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

EXECUTIVE

MINUTES OF THE MEETING HELD ON THURSDAY, 20 DECEMBER 2018

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

Also Present: John Ashworth (Corporate Director - Environment), Iain Bell (Revenues and Benefits Manager), Robert Bradfield (Service Manager - Commissioning), Rebecca Braithwaite (Contracts & Commissioning Officer), Nick Carter (Chief Executive), Sarah Clarke (Acting Head of Legal Services), Tess Ethelston (Group Executive (Cons)), Olivia Lewis (Group Executive (Lib Dem)), Bryan Lyttle (Planning & Transport Policy Manager), Ian Pearson (Head of Education Service), Councillor Jeff Brooks, Councillor Paul Bryant, Stephen Chard (Principal Policy Officer), Councillor Lee Dillon, Councillor Adrian Edwards, Councillor Mollie Lock, Jo Reeves (Principal Policy Officer), Councillor Richard Somner and Councillor Quentin Webb

Apologies for inability to attend the meeting: Councillor James Fredrickson

PART I

58. Minutes

The Minutes of the meeting held on 18 October 2018 were approved as a true and correct record and signed by the Leader.

59. Declarations of Interest

Councillor Graham Jones declared an interest in Agenda Items 11 and 15, and reported that, as his interest was a disclosable pecuniary interest or an other registrable interest, he would be leaving the meeting during the course of consideration of the matter.

Councillors Lee Dillon and Marcus Franks declared an interest in Agenda Items 12 and 16, and reported that, as their interest was a disclosable pecuniary interest or an other registrable interest, they would be leaving the meeting during the course of consideration of the matter.

Councillor Dominic Boeck declared an interest in Agenda Item 10, but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate, but would abstain from voting on the matter.

Councillors Jeff Brooks and Lee Dillon declared an interest in Agenda Item 10, but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate.

Councillor Graham Jones announced that Councillor Marcus Franks would be stepping down from his role as an Executive Member in the new year due to ill health. His role as Portfolio Holder for Community Resilience and Partnerships would be fulfilled by Councillor Richard Somner. Councillor Jones bid farewell to Councillor Franks and a welcome to Councillor Somner.

Councillor Graham Jones explained that Councillor Franks was the longest serving Member of Executive, second only to himself. He had originally been a Member of the Conservative Shadow Executive before becoming the Housing Portfolio Holder followed

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by a number of senior Member positions. Councillor Franks' contributions as a Councillor had been a very positive benefit to the residents of West Berkshire.

Councillor Graham Jones wished Marcus all the best for the future and in his recovery from ill health.

Councillor Franks gave thanks to fellow Councillors for their support, particularly during the past year. He had thoroughly enjoyed his time on the Executive.

Councillor Graham Jones added his best wishes to Marcus in advance of his forthcoming wedding on 5 January 2019.

Councillor Lee Dillon echoed these comments from the Liberal Democrat side of the Chamber. As a Portfolio Holder, Councillor Franks had always shown respect to the Opposition and to members of the public, particular in his recent public facing community roles.

On a personal level, he and Marcus were friends outside of the Council and he was looking forward to attending the wedding. He added his best wishes to Marcus for the future.

60. Public Questions

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

(a) **Question submitted by Mr Steve Masters to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Mr Steve Masters on the subject of whether the Executive had a viable plan and target date to achieve net zero carbon status in West Berkshire was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

(b) **Question submitted by Ms Susan Millington to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Ms Susan Millington on the subject of whether West Berkshire Council would follow the lead of other councils around the country and bring forward a motion to confirm the phase out of single-use plastics as soon as possible (by 2021 at the latest) in West Berkshire was answered by the Portfolio Holder for Planning, Housing and Waste.

(c) **Question submitted by Ms Susan Millington to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Ms Susan Millington asking what efforts the Council was making to modify the present contract with Veolia so that a greater range of plastics could be collected and recycled was answered by the Portfolio Holder for Planning, Housing and Waste.

(d) **Question submitted by Ms Susan Millington to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Ms Susan Millington asking when the Council would provide recycling bins alongside the standard rubbish bins in public places in the local area was answered by the Portfolio Holder for Planning, Housing and Waste.

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(e) **Question submitted by Mr David Marsh to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Mr David Marsh on the subject of whether the speed limit should be reduced on the Andover Road near to Falkland and Park House Schools was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

(f) **Question submitted by Mr David Marsh to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Mr David Marsh on the subject of whether safety improvements would be considered by extending the 30mph speed limit zone along the A343 south in the direction of Wash Water (thereby covering the whole residential area of Andover Road) was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

(g) **Question submitted by Ms Moz Bulbeck Reynolds to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Ms Moz Bulbeck Reynolds asking which housing developers were the Council actively seeking out to encourage efficient, environmentally sound, and truly affordable home building on brown sites in the Council area would receive a written answer from the Portfolio Holder for Planning, Housing and Waste.

(h) **Question submitted by Ms Moz Bulbeck Reynolds to the Portfolio Holder for Corporate Services**

A question standing in the name of Ms Moz Bulbeck Reynolds asking what additional support was the Council provisioning to give Council employees at the front line of managing the housing benefit roll over onto Universal Credit to ensure they were fully supported to best assist affected clients would receive a written answer from the Portfolio Holder for Corporate Services.

(i) **Question submitted by Mr John Stewart to the Portfolio Holder for Health and Wellbeing, Leisure and Culture**

A question standing in the name of Mr John Stewart asking whether the Council would reopen the Faraday Road football stadium fit for purpose so that teams in the Newbury community could once again play their league matches at the ground was answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture.

(j) **Question submitted by Dr Julie Wintrup to the Portfolio Holder for Corporate Services**

A question standing in the name of Dr Julie Wintrup (asked on her behalf by Mr Lee McDougall) on the subject of whether the Council would disclose all relevant documents relating to the regeneration of the London Road Industrial Estate project since 2010 was answered by the Portfolio Holder for Corporate Services.

(k) **Question submitted by Dr Julie Wintrup to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Dr Julie Wintrup (asked on her behalf by Mr Lee McDougall) on the subject of whether the Council would supply details of all public consultation events and outcomes specific to the London Road Industrial Estate project for the period between 2008 and 2018 was answered by the Portfolio Holder for Planning, Housing and Waste.

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(l) **Question submitted by Mr Paul Morgan to the Portfolio Holder for Corporate Services**

A question standing in the name of Mr Paul Morgan (asked on his behalf by Mr John Stewart) on the subject of whether the Council would provide the necessary legal documentation to show that the Council had complied with the Asset of Community Value requirements was answered by the Portfolio Holder for Corporate Services.

(m) **Question submitted by Mr Lee McDougall to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Lee McDougall on the subject of whether the Council would be reinstating the football stand at the Faraday Road football ground, on the understanding that a Section 80 Notice of Demolition had not been issued, was answered by the Portfolio Holder for Planning, Housing and Waste.

(n) **Question submitted by Mr Lee McDougall to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Lee McDougall asking how much money the Council intended to spend on re-opening the Faraday Road football ground was answered by the Portfolio Holder for Planning, Housing and Waste.

(o) **Question submitted by Mr Jack Harkness to the Leader of the Council**

A question standing in the name of Mr Jack Harkness on the subject of whether there was a sexist mindset within the Council following the Council's failure to consult the Newbury Ladies Football Team about the closure of the Faraday Road football stadium was answered by the Leader of the Council.

(p) **Question submitted by Mr Jack Harkness to the Portfolio Holder for Health and Wellbeing, Leisure and Culture**

A question standing in the name of Mr Jack Harkness on the subject of whether the Council would permit the ladies teams to play cup matches at Faraday Road was answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture.

(q) **Question submitted by Mr Lee McDougall to the Portfolio Holder for Corporate Services**

A question standing in the name of Mr Lee McDougall requesting a detailed itemised list of all costs associated with the London Road Industrial Estate redevelopment incurred since 2010 to the present day was answered by the Portfolio Holder for Corporate Services.

(r) **Question submitted by Ms Carlyne Culver to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Ms Carlyne Culver asking what happened to the contents of green recycling bags if they were contaminated with plastics that could not be recycled was answered by the Portfolio Holder for Planning, Housing and Waste.

(s) **Question submitted by Mr Peter Norman to the Portfolio Holder for Corporate Services**

A question standing in the name of Mr Peter Norman (asked on his behalf by Mr David Marsh) asking what actions the Council was taking in light of the Appeal Court ruling its development agreement with St Modwen was invalid was answered by the Portfolio Holder for Corporate Services.

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(t) **Question submitted by Mr Peter Norman to the Portfolio Holder for Corporate Services**

A question standing in the name of Mr Peter Norman (asked on his behalf by Mr David Marsh) asking whether the Council would publish all minutes of the meetings it had with St Modwen and legal advice it received prior to signing the agreement was answered by the Portfolio Holder for Corporate Services.

(u) **Question submitted by Mr Peter Norman to the Portfolio Holder for Corporate Services**

A question standing in the name of Mr Peter Norman (asked on his behalf by Mr David Marsh) querying the total amount spent on facilitating the St Modwen development agreement was answered by the Portfolio Holder for Corporate Services.

61. **Petitions**

There were no petitions presented to the Executive.

62. **Key Accountable Performance 2018/19: Quarter Two (EX3421)**

The Executive considered a report (Agenda Item 6) which outlined quarter two outturns for the Key Accountable Measures which monitored performance against the 2018/19 Council Performance Framework; provided assurance that the objectives set out in the Council Strategy 2015-2019 and other areas of significant activity were being managed effectively; presented, by exception, those measures which were predicted to be 'amber' (behind scheduled) or 'red' (not achievable) at year end and information on any remedial action and its impact; and which recommended changes to measures/targets as requested by service areas.

Councillor Dominic Boeck, in introducing the report, gave an assurance that actions had been put in place to make improvements to the 'amber' and 'red' measures where possible.

Councillor Graham Bridgman commented on the two Adult Social Care (ASC) measures which were reporting 'red'. As noted previously, the indicator '% of WBC provider services inspected by Care Quality Commission that are rated good or better by the CQC in the area of "safe"' was 'red' as the 100% target had not been met. This was because the Birchwood Care Home had been given a rating of Requires Improvement and this could not be changed at least until the home was re-inspected. Councillor Bridgman added the positive news that the embargo on making placements at Birchwood had been lifted. He commended officers for their work on making improvements to the home.

The second 'red' measure in ASC was '% of clients with Long Term Service (LTS) receiving a review in the past 12 months'. Councillor Bridgman explained that there were two issues impacting on performance in this area. A manager in this area of work had recently retired and turnover was high. However, work was ongoing to address this and new staff were bedding in.

Councillor Hilary Cole turned to the 'red' measure in Development and Planning. She explained that Development Control had historically achieved the targets for determining major, minor and other planning applications. The targets were originally set at a level agreed with the Planning Service Customer Panel and allowed time for negotiation and amendment with a view to gaining planning approvals. However, as part of the New Ways of Working review it was noted that the local performance targets were below other similar Local Planning Authorities. It was therefore agreed to increase the targets to the national average mid-way through the financial year. There was every confidence that

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the targets could be achieved in 2019/20, however it would prove challenging in 2018/19 as the changes were introduced mid-year.

Councillor Lee Dillon thanked Councillor Bridgman for his explanation of the 'red' indicators in ASC. He understood the points made regarding the Birchwood Care Home, but was concerned that the indicator 'reviews for long term clients' was again reporting as 'red'. He noted the explanation of staffing, but he felt this to be a further excuse following poor performance in previous quarters. Care packages should be reviewed in a timely manner to ensure they were appropriate. Reviews could also identify savings if there were cases of over provision and this was important when considering the ASC overspend.

Councillor Bridgman explained that reviews of financial packages were under control. He offered to discuss further details with Councillor Dillon outside of the meeting.

Councillor Jeff Brooks was pleased to note that the redevelopment of the London Road Industrial Estate (LRIE) had been referred to the Overview and Scrutiny Management Commission (OSMC) for a thorough investigation. However, he questioned why the measure was only rated as 'amber' rather than 'red' considering the extensive difficulties that had been encountered. Councillor Boeck added his expectation that a thorough review would be undertaken by the OSMC. The measure was reported as 'amber', however the rating could be reconsidered post the outcome of the scrutiny review.

Councillor Graham Jones commented that the redevelopment of the LRIE had been subject to court proceedings and there was only a single finding against the Council.

RESOLVED that:

- Progress against the KAMs and key achievements in all services be noted.
- Those areas reported as 'amber' and 'red' had been reviewed to ensure that appropriate actions were in place (listed below):

Amber:

- 1) (LRIER) London Road Industrial Estate redevelopment 2018/19 milestone: Create and gain approval for the business plan.
- 2) Increase number of West Berkshire premises able to receive Superfast Broadband services 24Mb/s or above.
- 3) Average number of days taken to make a full decision on new Benefits claims.
- 4) % of people presenting as homeless where the homelessness has been relieved or prevented.

Red

- 1) % of WBC provider services inspected by Care Quality Commission (CQC) that are rated good or better by CQC in the area of "safe".
 - 2) % of clients with Long Term Service (LTS) receiving a review in the past 12 months.
 - 3) % of 'major' planning applications determined within 13 weeks or the agreed extended time.
 - 4) % of 'minor' planning applications determined within 8 weeks or the agreed extended time.
- The fact that the D&P Service were considering an alternative KPI for '% of high priority Disabled Facilities Grants approved within 9 weeks of receipt of full grant applications' be noted.

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Other options considered: None.

63. **Capital Financial Performance Report - Q2 of 2018/19 (EX3592)**

The Executive considered a report (Agenda Item 7) concerning forecast spend against the 2018/19 approved capital budget. The report also informed Members of the progress made with major capital schemes, particularly those considered to be high risk.

Councillor Anthony Chadley advised that every effort was made to fulfil capital programme works as per the schedule. There was also flexibility to complete works ahead of schedule in some cases.

RESOLVED that progress against the Council's capital programme and forecast expenditure against the approved capital budget be noted.

Other options considered: N/a- factual report for information.

64. **Revenue Financial Performance Report - Q2 of 2018/19 (EX3562)**

The Executive considered a report (Agenda Item 8) which informed Members of the latest revenue financial performance for 2018/19.

Councillor Anthony Chadley advised that the current financial forecast was an overspend of £1.3m against a net revenue budget of £119.4m which equated to 1.1% of the net budget.

The forecast overspend took into account £2m of mitigating action to be delivered by services during the remainder of the current financial year. The implementation of this mitigating action would be monitored closely.

The main driver of the forecast overspend was the Communities Directorate which was forecasting an overspend of £2.8m. £2.1m of this sum related to Adult Social Care (ASC) which was facing increasing financial pressures on demand led, externally commissioned, placement budgets over and above the modelled assumption that formed the basis of budget setting. In addition, a number of risks, provided for in the service specific risk reserve had materialised. Local authorities nationally were facing significant financial challenges relating to the funding of ASC budgets, including increasing demand on services and rising costs of commissioning care. This had been recognised by the Government and additional winter funding had been announced.

Councillor Chadley also reported that £1.3m of service specific risk reserves could be used to mitigate further the forecast overspend. This had yet to be deployed and was not included in the forecast. There was also an additional £768k risk management budget which could be utilised to help mitigate further the current forecast overspend. Councillor Chadley was therefore confident that the budget would be brought on target despite the significant financial pressures being faced. The Council had an excellent record in managing its finances.

Councillor Lee Dillon commented that the Council's finances were in a similar position to the previous year with an overspend being consistently predicted. He therefore felt the budget setting process needed to be examined and he would welcome a cross party solution to this. The budget needed to adequately reflect pressures. Councillor Dillon noted that risk reserves could be deployed, i.e. to meet contract inflation pressures, but he felt it should be possible for these pressures to be tracked and identified in the budget setting.

Councillor Dillon felt that it would be beneficial to understand in more detail the availability of other earmarked reserves and their total sum. He asked that the use of

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these/their purpose be reviewed, he hoped this was an area the Administration would also be wanting to review.

Councillor Dillon also raised the importance of learning lessons from savings and income generation targets that were at risk of/would not be met.

Councillor Jeff Brooks noted that the Resources Directorate were reporting an underspend of £667k. He felt this was another example of the Resources Directorate 'riding to the rescue'. Councillor Brooks saw this as annual occurrence, with the Resources Directorate underspend accelerating through the year.

Nick Carter responded to this point. The report outlined the forecast outturn for the Directorate. He added that there had been a corporate response to the forecast overspend and each Head of Service had been tasked with slowing down expenditure. Nick Carter further added that he had no expectation of an increase to the underspend beyond what was being reported. However, it was more straight forward to slowdown expenditure in the Resources Directorate as it was less demand led.

Councillor Brooks understood those points, but allocated funds were not being spent year on year. Nick Carter advised that ideally this expenditure would take place, but difficult decisions had to be made when considering other priority areas at a time of significant financial pressure.

Councillor Graham Bridgman commented on pressures in ASC. These were demand led statutory services and needs had to be met. In terms of budget setting, Councillor Bridgman described a detailed ongoing piece of work to seek to address this for 2019/20. This was recognised as highly important and he applauded officers for their work on the budget modelling. Councillor Chadley added that many learning points had been taken on board as part of the budget setting process for 2019/20.

Councillor Chadley then commented that risk reserves would be deployed to meet contract inflation pressures, but the actual level of risk depended on whether there was a fixed or variable rate of inflation.

Other earmarked reserves formed part of the budget setting process and Councillor Chadley agreed to discuss with officers whether more detailed information could be released.

Lessons continued to be learnt from income generation work. Every effort was made to achieve income generation and savings targets, in some cases they would be achieved but on a delayed timescale.

Councillor Graham Jones commented that this was a dynamic situation with extensive pressure on care budgets. These budgets needed to continue to increase to meet demand. This would be an area for Overview and Scrutiny Management Commission review.

RESOLVED that the report be noted. In particular the continued challenge of managing pressures in Adult Social Care, which were shared nationally, and the mitigation proposed in year to reduce the current end of year projection.

Other options considered: N/a – factual report for information.

65. **Funding arrangements for Newbury Railway Station Improvements (EX3673)**

The Executive considered a report (Agenda Item 9) which sought approval for entering into a funding agreement with GWR to facilitate the improvement works to Newbury

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Railway Station in accordance with the Thames Valley Berkshire Local Enterprise Partnership funding.

Councillor Jeanette Clifford explained that while this paper was essentially procedural, it gave her the opportunity to remind the Executive that Newbury Railway Station would shortly be transformed by a joint WBC and Railway Industry project as an interchange, as a building and in the facilities it offered to the growing number of passengers that used it every day, by the investment of more than £18m from:

- The railway industry;
- Grainger – the Council's partners in the Market Street Development;
- A small input from this Council; and
- A major contribution of about £6m from the Growth Fund, administered on behalf of all the Berkshire Authorities by Thames Valley Berkshire Local Enterprise Partnership (LEP).

Under the current rules, the LEP could only award funding to a local authority. However, as the Council's partners at Great Western Railway (GWR) would be responsible for work within the station itself, the proposal before the Executive allowed for the correct funding to be passed by the Council to GWR. Governance of this project was extremely rigorous and Councillor Clifford hoped there would be agreement to this arrangement.

In response to a query from Councillor Lee Dillon, Councillor Clifford confirmed that the process for the transfer of funding to GWR would be in stages.

Councillor Jeff Brooks welcomed this proposal. However, he felt the report was light on some of the details. For example, when plans would be made available. Councillor Clifford advised that the final, very detailed business case would be signed off before Christmas. She added that further information on how the funding would be expended was contained in the appendices to the report.

Councillor Clifford concluded by stating that the station would become an excellent gateway to Newbury.

RESOLVED that authority be delegated to:

- (a) the Head of Development and Planning (in consultation with the Head of Finance and the Portfolio Member for Transport) to award the funding in connection with improvement works at Newbury Station to GWR. The source of this funding is from the TVB LEP and will only be allocated once it is available.
- (b) the Head of Legal Services to enter into a funding agreement with GWR.

Other options considered:

- The consideration of various options for the improvement works at Newbury Station are dealt with in the Options Assessment Report (OAR) which forms part of the formal documentation in support of this scheme. The OAR can be found on the Council's website at www.westberks.gov.uk/sep under Project 24: Newbury – Railway Station Improvements.
- Given the fact that a large proportion of the proposed improvement works will affect land and buildings on railway land (owned by Network Rail and leased to GWR), it is not considered an option for the Council to procure the work directly. The only realistic option for the delivery of the works is for GWR to procure the improvements works within the station lease area in accordance with their Procurement Strategy.
- An alternative option to the Council awarding funding to GWR would be for TVB LEP to fund GWR directly. The mechanisms in place do not currently allow for this

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and so the strong preference is for the Council to receive funding from the TV LEP and to then award a portion of this to GWR for their elements of the scheme.

66. **Devolution of Playgrounds to Thatcham Town Council (EX3649)**

(Councillor Dominic Boeck declared an interest in Agenda Item 10 by virtue of the fact that he was a Member of Thatcham Town Council. As his interest was personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate but would abstain from voting on the matter.)

(Councillors Jeff Brooks and Lee Dillon declared an interest in Agenda Item 10 by virtue of the fact that they were Members of Thatcham Town Council. As their interest was personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate.)

The Executive considered a report (Agenda Item 10) concerning Thatcham Town Council's (TTC) devolution proposal for the freehold transfer, and all future maintenance, of the open space and associated playgrounds at Pound Lane and Mount Road, Thatcham. The precise locations of the open space were shown in Appendix 1.

The current sites were under the management of TTC by virtue of a lease dated 28 April 2003. The lease period was for 99 years. This report sought approval to transfer the playgrounds and associated open space as a freehold from West Berkshire Council to TTC.

Councillor Jeanette Clifford stated that West Berkshire Council firmly believed in devolution and proposed the report's recommendation. TTC already had a good track record in managing these sites under the current lease agreement.

Councillor Lee Dillon noted this support to devolution but he queried if there would also be support to devolve other assets, i.e. a car park, to a parish. He voiced a concern should West Berkshire Council only devolve in cases where it would achieve cost savings, but not if an asset generated income. Councillor Clifford explained that consideration would be given to any proposal regardless of the asset and/or service concerned. A proposal for a car park had not come forward.

Councillor Marcus Franks added that he had no awareness of a devolution request being made for a car park and repeated that West Berkshire Council would look at all requests received. He added that conversations were ongoing in relation to devolving community buildings and they could generate income. This proposal for devolving playgrounds was positive.

Councillor Graham Jones also reiterated that the Council would look at requests based on their own merits, he gave the devolution of Lambourn Library as another positive example of this. This was a positive proposal that should not be viewed negatively.

Councillor Boeck added that the devolution proposal from TTC was beneficial to both parties.

RESOLVED that officers be permitted to enter into discussions with TTC as to the heads of terms for the freehold transfer.

Other options considered: None.

67. **Contract award (exception) for the Public Health Community Services Contract (EX3662)**

(Councillor Graham Jones declared an interest in Agenda Items 11 and 15 by virtue of the fact that he was a pharmacist and provider of public health services, and reported

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that, as his interest was a disclosable pecuniary interest or an other registrable interest, he would be leaving the meeting during the course of consideration of the matter).

(Councillor Graham Jones left the meeting at 6.15pm).

(Councillor Hilary Cole in the Chair).

The Executive considered a report (Agenda Item 11) which sought approval for an exception from the Contract Rules of Procedure to award the Public Health Enhanced Services Contract to each of the 13 GP Practices across West Berkshire from 1 April 2019 to 31 March 2022. It was proposed that the 3 year contract (2+1) would be delivered by 13 GP Practices across West Berkshire. The exception would enable the Council to extend the current provision of the service fulfilling public health functions and mandatory directives guidance. The exception was being sought as this was the only viable option for this contract.

Councillor Rick Jones explained that this Part I version of the report enabled public notification of this proposed contract exception award from April 2019. Approval of the item would come within Part II of the meeting.

RESOLVED that the Public Health Enhanced Services contract 19-22 be awarded to all (13) GP Practices across West Berkshire, subject to the consideration of the item in Part II of the meeting.

Other options considered: Re-tender the service across West Berkshire ASAP.

68. **Supported Living Schemes and Floating Support for Adults with Learning Disabilities (EX3670)**

(Councillor Graham Jones rejoined the meeting at 6.17pm and resumed in the Chair).

(Councillors Lee Dillon and Marcus Franks declared an interest in Agenda Items 12 and 16 by virtue of the fact that they were employed by Sovereign Housing Association. As their interest was a disclosable pecuniary interest or an other registrable interest, they would be leaving the meeting during the course of consideration of the matter).

(Councillors Dillon and Franks left the meeting at 6.17pm).

The Executive considered a report (Agenda Item 12) which informed the Executive of the tender process and sought delegated authority to award the contract. The existing contract was due to end on 25 February 2019 and was currently made up of three separate contracts. The recommendation of Procurement Board was to combine the re-tender of the current service into one lot due to economies of scale indicated by providers that would be the most cost effective route to market. The tender submissions had now been received.

RESOLVED that the recommendation to re-tender the Supported Living Schemes and Floating Support for Adults with Learning Disabilities services into one lot be approved, subject to the consideration of the item in Part II of the meeting.

Other options considered:

- Do nothing – this would leave over 100 adults with learning disabilities at risk of being made homeless and or/without the necessary care and support that they need to go about their everyday life.
- Contract extension – contract extensions for the three contracts have been considered and the existing providers were willing to extend. However, both providers requested an increase which became non-compliant with procurement legislation and WBC contracts rules and procedures. To ensure that there is

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sufficient time to re-tender and bring all of the contract end dates in-line, all three contracts have been extended until 25th February 2018.

- Two-stage tender – we want to encourage as many providers in and reduce the administrative burden for the providers tendering.
- Two lots – the decision was made at Procurement Board to re-tender the three existing contracts into one lot due to indicative savings that would be made due to larger economies of scale. Procurement Board asked Commissioning to undertake a desktop exercise with providers to understand the effects of tendering in a single lot or multiple lots. The providers response demonstrated that tendering in a single lot would be cheaper tendering in multiple lots due to the economies of scale they may achieve. No prices were given by either provider or WBC at this stage, this was an exercise in the most cost effective route to market.

69. **Members' Questions**

(Councillors Lee Dillon and Marcus Franks rejoined the meeting at 6.18pm).

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

(a) **Question submitted by Councillor Jeff Brooks to the Portfolio Holder for Corporate Services**

A question standing in the name of Councillor Jeff Brooks on the subject of the estimated cost of officer time spent on the LRIE was answered by the Portfolio Holder for Corporate Services.

(b) **Question submitted by Councillor Jeff Brooks to the Portfolio Holder for Corporate Services**

A question standing in the name of Councillor Jeff Brooks on the subject of the estimated internal and external costs for re-procuring a London Road preferred partner was answered by the Portfolio Holder for Corporate Services.

(c) **Question submitted by Councillor Lee Dillon to the Portfolio Holder for Health and Wellbeing, Leisure and Culture**

A question standing in the name of Councillor Lee Dillon asking why the Council did not consult on closing the Newbury Football Ground was answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture.

(d) **Question submitted by Councillor Lee Dillon to the Portfolio Holder for Finance, Transformation and Property**

A question standing in the name of Councillor Lee Dillon asking how much income the Council had forgone since it evicted its tenants from the football ground was answered by the Portfolio Holder for Finance, Transformation and Property.

70. **Exclusion of Press and Public**

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraphs 5 and 6 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.

71. **Contract award (exception) for the Public Health Enhanced Services Contract (EX3662)**

(Paragraph 6 – information relating to proposed action to be taken by the Local Authority)

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(Councillor Graham Jones declared an interest in Agenda Items 11 and 15 by virtue of the fact that he was a pharmacist and provider of public health services, and reported that, as his interest was a disclosable pecuniary interest or an other registrable interest, he would be leaving the meeting during the course of consideration of the matter).

(Councillor Graham Jones left the meeting at 6.28pm).

(Councillor Hilary Cole in the Chair).

The Executive considered a report (Agenda Item 15) which sought approval for an exception from the Contract Rules of Procedure to award the Public Health Enhanced Services Contract to each of the 13 GP Practices across West Berkshire from 1 April 2019 to 31 March 2022. It was proposed that the 3 year contract (2+1) would be delivered by 13 GP Practices across West Berkshire. The exception would enable the Council to extend the current provision of the service fulfilling public health functions and mandatory directives guidance.

RESOLVED that the recommendations in the exempt report be agreed.

Other options considered: as outlined in the exempt report.

72. Supported Living Schemes and Floating Support for Adults with Learning Disabilities (EX3670)

(Paragraph 5 – information relating to legal privilege)

(Councillor Graham Jones rejoined the meeting at 6.32pm and resumed in the Chair).

(Councillors Lee Dillon and Marcus Franks declared an interest in Agenda Items 12 and 16 by virtue of the fact that they were employed by Sovereign Housing Association. As their interest was a disclosable pecuniary interest or an other registrable interest, they would be leaving the meeting during the course of consideration of the matter).

(Councillors Dillon and Franks left the meeting at 6.32pm).

The Executive considered a report (Agenda Item 16) which informed the Executive of the tender process and sought delegated authority to award the contract. The existing contract was due to end on 25 February 2019 and was currently made up of three separate contracts. The recommendation of Procurement Board was to combine the re-tender of the current service into one lot due to economies of scale indicated by providers that would be the most cost effective route to market. The tender submissions had now been received.

RESOLVED that the recommendations in the exempt report be agreed.

Other options considered: as outlined in the exempt report.

(The meeting commenced at 5.00pm and closed at 6.37pm)

CHAIRMAN

Date of Signature