

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 OCTOBER 2021

Councillors Present: Steve Ardagh-Walter, Dominic Boeck, Hilary Cole, Lynne Doherty, Ross Mackinnon, Richard Somner, Joanne Stewart and Howard Woollaston

Also Present: Susan Halliwell (Executive Director - Place), Joseph Holmes (Executive Director - Resources), Andy Sharp (Executive Director (People)), Jake Thurman (Group Executive (Cons)), Councillor Adrian Abbs, Councillor Graham Bridgman, Councillor Jeff Brooks, Councillor Carlyne Culver, Councillor Lee Dillon, Councillor Owen Jeffery, Councillor Alan Macro, Councillor Steve Masters, Councillor Erik Pattenden, Shiraz Sheikh (Service Lead - Legal and Democratic) and Gillian Steele (Democratic Services Officer)

PART I

30. Minutes

The Minutes of the meeting held on 2 September 2021 were approved as a true and correct record and signed by the Leader.

31. Declarations of Interest

There were no declarations of interest received.

32. 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) A question standing in the name of Ms Alison May on the subject of carbon neutrality would receive a written response from the Portfolio Holder for Environment and Waste.
- b) A question standing in the name of Mr Gareth Beard on the subject of electric vehicle charging points was answered by the Portfolio Holder for Environment and Waste.
- c) A question standing in the name of Mr Nigel Foot on the subject of waterway maintenance would receive a written response from the Portfolio Holder for Environment and Waste.
- d) A question standing in the name of Mr John Gotelee on the subject of insurance for the football club building was answered by the Portfolio Holder for Internal Governance, Leisure and Culture.
- e) A question standing in the name of Mr Paul Morgan on the subject of the Council's contracts with Alliance Leisure and/or Alliance Building Services was answered by the Portfolio Holder for Finance and Economic Development.
- f) A question standing in the name of Mr Alan Pearce on the subject of the LRIE steering group membership was answered by the Portfolio Holder for Finance and Economic Development.

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- g) A question standing in the name of Ms Paula Saunderson on the subject of the Local Flood Risk Management Delivery Plan was answered by the Portfolio Holder for Planning and Transport.
- h) A question standing in the name of Mr John Gotelee on the subject of the LRIE regeneration plans was answered by the Portfolio Holder for Planning and Transport.
- i) A question standing in the name of Mr Alan Pearce on the subject of the LRIE regeneration contract with St Modwen Developments Ltd was answered by the Portfolio Holder for Finance and Economic Development.
- j) A question standing in the name of Ms Paula Saunderson on the subject of the LLFA project for the Northbrook Stream was answered by the Portfolio Holder for Planning and Transport.
- k) A question standing in the name of Ms Paula Saunderson on the subject of the LLFA was answered by the Portfolio Holder for Planning and Transport.

33. **Petitions**

There were no petitions presented to the Executive.

34. **Update on Wokingham Exit from the Public Protection Partnership (EX4115 & EX4145)**

The Executive considered a report (Agenda item 6) which provided an update on the progress of the project for the withdrawal of Wokingham Borough Council (Wokingham) from the Public Protection Partnership (PPP) in line with the requirements of the Inter Authority Agreement (IAA) (EX4145).

The report also clarified the approach being taken on 'Traded Services', which was essentially the agreement between West Berkshire Council (the Council) and Wokingham to maintain a contractual relationship for elements of the public protection service and reduce the overall financial risks for all parties (EX4115).

Councillor Hilary Cole summarised the current situation and West Berkshire Council's negotiating position that Wokingham's decision should not be detrimental to the continuing functioning of the PPP and the services it provided to residents.

Councillor Adrian Abbs said that he had spoken to contacts in Wokingham who suggested that some of the report's content might be out of date regarding the services being leased back from the PPP. He sought clarification that services to West Berkshire would not be impacted by the departure of Wokingham from the PPP. He noted that Members in Wokingham seemed to be under the impression that they were not taking any costs. Councillor Cole said that she was not aware of any recent changes to the arrangements. She also noted that it was always the case that Wokingham wanted to handle some services themselves rather than through the PPP and that this was the reason for their departure. Councillor Abbs asked that the Council would look into the information received from Wokingham Members.

Councillor Jeff Brooks expressed regret that Wokingham had felt the need to depart the PPP and sought reassurance that efforts would be made to ensure relationships remained good between Wokingham and the JPPC throughout the protracted negotiations and beyond. Councillor Cole noted the aim was to complete the process by the end of the financial year and to maintain a good working relationship with Wokingham.

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Councillor Lee Dillon sought reassurance that Councillor Cole was in regular contact with her Wokingham counterpart to ensure negotiations were as smooth and swift as possible. Councillor Cole said that she had not recently spoken personally with Wokingham, but that officers were in regular contact.

Councillor Richard Somner expressed regret that Wokingham wished to leave but accepted their right to do so providing they accepted the associated costs resulting from their decision. He expressed his support for the recommendations in the report.

RESOLVED to:

1. Agree to the principle of pursuing two years of efficiency loss compensation as detailed at 5.4.
2. Agree to consider the proposed revenue investment bids as detailed at 5.7 within the Council's budget setting process.
3. Support the negotiation parameters for Traded Services, as listed at 5.14.

35. Voluntary and Community Sector Support (EX4148)

Councillor Graham Bridgman summarised the report (Agenda item 7) which detailed the outcome of engagement with the Voluntary and Community Sector (VCS) and set out recommendations for VCS support in West Berkshire.

Councillor Bridgman thanked Sam Shepherd for the work that had gone into the report. He noted an amendment to the report; there was a reference to the contract funding being agreed at an Executive meeting in September 2020 but it was in fact October 2020.

Councillor Bridgman particularly noted that section 4.3 of the executive summary linked into a variety of strategies and vision statements, in particular the Berkshire West Joint Health and Wellbeing Strategy which was due for discussion at Council in December 2021.

Councillor Lynne Doherty added her thanks to Councillor Bridgman's.

Councillor Erik Pattenden thanked the VCS for their work. He noted that many of the services covered in the report were previously covered by Empowering West Berkshire, who had their funding cut six years ago. He asked why it had taken so long to put replacement support for the voluntary sector in place. Councillor Bridgman explained that it had taken time to get funds in place. Councillor Pattenden also noted the low participation in the consultation and queried what measures had been taken to ensure the proposals were meeting the needs of all the voluntary organisations in West Berkshire. Councillor Bridgman accepted the participation percentage was low but noted that a few responses from large organisations could be considered a good representation if those few represented a large portion of the sector and so the raw percentage participation could be misleading. He also stated that there was no way to force participation and it was necessary to work with the responses received. He felt sufficient engagement was received to produce a useful proposal and hoped that more groups would engage as the public became more aware of the proposals.

Councillor Jo Stewart added her experience over the last few months from being on the Mental Health Action Group of the importance of the voluntary sector. She understood concerns about the engagement with the consultation but noted how closely the Council had worked with those groups which did engage to produce proposals which met their needs.

RESOLVED that:

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- a) The Council would provide specialist safeguarding support and an awareness raising programme to support the VCS in West Berkshire (as set out in paragraphs 6.12 - 6.13 of the Report).
- b) "General VCS Support" would be procured in West Berkshire to include support for voluntary organisations and community groups in fund raising, business management, organisational development, sector communication, advocacy and networking.
- c) A contribution would be provided to the Volunteer Centre West Berkshire to facilitate volunteer brokerage amongst the VCS in West Berkshire (as set out in paragraph 6.11 of the Report).

36. **SEMH/Autism Secondary Resource Provision - Consultation (EX4089)**

The Executive considered a report (Agenda item 8) which proposed: (1) the transfer of the former primary school site in Theale (the former site) to WBC from the Oxford Diocese Trustees (the Diocese) and (2) the long term future use of the Site as the location of a provision for secondary aged children with SEMH/ASD needs.

Councillor Dominic Boeck noted the opening of two new primary schools at the start of the current academic year, Highwood Copse and Theale Primary. He also outlined the benefits of creating additional local SEMH and Autism provision at the old Theale Primary School site in terms of costs and quality of provision.

Councillor Erik Pattenden was happy to support the proposal as there was a clear need for the additional provision. However, he wanted to know why it had taken so long to develop proposals and why the Council had waited until there was a vacant school property to make use of. Councillor Boeck explained that suitable premises were hard to come by and creating them from scratch was far more costly than reusing something which was already there.

Councillor Alan Macro was also in favour of the proposals as there was a clear need and some students had long journeys out of the area to get the support they needed. He asked that the existing modular buildings, which were nearing the end of their planning permission, be taken out of use in the near future. Councillor Boeck said that he would pass on the request to officers to ensure it was expedited when the project moved forward. Councillor Macro also asked that local social groups such as the Holy Trinity Church continue to be allowed to use the site for social events as they were important to the local community. Councillor Boeck thought it likely that it would not be possible to use the site during its development and was not certain that it would remain a suitable site for social events once the development was completed. He agreed to look into whether it would be possible.

Councillor Lee Dillon noted that one of the options in the report involved the company he worked for but had not declared the interest as it was not the option favoured by the Executive and so unlikely to be taken up. He agreed that it was beneficial to have provision within the district but was concerned that due to the geography of the West Berkshire area, students living close to the borders might find the journey to the new site longer than when they were travelling out of the area and so wanted to know what percentage of students might have longer journeys. Councillor Boeck pointed out that SEN children have very individual needs and so distance was not always the deciding factor when deciding which facility was best for each student. Some students might not be able to get the right support at the closest site. Councillor Dillon also asked if there would be capacity to sell places to other authorities. Councillor Boeck said that it was not a part of the current funding model but they were always open to new opportunities.

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Councillor Owen Jeffrey expressed his support for the proposals but also his disappointment that it had not been put in place sooner. Councillor Doherty pointed out that there were already similar existing facilities, such as Engaging Potential and that the demand for SEN provision had outgrown what was already in place rather than there having been no investment in provision prior to the new proposal.

Councillor Jo Stewart was pleased to see such support for the proposals. She noted the additional value of having good SEN provision for young adults as it would put them in a better position to be ready to transition successfully to Adult Social Care, if they needed it, later on.

Recommendations (Vote to be taken in Part 2):

It was recommended that the Executive resolve to delegate to the Service Director for Strategy and Governance, in consultation with the Head of Finance & Property and the Head of Education, having first consulted the Executive Portfolio Holder for Children, Young People and Education and the Executive Portfolio Holder for Finance and Economic Development to enter into appropriate legal documentation for the acquisition of the former site from the Diocese, subject to agreement and for the purposes described below:

- a) Subject to transfer of the former site to WBC, the site be allocated for the purposes of a provision for secondary aged children with SEMH/ASD needs.
- b) That the SEMH/ASD be the primary and sole purpose for the former site, but the design development ensure efficient use of the former site.

37. **Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities) Contract Award Report (EX4111)**

The Executive considered a report (Agenda item 9) which proposed to award the contract for the supply/provision of Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities) following a tender process.

Councillor Graham Bridgman explained that this contract was brought to Executive due to the levels of expenditure involved. He also pointed out an amendment to the Part 1 report; there was mention of an Appendix C document to follow but it had subsequently been decided that this was not needed.

Councillor Alan Macro asked for assurance that, as the contract included other authorities, there would not be issues in the future similar to those being experienced by the JPPC with Wokingham's exit. Councillor Bridgman explained that the relationships between local health trusts were different to those between local authorities and that similar issues were unlikely.

Councillor Macro also sought reassurance that the Council was happy with the performance of the current contract holder before offering them this new contract. Councillor Bridgman felt that these were questions for Part 2.

Councillor Macro pointed to examples of the service not meeting expectations for some families. Councillor Bridgman did not have the necessary details to answer the question but committed to following this up and working with officers to provide an answer.

Councillor Macro noted the bid documents mentioned "local authority specific elements" of the service and he asked for clarification of what these were for West Berkshire Council. Councillor Bridgman did not have the details of those elements to hand but committed to finding out and providing a response in writing after the meeting.

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Councillor Carolyne Culver queried why this contract was being put through the West Berkshire Council procurement process rather than being handled by the NHS and how much time and money was being spent on the tendering process rather than funds going to front line services. Councillor Bridgman explained that local authorities were responsible for the provision of some public health services; many of which were funded via grants which must be used for public health purposes. The services were commissioned jointly through the Berkshire West Clinical Commissioning Group but it was essentially a local authority function. Councillor Bridgman also noted that any contract would be required to go through a tendering process regardless of whether it happened at local government level, national government level or within the NHS so there was no way of avoiding some funds being spent on that process somewhere to ensure the contract provided value for money.

Councillor Richard Somner noted that not all providers could provide the same service and the tendering process was also about finding a provider who could meet the specific needs of the contract.

Recommendations (Vote to be taken in Part 2):

- 1) To award the contract for the provision of Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities) to the successful bidder
- 2) To delegate authority to Service Director Communities and Wellbeing to award the contract for the provision of Public Health Nursing Service 0-19 (up to 25 years) services to the successful bidder in consultation with the Head of Finance and the Portfolio holder for Public Health and Wellbeing
- 3) To delegate authority to the Service Lead Legal & Democratic Services in consultation to finalise the terms of the agreement as set out in the tender documents and to make any necessary drafting or other amendments to the terms of the agreement which are necessary to reach final agreement but do not materially affect the intent and substance of the agreement.

38. 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) A question standing in the name of Councillor Jeff Beck on the subject of the Zero Carbon Tour was answered by the Portfolio Holder for Environment and Waste.
- b) A question standing in the name of Councillor Claire Rowles on the subject of the Health & Social Care Levy was answered by the Portfolio Holder for Adult Social Care.
- c) A question standing in the name of Councillor Dennis Benneyworth on the subject of a potential County Deal would receive a written response from the Leader of the Council.
- d) A question standing in the name of Councillor Carolyne Culver on the subject of the use of glyphosate by Council staff and its contractors was answered by the Portfolio Holder for Environment and Waste.
- e) A question standing in the name of Councillor Alan Macro on the subject of air pollution levels on West Berkshire's roads was answered by the Portfolio Holder for Environment and Waste.
- f) The question standing in the name of Councillor Erik Pattenden was withdrawn.

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- g) A question standing in the name of Councillor David Marsh on the subject of the impact of the new Highwood Copse Primary School on pupil numbers in existing local schools was answered by the Portfolio Holder for Children, Young People and Education.
- h) A question standing in the name of Councillor Steve Masters on the subject of the Property Investment Fund was answered by the Portfolio Holder for Finance and Economic Development.
- i) A question standing in the name of Councillor Claire Rowles on the subject of the Holiday Activities and Food Programme was answered by the Portfolio Holder for Children, Young People and Education.
- j) A question standing in the name of Councillor David Marsh on the subject of the impact of the new Highwood Copse Primary School on the budgets of existing local schools was answered by the Portfolio Holder for Children, Young People and Education.
- k) A question standing in the name of Councillor Steve Masters on the subject of improving energy efficiency in social housing was answered by the Portfolio Holder for Housing, Strategic Partnerships and Transformation.
- l) A question standing in the name of Councillor David Marsh on the subject of the necessity of the new Highwood Copse Primary School was answered by the Portfolio Holder for Children, Young People and Education.
- m) A question standing in the name of Councillor Steve Masters on the subject of the Council's Joint Venture with Sovereign Housing was answered by the Portfolio Holder for Housing, Strategic Partnerships and Transformation.
- n) A question standing in the name of Councillor David Marsh on the subject of the absence of solar panels on the new roof at the John Rankin School was answered by the Portfolio Holder for Finance and Economic Development.
- o) A question standing in the name of Councillor David Marsh on the subject of promoting active travel was answered by the Leader of the Council.

39. **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(s) * 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](#).

40. **SEMH/Autism Secondary Resource Provision - Consultation (EX4089)**

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

The Executive considered an exempt report (Agenda Item 12) concerning SEMH/ Autism Secondary Resource provision. The report proposed (1) the transfer of the former primary school site in Theale (the former site) to WBC from the Oxford Diocese Trustees (the Diocese) and (2) the long term future use of the Site as the location of a provision to meet the needs of secondary aged children with SEMH and ASD needs.

RESOLVED that the recommendations in the exempt report be agreed.

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41. Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities) Contract Award Report (EX4111)

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

The Executive considered an exempt report (Agenda Item 13) to award the contract for the supply/provision of Public Health Nursing Service 0-19 (up to 25 years for young people with special educational needs and disabilities) following a tender process.

RESOLVED that the recommendations in the exempt report be agreed.

(The meeting commenced at 5.00pm and closed at 7.00pm)

CHAIRMAN

Date of Signature