Individual Executive Member Decision

West Berkshire Council Forward Plan 30 December 2021 – 30 April 2022

Committee considering report:	Individual Executive Member Decision
Date ID to be signed:	25 November 2021
Portfolio Member:	Councillor Lynne Doherty
Forward Plan Ref:	ID4081

1. Purpose of the Report

1.1 To advise Members and residents of items to be considered by West Berkshire Council over the next four months.

2. Recommendation

2.1 That the Leader of the Council agrees and where appropriate amends the West Berkshire Council Forward Plan.

3. Implications

3.1	**Financial:**	The Forward Plan has no financial implications.
3.2	**Policy:**	The Forward Plan details the Policies to be adopted by West Berkshire Council.
3.3	**Personnel:**	The Forward Plan has no personnel implications.
3.4	**Legal:**	The Forward Plan has no legal implications.
3.5	**Risk Management:**	The Forward Plan has no risk management implications.
3.6	**Property:**	The Forward Plan has no property implications.
3.7	**Other:**	Not applicable.

4. Consultation Responses

Members:

Leader of Council:	Councillor Lynne Doherty
Overview & Scrutiny Management Commission Chairman:	Councillor Alan Law at Overview and Scrutiny Management Commission meetings.
Ward Members:	All Members

Opposition Spokesperson:	Councillor Lee Dillon at Overview and Scrutiny Management Commission meetings.
Local Stakeholders:	The West Berkshire Forward Plan will be published the first working day after the Individual Decision is signed.
Officers Consulted:	Nigel Lynn, Sue Halliwell, Joseph Holmes, Andy Sharp, Service Directors, Heads of Service, Group Executives.
Trade Union:	Not sought.

5. Other options considered

5.1 Not applicable.

6. Introduction/Background

6.1 West Berkshire Council's Forward Plan, which is published monthly, sets out the key decisions that the Executive (either collectively or by Individual Executive Members) are expected to take over the next four months.

6.2 Key decisions are defined by the Government (Regulation 8 of the Local Authorities (Executive Arrangements) (Access to Information)(England) Regulations 2001) as:

(1) Those which result in the Local Authority incurring expenditure which is, or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which the decision is related.

(2) Those which are significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Local Authority.

6.3 The introduction of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in September 2012 included a requirement to publish 28 clear days' notice of any intended key decision. It should be noted that "clear days" means working days, from midnight to midnight, and excludes weekends and public holidays, so 28 clear days equates to around 5½ normal weeks.

6.4 On occasions, however, situations may arise where an urgent decision needs to be made in respect of an item that does not appear on the Forward Plan. There are two different ways in which this can be done:

(i) the authority can take an urgent key decision without giving 28 days' notice where it is impracticable to give the full notice, provided that the authority gives at least five days' clear notice to all Members of the Overview and Scrutiny Management Commission, which can then call in the decision to check that it was genuinely urgent; or

(ii) where a key decision is so urgent there is not even time to give five clear days' notice, the authority can take the decision if the Chairman of the Overview and

Scrutiny Management Commission has agreed that the key decision is urgent and cannot reasonably be deferred.

6.5 In addition The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 introduced an entirely new requirement for the Council to publish 28 clear days' notice of the intention to hold a private meeting (or part of a meeting) of the Executive. This 28 day notice must be reinforced by a five day notice which sets out the reasons for the meeting to be held in private, details of any propositions received as to why the meeting should be open, and the Council's response. The response will be provided by the Monitoring Officer. The regulations again provide for an urgency procedure, under which the Council can decide the matter with shorter than 28 or five days' notice, provided that it has first obtained the consent of the Chairman of the Overview and Scrutiny Management Commission.

7. Supporting Information

7.1 Details of decisions that Full Council, the Governance and Ethics Committee, Licensing Committee, Overview and Scrutiny Management Commission and the Personnel Committee are going to take are also included for ease of reference. It should, however, be noted that the 2012 Regulations only apply to Executive meetings.

7.2 Publication of the Forward Plan remains a statutory requirement of the Local Authority. The Forward Plan, any General Exception Decision Notices and Notices of Private Decisions have to be available for inspection and also have to be published on the Council's website.

8. Conclusion

Publication of the Forward Plan is a statutory requirement and the Forward Plan for the period 30 December 2021 to 30 April 2022 is presented to the Leader of the Council for final sign off. It will be published on the Council's website.

9. Appendices

Appendix A – Data Protection Impact Assessment – Stage One

Appendix B - Equalities Impact Assessment – Stage One

Appendix C – West Berkshire Council Forward Plan – 30 December 2021 to 30 April 2022

Subject to Call-In:

Yes: ☐ No: ☒

The item is due to be referred to Council for final approval	☐
Delays in implementation could have serious financial implications for the Council	☐
Delays in implementation could compromise the Council's position	☐
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	☒
Item is Urgent Key Decision	☐

Report is to note only ☐

Officer details:

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Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Resources
Service:	Strategy and Governance
Team:	Democratic Services
Lead Officer:	Stephen Chard
Title of Project/System:	Forward Plan
Date of Assessment:	24 November 2021

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
Will you be processing SENSITIVE or "special category" personal data? Note – sensitive personal data is described as "*data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation*"	☐	☒
Will you be processing data on a large scale? Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both	☐	☒
Will your project or system have a "social media" dimension? Note – will it have an interactive element which allows users to communicate directly with one another?	☐	☒
Will any decisions be automated? Note – does your system or process involve circumstances where an individual's input is "scored" or assessed without intervention/review/checking by a human being? Will there be any "profiling" of data subjects?	☐	☒
Will your project/system involve CCTV or monitoring of an area accessible to the public?	☐	☒
Will you be using the data you collect to match or cross-reference against another existing set of data?	☐	☒
Will you be using any novel, or technologically advanced systems or processes? Note – this could include biometrics, "internet of things" connectivity or anything that is currently not widely utilised	☐	☒

If you answer "Yes" to any of the above, you will probably need to complete Data Protection Impact Assessment - Stage Two. If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

We need to ensure that our strategies, polices, functions and services, current and proposed have given due regard to equality and diversity.

Please complete the following questions to determine whether a Stage Two, Equality Impact Assessment is required.

Name of policy, strategy or function:	Forward Plan
Version and release date of item (if applicable):	
Owner of item being assessed:	Stephen Chard
Name of assessor:	Vicki Yull
Date of assessment:	24 November 2021

Is this a:		**Is this:**	
Policy	No	**New or proposed**	No
Strategy	No	**Already exists and is being reviewed**	No
Function	No	**Is changing**	No
Service	No		

1 What are the main aims, objectives and intended outcomes of the policy, strategy function or service and who is likely to benefit from it?	
Aims:	
Objectives:	
Outcomes:	
Benefits:	

2 Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

Group Affected	**What might be the effect?**	**Information to support this.**

None		
Further Comments relating to the item:		

3 Result	
Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage 2 Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

4 Identify next steps as appropriate:	
Stage Two required	
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	
Stage Two not required:	Yes

Name: Stephen Chard **Date: 24 November 2021**

Please now forward this completed form to Pamela Voss, the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.