore needs to be taken on how to allocate any surplus or shortfall. An example is given below:

Indicative funding available for school funding allocations	WBC Total
	2020/21
Indicative funding received	<b>£103,652,247</b>
Less: estimated business rates increase	-£8,000
Less: transfer to other blocks (0.5%)	-£512,000
<b>Total available for school formula</b>	<b>£103,132,247</b>

**8. Consultation Proposals**

8.1 It is proposed in principle to mirror the NFF as closely as possible to ensure that West Berkshire schools are in a good position when the full NFF is introduced. The minimum per pupil guarantee of £3,750 for primary pupils and £5,000 for secondary pupils is mandatory and included in the local formula.

7. Do you agree that, subject to final affordability, West Berkshire should mirror the DfE’s 2020/21 NFF and that this formula should be used to calculate funding allocations? If not, please let us know with your reasons why.

8.2 The main change to the NFF is the change in the data set for the mobility factor. The authority is proposing to include this factor for 2020/21. The cost is included in the allocation the LA receives from the DfE as part of the NFF, so it does not create additional cost or a need to reduce other areas of the formula.

8. Do you agree that West Berkshire should introduce the mobility factor in the local formula in order to mirror the NFF? If not, please let us know with your reasons why.

8.3 After funding business rates uplifts, pupil characteristic changes and any transfers of funding to other blocks, the formula will need to be altered to ensure we remain within the total funding available. There are a number of

options for ensuring affordability, which effectively means deciding on a methodology for allocating any funding shortfall or block transfer. (Note: the same methodology would apply to any surplus). The options are outlined below:

- (1) Reducing the AWPU values. This would restrict the gains of all schools, although would result in additional MFG and MMPF to protect some schools.
- (2) Applying a gains cap, so that schools that gain the most funding compared to last year, are limited in the amount they are able to keep.
- (3) A combination of a reduced AWPU and a gains cap.
- (4) Reducing the MFG from 1.84% to 0.5%, however this only generates £34k. This impacts the lower funded schools the most.
- (5) Reducing the additional needs factors. This would impact those schools with pupils that require extra support.
- (6) Reducing the lump sum. This detrimentally affects small schools due to the amount of funding they are able to generate through pupil led factors.

8.4 The LA has modelled a number of scenarios to determine the impact of these options on individual school budgets. Options 4, 5 and 6 above have not been taken any further. The scenarios modelled assumed a requirement to reduce the funding available to schools by £520k to fund both business rates and a block transfer. If the block transfer did not happen, then the total funding available would be higher in this example.

8.5 In consultation with the Heads Funding Group, it is recommended to use Option 3, a combination of a cap on gains and a reduction to the AWPU. This option protects 17 schools from any reduction in funding, and provides the most even distribution across the remaining schools. The formula replicates the NFF rates, uses a 1.84% MFG, a cap on schools that gain over 6.8% and a reduction in the AWPU of 0.9%. The model assumes no change in pupil numbers. **Actual individual school allocations will be dependent on the October 2019 census data.**

9. Do you agree that any shortfall in funding is addressed by using Option 3, using a combination of reduced AWPU values and applying a cap on gains? If not, please let us know with your reasons why.

## 9. Additional Funding Outside the School Formula

9.1 School funding regulations allow for a few exceptional circumstances to be funded outside the formula and be top sliced from the DSG. For each fund the Schools' Forum need to agree clear criteria setting out the circumstances in which payments could be made and the basis for calculation.

### (1) Growth Funding

(a) Growth funding is within the Local Authorities' Schools Block NFF allocations. For 2020/21, as in previous years, growth funding will be allocated to Local Authorities based on the growth in pupil numbers between the October 2018 and October 2019 censuses.

(b) The NFF does not yet include a methodology for how Growth Funding should be allocated at individual school or academy level. LA's therefore retain responsibility for determining the arrangements locally, albeit within tight regulations.

(c) Our proposed arrangements are based on growth in pupil numbers between the October 2018 and October 2019 censuses. The growth fund can only be used to:

(i) Support growth in pre-16 pupil numbers to meet basic need

(ii) Support additional classes needed to meet the infant class size regulation

(iii) Meet the costs of new schools.

(d) The growth fund must not be used to support schools in financial difficulty or general growth due to popularity.

(e) The costs of new schools will include lead-in costs, post start-up costs and diseconomy of scale costs.

(f) Any unspent growth funding may be carried forward to the following funding period, as with any other centrally retained budget, and Local Authorities can choose to use it specifically for growth.

(2) A falling rolls fund, where a school has surplus places and faces a funding shortfall but an increase in pupils in the near future is expected. In 2018/19 the Schools Forum agreed to cease the Falling Rolls fund because only one school in four years had qualified for a payment.

(3) Funding for schools in financial difficulty where a school phase has agreed to de-delegate this funding (primary phase only in West Berkshire).

(4) Funding can be used from the high needs block to allocate additional funding to schools which have a disproportionate number of high needs pupils which cannot be reflected adequately in their formula funding. This has to be determined by a formulaic method.

10. If you have any comments/suggestions on this proposal or the criteria set to access the other additional funds please provide details.

## 10. De-delegations 2020/21 (maintained schools only)

- 10.1 From 2013/14 schools received funding for newly delegated central services. For some services (where offered by the Local Authority), maintained Primary and Secondary schools can collectively opt for the service to be de-delegated – which means that the funding is deducted from the formula allocation and continues to be centrally retained for the benefit of all maintained Primary and Secondary schools, and individual schools cannot make that choice for themselves (Academies may be given the option to buy into the service, as can Nursery schools, Special schools and PRUs). From 2017/18, statutory services previously funded by the Education Services Grant were also added, and the de-delegation for these services relate to all maintained schools. The de-delegations need to be re-determined on an annual basis.
- 10.2 The relevant Schools' Forum representatives for each phase will vote on whether each service is to be de-delegated or not. The services currently and proposed to be de-delegated are as follows:

### **Primary and Secondary only:**

- Behaviour Support Services
- Ethnic Minority Support
- Trade Union Local Representation
- Schools in Financial Difficulty (primary schools only)
- CLEAPSS

Funds cannot be de-delegated from Special and Nursery Schools and PRUs for these services, but those schools will have the option to buy back these services.

### **All Maintained Schools:**

- Statutory & Regulatory Duties (health & safety, internal audit, statutory accounting, pensions administration)

Academies and other non-maintained schools may be able to choose to buy into the above services, subject to provider agreement.

- 10.3 The primary schools in financial difficulty fund had £252k remaining at the end of 2018/19 and it was not topped up in 2019/20. Bids amounting to £71,000 have been approved in 2019/20, leaving the reserve at £181,000. The de-delegation of this service in 2020/21 would require the fund to be topped up to the previously agreed level of £250k.
- 10.4 Information about these services is reported to the Schools' Forum on an annual basis. The final decision on each de-delegation will be made by the relevant Schools' Forum Members for each phase on 20<sup>th</sup> January 2020. Schools may wish to contact their Schools' Forum representative direct to express their view, or respond as part of this consultation.

11. If you do not agree with any of the above services being de-delegated, please let us know with your reasons why.

## 11. Timetable

11.1 The timetable for determining the school formula and schools budgets for 2020/21 is as follows:

Date	Deadline	Who	Item
13.9.19		DfE	Operational guidance published
Oct to Nov 2019		DfE	NFF illustrative allocations published and APT issued
Oct to Nov 2019		LA	Modelling of new primary & secondary school formula (once received national formula rates from ESFA)
1.10.19	24.9.19	HFG	
16.10.19			School Admin (finance staff) briefing
14.10.19	8.10.19	SF	
Nov 2019		LA	High needs and Early years initial budget proposals worked on by officers
26.11.19	19.11.19	HFG	Review school formula options and make recommendation to Schools' Forum. Review high needs budget proposals.
3.12.19	27.11.19	Corporate Board	Draft formula proposals
9.12.19	3.12.19	SF	Agree formula for consultation with schools. To agree de-delegations and funding/criteria for additional funds. Need to consult and agree to any funding block transfers. Review central schools, high needs, and early years' budget proposals.
4.12.19	31.12.19		Consultation with schools
Mid Dec 2019		DfE	DSG funding allocations and APT containing census data for final formula issued
Mid Dec 2019		LA	Updating by officers of formula and the funding rates in light of actual DSG funding
19.12.19	12.12.19	Operations Board	Final formula proposal based on final funding allocation (subject to consultation responses).
8.1.20	2.1.20	HFG	Review funding formula consultation responses and final formula calculations and make a recommendation. Review budget proposals for central schools, high needs, and early years in light of funding announcement.
16.1.20	7.1.20	Executive	Approval of School Formula
20.1.20	14.1.20	SF	Review HFG recommendations, final calculations and final formula. Review budget proposals for central schools, high needs, and early years. Agree budget strategy and determine any further work.
21.1.20	21.1.20	LA	Deadline for submission of final APT to ESFA
21.1.20 to 18.2.20	18.2.20	LA	Finalisation by officers of central schools, high needs, and early year's budget proposals.
25.2.20	18.2.20	HFG	Review final proposals and make recommendation to Schools' Forum.
29.2.20	29.2.20	LA	Statutory deadline for providing primary and secondary maintained schools with funding allocation
9.3.20	3.3.20	SF	Agree final budgets.

# Appendix E

## Schools Funding Formula 2020/21 – Briefing & Consultation Document for Schools on a transfer of up to 0.5% from the Schools Block to the High Needs Block

### 1. How to respond to this consultation

- 1.1 Schools are invited to make comments on specific areas in the consultation. Please e-mail your response to Melanie Ellis, Chief Accountant [melanie.ellis@westberks.gov.uk](mailto:melanie.ellis@westberks.gov.uk) by **31st December 2019**.
- 1.2 Any suggestions for change should be accompanied by clear rationale on why your proposal is a better solution and fair and equitable for all schools in West Berkshire Council (WBC), and not just for your own individual school. You should also check that it falls within the current funding regulations. Policy and operational documents relating to the 2020/21 NFF can be accessed on these webpages:

<https://www.gov.uk/government/publications/national-funding-formula-for-schools-and-high-needs>

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/831848/Schools\\_operational\\_guide\\_2020\\_to\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/831848/Schools_operational_guide_2020_to_2021.pdf)

### 2. Purpose

- 2.1 The purpose of this consultation is to ask for comments on the potential transfer of up to 0.5% of the schools DSG funding for 2020/21 to the High Needs Block. The Schools Block is ring fenced, but up to 0.5% can be transferred to other funding blocks subject to consultation with all schools and Schools' Forum agreement. Secretary of State approval is required for transfers above this limit or where the Schools' Forum has opposed the transfer but the Local Authority wishes to appeal.
- 2.2 This consultation has been discussed by Schools Forum at its meeting of 9 December 2019 prior to the release of the consultation. The consultation will be open from 10 December 2019 to 31 December 2019. Due to short timescales, the results will be emailed to the Schools Forum members to review and comment on ahead of the meeting on 20 January 2020.

### 3. Introduction

- 3.1 All mainstream (academies and maintained) school funding is allocated to the Local Authority (LA) through the Dedicated Schools Grant (DSG). The grant is split into four funding blocks: Schools, Early years, High needs and Central Schools Services (such as licences, admissions, education welfare).



## 4. High Needs Block

- 4.1 The High Needs Block funds provision and services for children and young people with SEN & Disabilities (SEND), including the cost of Education, Health and Care Plans in mainstream schools and special schools, which form the bulk of HNB expenditure. It also funds the Pupil Referral Units. The HNB budget in 2020-21 is expected to be £21,595,683.
- 4.2 The HNB has been over spending since the 2016-17 financial year. This is mainly due to:
- increasing numbers of children with Education, Health and Care Plans moving out of mainstream provision in to special schools, including West Berkshire's own special schools (Brookfields and The Castle), other Local Authorities' special schools and independent / non maintained special schools. Most of the placements in other Local Authorities' special schools and independent / non maintained special schools are for children with SEMH or ASD.
  - increasing numbers and cost of children attending PRUs.
  - an increase of 33% in the number of children with EHCPs since 2014
- 4.3 There has been some additional funding from the Government for Local Authorities' High Needs Blocks in 2020-21, but in spite of this the HNB is predicted to overspend by £3.1 million in 2020-21, including rolled forward overspends from 2018-19 and 2019-20.
- 4.4 If the pressure on the HNB budget is to be reduced, schools need additional support to meet the needs of children with SEND so that the growth in specialist placements can be slowed down. This includes both access to services and direct financial support.
- 4.5 It is proposed that some funding is transferred from the Schools Block to the High Needs Block for this purpose. There are four alternative proposals; no transfer, transfer of 0.125%, 0.25% or 0.5%.

## 5. Proposed use of transferred funds

- 5.1 Increase Vulnerable Children Grant
- 5.1.1 This is a small budget of £50,000 held by the Local Authority to support vulnerable pupils with complex needs. It can be used to help schools support their most vulnerable pupils on an emergency, unpredicted or short term basis.
- 5.1.2 The budget is well used and has helped to maintain children in their mainstream schools and avoid exclusions. Schools have appreciated being able to access funds relatively quickly for their most vulnerable pupils. However, the grant is in high demand and has already run out for the current financial year, meaning no further children can be supported.
- 5.1.3 If this budget were to be increased, it would allow more support to be given to schools to help them meet the needs of vulnerable children, including those with social, emotional and mental health needs.



- 5.1.4 A 0.125% transfer would increase the Vulnerable Children Grant by £53,700, a 0.25% transfer would increase it by £125,400 and a 0.5% transfer would increase it by £384,400. (See 6.4 below).
- 5.1.5 Depending on the option chosen, and the amount of additional funding available, it would be possible to allocate this funding to schools to:
- Provide VCG funding for more children and / or for longer periods
  - Provide funding to schools when they admit a child who has been permanently excluded from another school
  - Support schools with implementation of Therapeutic Thinking approaches, eg. funding to support implementation of personalised therapeutic plans
- 5.2 Further roll out and support of Therapeutic Thinking approaches in schools
- 5.2.1 Over 120 school staff and West Berkshire employees have attended therapeutic thinking engagement days which have helped them to understand how to support children and young people in schools in a trauma informed way. In addition, over 70 school staff and LA employees attended three day train the trainer training in order to upskill themselves to deliver training in therapeutic thinking in their own settings. Other local authorities that have adopted a similar approach have seen impressive outcomes. For example, one local authority found that in schools where head teachers were trained as trainers there was a 60% reduction in fixed term exclusions, an 89.5% reduction in exclusion days and no permanent exclusions. This was achieved within a year.
- 5.2.2 Both the engagement day training and the 3 day training have been evaluated very positively.
- 5.2.3 The Therapeutic Thinking project has had a significant impact on staff skills and reported practice. However, further progress will be severely limited by lack of dedicated capacity in the Local Authority to embed this approach.
- 5.2.4 In order to sustain change across West Berkshire it is proposed that a fixed term post of Therapeutic Thinking Officer is created to lead network meetings for school leads, develop policy and practice within West Berkshire and in schools and to continue to deliver the engagement and train the trainer courses. The post is likely to be a Band K post which equates to a salary range from £36,876 to £44,632. Assuming an appointment at the mid-point of the scale, and taking on costs and start-up equipment purchase into account, the estimated annual cost of the post would be £58K.
- 5.2.5 Without this post there is a serious risk that the potential of the Therapeutic Thinking initiative to support children with complex needs will not be realised. The initiative has the potential to improve behaviour in schools, reduce exclusions, reduce pressure on PRUs and potentially bring down the numbers of children moving to specialist placements but there needs to be capacity to move it forward in order to see real and sustained change.
- 5.3 Removal of charges for Language and Literacy Centre places

- 5.3.1 In September 2018, charges were introduced for placements at the Language and Literacy Centres at Theale and Winchcombe schools. Charges are based on 50% of the real cost of the place. These charges were introduced in order to alleviate pressure on the High Needs Block.
- 5.3.2 The LALs can provide 48 places per year for Year 5 students who have persistent difficulties with literacy and need an intensive programme delivered by a teacher qualified in specific literacy difficulties. Outcomes data for pupils who have attended the LALs shows that they make very significant progress prior to returning to Year 6 and then transitioning to secondary school.
- 5.3.3 Prior to the introduction of charging, all 48 LAL places were taken up every year. Since charging was introduced, the number of children accessing the LALs reduced to 33 in 2018 and 26 in 2019 and could fall further again in 2020 given the significant financial pressure on schools.
- 5.3.4 A survey of primary school headteachers has clearly demonstrated that a large number of primary schools would like to refer pupils to LAL but cannot afford to do so.
- 5.3.5 There is some emerging evidence that the reduction in children being able to access LAL is linked to an increase in requests for EHCPs and an increase in potential appeals to the SEND Tribunal for places in specialist schools for children with dyslexia, with associated costs.
- 5.3.6 It is also possible that secondary schools will begin to see an impact of the reduction in children accessing LAL in terms of literacy levels of Year 7 cohorts and the numbers of children needing intensive support for literacy.
- 5.3.7 It is proposed that the charges for LAL places are removed so that all children who need this provision can access it and in order to avoid pressure for EHCPs and specialist placements for children with literacy difficulties.
- 5.3.8 The LAL budget is already subsidising places by 50% of the cost and fully funding the vacant places, so the cost of removing charging altogether would be relatively low at £17,800.
- 5.4 Expansion of the ASD Advisory Team to include Specialist Higher Level Teaching Assistants for deployment in schools
- 5.4.1 The number of children diagnosed with ASD has increased very dramatically over the last 10 years and continues to increase. Schools have developed good skills in meeting the needs of children with ASD and have access to support and training from the ASD Advisory Team. However, children with ASD can be challenging for schools to support and manage. We are seeing an increase in exclusions of children with ASD as well as an increase in specialist placements for children with ASD.
- 5.4.2 The West Berkshire SEND Strategy 2018-23, which was coproduced with parents, schools and other stakeholders, includes a proposal to recruit two Higher Level Teaching Assistants to the ASD Advisory Team, subject to identification of resources. There are currently two teachers in the team and one Autism Adviser who works with families. Service evaluations show that the support of the team is highly rated by schools, but team members are very thinly spread across the 1,152

children with ASD in our mainstream schools. The addition of HLTAs to the team would be a cost effective way of increasing capacity.

5.4.3 The objective of this additional resource would be to build capacity and expertise in schools, help schools to meet need effectively, maintain children in mainstream wherever possible and to support joint working between home and school, working alongside the Autism Adviser for Families

5.4.4 The HLTAs would work with individuals or groups of pupils in order to model strategies suggested by Advisory Teachers in class and support in producing and using resources. They could also run workshops for TAs in school and other staff. Work would have to be time limited but could help to avoid situations reaching crisis point.

5.4.5 The posts would be graded E to F. Assuming appointments at the mid point of the scale the cost would be £57,800.

## **6 Consultation Proposals**

6.3 There are four proposals for consideration:

- (a) Transfer 0% of Schools Block to High Needs Block
- (b) Transfer 0.125% of Schools Block to High Needs Block
- (c) Transfer 0.25% of Schools Block to High Needs Block
- (d) Transfer 0.5% of Schools Block to High Needs Block

6.4 The table below shows how funds could be allocated against each of these initiatives for each of the proposals.

	Option b) Transfer 0.125%	Option c) Transfer 0.25%	Option d) Transfer 0.5%
Vulnerable Children Grant	53,700	125,400	384,400
Therapeutic Thinking	58,000	58,000	58,000
Removal of LAL charges	17,800	17,800	17,800
Specialist HLTAs for ASD	0	57,800	57,800
<b>Total £</b>	<b>129,500</b>	<b>259,000</b>	<b>518,000</b>

## 6. Consultation Question

12. Which of the following options would you support regarding a transfer from the Schools Block to the High Needs Block for 2020/21?

- (a) 0%
- (b) 0.125%
- (c) 0.25%
- (d) 0.5%

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### 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

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### Strategic Priorities Supported:

The proposals contained in this report will help to achieve the following Council Strategy priority:

- PC1: Ensure our vulnerable children and adults achieve better outcomes**

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### Officer details:

Name: Melanie Ellis  
Job Title: Chief Management Accountant  
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## Granting the Leasehold of the Stratfield Mortimer Library Building to Stratfield Mortimer Parish Council

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<b>Committee considering report:</b>	Executive on 16 January 2020
<b>Portfolio Member:</b>	Councillor Rick Jones
<b>Date Portfolio Member agreed report:</b>	26 November 2019
<b>Report Author:</b>	Paul James
<b>Forward Plan Ref:</b>	EX3865

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### 1. Purpose of the Report

- 1.1 To seek approval for Stratfield Mortimer Parish Council's (SMPC's) request for the Council to grant a 99 year lease of the Stratfield Mortimer Library building so they can increase community use of the building alongside the Council's library service.

### 2. Recommendations

- 2.1 To work with SMPC to negotiate a 99 lease of the building to the parish council and a Joint User Agreement so that:
- SMPC is responsible for the cost of the maintenance and upkeep of the building delivering a saving to be reinvested in the library service to improve resilience.
  - The Council maintains its statutory responsibility for delivering a library service - set out in a Joint User Agreement between the Council and SMPC.
  - SMPC are able to continue using the building as their parish council office without paying rent to the Council.
  - SMPC are able to develop the use of the building for community purposes – for example, as Hungerford Town Council has done since taking over the Hungerford library building.
  - SMPC are able to invest in the building to increase the community facilities available – for example, a meeting room, a publicly accessible toilet facility, storage.
  - The Council and SMPC continue to work together to increase the use of the library service and other community activities in the building for the benefit of residents.
- 2.2 For Legal, Property and Library Services to work with SMPC to agree the Heads of Terms of the lease and Joint User Agreement by April 2020 or as soon as is possible thereafter.
- 2.3 That Property Services identify a value for the asset using the Depreciated Replacement cost methodology.

### 3. Implications

- 3.1 **Financial:** Leasing the building to SMPC delivers a modest saving to the Library Service of about £4000 per annum to be reinvested in the service to improve resilience. However, there is no overall revenue budget saving for the Council because of the loss of the annual rateable value charge. The capital cost of maintenance and repair passes to the parish council. The Council undertook a major refurbishment of the building 5 years ago and it is in good condition with no major works outstanding. There may be some minor repairs and maintenance to complete in order to transfer the asset to SMPC. This will be investigated as part of the project.
- 3.2 **Policy:** The proposal helps to achieve the following strategic aims and priorities:  
The Council's vision and priorities for improvement: Working together to make West Berkshire an even greater place in which to live, work and learn. Ensure sustainable services through innovation and partnership. Support everyone to reach their full potential. Ensure our vulnerable children and adults achieve better outcomes.  
The Health & Well-Being Boards' strategic objectives: Everyone can fulfil their potential. Health & Well-being of everyone is prioritised.
- 3.3 **Personnel:** The Library Service will continue to provide one full-time member of staff at Stratfield Mortimer Library and be responsible for library volunteers.
- 3.4 **Legal:** The proposal requires the negotiation of a 99 year lease to SMPC.
- 3.5 **Risk Management:** The proposal reduces the financial risk to the Council of maintaining the building in the long-term. Good partnership relationships can be maintained through a library working group including community representatives, SMPC and the Library Service. SMPC are able to fund their commitment through their precept and income generation.
- 3.6 **Property:** A value will be estimated for the asset by Property Services using the Depreciated Replacement cost methodology.
- 3.7 **Other:** The proposal strengthens the partnership between the Council and SMPC to increase the usage of library services and other community events and activities for the benefit of residents.

### 4. Other options considered

- 4.1 Continuing with the current arrangements; including the ongoing cost of maintaining the building and limiting community access to 19 hours per week.

## Executive Summary

### 5. Introduction / Background

- 5.1 The Council conducted a review of the library service in 2016 which resulted in a 44% / £690,000 reduction in budget and staffing from financial year 2017-18. The new library service began on 3<sup>rd</sup> July 2017. From that date we have operated 7 libraries (Wash Common was closed and is now run as a community library separately from the Library Service), the Mobile and At Home services. Staff are supported by about 250 volunteers. Hungerford Library building was leased to Hungerford Town Council who set up a community charity to operate the building as a community hub.
- 5.2 The principles of the library service are as follows:
- The Council provides the statutory library service as required under the Public Libraries and Museums Act 1964.
  - Partnerships with town and parish councils, library support groups and library volunteers are vital to increase community involvement and ensure the service meets local needs.
  - The service model is based upon an assessment of community needs.
  - The extent of the service is limited by the resources available.
  - Library services can be delivered in a number of ways and locations – Council buildings, a range of other venues, mobile and at home services, online.
  - New ideas and flexibility to do things differently are key to making libraries more sustainable.
  - The service needs to deliver core services consistently while branch libraries can develop differently from each other to reflect the communities they serve.
- 5.3 The Stratfield Mortimer library building is under used. Assuming that many community centre buildings can be open at least 12 hours a day - the library is only open 19 hours a week and occasionally for parish council meetings.
- 5.4 SMPC have their office to the rear of the building and current pay £3250 a year rent and a voluntary contribution to the Library Service of £3750. This would cease when they lease the building. The cost to SMPC of them taking on the running costs of the building is about the same as they pay in rent and voluntary contributions.
- 5.5 The building underwent a major refurbishment 5 years ago and is in good condition. It is a purpose built library building built by the Council on land donated in a bequest from the estate of a local resident. It was a condition of that bequest that the land be used to provide a library.
- 5.6 SMPC has proposed that they take on the responsibility of the building – including the cost of maintaining it - so that the library service continues there and so they can develop other community events and activities for the benefit of their residents.
- 5.7 No value has been sought for the asset at this stage. Property Services can seek a value using the Depreciated Replacement cost methodology, an accountancy tool where the cost of the building is depreciated over time. This methodology was used to identify a value for Hungerford Library building when it was transferred to the town council.

## 6. Proposals

- 6.1 To adopt the recommendations to transfer the asset to the parish council by means of a 99 year lease with a Joint User Agreement to enable the Council's library service to operate within the building.
- 6.2 To reinvest any revenue budget saving for the Library Service in the service to improve resilience.
- 6.3 SMPC propose to carry out a local public consultation on their proposal in January 2020.
- 6.4 That the Council's Legal and Property Services work with the Library Service and SMPC to negotiate and manage the transfer of the asset and the development of a Joint User Agreement.
- 6.5 That Property Services identify a value for the asset using the Depreciated Replacement cost methodology, an accountancy tool where the cost of the building is depreciated over time.

## 7. Conclusions

- 7.1 There will be a further review of the Library Service in early 2020. This will look again at the Needs Assessment undertaken in 2016 and propose options that continue to meet residents' needs. For example, Burghfield Library is 2.8 miles from Stratfield Mortimer library and having two libraries in such comparatively close proximity may not be the best way to meet needs across a large rural district.
- 7.2 Transferring branch library buildings to the care of the local community meets many of the Council's and Public Health's aims, objectives and priorities and has been tested with the transfer of the Hungerford library building to the town council two years ago.
- 7.3 The proposal reduces risk for the Council - for example, by removing the revenue and capital costs and risks of maintaining the asset in the long-term. The revenue cost savings for the Library Service are small (about £4000p.a.) and there is no revenue saving to the council as a whole as SMPC can apply for 100% rate relief.
- 7.4 The expenditure for SMPC is about the same as they currently pay in rent and voluntary contributions.
- 7.5 The model is more sustainable because the council transfers the ongoing costs of maintaining the building to SMPC while they have the means to increase income from the asset through community events and activities outside library service opening hours, their precept and other funding not available to the Council.
- 7.6 The proposal builds a stronger partnership between the council and the parish council and the local community. This is key to increasing library usage, community use of the asset and therefore making the library service more sustainable for the foreseeable future.



## **8. Appendices**

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Background information: Costs and benefits / Library usage data

## 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](mailto:dp@westberks.gov.uk)

Directorate:	Economy and Environment
Service:	PP&C
Team:	Culture and Libraries
Lead Officer:	Paul James
Title of Project/System:	Transfer of the Stratfield Mortimer Library building to Stratfield Mortimer Parish Council.
Date of Assessment:	5 <sup>th</sup> November 2019

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

	Yes	No
<p><b>Will you be processing SENSITIVE or “special category” personal data?</b></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"/>	<b>NO</b>
<p><b>Will you be processing data on a large scale?</b></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"/>	<b>NO</b>
<p><b>Will your project or system have a “social media” dimension?</b></p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<b>NO</b>
<p><b>Will any decisions be automated?</b></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"/>	<b>NO</b>
<p><b>Will your project/system involve CCTV or monitoring of an area accessible to the public?</b></p>	<input type="checkbox"/>	<b>NO</b>
<p><b>Will you be using the data you collect to match or cross-reference against another existing set of data?</b></p>	<input type="checkbox"/>	<b>NO</b>
<p><b>Will you be using any novel, or technologically advanced systems or processes?</b></p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<b>NO</b>

**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.

<b>What is the proposed decision that you are asking the Executive to make:</b>	Transfer of the Stratfield Mortimer Library building to Stratfield Mortimer Parish Council.
<b>Summary of relevant legislation:</b>	The Council has a statutory responsibility to provide a library service (Libraries and Museums Act 1964)
<b>Does the proposed decision conflict with any of the Council's key strategy priorities?</b>	No. The strategy supports the delivery of key strategies and priorities.
<b>Name of assessor:</b>	Paul James
<b>Date of assessment:</b>	5 <sup>th</sup> November 2019

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

<b>1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	The proposal aims to increase community use of Stratfield Mortimer Library for library and other community purposes for residents and visitors.
<b>Objectives:</b>	Increase access to library and community activities and services. Improve health and well-being and attainment for all.
<b>Outcomes:</b>	The library building is used to its full potential for library services and community events and activities. Any savings are to be reinvested in the service to improve resilience.
<b>Benefits:</b>	Ensure sustainable services through innovation and partnership. Support everyone to reach their full potential. Ensure our vulnerable children and adults achieve better outcomes.

**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.)

<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>
Age	Improved access to library services and community events and activities for all.	See report
Disability	Improved access to library services and community events and activities for all.	See report
Gender Reassignment	Improved access to library services and community events and activities for all.	See report
Marriage and Civil Partnership	Improved access to library services and community events and activities for all.	See report
Pregnancy and Maternity	Improved access to library services and community events and activities for all.	See report
Race	Improved access to library services and community events and activities for all.	See report
Religion or Belief	Improved access to library services and community events and activities for all.	See report
Sex	Improved access to library services and community events and activities for all.	See report
Sexual Orientation	Improved access to library services and community events and activities for all.	See report
<b>Further Comments relating to the item:</b>		

<b>3 Result</b>	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	<b>No</b>
Please provide an explanation for your answer: The proposal aims to increase access to library and community events and activities for all.	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	<b>No</b>
Please provide an explanation for your answer: The proposal aims to increase access to library and community events and activities for all.	

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](#).

<b>4 Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	No.
<b>Owner of Stage Two assessment:</b>	Paul James
<b>Timescale for Stage Two assessment:</b>	5 <sup>th</sup> November 2019

Name: Paul James

Date: 5<sup>th</sup> November 2019

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

## APPENDIX C: Granting the leasehold of the Stratfield Mortimer Library building to Stratfield Mortimer Parish Council.

### 1. Introduction/Background

1.1 See Summary Report.

### 2. Costs and benefits for WBC and SMPC

2.1 The proposal transfers responsibility for the maintenance and repair of the building to SMPC with the following cost, income and investment implications for the council and SMPC:

	Library Service Budget 2019-20		SMPC	Proposal		Note
		WBC	SMPC	WBC	SMPC	
<b>Expenditure</b>						
Staff	Library staff total cost	18000	0	18000	0	
Premises	Energy, repairs, phones etc	9600	0	800	8200	
	Rates	4000	0	0	0	note 1
Other	Marketing/promotion	300	0	200	0	
	Office rental SMPC	0	3250	0	0	
	Voluntary contrib SMPC	0	3750	0	0	
	<b>Total costs</b>	<b>31900</b>	<b>7000</b>	<b>19000</b>	<b>8200</b>	
<b>Income</b>						
Fees & charges	Library fines, sales	1000	0	1000	0	
Activities	Events, venue hire	0	0	0	1000	note 2
Rent	Office rental SMPC	3250	0	0	0	
Parish Contrib	Voluntary contrib SMPC	3750	0	0	0	
	<b>Total income</b>	<b>8000</b>	<b>0</b>	<b>1000</b>	<b>1000</b>	
	<b>net cost to council</b>	<b>23900</b>		<b>18000</b>		
	<b>net cost to SMPC</b>		<b>7000</b>		<b>7200</b>	

<b>Note 1</b>	Assumes SMPC get 100% rate relief
<b>Note 2</b>	Estimate of activity and venue hire income for SMPC Year 1

In summary, the revenue cost savings for the Library Service are small and will be reinvested in the library service to improve resilience. However there is no revenue saving for the council overall as SMPC will be able to apply for 100% rate relief. The expenditure for SMPC is similar to what they currently pay in rent and an annual voluntary contribution. The model is more sustainable than the current position because the council transfers the ongoing costs of maintaining the building to SMPC while they have the means to increase



income from the asset through community events and activities, their precept and other funding not available to the Council.

### **3. Library usage 2018-19 compared to 2017-18**

	<b>2017-18</b>	<b>2018-19</b>
Visitors to the library	12594	13872
Loans / renewals of stock	14332	14646
Active borrowers	775	659
New borrowers	125	144
Stock reservations placed	688	622
Public PC usage (hours)	304	274
No. of visits to public PCs	576	456
Weekly staff hours	20.5	20.5
No. of volunteers	22	23
Volunteer hours	557	758
Weekly opening hours	19	19
Summer Reading Challenge participants	120	132

In summary, a council only service (i.e. not run in partnership with a parish council) limits the building to being open 19 hours a week and it is a reasonable assumption – as in the case of Hungerford Library which is now open about 70 hours a week – that the proposal will increase the use of the building for library and other community activities.

### **4. Conclusion**

4.1 See Summary Report.

### **5. Consultation and Engagement to date**

- 5.1 Stratfield Mortimer Parish Council
- 5.2 WBC Executive Portfolio Member for Culture.
- 5.3 Devolution Working Group
- 5.4 Asset Management Group
- 5.5 Corporate Board.

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**Wards affected:** Stratfield Mortimer parish

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**Officer details:**

Name: Paul James  
Job Title: Culture & Libraries Manager  
Tel No: 01635 519 075  
E-mail Address: [paul.james@westberks.gov.uk](mailto:paul.james@westberks.gov.uk)

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# **Executive Meeting**

**16 January 2020**

Questions and Answers



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## **Public Questions as specified in the Council's Procedure Rules of the Constitution**

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There were no public questions for this meeting.

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# Members' Questions as specified in the Council's Procedure Rules of the Constitution

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**(a) Question submitted to the Portfolio Holder for Economic Development and Planning by Councillor Tony Vickers:**

*“Given that it is over 10 years since the current Administration steered Sandleford Park into pole position in the race for ‘Strategic’ site status in our current Local Plan and that little has been achieved towards that aim, what is the Council doing to secure delivery of the much needed 2000 new dwellings there?”*

**The Portfolio Holder for Economic Development and Planning answered:**

I am involved with the Chief Executive’s strategic overview of the current applications, we meet frequently with Officers and with the applicant developers to ensure that progress is made towards an appropriate decision at the appropriate time.

Officers have formed a specific Steering Group, chaired by the Corporate Director and it’s made up of all the relevant specialist professionals within the Council, who are involved in considering the many facets of the development.

The Planning team regularly meet with the applicants in Technical Meetings in order to assist and encourage the progression of a deliverable, acceptable and mitigated development.

As a whole, we are acting responsibly on behalf of the local community, to secure a development which is itself appropriate, which would not fundamentally harm important environmental interest, or the future everyday use of the development and the wider area. We are continuing to negotiate and amend the applications that have been submitted, so that a beneficial end result can be successfully delivered as soon as possible.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

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I am glad to hear that those meetings are taking place because I think that’s the first time it’s been put out in the public domain, that there are these meetings that you described. Contrary to your predecessor who was proud to say that he had never met with the land owners at the time when this went in to the core strategy which surprised me greatly. We are now 10 years on, and you and I have both probably had sight of what others in the industry are saying about this site and are suggesting that after this time it would appear to be simply not deliverable and therefore should be removed from the refresh other than the plan. So I would like to know what your position is on the possibility of removing the site which after 10 years appears to be no nearer to being built than it was at the time it was approved in the local plan.

HC – we do consider it deliverable which is why we are working so closely with the developers both the technical teams and at a high level when the developers come in it is the director of Bloor Homes and his team which come in to meet me, the Chief Executive and Officers, so we are really pushing them very hard to come together for a working solution that they can deliver the site so at this stage there is no plan to remove it from as a strategic site because I do

believe that it will be delivered. But I do appreciate it has been a long delay and I share your frustration in that Councillor Vickers.

- **(b) Question submitted to the Portfolio Holder for Economic Development and Planning by Councillor Jeff Brooks:**

*“Can the Executive confirm when the Economic Development Plan will be published”*

**The Portfolio Holder for Performance and Communities – Corporate ICT answered:**

The answer is a brief one, Councillor Dillon. The Economic Development Strategy is on the Forward Plan for April 30<sup>th</sup> Executive meeting and I would say that the Forward Plan is circulated to all members so that shouldn't come as much of a surprise to you.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

---

It wasn't on there when the deadline for questions and it had been delayed.

**(c) Question submitted to the Portfolio Holder for Economic Development and Planning by Councillor Alan Macro (asked by Councillor Dillon):**

*“Why has the publication of the Housing and Economic Land Availability Assessment (HEELA) been delayed?”*

**The Portfolio Holder for Economic Development and Planning answered:**

In terms of the Housing and Economic Land Availability Assessment process, officers have had a continuing and very clear steer from Members that until such time as an initial assessment of suitability of all promoted sites has been completed, they do not wish to publish the location of these sites as they wish to avoid unnecessary conjecture by residents. That’s all members those members on the cross party Planning Advisory Group, it was a group decision.

During this period, the National Planning Policy Framework has been revised twice and these changes have needed to be understood in the context of the HELAA and the local plan process, a local election has taken place and the results of this have meant that officers have had to review work to ensure it reflects changing council priorities.

In addition, given the agreed Berkshire-wide HELAA methodology which is new for this local plan, the assessment process is more rigorous than would previously have been the case with the Strategic Housing Land Availability Assessment (SHLAA) and therefore has taken much longer to produce than was originally envisaged.

The HELAA is now nearing completion and is expected to be published on line at the end of this month.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

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I appreciate you saying it took longer than anticipated, and we will obviously build that in to the next review. Was any resources considered to be put towards it to get it back on track once it was taking longer than you anticipated and is there any risk to the delay of the document?

Yes action was taken because I’m very keen to get this moving and to get the local plan out for consultation, examination and adoption. Because we are a plan led authority we now have to review our local plan every five years which is a very tight timescale and therefore we have got extra resource in order to keep the thing on track, because the last thing I want and I’m sure the last thing you want as opposition members want is for us to be an authority without a current local plan, because that would open us to challenge so there has been a very clear direction to officers that we have to put the resource at it to ensure that we stick to the timetable that we originally published.



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

*“Since the climate emergency was declared, how much has WBC’s carbon footprint been reduced by?”*

**The Portfolio Holder for Environment answered:**

As you are aware the Carbon Audit has been ? the initiated work is starting but has not completed, and so I am afraid I can’t give an answer to this question at this time. The slightly more positive(?) note I do look forward to the stage when I can do exactly that and I hope that we would be talking a matter of weeks for the completion of the audit and therefore a reliable baseline and the assessment of new projects after that point ?

Provided direct to Portfolio Holder.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

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This is some concern, given that the recently launched Environmental Strategy Public Consultation ? contains the same chart twice – chart 5 and this chart clearly shows approximately 25 kilo tonnes of carbon should have been saved from an ? generation ? carbon 2019. Could the Councillor please explain why the chart shows progress to carbon zero ? when the ? may exist.

Yes chart 5 is again a projection of the long term trend we have seen and as the broad narrative to our structure goes it’s certainly impossible to predict on a micro level of months how a long term trend is going to pan out in the future so broadly that is what we would have a reasonably good expectation of certainty purely from historical data but of course historical data is not a guide to the future and so we don’t really know. When the carbon audit gives us a benchmark and benchline and we have more detail of reporting particular projects then that would allow if it’s useful, more thorough analysis of that type of thing. So again the charts are broad level trends rather than accurate month on month measurements.

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

*“What has been the actual usage of Electric Vehicle charging points in West Berkshire during 2019 (measured by month, charging type and location, including fast charging points and normal charging points)?”*

**The Portfolio Holder for Environment answered:**

Thank you for your question Councillor Abbs. I do have detailed usage data for the Kennet Centre charging point which I am very happy to share with you offline as there is a long list of turgid numbers and I don't currently have data for the more recently established on the street charging points but I suspect that in time those will emerge and again I am very happy to share as and when officers are able to assemble this.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

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You are really saying that other than the numbers ...previously ? no numbers for the new stuff  
Could you please explain why Newbury Town Council has been able to review the data on the new 28 charge points which actually shows zero use on 22 out of 28 points whereas the portfolio holder is not to have access to this?

I can't comment on what data Newbury Town Council have seen, and maybe you could facilitate sharing of that information I would be very interested to see it and I'm sure that at some level in the council that has been looked at and again I don't personally monitor car charging usage data on a minute level and on a slightly broader sense and I know there have been questions from other members on usage and uptake and should electric car parking spaces bays be reserved for electric cars I think the proper response is with due to consideration to both drivers of the not yet electric vehicle type which is the overwhelming majority right now, over time we will have to give a little more away towards electric cars so absolutely the allocation of spacing and the usage is something that would be quick to take off but I think in the matter of a few months it's not realistic to have a lot of useful information.

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

*“After hearing that the portfolio holder believes that the targets for social and affordable housing on greenfield and brownfield sites across West Berkshire are something to be proud of can I request a full outline of the actual numbers of both affordable and social units delivered by developers since May 2015?”*

**The Portfolio Holder for Economic Development and Planning answered:**

Although I would be more than happy to give you the information but Members will be pleased to know that I am not going to stand and list all the applications of all new build sites that have delivered affordable housing since 2015.

I would however, since Councillor Masters has framed the question “since May 2015”, remind Members that it was this authority that challenged the Government on sites of less than 10 units providing no affordable housing. This challenge went all the way to the Court of Appeal and the government was forced to concede that Ministerial Statements did not over rule local plan policies which had been subject to viability assessments and examination through the local plan.

This is a stance that I am proud to say we still stand by and have successfully defended at appeal ever since. However, as Members do love numbers here are some headline affordable housing numbers taken from the Annual Monitoring Report for Housing published on the Council web site.

As at March last year, 862 outstanding affordable housing commitments including 200 at the Racecourse. The Housing Site Allocation DPD will deliver approximately 653 affordable units, 240 of which are already permitted. Since 2014/15 only 3 applications for more than 15 units have not provided an affordable housing contribution. No planning applications for between 10 and 14 units have been approved with no affordable housing contributions.

18 applications have been approved for between 5 and 9 units during this period, 10 of which provided no affordable housing contribution. It must be remembered that National Policy allows for non-provision of affordable housing if it renders the scheme unviable, no matter what the local planning authority wishes to see happen.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

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It would have been nice to have some percentages of the successful ratio of 30-40%(?), however what other measures are the council going to do to make sure those targets are met, not just merely aspirations, can you promise the public that these targets will be achieved and you don't give way to developers who you seem.. ?

They are not aspirations Councillor Masters, have you achieved the 30-40%, Councillor Masters, it is in our policy, 40% of affordable homes on greenfield sites, and 30% on brownfield sites. There are some occasions when sites in the more recent past, particularly when developers played the viability card, that is happening less and less at the moment so we are getting affordable housing delivered. There are occasionally sites when the developer doesn't

want to give that affordable housing on the sites, but gives us a sum of money that we use affordable housing elsewhere. What percentage have achieved the target? I haven't got that figure in front of me Councillor Masters. That's interesting. We could find that out for you. Chair – Councillor Masters, as a matter of information, I strenuously argue before Eastern Area Planning Committee on a site in Mortimer for affordable housing, I persuaded the Committee to go against officer's recommendation and put affordable housing on the site. That was then challenged at appeal and we lost the viability argument. So it's not for want of trying.

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

*“Prior to releasing the Market street site to the developer Grainger, did the council explore setting up a company such as the one in Bristol in order to ensure that the council’s aspirations for maximising social and affordable units are met?”*

**The Portfolio Holder for finance answered:**

At the time, this was not considered. The Bristol option and similar ones were not well developed across the sector at the time the terms of the Market Street development were agreed for procurement purposes in order to secure a development partner and which was prior to 2011 when many Council housing companies first appeared. It has been in the past three years that there has been a significant increase in the number of housing companies being set up by Councils and delivering housing. Going forward the Council is aware of present opportunities and will ensure these are fully considered in respect of future WBC schemes in order to deliver affordable housing according to policy.

**The Chairman asked:** *“Do you have a supplementary question arising directly out of the answer to your original question. A supplementary should be relevant to the original question and not introduce any new material?”*

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Bearing in mind the Market Street Development, how has the financial viability changed that has precipitated such a low number of shared ownership or even rented, on the Market Street development. Is that acceptable as a return for the tax payer – council tax payers of West Berkshire, bearing in mind how little land costs to develop there in the first place, so if a company can’t make a financial go of something and then get it for a ? surely they shouldn’t be in the business.

Is what acceptable Councillor Masters? Sorry could you just repeat.

Is the low number of shared ownership of 12 or 13 depending on the minutes ?

Councillor Cole – the reason why there is a lower number of affordable homes on the Market Street development is because we have gained a new bus station and a new approach to the station as well from the developer. So we felt at the time that it was important for us to have that new bus station and an improved entrance from the station so we accepted that a lower number of affordable homes on that site would be acceptable to us. And you must bear in mind that the whole of the Market Street development is for rented accommodation. Now it may not be it’s at market rent, but it does give those people who can afford to pay a market rent but can’t afford to find money for a mortgage, the opportunity to rent in a very very attractive area in central Newbury.

Again it’s going to exclude those very people that we need to be retaining within the district ? we have poor workers who are on minimum wage for example.

I do welcome your policy has shifted in terms of the housing company ?

HC: We are looking at every option Councillor Masters, we really are.

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