

Individual Decision



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

Thursday, 23rd July, 2020

Ref:	Title	Portfolio Member	Page No.
ID3918	West Berkshire Council Forward Plan 25 August 2020- 31 December 2020	Councillor Lynne Doherty	3 - 16



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Individual Executive Member Decision

West Berkshire Council Forward Plan – 25 August 2020 to 31 December 2020

Committee considering report:	Individual Executive Member Decision
Date ID to be signed:	23 July 2020
Portfolio Member:	Councillor Lynne Doherty
Date Portfolio Member agreed report:	n/a
Forward Plan Ref:	ID3918

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 one confidential items scheduled for the 03 September 2020 Executive meeting:

- London Road Industrial Estate Development Brief

7.2 The relevant notice is attached as an appendix to this report.

7.3 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.

7.4 The following changes have been made to the Forward Plan in respect of the 03 September 2020 Executive since it was last agreed:

- EX3833 Adoption of the Housing Strategy has been delayed until the 11 February 2021 Executive meeting.
- EX3798 and EX3802 The Revenue and Capital 2020/21 Outturn reports have been brought forward to the 16 July 2020 Executive meeting.
- EX3888 Leisure Strategy has been delayed until the 19 November 2020 Executive meeting

7.5 The following items have been added to the Forward Plan for the September Executive meeting:

- EX3947 Treasury Outturn Report 2019/2020
- EX3944 West Berkshire Ultra Low Emission Vehicle and Charging Infrastructure Strategy
- EX3946 London Road Industrial Estate Development Brief

7.6 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 25 August 2020 to 31 December 2020 is presented to the Leader of the Council for final sign off. It will be published on the Council's website.

9. Appendices

Appendix A – Data Protection Impact Assessment – Stage One

Appendix B - Equalities Impact Assessment

Appendix C – West Berkshire Council Forward Plan – 25 August 2020 to 31 December 2020

Appendix D – Notice of Private Decisions

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:	15/07/2020

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: 15/07/2020
(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



WestBerkshire
C O U N C I L

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West Berkshire Council Forward Plan 25 August 2020 - 31 December 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
DOD3881	Appointment of the Independent Remuneration Panel	To agree the membership and scope of the IRP.	DOD	01 August 2020			tbc				DOD August 2020	Jo Watt	Resources	Leader, District Strategy and Communications		No	No
ID3941	Discretionary Housing Payments Policy - Update	To agree amendments to the existing policy.	ID	01 August 2020		01/08/2020	tbc					Liz Martin	Place	Planning and Housing			
ID3948	Amended Residential and Nursing Care Placements for Older People Policy	To approve the amended Policy.	ID	01 August 2020		25/08/2020	17/08/2020					Mike Harling	People	Adult Social Care		No	Yes
C3933	Health Scrutiny arrangements across Buckinghamshire, Oxfordshire and Berkshire West (BOB)	To consider the proposal to form a new mandatory committee with health scrutiny powers to consider matters affecting patient flow across the whole Buckinghamshire, Oxfordshire and Berkshire West (BOB) geography.	C	01 September 2020			02/09/2020	10/09/20 C				Gordon Oliver	People	Public Health & Community Wellbeing, Leisure and Culture		No	No
EX3947	Treasury Management Annual Report 2019/20	To summarise the results of the Council's management of cashflow, borrowing and investments in the financial year 2019/20.	EX	01 September 2020	03/09/20 EX		25/08/2020					Shannon Coleman-Slaughter	Resources	Finance and Economic Development		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	Yes
EX3906	Capital Financial Performance Report - Q1 of 2020/21	The financial performance report provided to Members on a quarterly basis reports on the under or over spends against the Council's approved capital budget. This report presents the Quarter One financial position.	EX	01 September 2020	03/09/20 EX		25/08/2020					Shannon Coleman-Slaughter	Resources	Finance and Economic Development		No	Yes
EX3905	Revenue Financial Performance Report - Q1 of 2020/21	To report on the in-year financial performance of the Council's revenue budgets.	EX	01 September 2020	03/09/20 EX		25/08/2020					Melanie Ellis	Resources	Finance and Economic Development		No	Yes
EX3944	West Berkshire Ultra Low Emission Vehicle and Charging Infrastructure Strategy	To outline the progress in low emission vehicle uptake across the district to date and set out the projections for the future and the actions WBC will undertake to support increased vehicle take up.	EX	01 September 2020	03/09/20 EX		25/08/2020					Evangeline Haggarty	Place	Environment		No	Yes
EX3946	Avison Young London Road Industrial Estate Development Brief <i>(Paragraph 3 - information relating to financial/business affairs of particular person) (Paragraph 5 - information relating to legal privilege)</i>	For the Executive to approve publication of the Avison Young Development Brief and to consider the next steps in bringing forward regeneration on the London Road Industrial Estate (LRIE).	EX	01 September 2020	03/09/20 EX		25/08/2020					Bill Bagnell	Resources	Finance and Economic Development		Yes	Yes
EX3950	Walnut Close Care Home <i>(Paragraph 3 - information relating to financial/business affairs of particular person)</i>	This report proposes significant changes to the delivery of West Berkshire Council's in house care home services as a result of the impact of Covid-19	EX	01 September 2020	03/09/20 EX		25/08/2020					Sara Ross	People	Adult Social Care		Yes	Yes
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					Moir Fraser	Resources	Leader, District Strategy and Communications		No	No
EX3951	Communications and Engagement Strategy	To present the Council's Communications and Engagement Strategy for approval	EX	01 October 2020	15/10/20 EX		07/10/2020					Nick Carter	Resources	Leader, District Strategy and Communications			
EX3952	Risk Management Strategy		EX	01 October 2020	15/10/20 EX		07/10/2020					Joseph Holmes	Resources	Internal Governance			
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					Moir Fraser	Resources	Leader, District Strategy and Communications		No	No

West Berkshire Council Forward Plan
25 August 2020 - 31 December 2020

Key:	C = Council
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	ID = Individual Decision
	PC = Personnel Committee
	PP = Joint Public Protection Committee

ID3943	Winter Service Plan 2020-21	To approve the Winter Service Plan 2020-21	ID	01 October 2020		15/10/2020	07/10/2020					Andrew Reynolds	Place	Transport and Countryside		No	Yes
EX3888	Leisure Strategy	To agree the Council's Leisure Strategy.	EX	01 November 2020	19/11/20 EX		11/11/2020					Paul Anstey	Place	Public Health & Community Wellbeing, Leisure and Culture		No	Yes
EX3807	Cultural Heritage Strategy	To adopt the Council's Cultural Strategy post the consultation exercise.	EX	01 November 2020	19/11/20 EX		11/11/2020					Paul James	Environment	Public Health & Community Wellbeing, Leisure and Culture		No	Yes
GE3864	Internal Audit Interim Report 2020/21	To update the Committee on the outcome of internal audit work.	GE	01 November 2020			06/11/2020		16/11/20 GE			Julie Gilhespy	Resources	Internal Governance		No	Yes
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 November 2020			06/11/2020		16/11/20 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 November 2020			06/11/2020		16/11/20 GE			Shannon Coleman-Slaughter	Resources	Finance and Economic Development		No	Yes
GE3820	Summary of Draft West Berkshire Council Financial Statements 2019/20	To present the draft West Berkshire Council Financial Statements 2019/20.	GE	01 November 2020			06/11/2020		16/11/20 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 November 2020			06/11/2020		16/11/20 GE			Shannon Coleman-Slaughter	Resources	Internal Governance		No	Yes
GE3891	Annual Audit Letter		GE	01 November 2020			06/11/2020		16/11/20 GE			Joseph Holmes	Resources	Finance and Economic Development		No	Yes
GE3893	Internal Audit – Interim Report 2020-21	To update the Committee on the outcome of internal audit work.	GE	01 November 2020			06/11/2020		16/11/20 GE			Julie Gilhespy	Resources	Internal Governance		No	Yes
ID3921	West Berkshire Council Forward Plan 8 Dec 2020- 31 March 2021	To agree the Forward Plan for the next four months.	ID	01 November 2020		05/11/2020	28/10/2020					Moirá Fraser	Resources	Leader, District Strategy and Communications		No	No
ID3922	West Berkshire Council Forward Plan 31 Dec 2020- 30 April 2021	To agree the Forward Plan for the next four months.	ID	01 November 2020		26/11/2020	18/11/2020					Moirá Fraser	Resources	Leader, District Strategy and Communications		No	No
EX3884	Key Accountable Performance 2020/21: Quarter Two	To report Q2 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 December 2020	17/12/20 EX		09/12/2020		26/01/2021			Catalin Bogos	Resources	Internal Governance		No	Yes
ID3923	West Berkshire Council Forward Plan 3 Feb 2021- 31 May 2021	To agree the Forward Plan for the next four months.	ID	01 December 2020		31/12/2020	21/12/2020					Moirá Fraser	Resources	Leader, District Strategy and Communications		No	No

NOTICE OF A PRIVATE MEETING OF A DECISION-MAKING BODY¹

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

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

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

Date of Decision or period within which the decision is to be made	Ref No:	Matter in respect of which the decision is to be made	Short Description	Decision maker	Executive Member & Lead Officer	List of documents to be submitted to decision maker	Public or Private meeting. Statement of reasons if private.
03 September 2020	EX3946	Avison Young London Road Industrial Estate Development Brief	<i>For the Executive to approve publication of the Avison Young Brief and to consider the next steps in bringing forward regeneration on the London Road Industrial Estate (LRIE).</i>	Executive	Finance and Economic Development (Cllr Ross Mackinnon) Bill Bagnell	Report and associated appendices	<i>(Paragraph 3 - information relating to financial/business affairs of particular person)</i>
03 September 2020	EX3950	Walnut Close Care Home	<i>To consider changes to the delivery of West Berkshire Council's in house care home services as a result of the impact of Covid-19.</i>	Executive	Adult Social Care (Cllr Graham Bridgman) Sara Ross	Report and associated appendices	<i>(Paragraph 3 - information relating to financial/business affairs of particular person)</i>

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

Date: 23 July 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.