

# DRAFT

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

## EXECUTIVE

### MINUTES OF THE MEETING HELD ON THURSDAY, 14 FEBRUARY 2019

**Councillors Present:** Dominic Boeck, Graham Bridgman, Anthony Chadley, Jeanette Clifford, Hilary Cole, Lynne Doherty, Graham Jones, Rick Jones and Richard Somner

**Also Present:** John Ashworth (Corporate Director - Environment), Iain Bell (Revenues and Benefits Manager), Nick Carter (Chief Executive), Andy Day (Head of Strategic Support), Tess Ethelston (Group Executive (Cons)), Olivia Lewis (Group Executive (Lib Dem)), Susan Powell (Safer Communities Partnership Team Manager), Shiraz Sheikh (Principal Solicitor), Andy Walker (Head of Finance and Property), Councillor Jeff Brooks, Councillor Paul Bryant, Stephen Chard (Principal Policy Officer), Councillor Lee Dillon, Councillor Alan Law, Councillor Mollie Lock and Councillor Quentin Webb

**Apologies for inability to attend the meeting:** Councillor James Fredrickson

#### PART I

##### 82. Minutes

The Minutes of the meeting held on 17 January 2019 were approved as a true and correct record and signed by the Leader.

##### 83. Declarations of Interest

Councillor Jeff Brooks declared an interest in Agenda Item 13, 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.

Councillor Graham Jones declared an interest in Agenda Item 13, 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 and vote on the matter.

##### 84. 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 Miss Louise Harriet Coulson to the Portfolio Holder for Finance, Transformation and Property**

A question standing in the name of Miss Louise Harriet Coulson on the subject of how the Council had invested its pension fund was answered by the Portfolio Holder for Finance, Transformation and Property.

(b) **Question submitted by Miss Louise Harriet Coulson to the Portfolio Holder for Finance, Transformation and Property**

A question standing in the name of Miss Louise Harriet Coulson on the subject of whether the Council had shares in any companies that were in any way connected to weapons manufacturers or tobacco companies was answered by the Portfolio Holder for Finance, Transformation and Property.

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(c) **Question submitted by Miss Louise Harriet Coulson to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Miss Louise Harriet Coulson on the subject of whether the Council had taken into account, when making provisions for SWEP, the homeless in West Berkshire with no local connection, but with a valid reason for not wanting to return to their local area was answered by the Portfolio Holder for Planning, Housing and Waste.

(d) **Question submitted by Mr Joseph Clarke to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Joseph Clarke on the subject of the difference that the MEAM (Making Every Adult Matter) approach had made to the lives of the most vulnerable rough sleepers in West Berkshire since it became operational was answered by the Portfolio Holder for Planning, Housing and Waste.

(e) **Question submitted by Mr Peter Carline to the Portfolio Holder for Finance, Transformation and Property**

A question standing in the name of Mr Peter Carline, asked on his behalf by Mr Steve Masters, on the subject of what 'the benefits of Brexit' were which had been referred to in previous correspondence with him was answered by the Portfolio Holder for Finance, Transformation and Property.

(f) **Question submitted by Ms Helen Picken to the Portfolio Holder for Children, Education and Young People**

A question standing in the name of Ms Helen Picken on the subject of what the Council was doing to manage the increases in demand and spend in Children's Social Care was answered by the Portfolio Holder for Children, Education and Young People.

(g) **Question submitted by Mr Frazer Dobson to the Portfolio Holder for Finance, Transformation and Property**

A question standing in the name of Mr Frazer Dobson on the subject of why the Council had not included the cut in funding to the Corn Exchange in its 2019/20 budget consultation would receive a written answer from the Portfolio Holder for Finance, Transformation and Property.

(h) **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 the Council would reconsider its Green Bin charge in light of the Government's recent Resources and Waste Strategy recommendation that local authorities should provide weekly collection of food waste and garden waste was answered by the Portfolio Holder for Planning, Housing and Waste.

(i) **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 on the subject of whether the Council would consider providing bin stickers to avoid confusion as to which items could be recycled was answered by the Portfolio Holder for Planning, Housing and Waste.

(j) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Thomas Tunney, asked on his behalf by Miss Louise Harriet Coulson, on the subject of why no portion of the £210,000 rough sleeper

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initiative fund had gone to any of the voluntary organisations involved in the winter plan was answered by the Portfolio Holder for Planning, Housing and Waste.

(k) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Thomas Tunney, asked on his behalf by Miss Louise Harriet Coulson, on the subject of what shortfall of beds had the Council asked West Berkshire Homeless to cover was answered by the Portfolio Holder for Planning, Housing and Waste.

(l) **Question submitted by Mr Steve Masters to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Steve Masters on the subject of why the Council had ignored feedback and advice from the voluntary sector about rough sleeper numbers and actively blocked the opening of a shelter in December was answered by the Portfolio Holder for Planning, Housing and Waste.

(m) **Question submitted by Dr Julie Wintrup to the Portfolio Holder for Health and Wellbeing, Leisure and Culture**

A question standing in the name of Dr Julie Wintrup on the subject of what arrangements the Executive would put in place to ensure the public, including people with disabilities, were able to engage fully in public meetings would receive a written answer from the Portfolio Holder for Health and Wellbeing, Leisure and Culture.

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

A question standing in the name of Dr Julie Wintrup on the subject of how compliant the Council was in its legal and ethical duties to members of the public and vulnerable groups, when commissioning, conducting or collaborating in research including consultations and 'customer surveys' would receive a written answer from the Portfolio Holder for Corporate Services.

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

A question standing in the name of Ms Carolyn Culver on the subject of how the cost of collecting fly tipped waste in the third quarter of 2018/19 compared with the third quarter of 2017/18 was answered by the Portfolio Holder for Planning, Housing and Waste.

(p) **Question submitted by Mr Lee McDougall to the Portfolio Holder for Economic Development and Communications**

A question standing in the name of Mr Lee McDougall on the subject of when the Council intended to make the Community Football Ground in Faraday Road available to the public was answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture, in the absence of the Portfolio Holder for Economic Development and Communications.

(q) **Question submitted by Mr Steve Masters to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Steve Masters on the subject of how many additional beds had been provisioned and filled (nightly average) at Two Saints since 1 November 2018 was answered by the Portfolio Holder for Planning, Housing and Waste.

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(r) **Question submitted by Mr Nassar Kessell to the Portfolio Holder for Finance, Transformation and Property**

A question standing in the name of Mr Nassar Kessell on the subject of whether the Council was anticipating further reductions to local services over the next 4-8 years due to the local council funding 'black hole' was answered by the Portfolio Holder for Finance, Transformation and Property.

### 85. **Petitions**

Councillor Jeff Brooks presented a petition containing 340 signatures which called on West Berkshire Council to provide a grant of £50,000 in each of the next two financial years to the Corn Exchange and thereby avoid the severe difficulties that a reduction to a zero grant, as presently intended, would present. The petition would be responded to when the Revenue Budget for 2019/20 was determined at Council on 5 March 2019.

### 86. **Investment and Borrowing Strategy 2019/20 (C3613)**

Councillor Graham Jones explained that agenda items 6 to 9 would be briefly introduced by Councillor Anthony Chadley as Portfolio Holder for Finance. However, debate of the items was not planned for the Executive as they would be debated and determined at the Council meeting on 5 March 2019. Questions of clarity could however be asked.

The Executive considered a report (Agenda Item 6) concerning the Council's borrowing limits as set out by CIPFA's Prudential Code, and which also recommended the Annual Investment and Borrowing Strategy for 2019/20.

Councillor Chadley added that the report set out the framework within which the Treasury Management Team would conduct the Council's investments and borrowing for the forthcoming financial year. It recommended prudential limits for investments in 2019/20 and borrowing limits for the next three years. It also provided a forecast of the Council's long term borrowing requirements.

The Treasury Management Group provided an oversight of this activity and Councillor Chadley explained that both himself and Councillor Lee Dillon were Members of this Group.

#### **RESOLVED that:**

- (1) The Council's borrowing limits as set out by CIPFA's Prudential Code be noted.
- (2) The Annual Investment and Borrowing Strategy for 2019/20 be recommended to Council for approval.

**Other options considered:** Not applicable.

### 87. **Medium Term Financial Strategy 2019/20 to 2021/22 (C3614)**

The Executive considered a report (Agenda Item 7) concerning the Medium Term Financial Strategy (MTFS). The MTFS was a rolling three year strategy which was built to ensure that the financial resources for both revenue and capital were available to deliver the Council Strategy. The MTFS should be read in conjunction with the Revenue Budget, Capital Programme and Investment and Borrowing Strategy reports. The aim of the MTFS was to:

- (1) Allocate the Council's available resources focussing on those determined as most critical in supporting the Council's priorities and statutory responsibilities;
- (2) Ensure that capital investment was affordable; and
- (3) Ensure that the Council had sufficient levels of reserves.

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**RESOLVED** to recommend that Council approve and adopt the Medium Term Financial Strategy 2019/20 to 2021/22.

**Other options considered:** None.

### 88. Capital Strategy and Programme 2019/20 to 2021/22 (C3615)

The Executive considered a report (Agenda Item 8) concerning the three year Capital Strategy for 2019-2022 which included the minimum revenue provision and also set out the funding framework for the Council's three year capital programme for 2019-2022.

**RESOLVED** to recommend that Council approve the Capital Strategy and Programme 2019/20 to 2021/22.

**Other options considered:** Not applicable.

### 89. Revenue Budget 2019/20 (C3616)

The Executive considered a report (Agenda Item 9) concerning the 2019/20 Revenue Budget, which proposed a Council Tax requirement of £97.87m requiring a Council Tax increase of 2.99% in 2019/20. The Council Tax increase would raise £2.84m.

The report also proposed the Fees and Charges for 2019/20 as set out in Appendix H and the Parish Expenses as set out in Appendix I, and recommended the level of General Reserves as set out in Appendices F and G.

Councillor Graham Jones highlighted the fact that the supporting information for the Revenue Budget report needed to be finessed. Therefore, minor changes would be made to the papers ahead of their consideration at Council on 5 March 2019.

Councillor Jeff Brooks queried whether any contingency had been set aside or was being considered as part of the Revenue Budget and/or MTFs to cover a potential negative impact from Brexit. Councillor Graham Jones confirmed that a contingency sum had been made available.

**RESOLVED** to recommend that Council:

- (1) approve the 2019/20 Council Tax requirement of £97.87million, requiring a Council Tax increase of 2.99%;
- (2) approve the Fees and Charges as set out in Appendix H and that the appropriate statutory notices be placed where required.
- (3) approve the Parish Expenses of £15,389 as set out in Appendix I.
- (4) acknowledge and note the responses received to each of the public facing savings proposals in the public consultation exercise undertaken on the 2019/20 budget.

**Other options considered:** The proposal was to increase Council Tax by 2.99%. If the Council Tax was not increased the savings requirement would be £2.84m higher. Each 1% increase in Council Tax raised £950k. All available options had been considered before recommending that Council increase Council Tax for 2019/20.

### 90. Revenue Financial Performance Report - Q3 of 2018/19 (EX3563)

The Executive considered a report (Agenda Item 10) concerning the latest revenue financial performance for 2018/19 as at Quarter Three. The current financial forecast was an overspend of £250k against a net revenue budget of £119.4m. The forecast position was after forecasting the impact of a corporate response to stop non-essential spend, releasing £500k of the risk management budget and releasing £812k from available service specific risk reserves (subject to Executive approval).

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Councillor Anthony Chadley explained that the risk reserves referred to had been established to meet identified risks. These risks had arisen and it was therefore proposed that £609k be released from the Adult Social Care (ASC) risk reserve and £203k be released from the Children and Family Services risk reserve in order to support the in-year overspend. Subject to this approval, £1.7m would remain in the service specific risk reserves in 2019/20.

Councillor Graham Bridgman added that much effort was put into managing and analysing risks in ASC. This had resulted in the formation of the service specific risk reserve and, as explained by Councillor Chadley, an identified risk had transpired and it was therefore appropriate to utilise the risk reserve.

Councillor Lee Dillon drew attention to Appendix D: 2018/19 Savings and Income Generation Programme (risk items). He was concerned as this listed 15 'amber' or 'red' risk items. He queried the level of confidence in achieving those rated 'amber' within the current financial year and whether these areas would continue to be of concern in 2019/20. Councillor Dillon gave childcare lawyers demand management as a specific example of this.

In terms of childcare lawyers, Councillor Lynne Doherty explained that efforts were ongoing to manage demand and better forecast costs into 2019/20. However, 2018/19 had been a particularly challenging year with four complex safeguarding cases to manage, which was an unusually high number for one year.

More generally, Councillor Chadley explained that savings and income generation targets were scrutinised on a quarterly basis corporately. They were also routinely monitored within service areas on a monthly and in some cases weekly basis.

### **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 that was proposed in year to reduce the current end of year projection.
- The release of £609k from the Adult Social Care risk reserve and £203k from the Children and Family Services risk reserve be approved to support the in-year overspend.

**Other options considered:** Not applicable.

### **91. Capital Financial Performance Report - Q3 of 2018/19 (EX3593)**

The Executive considered a report (Agenda Item 11) concerning the progress made with major capital schemes, particularly those considered to be high risk, and forecast spend against the 2018/19 approved capital budget.

Councillor Anthony Chadley explained that at the end of Quarter Three, expenditure of £87.6m had been forecast against the £90.6m budget. The underspend in the region of £3m came as a result of items either slipping or being re-profiled into 2019/20.

Councillor Lee Dillon commented that it was positive to see that the majority of the Council's capital programme was scheduled to be delivered. He queried however whether an in-year revenue saving would be made on those areas not progressing or being re-profiled as a result of reduced borrowing and a reduction in the interest to be paid. In response, Councillor Chadley explained that a reduction in the cost of borrowing could be achieved and the interest rate improved, he would however provide further confirmation on this point.

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

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**Other options considered:** Not applicable.

### 92. **Final Schools Funding Formula 2019/20 (EX3681)**

The Executive considered a report (Agenda Item 12) concerning the annual school funding formula for primary and secondary schools for the financial year 2019/20.

The report concluded that moving straight onto the National Funding Formula (NFF) rates would give West Berkshire schools certainty and stability on their funding allocations for the next couple of years. However, there continued to be significant concern about the shortfall in funding and the ability of schools to balance their budget without having an impact on pupils. The table in Appendix A showed that for most schools gaining funding, the gain was not significant which meant that many schools would still have difficulty in balancing their individual budgets given current cost pressures. This was particularly relevant for the twenty schools where pupil numbers had decreased and overall funding had gone down.

Councillor Lynne Doherty proposed approval of the report's recommendations. These had been formed and recommended by the Schools' Forum post consultation with schools. She explained that the final schools block Dedicated Schools Grant (DSG) for 2019/20 was £100.09m.

For those schools which had gained funding under the NFF, additional funding would be capped at 2% per pupil. For schools that would lose funding, a minimum funding guarantee of 0% per pupil would be applied. Appendix D contained the funding allocations for each school.

Councillor Doherty pointed out an error in the report in paragraph 5.3 (3). This should state that the NFF calculation would be used for all schools.

Councillor Mollie Lock was aware from discussions at the Schools' Forum that nine schools were currently in deficit due to falling pupil numbers. Some of these schools would gain funding, but some would see a reduction. It was concerning and sad to hear that funding would go down and numbers would decrease for twenty schools in 2019/20. It was also of concern that there were cases where some schools had sought funding contributions from parents to help support the school's budget. Funding difficulties also impacted on staffing, specifically being unable to retain Teaching Assistants.

Councillor Doherty was well aware of the nine in deficit schools, however some schools were reporting a surplus. The NFF would help to even out funding across all schools. In terms of giving support to the twenty schools, assistance would come from the team of financial experts put together by the Council to help schools in need. This included former Headteachers.

#### **RESOLVED that:**

- The final formula rates and allocations to schools be approved. These had been made according to the principles agreed by the Schools' Forum in December 2018 and in relation to the total funding available from the Schools Block DSG allocation.
- For schools that gained funding under the new formula, additional funding was capped at 2% per pupil (as per the National Funding Formula).
- For schools that lost funding under the new formula, a minimum funding guarantee of an additional 0% per pupil increase was applied (maximum affordable).

**Other options considered:** None.

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### 93. Business Rates Discretionary Rate Relief Policy (EX3677)

*(Councillor Jeff Brooks declared an interest in Agenda Item 13 by virtue of the fact that he operated a business in West Berkshire, 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).*

*(Councillor Graham Jones declared an interest in Agenda Item 13 by virtue of the fact that he operated a business in West Berkshire, 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 and vote on the matter).*

The Executive considered a report (Agenda Item 13) concerning the approach for awarding the new 2017 Discretionary Rate Relief for 2018/19 and 2019/20.

Councillor Dominic Boeck explained that in 2017 the Government introduced a new Discretionary Relief Scheme. This was aimed at those organisations who were facing the largest increases as a result of the 2017 Business Rates revaluation. Small to medium sized enterprises with a high increase could apply for this rate relief. This proposed update to the Policy (outlined within paragraph 5.3 of the report) would include a set of new increased relief values which would provide further support for businesses that the Council believed contributed to the local economy.

Councillor Lee Dillon turned to the Policy document at Appendix D. He pointed out that there was no mention of support that could be provided to high street retailers who were facing difficulties, with competition from online retailers a significant factor. The payment of business rates should apply equally to both types of retailer. He queried what assistance was available to high street retailers as local authorities were permitted to apply local requirements to this Policy.

Councillor Boeck gave thanks for these comments. This was something he would be considering with officers.

**RESOLVED that** a revised Discretionary Rate Relief Policy, highlighted at Appendix D – Section 8.3, be approved. This would increase the amount of relief awarded from 35% to 50% for 2018/19 and from 15% to 25% in 2019/20. The award would be made automatically rather than upon application. This would reduce even further the burden of business rates to those most affected by the increase in charges.

The reason for the above was to ensure that the allocation of government funding was fully utilised for businesses who saw the largest increases in their bills as a result of the 2017 revaluation.

#### **Other options considered:**

- Changing one of the criteria could have meant more businesses qualifying for the relief but this would appear to negate the aims of the scheme. For example, raising the rateable value limit to £200,000 could mean large organisations qualifying when the scheme was aimed at small and medium enterprises or lowering the limit of increase from £600 to £300 would have gone against the principles of the new supporting small businesses scheme.
- It was therefore considered the best option to further assist those businesses that already qualified under the present criteria.

### 94. Members' Questions

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

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(a) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Councillor Alan Macro, asked on his behalf by Councillor Lee Dillon, on the subject of what the Council's current position was regarding the potential major development at Grazeley and whether any joint bids were being considered was answered by the Portfolio Holder for Planning, Housing and Waste.

(b) **Question submitted by Councillor Jeff Brooks to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Councillor Jeff Brooks on the subject of what recompense the Council was expecting from SSE following the Parkway roadworks issue was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

(c) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Councillor Alan Macro, asked on his behalf by Councillor Jeff Brooks, on the subject of what the Council did to monitor traffic flow at roadworks at weekends was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

(d) **Question submitted by Councillor Jeff Brooks to the Portfolio Holder for Children, Education and Young People**

A question standing in the name of Councillor Jeff Brooks on the subject of when the Council would commit to reopening the important youth facility at Waterside was answered by the Portfolio Holder for Children, Education and Young People.

(e) **Question submitted by Councillor Lee Dillon to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Councillor Lee Dillon on the subject of what the Council was doing to get the LRIE project back on track was answered by the Portfolio Holder for Planning, Housing and Waste.

(f) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Highways and Transport, Environment and Countryside**

A question standing in the name of Councillor Alan Macro, asked on his behalf by Councillor Jeff Brooks, on the subject of whether the Council would consider adding priority footpaths to the gritting schedule, particularly given the recent poor weather conditions, was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

(g) **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 on the subject of when the Council last carried out a full review of the £14.3m it had in reserves was answered by the Portfolio Holder for Finance, Transformation and Property.

*(The meeting commenced at 5.00pm and closed at 6.13pm)*

**CHAIRMAN** .....

**Date of Signature** .....