

Individual Decision



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

Thursday 4 June 2020

Ref:	Title	Portfolio Member	Page No.
ID3917	West Berkshire Council Forward Plan - 7 July 2020 to 31 October 2020	Councillor Lynne Doherty	3 - 18



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Individual Executive Member Decision

West Berkshire Council Forward Plan – 7 July 2020 to 31 October 2020

Committee considering report:	Individual Executive Member Decision
Date ID to be signed:	4 June 2020
Portfolio Member:	Councillor Lynne Doherty
Date Portfolio Member agreed report:	n/a
Forward Plan Ref:	ID3917

1. Purpose of the Report

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

2. Recommendation

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

3. Implications

- 3.1 **Financial:** The Forward Plan has no financial implications.
- 3.2 **Policy:** The Forward Plan details the Policies to be adopted by West Berkshire Council.
- 3.3 **Personnel:** The Forward Plan has no personnel implications.
- 3.4 **Legal:** The Forward Plan has no legal implications.
- 3.5 **Risk Management:** The Forward Plan has no risk management implications.
- 3.6 **Property:** The Forward Plan has no property implications.
- 3.7 **Other:** Not applicable.

4. Consultation Responses

Members:

Leader of Council:	Leader of the Council
Overview & Scrutiny Management Commission Chairman:	Councillor Alan Law at Overview and Scrutiny Management Commission meetings.

Ward Members:	All Members.
Opposition Spokesperson:	Councillor Lee Dillon at Overview and Scrutiny Management Commission meetings.
Local Stakeholders:	The West Berkshire Forward Plan will be published the first working day after the Individual Decision is signed.
Officers Consulted:	Nick Carter, John Ashworth, Joseph Holmes, Andy Sharp, Service Directors, Heads of Service, Group Executives.
Trade Union:	Not sought.

5. Other options considered

5.1 Not applicable.

6. Introduction/Background

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

Scrutiny Management Commission has agreed that the key decision is urgent and cannot reasonably be deferred.

- 6.5 In addition The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 introduced an entirely new requirement for the Council to publish 28 clear days' notice of the intention to hold a private meeting (or part of a meeting) of the Executive. This 28 day notice must be reinforced by a five day notice which sets out the reasons for the meeting to be held in private, details of any propositions received as to why the meeting should be open, and the Council's response. The response will be provided by the Monitoring Officer. The regulations again provide for an urgency procedure, under which the Council can decide the matter with shorter than 28 or five days' notice, provided that it has first obtained the consent of the Chairman of the Overview and Scrutiny Management Commission.

7. Supporting Information

- 7.1 There are currently no confidential items scheduled for the 16 July 2020 Executive meeting. There is therefore no requirement to publish and display the relevant notice.
- 7.2 Details of decisions that Full Council, the Governance and Ethics Committee and the Personnel Committee are going to take are also included for ease of reference. It should, however, be noted that the 2012 Regulations only apply to Executive meetings.
- 7.3 The following changes have been made to the Forward Plan in respect of the 16 July 2020 Executive since it was last agreed:
- EX3831 Post Consultation Environment Strategy (Paul Anstey)
 - EX3937 West Berkshire Recovery Strategy (Joseph Holmes)
- 7.4 It should also be noted that any changes made to Executive Member Portfolios will be reflected in the Forward Plan once they are known.
- 7.5 Publication of the Forward Plan remains a statutory requirement of the Local Authority. The Forward Plan, any General Exception Decision Notices and Notices of Private Decisions have to be available for inspection and also have to be published on the Council's website.

8. Conclusion

- 8.1 Publication of the Forward Plan is a statutory requirement and the Forward Plan for the period 7 July 2020 to 31 October 2020 is presented to the Leader of the Council for final sign off. It will be published on the Council's website. Please note that while the Council Offices are closed a copy of the agreed Forward Plan will not be displayed in Reception in the Council Offices, Market Street.

9. Appendices

Appendix A – Data Protection Impact Assessment – Stage One

Appendix B - Equalities Impact Assessment

Appendix C – West Berkshire Council Forward Plan – 7 July 2020 to 31 October 2020

Appendix D – Notice of Private Decisions – Not Required

Background Papers:

None.

Subject to Call-In:

Yes: ☐ No: ☒

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

Officer details:

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

Appendix A

Data Protection Impact Assessment – Stage One

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

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

Directorate:	Resources
Service:	Strategy and Governance
Team:	Democratic Services
Lead Officer:	Moir Fraser
Title of Project/System:	Forward Plan
Date of Assessment:	27 May 2020

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

	Yes	No
Will you be processing SENSITIVE or “special category” personal data? Note – sensitive personal data is described as “data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person’s sex life or sexual orientation”	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be processing data on a large scale? Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will your project or system have a “social media” dimension? Note – will it have an interactive element which allows users to communicate directly with one another?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will any decisions be automated? 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will your project/system involve CCTV or monitoring of an area accessible to the public?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using the data you collect to match or cross-reference against another existing set of data?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will you be using any novel, or technologically advanced systems or processes? Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Appendix B

Equality Impact Assessment - Stage One

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

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

Name of policy, strategy or function:	Forward Plan
Version and release date of item (if applicable):	
Owner of item being assessed:	Moira Fraser
Name of assessor:	Linda Pye
Date of assessment:	27/05/20

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

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

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

Further Comments relating to the item:

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

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

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

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

Name: Linda Pye

Date: 27/05/2020
(despatch date)

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

West Berkshire Council Forward Plan

APPENDIX C



West Berkshire
C O U N C I L

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West Berkshire Council Forward Plan

7 July 2020 - 31 October 2020

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

Reference	Item	Purpose	Decision Body	Month/Year	Executive	ID	Date Report Published	Council	Governance and Ethics Committee	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part II	Call In
DOD3882	School Meals Contract (Paragraph 5 - information relating to legal privilege)	To agree the Contract award.	DOD	01 July 2020			tbc				TBC DOD	Robert Bradfield	Resources	Children, Young People & Education		Yes	Yes
EX3931	Parking provision for electric vehicles	To highlight the Motion made at Full Council on 3rd March and make recommendations as to whether the Motion should be implemented.	EX	01 July 2020	16/07/20 EX		08/07/2020					Neil Stacey				No	No
EX3831	Post Consultation Environment Strategy	To adopt the post consultation strategy.	EX	01 July 2020	16/07/20 EX		08/07/2020					Paul Anstey	Place	Environment		No	Yes
EX3716	Key Accountable Performance 2019/20: Quarter Four	To report Q4 outturns for the Key Accountable Measures which monitor performance against the 2019/20 Council Performance Framework. To provide assurance that the objectives set out in the Council Strategy and other areas of significant activity are being managed effectively. To present, by exception, those measures that are predicted to be 'amber' or 'red' and provide information on any remedial action taken and the impact of that action. To recommend changes to measures/targets as requested by services.	EX	01 July 2020	16/07/20 EX		08/07/2020					Catalin Bogos	Resources	Internal Governance		No	No
EX3900	Future arrangements for the provision of Public Health across West Berkshire, Wokingham and Reading	To consider options and recommendations concerning the future management of Public Health across Berkshire West.	EX	01 July 2020	16/07/20 EX		08/07/2020					Nick Carter	Resources	Public Health & Community Wellbeing, Leisure and Culture		No	Yes
EX3937	West Berkshire Recovery Strategy	For Executive to review and approve the recovery strategy in respect of Covid-19	EX	01 July 2020	16/07/20 EX		08/07/2020					Joseph Holmes	Resources	Leader, District Strategy and Communications			
EX3942	Social Care Emergency Duty Service (Paragraph 3 – information relating to the financial/business affairs of a particular person)	To request that the Executive approve a new shared service agreement for the continuing provision of a hosted Emergency Duty Service (EDS) between the six Berkshire unitary authorities with Bracknell Forest Council as a lead/host authority.	EX	01 July 2020	16/07/20 EX		08/07/2020					Robert Bradfield	Resources	Finance and Economic Development		Yes	No
GE3821	Internal Audit Annual Assurance Report 2019/20 including the Annual Governance Statement.	The Public Sector Internal Audit Standards (PSIAS) require the Audit Manager to make a formal annual report to those charged with governance within the Council.	GE	01 July 2020			17/07/2020		27/07/20 GE			Julie Gillhespey	Resources	Internal Governance		No	Yes
ID3918	West Berkshire Council Forward Plan 25 Aug- 31 Dec 2020	To agree the Forward Plan for the next four months.	ID	01 July 2020		23/07/2020	15/07/2020					Moirra Fraser	Resources	Leader, District Strategy and Communications		No	No
ID3936	Appointment of representatives on the West Berkshire SACRE	To appoint representatives to vacancies on SACRE (Standing Advisory Council on Religious Education)	ID	01 July 2020		07/07/2020	29/06/2020					Janet Giddings	Resources	Children, Young People and Education			
ID3938	Appointment to Outside Bodies	To agree any changes required to the Council's Outside Body Appointments	ID	01 July 2020		16/07/2020	08/07/2020					Moirra Fraser	Resources	Leader, District Strategy and Communications			
ID3939	Endorsement of the Hamstead Marshall Parish Plan		ID	01 July 2020		01/07/2020						Jo Naylor	Resources	Public Health and Community Wellbeing			
ID3941	Discretionary Housing Payments Policy - Update	To agree amendments to the existing policy.	ID	01 July 2020		07/07/2020						Liz Martin	Place	Planning and Housing			
PC3940	Menopause Policy	To agree the policy.	PC	01 July 2020			09/07/2020				17/07/20 PC	Katie Penlington	Resources	Internal Governance			

West Berkshire Council Forward Plan

7 July 2020 - 31 October 2020

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DOD3881	Appointment of the Independent Remuneration Panel	To agree the membership and scope of the IRP.	DOD	01 August 2020							DOD August 2020	Jo Watt	Resources	Leader, District Strategy and Communications		No	No
EX3833	Adoption of the Housing Strategy	To adopt a new Housing Strategy	EX	01 September 2020	03/09/20 EX		25/08/2020					Neil Coles	Place	Planning and Housing		No	Yes
EX3883	Key Accountable Performance 2020/21: Quarter One	To report Q1 outturns for the Key Accountable Measures which monitor performance against the 2020/21 Council Performance Framework. To provide assurance that the objectives set out in the Council Strategy and other areas of significant activity are being managed effectively. To present, by exception, those measures that are predicted to be 'amber' or 'red' and provide information on any remedial action taken and the impact of that action. To recommend changes to measures/targets as requested by services.	EX	01 September 2020	03/09/20 EX		25/08/2020					Catalin Bogos	Resources	Internal Governance		No	
EX3798	Revenue Financial Performance Report - Outturn for 2019/20	To inform Members of the latest financial performance of the Council.	EX	01 September 2020	03/09/20 EX		25/08/2020					Melanie Ellis	Resources	Finance, Transformation and Property		No	Yes
EX3802	Capital Financial Performance Report - Outturn for 2019/20	To inform Members of the latest financial performance of the Council.	EX	01 September 2020	03/09/20 EX		25/08/2020					Shannon Coleman-Slaughter	Resources	Finance and Economic Development		No	Yes
EX3888	Leisure Strategy Consultation	To agree the Council's Leisure Strategy.	EX	01 September 2020	03/09/20 EX		25/08/2020					Paul Anstey	Place	Public Health & Community Wellbeing, Leisure and Culture		No	Yes
EX3906	Capital Financial Performance Report - Q1 of 2020/21	To present the Q1 capital financial performance for Members to note.	EX	01 September 2020	03/09/20 EX		25/08/2020					Shannon Coleman-Slaughter	Resources	Finance and Economic Development			
EX3905	Revenue Financial Performance Report - Q1 of 2020/21	To inform Members of the latest financial performance of the Council.	EX	01 September 2020	03/09/20 EX		25/08/2020					Melanie Ellis	Resources	Finance and Economic Development			
GE3822	Draft Financial Year 2019/20 Going Concern Assessment	This report summarises the management assessment of the Council continuing to operate as a going concern for the purposes of producing the Statement of Accounts for 2019/20.	GE	01 September 2020			25/08/2020		07/09/20 GE			Shannon Coleman-Slaughter	Resources	Finance and Economic Development		No	Yes
GE3823	Draft Annual Governance Statement	To allow the committee to review the Annual Governance Statement before it is signed by the Leader and Chief Executive	GE	01 September 2020			25/08/2020		07/09/20 GE			Shannon Coleman-Slaughter/ Catalin Bogos	Resources	Internal Governance		No	Yes
GE3935	2019/20 Financial Statements – Highlight Report	To receive the report.	GE	01 September 2020			25/08/2020		07/09/20 GE			Shannon Coleman-Slaughter	Resources	Finance and Economic Development			
ID3919	West Berkshire Council Forward Plan 6 October 2020- 31 Jan 2021	To agree the Forward Plan for the next four months.	ID	01 September 2020		03/09/2020	25/08/2020					Moirra Fraser	Resources	Leader, District Strategy and Communications		No	No
GE3864	Internal Audit Interim Report 2020/21	To update the Committee on the outcome of internal audit work.	GE	01 October 2020			02/10/2020		12/10/20 GE			Julie Gilhespy	Resources	Internal Governance			
GE3824	External Audit Fee 2020-21	To present to members the Audit Fee Letter for 2020/21 from Grant Thornton. The letter sets out the fee for the audit in line with the prescribed scale fee set by the Public Sector Audit Appointments Ltd (PSAA).	GE	01 October 2020			02/10/2020		12/10/20 GE			Shannon Coleman-Slaughter	Resources	Internal Governance		No	Yes
GE3934	External Auditors Report on the Financial Statements	To receive the report from the external auditors.	GE	01 October 2020			02/10/2020		12/10/20 GE			Shannon Coleman-Slaughter	Resources	Finance and Economic Development			
GE3820	Summary of Draft West Berkshire Council Financial Statements 2019/20	To present the draft West Berkshire Council Financial Statements 2019/20.	GE	01 October 2020			02/10/2020		12/10/20 GE			Shannon Coleman-Slaughter	Resources	Finance and Economic Development		No	Yes
GE3689	External Audit Plan 2020-21	To provide Members with a copy of the External Audit Plan for 2020-21	GE	01 October 2020			02/10/2020		12/10/20 GE			Shannon Coleman-Slaughter	Resources	Internal Governance		No	Yes

West Berkshire Council Forward Plan
7 July 2020 - 31 October 2020

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Reference	Item	Purpose	Decision Body	Month/Year	Executive	ID	Date Report Published	Council	Governance and Ethics Committee	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part II	Call In
ID3920	West Berkshire Council Forward Plan 10 Nov 2020- 28 Feb 2021	To agree the Forward Plan for the next four months.	ID	01 October 2020		08/10/2020	30/09/2020					Moira Fraser	Resources	Leader, District Strategy and Communications		No	No

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NOTICE OF A PRIVATE MEETING OF A DECISION-MAKING BODY¹

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

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

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

Date of Decision or period within which the decision is to be made	Ref No:	Matter in respect of which the decision is to be made	Short Description	Decision maker	Executive Member & Lead Officer	List of documents to be submitted to decision maker	Public or Private meeting. Statement of reasons if private.
July 2020	DOD3882	School Meals Contract	<i>To agree the contract award.</i>	Delegated Officer Decision	Children, Young People and Education Robert Bradfield	Report and associated appendices	(Paragraph 5 – information relating to legal privilege)
16/07/20	EX3942	Social Care Emergency Duty Service	<i>To request that the Executive approve a new shared service agreement for the continuing provision of a hosted Emergency Duty Service between the six Berkshire unitary authorities with Bracknell Forest Council as lead/host authority.</i>	Executive	Finance & Economic Development Robert Bradfield	Report and associated appendices	(Paragraph 3 – information relating to financial/business affairs of a particular person)

Sarah Clarke
Service Director (Strategy and Governance)
West Berkshire Council

Date: 4 June 2020

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

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

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