Individual Decision



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

Thursday 8 October 2020

Ref:	Title	Portfolio Member	Page No.
ID3920	West Berkshire Council Forward Plan 10 November 2020 to 28 February 2021	Councillor Lynne Doherty	3 - 16





Agenda Item 1.

Individual Executive Member Decision

West Berkshire Council Forward Plan – 10 November 2020 to 28 February 2021

Committee considering

report:

Individual Executive Member Decision

Date ID to be signed: 8 October 2020

Portfolio Member: Councillor Lynne Doherty

Forward Plan Ref: ID3920

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: Councillor Lynne Doherty

Overview & Scrutiny

Courtomor Lyrino Doriony

Councillor Alan Law at Overview and Scrutiny Management

Management

Commission meetings.

Commission Chairman:

Ward Members: All Members

Opposition Councillor Lee Dillon at Overview and Scrutiny Management

Spokesperson: Commission meetings.

Local Stakeholders: The West Berkshire Forward Plan will be published the first

working day after the Individual Decision is signed.

Officers Consulted: Nick Carter, John Ashworth, 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.

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 two confidential items scheduled for the 19 November 2020 Executive meeting:
 - Walnut Close Care Home post consultation report
 - Theale Primary School (old site)
- 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 change has been made to the Forward Plan in respect of the 19 November 2020 Executive since it was last agreed:
 - EX3807 Cultural Heritage Strategy has been delayed until the 14 January 2021 Executive meeting.
- 7.5 The following item has been added to the Forward Plan for the November Executive meeting:
 - EX3952 Theale Primary School (old site)
- 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 10 November 2020 to 28 February 2021 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 - Stage One

Appendix C – West Berkshire Council Forward Plan – 10 November 2020 to 28 February 2021								
Appendix D – Notic	e of Private Decisions							
Background Pape	rs:							
None.								
Subject to Call-In: Yes: No:								
The item is due to b	pe referred to Council for final approval							
Delays in implemen	ntation could have serious financial implications for the Council							
Delays in implemen	ntation could compromise the Council's position	\boxtimes						
	ewed by Overview and Scrutiny Management Commission or roups within preceding six months	\boxtimes						
Item is Urgent Key								
Report is to note or	nly							
Officer details:								
Name:	Moira Fraser							
Job Title: Tel No:	Democratic and Electoral Services Manager (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:	Moira Fraser
Title of Project/System:	Forward Plan
Date of Assessment:	25 August 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"		
Will you be processing data on a large scale?		\boxtimes
Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both		
Will your project or system have a "social media" dimension?		\boxtimes
Note – will it have an interactive element which allows users to communicate directly with one another?		
Will any decisions be automated?		\boxtimes
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?		
Will your project/system involve CCTV or monitoring of an area accessible to the public?		\boxtimes
Will you be using the data you collect to match or cross-reference against another existing set of data?		\boxtimes
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		

If you answer "Yes" to any of the above, you will probably need to complete Data
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, polices, functions and services, current and proposed have given due regard to equality and diversity.

Please complete the Equality Impact Ass			to determin	e whether a Stage Tv	vo,			
Name of policy, st	rategy or f	unction:	Forward Plan					
Version and releas applicable):	se date of i	item (if						
Owner of item being	ng assesse	ed:	Moira Frase	r				
Name of assessor	:		Linda Pye					
Date of assessmen	nt:		25/08/2020					
Is this a:	T		Is this:					
Policy		No	New or pro	posed	No			
Strategy	No	Already ex reviewed	No					
Function		No	Is changing	g	No			
Service		No						
				d outcomes of the po benefit from it?	olicy,			
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 mig	ht be the e	ffect?	Information to supp	oort 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: 25/08/2020 (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



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West Berkshire Council Forward Plan 10 November 2020 - 28 February 2021

C = Council

DOD - Delegated Officer Decision

EX = Executive

GE = Governance and Ethics Committe

HWB = Health and Wellbeing Board

ID = Individual Decision

PC = Personnel Committee

PP = Joint Public Protection Committee

Reference	Item	Purpose	Decision	Month/Year	Executive	ID	Date Report	Council	Governance	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part	I Call In
Morerence	Kolli -	парозс	Body	Monthly Tear			Published	Council	and Ethics Committee	SOME	Other	officer and contact No	Directorate		Oonsuitee(s)	rait	- Gair III
DOD3974	Public Space Protection Order	To agree the Public Space Protection	DoD	01 November 2020							DoD	Paul Anstey	Place	Internal Governance			
EX3960		Order under delegated authority. To approve the Development Brief for the London Road Industrial Estate	EX	01 November 2020	19/11/20 EX		11/11/20				November	Bill Bagnell	Resources	Finance and Economic Development		No	Yes
EX3963	Walnut Close Care Home post consultation report (Paragraph 6 - information relating to proposed action to be taken by the Local Authority)	To report on the outcome of the public consultation in relation to the delivery of West Berkshire Council's in house care home services as a result of the impact of Covid-19.	EX	01 November 2020	19/11/20 EX		11/11/20					Sara Ross	People	Adult Social Care		Yes	No
EX3969		To re-tender the current contract as this comes to an end in December 2020.	EX	01 November 2020	19/11/20 EX		11/11/20					Rebecca Braithwaite	People	Adult Social Care	Service users and their families/carers, existing provider, Legal Adult Social Care colleagues, other relevant service providers	Yes	No
EX3953	Theale Primary School (old site) (Paragraph 3 - information relating to the financial/business affairs of a particular person)	To present a number of expressions of interest for the potential operational use or redevelopment of the former primary school site in Theale and make recommendation for the transfer of the site from the Oxford Diocese to West Berkshire Council.	EX	01 November 2020	19/11/20 EX		11/11/20					Andy Walker	Resources	Finance and Economic Development		Yes	Yes
GE3864	Internal Audit Interim Report 2020/21	To update the Committee on the outcome of internal audit work.	GE	01 November 2020			06/11/20		16/11/20 GE			Julie Gilhespey	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			06/11/20		16/11/20 GE			Shannon Coleman-Slaughter	Resources	Internal Governance		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			06/11/20		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			06/11/20		16/11/20 GE			Shannon Coleman-Slaughter	Resources	Internal Governance		No	Yes
GE3954	Response to the Audit Review of the Governance and Ethics Committee	To provide an update on progress on implementing the recommendations as set out in the review of the Committee	GE	01 November 2020			06/11/20		16/11/20 GE			Julie Gilhespey	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			06/11/20		16/11/20 GE			Shannon Coleman-Slaughter	Resources	Finance and Economic Development		No	Yes
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		26/11/20	18/11/20					Moira Fraser	Resources	Leader, District Strategy and Communications		No	No
ID3971	Appointments to Outside Bodies	To make amendments to the Council's appointed representatives to the Henwick Worthy JMC.	ID	01 November 2020		12/11/20	04/11/20					Moira Fraser	Resources	Leader, District Strategy and Communications			
C3933	Health Scrutiny arrangements across Buckinghamshire, Oxfordshire and Berkshire West (BOB)	To consider the proposal to form a new mandatory committee with health scrutiny	С	01 December 2020			25/11/20	03/12/20 C				Gordon Oliver	People	Public Health & Community Wellbeing, Leisure and Culture		No	No
C3970	Minerals and Waste Local Plan Proposed Submission Consultation	To seek authorisation to consult on the proposed submission version of the Minerals and Waste Local Plan and associated evidence base documents, and submit to the Secretary of State for examination following the consultation.	С	01 December 2020			25/11/20	03/12/20 C				Elise Kinderman	Place	Planning and Housing			
EX3902	Approval to adopt a new Housing Allocations Policy	To seek approval to implement the new Housing Allocations Policy following consultation	EX	01 December 2020	17/12/20 EX		09/12/20					Fidelis Ukwenu/Janet Weeke:	s Place	Planning and Housing	Wide range of partners, stakeholders and service users	No	No

West Berkshire Council Forward Plan 10 November 2020 - 28 February 2021

C = Council

DOD - Delegated Officer Decision

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ID = Individual Decision

PC = Personnel Committee

PP = Joint Public Protection Committee

EVaca4	Kan Assaultable D. Comm	To come of OO authorize Could also	EV -	04 Daniel - 0000	47/40/00 51/		00/40/00	00/01/01	1	Catalia Danas	D	I-4I O	T	_ lv	
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	EX	01 December 2020	17/12/20 EX		09/12/20	26/01/21		Catalin Bogos	Resources	Internal Governance	N	o Ye	5
		services.													
EX3962	Alarms Planned and Reactive Maintenance	To award the contract.	EX	01 December 2020	17/12/20 EX		09/12/20			Karen Felgate	Resources	Finance and Economic Development	N	o No	
EX3964	Response to Safer Schools Motion	To provide a response to a motion proposed at the 05 March 2020 Council meeting.	EX	01 December 2020	17/12/20 EX		09/12/20			Neil Stacey	Place	Transport and Countryside			
EX3966	Response to the Power to Communities Motion	To provide a response to a motion proposed at the 05 March 2020 Council meeting.	EX	01 December 2020	17/12/20 EX		09/12/20			Jon Winstanley	Place	Environment			
D3923	West Berkshire Council Forward Plan 3 Feb 2021- 31 May 2021	3	ID	01 December 2020		31/12/20	21/12/20			Moira Fraser	Resources	Leader, District Strategy and Communications	N	o No	
PC3968	Apprenticeship Strategy	To approve the Strategy.	PC	01 December 2020					Dec 20 TBC	Abi Witting	Resources				
EX3888	Leisure Strategy	To agree the Council's Leisure Strategy.	EX	01 January 2021	14/01/21 EX		06/01/21			Paul Anstey	Place	Public Health & Community Wellbeing, Leisure and Culture	N	o Ye	s
EX3807	Cultural Heritage Strategy	To adopt the Council's Cultural Strategy post the consultation exercise.	EX	01 January 2021	14/01/21 EX		06/01/21			Paul James	Environment	Public Health & Community Wellbeing, Leisure and Culture	N	o Ye	S
EX3909	Capital Financial Performance Report - Q2 of 2020/21	To present the Q2 capital financial performance for Members to note.	EX	01 January 2021	14/01/21 EX		06/01/21			Shannon Coleman-Slaughter	Resources	Finance and Economic Development	N	o No	
EX3908	Revenue Financial Performance Report - Q2 of 2020/21	To inform Members of the latest financial performance of the Council.	EX	01 January 2021	14/01/21 EX		06/01/21			Melanie Ellis	Resources	Finance and Economic Development	N	o No	
EX3961	Care Homes Catering (Paragraph 3 - information relating to the financial/business affairs of a particular person)	To award the contract for West Berkshire Council Care Homes and Resource Centre catering	EX	01 January 2021	14/01/21 EX		06/01/21			Zoe Campbell	Resources	Adult Social Care	Y	es No	
EX3833	Adoption of the Housing Strategy	To adopt a new Housing Strategy	EX	01 February 2021	11/02/21 EX		03/02/2021			Neil Coles	Place	Planning and Housing	N	o Ye	S
EX3911	Revenue Financial Performance Report - Q3 of 2020/21	To inform Members of the latest financial performance of the Council.	EX	01 February 2021	25/03/21 EX					Melanie Ellis	Resources	Finance and Economic Development			
EX3912	Capital Financial Performance Report - Q3 of 2020/21	To present the Q3 capital financial performance for Members to note.	EX	01 February 2021	25/03/21 EX					Shannon Coleman-Slaughter	Resources	Finance and Economic Development			
EX3952	Risk Management Strategy	To set out the overarching framework for managing risk at the Council, the Council's risk appetite and latest Corporate Risk Register.	GE	01 February 2021	19/11/20 EX		11/11/20	01/02/21 GE		Joseph Holmes	Resources	Internal Governance	N	o Ye	3
GE3907	Strategic Risk Register Update Q2 2020/21	To provide an update on the Strategic Risk Register as at Q2 of 2020/21.	GE	01 February 2021			18/01/21	01/02/21 GE		Catalin Bogos	Resources	Internal Governance			
GE3892	Preparation for 2020-21 Financia Statements		GE	01 February 2021			18/01/21	01/02/21 GE		Shannon Coleman-Slaughter	Resources	Finance and Economic Development			
GE3955	Local Code of Corporate Governance	To adopt the Code.	GE	01 February 2021			18/01/21	01/02/21 GE		Joseph Holmes	Resources	Internal Governance			
GE3893	Internal Audit – Interim Report 2020-21	To update the Committee on the outcome of internal audit work.	GE	01 February 2021			18/01/21	01/02/21 GE		Julie Gilhespey	Resources	Internal Governance	N	o Ye	S
ID3924	West Berkshire Council Forward Plan 16 March 2021- 30 June 2021	To agree the Forward Plan for the next four months.	ID	01 February 2021		11/02/21	03/02/21			Moira Fraser	Resources	Leader, District Strategy and Communications	n	o 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.
19 November 2020	EX3963	Walnut Close Care Home post consultation report	To report on the outcome of the public consultation in relation to the delivery of West Berkshire Council's in house care home services as a result of the impact of Covid-19.	Executive	Adult Social Care (Cllr Graham Bridgman) Sara Ross	Report and associated appendices	(Paragraph 6 - information relating to proposed action to be taken by the Local Authority)
19 November 2020	EX3953	Theale Primary School (old site)	To present a number of expressions of interest for the potential operational use or redevelopment of the former primary school site in Theale and make recommendation for the transfer of the site from the Oxford Diocese to West Berkshire Council.	Executive	Finance and Economic Development (Cllr Ross Mackinnon) Andy Walker	Report and associated appendices	(Paragraph 3 - information relating to financial/business affairs of particular person)

Sarah Clarke Service Director (Strategy and Governance) West Berkshire Council Date: 30 September 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.