

DRAFT

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

EXECUTIVE

MINUTES OF THE MEETING HELD ON THURSDAY, 4 MAY 2017

Councillors Present: Dominic Boeck, Anthony Chadley, Jeanette Clifford, Hilary Cole, Lynne Doherty, Marcus Franks, James Fredrickson, Graham Jones and Rick Jones

Also Present: John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Tandra Forster (Head of Adult Social Care), Peta Stoddart-Crompton (Public Relations Officer), Andy Walker (Head of Finance), Rachael Wardell (Corporate Director - Communities), Stephen Chard (Principal Policy Officer), Councillor Lee Dillon, Councillor Billy Drummond, Councillor Mollie Lock, Councillor Alan Macro and Gabrielle Mancini (Group Executive - Conservatives)

PART I

126. Minutes

The Minutes of the meeting held on 30 March 2017 were approved as a true and correct record and signed by the Acting Leader.

Councillor Lee Dillon referred to the action highlighted at the last meeting, as part of the Q3 Performance Report, for data to be provided on school performance. Councillor Dillon explained that this had been provided via a meeting with the Portfolio Holder and Officers, and this had proved to be very useful.

127. Declarations of Interest

There were no declarations of interest received.

128. Public Questions

The public questioners did not arrive in time to pose their questions, however Councillor Graham Jones used Chairman's prerogative and permitted that the questions could be asked at a later point of the meeting on this occasion.

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

(a) **Question submitted by Mr Peter Norman to the Portfolio Holder for Community Resilience and Partnerships**

A question standing in the name of Mr Peter Norman on the subject of poor air quality caused by road pollution was answered by the Portfolio Holder for Community Resilience and Partnerships.

(b) **Question submitted by Mr Peter Norman to the Portfolio Holder for Planning, Housing and Leisure**

A question standing in the name of Mr Peter Norman on the subject of whether the Council's housing strategy should be re-appraised as part of considering the potential development of strategic housing sites in Newbury was answered by the Acting Deputy Leader of the Council and Portfolio Holder for Planning, Housing and Leisure.

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(c) **Question submitted by Mr Peter Norman to the Portfolio Holder for Planning, Housing and Leisure**

A question standing in the name of Mr Peter Norman on the subject of the ability for local authorities to take direct control of delivering housing projects on their own land was answered by the Acting Deputy Leader of the Council and Portfolio Holder for Planning, Housing and Leisure.

(d) **Question submitted by Mr Peter Norman to the Acting Leader of the Council and Portfolio Holder for Health and Wellbeing**

A question standing in the name of Mr Peter Norman on the subject of the need to encourage young people to walk and take active exercise as part of a long term aim for people to live healthier lives was answered by the Acting Leader of the Council and Portfolio Holder for Health and Wellbeing.

(e) **Question submitted by Mr Peter Norman to the Portfolio Holder for Culture and Environment**

A question standing in the name of Mr Peter Norman on the subject of the recycling rate of neighbouring councils in comparison to West Berkshire, and whether any lessons could be learnt from neighbouring areas, was answered by the Portfolio Holder for Culture and Environment.

(f) **Question submitted by Ms Judith Bunting to the Portfolio Holder for Planning, Housing and Leisure**

A question standing in the name of Ms Judith Bunting on the subject of the investment planned to safeguard and enhance the protected community green infrastructure and cultural facility at Newbury Football Ground in Faraday Road was answered by the Acting Deputy Leader of the Council and Portfolio Holder for Planning, Housing and Leisure.

129. **Petitions**

Councillor James Fredrickson presented a petition containing 64 signatures requesting that the Council remedy the dangerous situation for pedestrians using the narrow unpaved one-way section of Queens Road, by closing the one-way section and diverting traffic away from this section of Queens Road. Councillor Fredrickson explained that there was openness to an alternative solution beyond this proposed solution in order to resolve this issue.

The petition was referred to the Head of Transport and Countryside.

Councillor Fredrickson gave his thanks to Mr Robert Urwin for his help in putting this petition together and in collecting signatures.

130. **Better Care Fund 2017/19 (EX3218)**

The Executive considered a report (Agenda Item 6) concerning the Better Care Fund (BCF). The BCF was a government initiative established to fast track integration between Health and Social Care. The West Berkshire Health and Wellbeing Board's Locality Integration Board had developed a draft plan based on the Department of Health's 2017-19 Integration and BCF Policy Framework, however the national guidance had not yet been published. Advice from the NHS England Better Care Team was that all localities would need to submit plans to NHS England by 16 May 2017.

In order to avoid any delay in the submission of the plan, the report sought Executive approval of the draft BCF Plan for 2017/19, subject to the Head of Adult Social Care, in consultation with the Chairman and Vice-Chairman of the Health and Wellbeing Board, ensuring the plan aligned with the BCF National Guidance once it was published.

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Councillor Graham Jones in introducing the report advised that it had been approved earlier that same day by the Health and Wellbeing Board. He explained that its core aim was to achieve improved outcomes for individuals and he commended the report to the Executive.

Councillor Rick Jones added his support to the proposal. He was pleased to note that the BCF Plan would address many important areas, in particular it would seek improved integration between Health and Social Care.

Councillor Lee Dillon noted the report's recommendation was to approve the plan subject to the Head of Adult Social Care, in consultation with the Chairman and Vice-Chairman of the Health and Wellbeing Board, agreeing the final submission. However, this did not align with paragraph 5.2 of the supporting information which stated that authority would instead be delegated to the Locality Integration Board. Tandra Forster clarified that the report's recommendation was correct, as presented by Councillor Graham Jones.

Councillor Dillon also noted that the national guidance had yet to be published and he was concerned should this vary significantly and the BCF Plan would need to undergo major changes. He queried whether Members would be briefed in this eventuality. Tandra Forster explained that she had met with the NHS England Better Care Team and had been given an assurance that it was unlikely that plans would need to change drastically.

Councillor Dillon then referred to funding allocations. The current estimated allocation for 2017/18 was a 1.79% increase to the BCF and in 2018/19 a 1.9% increase. However, noted that negotiations were ongoing to achieve increases of 2.3% and 2% in the next two financial years. He queried, if negotiations were successful, how the additional 0.5% of funding would be spent in 2017/18 and the level of confidence that it would be received when considering that the BCF had underspent in 2016/17. Tandra Forster confirmed that the underspend had been fully committed. She added that if a higher percentage increase was successfully negotiated then it would be used to help maintain existing social care services. It was agreed that a briefing would be provided to Members to explain the planned expenditure of the BCF.

Councillor Dillon next turned to the narrative overview of the BCF Plan. This stated that funding pressures were set to continue and it was clear that without wide scale transformation the Council would not be able to meet future needs. Councillor Dillon questioned whether wide scale transformation was being outlined in the BCF Plan. Tandra Forster explained that wide scale transformation was a long term objective and this would be taken forward across the Berkshire West 10 and as part of the implementation of the Buckinghamshire, Oxfordshire and Berkshire West (BOB) Sustainability and Transformation Plan. She added that the transformative work of the Joint Care Pathway was already embedded as business as usual within Health and Social Care.

Councillor Alan Macro sought to clarify that the funding contributions table outlined in the BCF Plan was accurate for the next two financial years, in particular for Connected Care, and that corrections could be made if necessary prior to the final submission. Tandra Forster advised that this was very much a live document and gave an assurance that the funding contributions would be accurate in the submitted plan.

Councillor Graham Jones added that the funding contributions table would be finalised as part of the delegated authority to approve the overall plan. It would then be published.

RESOLVED that the draft BCF Plan for 2017/19 be approved, with authority delegated to the Head of Adult Social Care, in consultation with the Chairman and Vice-Chairman of the Health and Wellbeing Board, to approve the final plans for the BCF 2017/19.

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Reason for the decision: to submit the BCF Plan for 2017/19 to NHS England by the required deadline.

Other options considered: N/A

131. **Children and Family Services: Adopt Thames Valley - The Development of a Regional Adoption Agency (EX3285)**

The Executive considered a report (Agenda Item 7) which sought approval of plans for West Berkshire Council to join and progress developments as a Regional Adoption Agency (RAA) as part of a shared service hosted by Oxfordshire County Council with a wider base group of partner authorities. The report provided an overview of plans to set up an RAA across the Thames Valley region. It set out the legislative framework, potential benefits for children and families, and described the planned timetable for setting up the RAA.

Councillor Lynne Doherty was pleased to present this report and propose its recommendations, inclusive of the governance structure. The proposal would build on the excellent practice of the Adopt Berkshire model to create Adopt Thames Valley which would incorporate seven local authorities in total. It was the intention that this enhanced collaboration would achieve a more effective and efficient service and lead to improved life chances for vulnerable children and young people.

Councillor Lee Dillon queried the rationale for the proposed footprint covered by Adopt Thames Valley. Councillor Doherty explained that the existing Adopt Berkshire partners would continue to be involved and the Thames Valley arrangement would incorporate a wider group of neighbouring authorities who had a similar ethos in this area of work.

Councillor Dillon requested clarification on the funding arrangements for the proposed new model. He noted that the allocation was based on the average number of adoption placements made over the last three financial years. West Berkshire's average was eight, however 13 placements were made in 2015/16 and Councillor Dillon was concerned that the budget allocation set from the average figure might not be sufficient in some financial years. He queried whether it was possible to review the funding mechanism after the first year rather than setting a three year framework.

In response, Councillor Doherty confirmed that 2017/18 funding would be based on the average number over the last three years, however this would be closely reviewed over the next year to inform future years and it was recognised that this approach formed part of the transition to the proposed model.

Councillor Alan Macro pointed out that the West Berkshire Adoption Service and Adopt Berkshire had received excellent Ofsted ratings and he sought assurances that best practice would continue to be strived for. Councillor Doherty agreed with this need, it was important to ensure that existing high levels of performance were at the very least maintained. She added that partner local authorities were equally signed up to this desire with the hope that service levels could be enhanced from wider collaboration.

Councillor Macro then referred to the budget share based on the three year average. He noted that for West Berkshire this amounted to £256k. Councillor Macro queried how this compared with the current budget. Councillor Doherty explained that the figures continued to be work in progress with the final allocations to be resolved for future years. She offered to provide this in writing once finalised. Councillor Doherty did however confirm that the year one budget would be as outlined in the report.

Councillor Dillon noted that Adopt Thames Valley would be hosted by Oxfordshire County Council. He queried what would happen to this arrangement in the eventuality that Oxfordshire County Council chose to move, for example, to unitary status. Councillor

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Doherty advised that there would still be Children's Services and Directors of Children's Services in Oxfordshire and therefore the arrangement would not need to change.

RESOLVED that agreement be given to develop Adopt Thames Valley as a shared partnership to develop a new RAA.

Reason for the decision: to develop a new RAA.

Other options considered: n/a.

132. Draft Airports National Policy Statement (EX3280)

The Executive considered a report (Agenda Item 8) which outlined the purpose and contents of the Draft Airports National Policy Statement (NPS) and which sought to establish West Berkshire Council's response to the Government's current consultation.

Councillor Jeanette Clifford asked the Executive to agree the proposed response to the consultation as outlined in the report which included support for the Heathrow Northwest Runway Scheme. This was based on the benefits it would bring to the economy, maintaining and building upon links to the wider world and the relative ease of access to Heathrow. This would be beneficial to West Berkshire residents. This proposed response took account of the environmental measures proposed to mitigate the harm caused by the new Northwest Runway. The proposed response would also align with the response being drafted by the Thames Valley Berkshire Local Enterprise Partnership (LEP).

Councillor Lee Dillon noted that the report was not subject to call-in. He queried why this was the case when the NPS was published in February 2017 and therefore the response could have been brought to an earlier Executive, thereby permitting call-in. Councillor Dillon requested clarification on the process followed in reaching this point.

Nick Carter pointed out that the consultation deadline was 25 May 2017 and this could be the reason why the decision could not be called-in at this stage. Stephen Chard added his understanding that the tight timeframes at this point in time was why the decision was not eligible for call-in. Councillor Dillon felt that this did not answer why the decision could not have been made at an earlier stage. He added that the position of the Liberal Democrat Party on this matter was well established and this was not supportive of the NPS.

Nick Carter responded that the decision should be eligible for call-in and if a call-in was progressed, then there would be time to arrange a special meeting of the Overview and Scrutiny Management Commission to consider the call-in and then, if necessary, arrange a Special Executive before the 25 May 2017 deadline.

Councillor Alan Macro felt that it was questionable whether the mitigation measures would do enough to prevent a detriment to the environment, i.e. from carbon emissions and noise pollution.

Councillor Macro also noted that the Northwest Runway scheme was expected to generate up to 77,000 additional jobs in the local area by 2023. While accepting that the local area went beyond West Berkshire, there would be an expectation that more people would move into the local area for these jobs. This was particularly likely to be the case when considering low unemployment levels and this could create a housing pressure. Councillor Clifford raised the importance of maintaining low unemployment in future and ensuring that job opportunities continued to be available to local people. Councillor Graham Jones added the importance of the NPS proposal to the local economy.

RESOLVED that the proposed response to the Government's consultation on the Draft Airports National Policy Statement (NPS), which included support for the Heathrow Northwest Runway Scheme, be agreed.

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Reason for the decision: To establish the Council's response to the Government consultation.

Other options considered: The Council is not obliged to respond to this Government consultation. However, given the importance of Heathrow to the Thames Valley and West Berkshire economies it is considered appropriate for the Council to respond and continue to support the position initially expressed by the Executive in 2014 of support for the expansion of airport capacity in the south east to be focused at Heathrow.

133. **Merchant House, Newbury (EX3299)**

The Executive considered a report (Agenda Item 9) concerning the proposal that West Berkshire Council negotiate to purchase the freehold of Merchant House, Oxford Road, Newbury, RG14 1PA.

Councillor Dominic Boeck explained that the Council currently occupied the building under a lease that was soon to expire in May 2017. The building was occupied by the Youth Offending Team (YOT) who had adapted the building for their use which included multi agency working. It was however considered difficult for the YOT to share the building space with other occupiers due to the nature of the service provided and the vulnerable nature of their users.

Initial discussions had taken place with the owner and the owner indicated a willingness to sell the freehold, a valuation report had been commissioned and the purchase of the freehold was proposed.

The proposed purchase of Merchant House was recommended to the Asset Management Group on 23 February 2017 and received approval, subject to negotiations reaching a satisfactory outcome.

The proposal for the allocation of capital funding for the purchase of Merchant House was recommended to the Capital Strategy Group on 17 March 2017 and received approval, subject to negotiations reaching a satisfactory outcome.

Councillor Boeck felt that a decision to acquire Merchant House was a sensible and advantageous option as it would reduce the outgoings of the Council in comparison to continuing to rent the property.

Councillor Alan Macro referred to paragraph 5.9 of the report which stated that considerable expenditure exceeding £100,000 had been committed to works to the building. He questioned this level of investment when the current lease had only been in place for a two year period. Councillor Boeck clarified that the YOT had occupied this building for a number of years and the expenditure referred to had been committed over that longer term period.

RESOLVED that West Berkshire Council negotiate to purchase the freehold interest in the property occupied currently under a lease by the Youth Offending Team, subject to the approval of confidential financial matters reserved within the Part II report.

Reason for the decision: To seek agreement to purchase the freehold of Merchant House for the continued use of the Youth Offending Team.

Other options considered:

- West Berkshire Council negotiates to renew the lease when it expires on 12 May 2017 for a term of years to be decided and agreed with the freeholder.
- Given the operational requirements of the Youth Offending Team there is currently no suitable other West Berkshire Council property to which they could locate.

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134. **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 to be answered by the Portfolio Holder for Children and Young People submitted by Councillor Mollie Lock**

A question standing in the name of Councillor Mollie Lock on the subject of the level of access to the Emotional Health Academy was answered by the Portfolio Holder for Children and Young People.

(b) **Question to be answered by the Acting Leader of the Council submitted by Councillor Lee Dillon**

A question standing in the name of Councillor Lee Dillon querying when outstanding Q3 performance data will be published, in particular in relation to affordable housing, was answered by the Acting Leader of the Council.

(c) **Question to be answered by the Portfolio Holder for Community Resilience and Partnerships submitted by Councillor Billy Drummond**

A question standing in the name of Councillor Billy Drummond on the subject of when the Public Protection Community Fund would be launched by the Joint Public Protection Partnership was answered by the Portfolio Holder for Community Resilience and Partnerships.

(d) **Question to be answered by the Portfolio Holder for Community Resilience and Partnerships submitted by Councillor Lee Dillon**

A question standing in the name of Councillor Lee Dillon asking why the Council did not monitor levels of Sulphur Dioxide in air quality monitoring was answered by the Portfolio Holder for Community Resilience and Partnerships.

135. **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 Paragraph 3 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.

136. **Merchant House, Newbury (EX3299)**

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

The Executive considered an exempt report (Agenda Item 12) concerning the proposal to purchase the freehold of Merchant House, Oxford Road, Newbury, RG14 1PA.

RESOLVED that the recommendations in the exempt report be agreed.

Reason for the decision: as outlined in the exempt report.

Other options considered: as outlined in the exempt report.

(The meeting commenced at 5.00pm and closed at 6.00pm)

CHAIRMAN

Date of Signature