

Notice of Meeting



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Executive

Thursday 14 February 2019 at 5.00pm

**in the Council Chamber, Council Offices,
Market Street, Newbury**

Note: The Council broadcasts some of its meetings on the internet, known as webcasting. If this meeting is webcast, please note that any speakers addressing this meeting could be filmed. If you are speaking at a meeting and do not wish to be filmed, please notify the Chairman before the meeting takes place. Please note however that you will be audio-recorded.

Date of despatch of Agenda: Wednesday 6 February 2019

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Democratic Services Team on (01635) 519462

e-mail: executivecycle@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



WestBerkshire
C O U N C I L

To:	Councillors Dominic Boeck, Graham Bridgman, Anthony Chadley, Jeanette Clifford, Hilary Cole, Lynne Doherty, James Fredrickson, Graham Jones, Rick Jones and Richard Somner
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Agenda

Part I

Pages

1. **Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 9 - 14
To approve as a correct record the Minutes of the meeting of the Executive held on 17 January 2019.
3. **Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
4. **Public Questions**
Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution.
 - (a) **Question submitted by Miss Louise Harriet Coulson to the Portfolio Holder for Finance, Transformation and Property**
"Can you tell me precisely how the council has invested their pension's fund?"
 - (b) **Question submitted by Miss Louise Harriet Coulson to the Portfolio Holder for Finance, Transformation and Property**
"Does the Council have shares in any companies that are in any way connected to weapons manufacturers or tobacco companies?"
 - (c) **Question submitted by Miss Louise Harriet Coulson to the Portfolio Holder for Planning, Housing and Waste**
"Can you assure me that the Council, when making provisions for SWEP, have taken into account the homeless in West Berkshire with no local connection but valid reasons for not wanting to return to their local area, i.e domestic abuse and other such issues?"



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- (d) **Question submitted by Mr Joseph Clarke to the Portfolio Holder for Planning, Housing and Waste**
“Can you tell me the difference that the MEAM (Making Every Adult Matter) approach has made to the lives of the most vulnerable rough sleepers in West Berkshire, since the MEAM partnership became operational a year ago?”
-
- (e) **Question submitted by Mr Peter Carline to the Portfolio Holder for Finance, Transformation and Property**
“Could you tell me what ‘the benefits of Brexit’ are that the Council and Councillors have referred to in previous correspondence with me?”
-
- (f) **Question submitted by Ms Helen Picken to the Portfolio Holder for Children, Education and Young People**
“In light of the national coverage regarding increases in demand and spend in Children's Social Care can you tell me what this Council is doing to manage the situation?”
-
- (g) **Question submitted by Mr Frazer Dobson to the Portfolio Holder for Finance, Transformation and Property**
“Given that the Council consulted on other funding reductions why did the Council not include the cut in funding to the Corn Exchange in its 2019/20 budget consultation?”
-
- (h) **Question submitted by Ms Susan Millington to the Portfolio Holder for Planning, Housing and Waste**
“In the light of the Government's recent Resources and Waste Strategy commitment to recommend that local authorities provide weekly collection of food waste and free garden waste collection (in order to reduce greenhouse gas emissions from landfill), will West Berkshire Council please reconsider its Green Bin charge?”
-
- (i) **Question submitted by Ms Carlyne Culver to the Portfolio Holder for Planning, Housing and Waste**
“Bearing in mind the confusion regarding which items can be recycled at the kerbside, would the Council consider providing bin stickers as a constant reminder for residents?”
-
- (j) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Planning, Housing and Waste**
“Why hasn't any portion of the £210,000 rough sleeper initiative fund gone to any of the voluntary organisations involved in the winter plan?”
-
- (k) **Question submitted by Mr Thomas Tunney to the Portfolio Holder for Planning, Housing and Waste**
“What shortfall of beds have you asked West Berkshire homeless to cover?”
-



Agenda - Executive to be held on Thursday, 14 February 2019 (continued)

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

“Why did West Berkshire Council ignore feedback and advice from the voluntary sector about rough sleeper numbers and actively block the opening of a shelter in December and ensure that the rough sleepers spent another month on the streets?”

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

“With a significant full council next month, what arrangements will executive put in place to ensure the public including people with disabilities is able to engage fully with proceedings?”

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

“Can Executive please describe how confident it is that it is fully compliant in its legal and ethical duties to members of the public and vulnerable groups, when commissioning, conducting or collaborating in research in its broadest sense, including consultations and ‘customer surveys’?”

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

“What was the cost of collecting fly tipped waste in the third quarter of 2018/19 compared with the third quarter of 2017/18?”

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

“As Councillor Fredrickson committed publicly in June 2018 that West Berks Council would re-open the Community Football Ground in Faraday Road in September 2018 can the Council explain why this vital community asset is still closed to the public and when it intends to make it available”

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

“How many additional beds have been provisioned and filled (nightly average) at Two Saints since 1st November 2018?”

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

“In light of the recent LGA press release regarding the £8billion local council funding ‘black hole’, is West Berkshire Council anticipating further reductions to local services over the next 4-8 years?”



Agenda - Executive to be held on Thursday, 14 February 2019 (continued)

5. **Petitions**

Councillors or Members of the public may present any petition which they have received. These will normally be referred to the appropriate Committee without discussion.

Items as timetabled in the Forward Plan

	Pages
6. Investment and Borrowing Strategy 2019/20 (C3613) (CSP: MEC & MEC1) Purpose: In compliance with the Local Government Act 2003, this report summarises the Council's borrowing limits as set out by CIPFA's Prudential Code and recommends the Annual Investment and Borrowing Strategy for 2019/20.	15 - 24
7. Medium Term Financial Strategy 2019/20 to 2021/22 (C3614) (CSP: MEC & MEC1) Purpose: To agree the medium term financial planning and strategy for the organisation.	25 - 36
8. Capital Strategy and Programme 2019/20 to 2021/22 (C3615) (CSP: BEC, SLE, P&S, HQL, MEC, BEC1, BEC2, SLE2, P&S1, HQL1, MEC1) Purpose: To outline the three year Capital Strategy for 2019 to 2022, including the Minimum Revenue Provision (MRP) and to set out the funding framework for the Council's three year Capital Programme for 2019 to 2022.	37 - 46
9. Revenue Budget 2019/20 (C3616) (CSP: BEC, SLE, P&S, HQL, MEC, BEC1, BEC2, SLE1, SLE2, P&S1, HQL1, MEC1) Purpose: To consider and recommend to Council the 2019/20 Revenue Budget, which proposes a Council Tax requirement of £97.87m requiring a Council Tax increase of 2.99% in 2019/20. The Council Tax increase will raise £2.84m. The report also proposes the Fees and Charges for 2019/20 as set out in Appendix H and the Parish Expenses as set out in Appendix I and recommends the level of General Reserves as set out in Appendix F and Appendix G.	47 - 56
10. Revenue Financial Performance Report - Q3 of 2018/19 (EX3563) (CSP: MEC & MEC1) Purpose: To inform Members of the latest revenue financial performance for 2018/19.	57 - 60



Agenda - Executive to be held on Thursday, 14 February 2019 (continued)

11. **Capital Financial Performance Report - Q3 of 2018/19 (EX3593)** 61 - 70
(CSP: MEC & MEC1)
Purpose: To inform Members of the progress with major capital schemes, particularly those considered to be high risk, and forecast spend against the 2019/19 approved capital budget.
-
12. **Final Schools Funding Formula 2019/20 (EX3681)** 71 - 80
Purpose: To agree the school funding formula for primary and secondary schools for 2019/20.
-
13. **Business Rates Discretionary Rate Relief Policy (EX3677)** 81 - 90
(CSP: MEC & MEC1)
Purpose: To update the approach for awarding the new 2017 Discretionary Rate Relief for 2018/19 and 2019/20.
-
14. **Members' Questions**
Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.
- (a) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Planning, Housing and Waste**
"Could the portfolio holder outline what the Council's current position is regarding the potential major development at Grazeley and are any joint bids being considered?"
-
- (b) **Question submitted by Councillor Jeff Brooks to the Portfolio Holder for Highways and Transport, Environment and Countryside**
"What recompense will the Council be expecting from SSE following the Parkway roadworks shambles?"
-
- (c) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Highways and Transport, Environment and Countryside**
"What does the Council do to monitor traffic flow at roadworks at weekends?"
-
- (d) **Question submitted by Councillor Jeff Brooks to the Portfolio Holder for Children, Education and Young People**
"When will the Council commit to reopening the important youth facility at Waterside?"
-
- (e) **Question submitted by Councillor Lee Dillon to the Portfolio Holder for Planning, Housing and Waste**
"Given that the LRIE project was last marked as being red on the last quarterly performance report, what is the Council doing to get it back on track?"
-



-
- (f) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Highways and Transport, Environment and Countryside**
“Will the Council consider adding priority footpaths to the gritting schedule given the recent weather conditions?”
-
- (g) **Question submitted by Councillor Lee Dillon to the Portfolio Holder for Finance, Transformation and Property**
“When did the Council last carry out a full review of the £14.3 million it has in reserves?”
-

Andy Day
Head of Strategic Support

West Berkshire Council Strategy Aims and Priorities

Council Strategy Aims:

- BEC** – Better educated communities
- SLE** – A stronger local economy
- P&S** – Protect and support those who need it
- HQL** – Maintain a high quality of life within our communities
- MEC** – Become an even more effective Council

Council Strategy Priorities:

- BEC1** – Improve educational attainment
- BEC2** – Close the educational attainment gap
- SLE1** – Enable the completion of more affordable housing
- SLE2** – Deliver or enable key infrastructure improvements in relation to roads, rail, flood prevention, regeneration and the digital economy
- P&S1** – Good at safeguarding children and vulnerable adults
- HQL1** – Support communities to do more to help themselves
- MEC1** – Become an even more effective Council

If you require this information in a different format or translation, please contact
Moira Fraser on telephone (01635) 519045.



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DRAFT

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

EXECUTIVE

MINUTES OF THE MEETING HELD ON THURSDAY, 17 JANUARY 2019

Councillors Present: Dominic Boeck, Graham Bridgman, Anthony Chadley, Hilary Cole, James Fredrickson, Rick Jones and Richard Somner

Also Present: John Ashworth (Corporate Director - Environment), Sarah Clarke (Head of Legal Services), Tess Ethelston (Group Executive (Cons)), Tandra Forster (Head of Adult Social Care), Councillor Jeff Brooks, Councillor Lee Dillon, Councillor Mollie Lock, Councillor Alan Macro, Jo Reeves (Principal Policy Officer) and Councillor Quentin Webb

Apologies for inability to attend the meeting: Nick Carter, Councillor Jeanette Clifford, Councillor Lynne Doherty and Councillor Graham Jones

PART I

73. Minutes

The Minutes of the meeting held on 20 December 2018 were approved as a true and correct record and signed by the Deputy Leader.

74. Declarations of Interest

Councillor Graham Bridgman declared an interest in Agenda Item 4(n) by virtue of the fact that the public questioner was a personal friend, 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 meeting.

75. 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 Adrian Abbs to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mr Adrian Abbs on the subject of the determination of the applications for the Sandford development was answered by the Executive Member for Planning, Housing and Waste.

(b) **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 the income from the green waste charge was answered by the Executive Member for Planning, Housing and Waste.

(c) **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 the Council's requirements for developments to be zero carbon was answered by the Executive Member for Planning, Housing and Waste.

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(d) **Question submitted by Mr Lee McDougall to the Portfolio Holder for Health and Wellbeing, Leisure and Culture**

A question standing in the name of Mr Lee McDougall on the subject of the refurbishment of Newbury football ground was answered by the Executive Member for Health and Wellbeing, Culture and Leisure.

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

A question standing in the name of Mr Lee McDougall on the subject of development of Newbury football ground was answered by the Executive Member for Corporate Services.

(f) **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 retrofitting housing for energy efficiency was answered by the Executive Member for Planning, Housing and Waste.

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

A question standing in the name of Mr Steve Masters on the subject of the area of roofing on Council owned properties was answered by the Executive Member for Finance, Transformation and Property.

(h) **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 learning from the deal with St Modwens was answered by the Executive Member for Corporate Services.

(i) **Question submitted by Dr Julie Wintrup to the Deputy Leader of the Council**

A question standing in the name of Dr Julie Wintrup on the subject of spending on an unlawful deal alongside proposed reductions to public health services was answered by the Deputy Leader of the Council.

(j) **Question submitted by Dr Julie Wintrup to the Deputy Leader of the Council**

A question standing in the name of Dr Julie Wintrup on the subject of whether public health service reductions would be necessary had money not been spent on the deal with St Modwen was answered by the Executive Member for Finance, Transformation and Property.

(k) **Question submitted by Mr Steve Masters to the Portfolio Holder for Finance, Transformation and Property**

A question standing in the name of Mr Steve Masters on the subject of use of Council roofing for solar energy generation was answered by the Executive Member for Finance, Transformation and Property.

(l) **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 the prioritisation of pedestrians, cyclists and public transport was answered by the Executive Member for Highways and Transport.

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(m) **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 Jon Stewart on the subject of the stand formerly at Newbury football ground was answered by the Executive Member for Health and Wellbeing, Culture and Leisure.

(n) **Question submitted by Mr Jason Braidwood to the Portfolio Holder for Health and Wellbeing, Leisure and Culture**

A question standing in the name of Mr Jason Braithwaite on the subject of the Playing Pitch Strategy was answered by the Executive Member for Health and Wellbeing, Culture and Leisure.

(o) **Question submitted by Mr Steve Masters to the Portfolio Holder for Community Resilience and Partnerships**

A question standing in the name of Mr Steve Masters on the subject of West Berkshire's CO2 emissions per capita was answered by the Executive Member for Community Resilience and Partnerships.

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

A question standing in the name of Mr Paul Morgan on the subject of who will be responsible for the governance of contract awards was answered by the Executive Member for Corporate Services.

(q) **Question submitted by Mr Paul Morgan to the Portfolio Holder for Health and Wellbeing, Leisure and Culture**

A question standing in the name of Mr Paul Morgan on the subject of a request to allow Newbury Community Football Group to run the football ground until the determination of relevant planning applications was answered by the Executive Member for Health and Wellbeing, Leisure and Culture.

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

A question standing in the name of Mr Tom Tunney on the subject of the number of rough sleepers was answered by the Executive Member for Planning, Housing and Waste.

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

A question standing in the name of Mr Tom Tunney on the subject of the projects funded by the Rough Sleepers Initiative funding was answered by the Executive Member for Planning, Housing and Waste.

(t) **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 on the subject of the homeless encampment was answered by the Executive Member for Planning, Housing and Waste.

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(u) **Question submitted by Mrs Amey Tunney to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mrs Amey Tunney on the subject of waste sent to landfill was answered by the Executive Member for Planning, Housing and Waste.

(v) **Question submitted by Mrs Amey Tunney to the Portfolio Holder for Planning, Housing and Waste**

A question standing in the name of Mrs Amey Tunney on the subject of plastic recycling was answered by the Executive Member for Planning, Housing and Waste.

76. **Petitions**

Steve Masters presented a petition containing over 1700 signatures concerning a request for the Council to declare a climate emergency and work towards West Berkshire becoming net zero carbon by 2030.

In presenting the petition, Steve Masters advised that the community had got behind the campaign to place West Berkshire at the heart of fighting the 'impending climate disaster'. Recent reports from the world's leading scientists had shown that the UK was failing on a national and international level to meet the targets agreed in the Paris accord.

In November 2018 Bristol City Council voted to declare a climate emergency and bring Bristol's CO2 emissions target forward by 20 years; West Berkshire was urged to do the same. He stated that declaring a climate emergency would be the first step and requested that a dedicated executive portfolio should be created to coordinate the Council's actions around climate change.

Transport was the UK's most polluting sector and in Newbury congestion at peak times contributed to carbon emissions. A fully integrated and sustainable public transport network were central to the transport needs of West Berkshire.

It would be essential to engage with businesses to reach the 2030 goal and there was more to be done to ensure buildings were energy efficient. He called upon the Council to declare a 'Climate Emergency'.

Councillor Hilary Cole accepted the petition on behalf of the Executive.

77. **Devolution of Moorside Community Centre (EX3608)**

This item was withdrawn from the agenda prior to the meeting.

78. **Members' Questions**

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

(a) **Question submitted by Councillor Lee Dillon to the Deputy Leader of the Council**

A question standing in the name of Councillor Lee Dillon on the subject of the London Road Industrial Estate investigation was answered by the Deputy Leader of the Council.

(b) **Question submitted by Councillor Lee Dillon to the Deputy Leader of the Council**

A question standing in the name of Councillor Lee Dillon on the subject of Brexit was answered by the Deputy Leader of the Council.

EXECUTIVE - 17 JANUARY 2019 - MINUTES

(The meeting commenced at 5.00pm and closed at 5.45pm)

CHAIRMAN

Date of Signature

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Investment and Borrowing Strategy 2019/20

Committee considering report:	Executive on 14 February 2019 Council on 5 March 2019
Portfolio Member:	Councillor Anthony Chadley
Date Portfolio Member agreed report:	24 January 2019
Report Author:	Shannon Coleman-Slaughter
Forward Plan Ref:	C3613

1. Purpose of the Report

- 1.1 In compliance with The Local Government Act 2003, this report summarises the Council's borrowing limits as set out by CIPFA's Prudential Code, and recommends the Annual Investment and Borrowing Strategy for 2019/20

2. Recommendation

- 2.1 In compliance with The Local Government Act 2003, this report summarises the Council's borrowing limits as set out by CIPFA's Prudential Code, and recommends the Annual Investment and Borrowing Strategy for 2019/20.

3. Implications

- 3.1 **Financial:** Investment Income and Debt Charges form part of the Council's Medium Term Financial Strategy (MTFS).
The Council's borrowing limits are proposed to be increased by £5 million in total over the next three years to allow for additional borrowing to fund proposed capital investment in line with the Capital Strategy and Programme.
- 3.2 **Policy:** The Investment and Borrowing Strategy is closely related to the Capital Strategy, as it governs the criteria for borrowing to fund capital spending.
This strategy is also closely linked to the Council's Property Investment Strategy. The Property Investment Strategy which operates different criteria for investment from those proposed in this report, which relate only to cash investments. However the borrowing strategy set out in this report also applies to borrowing which may be undertaken to fund investment in property.
- 3.3 **Personnel:** None
- 3.4 **Legal:** The Investment and Borrowing Strategy for the new financial year is in accordance with the Local Government Act 2003 and CIPFA's Prudential Code and Code of Practice for Treasury Management

3.5 **Risk Management:** The policy is intended to ensure that all borrowing and investment is undertaken with a view to minimising risk and exposure to financial loss.

3.6 **Property:** None

3.7 **Other:** None

4. **Other options considered**

4.1 Not applicable

Executive Summary

5. Introduction / Background

- 5.1 This report sets out the framework within which the Treasury Management Team will conduct the Council's investments and borrowing for the forthcoming financial year. It recommends prudential limits for investments in 2019/20 and borrowing limits for the next three years. It also provides a forecast of the Council's long term borrowing requirements.

6. Proposals

- 6.1 The report recommends prudential limits for exposure to borrowing at fixed and variable rates of interest, the maturity structure of borrowing and the types and minimum credit ratings for institutions with which the Council will invest its funds.
- 6.2 No increase is required in the Council's maximum borrowing limit in 2019/20, because the amount now expected to be borrowed in 2018/19 is lower than was expected when the 2018/19 borrowing limits were set. However it is proposed to increase the borrowing limit for 2020/21 by £3 million, to allow for planned new borrowing of £10 million to fund capital expenditure less £7 million scheduled debt repayments. The borrowing limit for 2021/22 is also proposed to be increased by a further £2 million to allow for £9 million to fund capital expenditure less £7 million scheduled debt repayments.

7. Conclusion

- 7.1 The strategy sets the underlying principles by which the Council's annual investment and borrowing activity will be managed for the 2019/20 financial year. The implementation of this strategy will be reviewed during the coming financial year by the Treasury Management Group of officers and members.
- 7.2 A report on the actual performance of the Treasury Team in managing the Council's loans and investments for the whole of 2018/19 will be brought to Executive after the end of this financial year.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Detailed Investment & Borrowing Strategy 2019/20

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:	Finance & Property
Team:	Accountancy
Lead Officer:	Andy walker
Title of Project/System:	Not applicable
Date of Assessment:	21.1.19

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

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p><i>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”</i></p>	<input type="checkbox"/>	X
<p>Will you be processing data on a large scale?</p> <p><i>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</i></p>	<input type="checkbox"/>	X
<p>Will your project or system have a “social media” dimension?</p> <p><i>Note – will it have an interactive element which allows users to communicate directly with one another?</i></p>	<input type="checkbox"/>	X
<p>Will any decisions be automated?</p> <p><i>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?</i></p>	<input type="checkbox"/>	X
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	X
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	X
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p><i>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</i></p>	<input type="checkbox"/>	X

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, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	Approve the Investment & Borrowing Strategy for 2019/20.
Summary of relevant legislation:	Referred to in report
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Shannon Coleman-Slaughter
Date of assessment:	21.1.19

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

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To set policies and parameters for investment and borrowing carried out by the council
Objectives:	To maximise returns on investments while minimising risk and ensuring availability of sufficient funds a day to day basis to support the Council's business; to ensure that borrowing undertaken by the Council is affordable, controlled and for appropriate purposes.
Outcomes:	Income earned to support the Council's revenue budget; Council cash balances protected; sufficient funds are available for the Council's day to day activities and for investment in capital assets.
Benefits:	Effective treasury management supports the achievement of all the Council's service objectives

<p>2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</p> <p>(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.)</p>

Group Affected	What might be the effect?	Information to support this
Age	No service users are directly affected by this strategy	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		

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

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 Two 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	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Shannon Coleman-Slaughter

Date: 21.1.19

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

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Medium Term Financial Strategy 2019/20 to 2021/22

Committee considering report:	Executive on 14 February 2019 Council on 5 March 2019
Portfolio Member:	Councillor Anthony Chadley
Date Portfolio Member agreed report:	24 January 2019
Report Author:	Andy Walker/Melanie Ellis
Forward Plan Ref:	C3614

1. Purpose of the Report

- 1.1 The Medium Term Financial Strategy (MTFS) is a rolling three year strategy which is built to ensure that the financial resources, both revenue and capital, are 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.
- 1.2 The aim of the MTFS is to:
- (1) Allocate our available resources focussing on those determined as most critical in supporting our priorities and statutory responsibilities
 - (2) Ensure that capital investment is affordable; and
 - (3) Ensure that the Council has sufficient levels of reserves.

2. Recommendation

- 2.1 That Executive recommends to Council to approve and adopt the Medium Term Financial Strategy 2019/20 to 2021/22.

3. Implications

- 3.1 **Financial:** Over the three year period, the MTFS allocates approximately £400 million of Council revenue resources and £68 million of Council capital resources.
- 3.2 **Policy:** The MTFS is aligned directly to the Council Strategy and the Capital Strategy.
- 3.3 **Personnel:** The Council's establishment is funded from the Revenue Budget and Capital Programme. Any reductions in budget could impact on personnel.
- 3.4 **Legal:** None
- 3.5 **Risk Management:** The MTFS is designed to minimise the financial risks to the delivery of the Council Strategy by providing a clear picture of the resources available and allowing the Council to focus on its priorities.

3.6 **Property:** The proposed Capital Programme will provide for maintenance and improvements to a number of existing Council buildings. The level of funding available for the proposed programme is partly dependent on final decisions still to be made about the disposal of some Council land and buildings.

3.7 **Other:** None

4. **Other options considered**

4.1 None

Executive Summary

5. Background

- 5.1 In October 2016, West Berkshire Council accepted the Government's offer of a four year funding settlement from 2016/17 to 2019/20. Whilst this settlement committed the Council to a continued reduction in the Revenue Support Grant (RSG), it has provided some financial certainty on which the Council has planned ahead and built other sources of income. Since 2016/17, West Berkshire Council has seen the RSG reduce from £15m to zero.
- 5.2 Local authorities have had to raise funds locally via increases in Council Tax to keep up with increasing costs and reducing Government funding. West Berkshire raised Council Tax by 2% in 2016/17 and 2017/18 and then by 3% in 2018/19, when government raised the threshold. These increases when added to taxbase growth now generate an additional £10m per year. Authorities have been given the opportunity to raise an Adult Social Care (ASC) Precept on Council Tax above the existing threshold with funds ring-fenced to pay for adult social care. West Berkshire Council applied a 2% precept in 2016/17, and 3% in 2017/18 and 2018/19. This now funds £7.3m per year to support adult social care needs in the district.
- 5.3 The Council has faced increased costs from demand led services especially in social care, over and above what can be funded from Council Tax or the ASC Precept. As a result, over the past three years, West Berkshire Council has had to find £24m of revenue savings to balance the budget, which has been achieved through becoming more efficient, making staff reductions, transforming services and generating income.

6. The Provisional 2019/20 Local Government Finance Settlement

- 6.1 The provisional settlement figures were issued on 13 December 2018 with the final settlement due in February 2019. Key points are:
- (1) A collective bid by the six unitary authorities in Berkshire to continue the business rates retention pilot, under a 75% retention scheme, has been approved. Being part of a pilot is estimated to generate additional funding for West Berkshire of approximately £1.75m per year. However, from the £86m we collect in business rates locally, we will still only retain £24m. This is because we pay 25% to central government, and pay a further 48% to central government in the form of a tariff.
 - (2) One-off funding has been announced for 2019/20 to spend on adult social care services to help alleviate winter pressures on the NHS, and a social care grant to improve the local authority social care offer for older people, people with disabilities and children.
 - (3) For Council Tax, a core principle of up to 3% increase was announced. The ASC precept continues, subject to total increases not exceeding 6% between 2017/18 and 2019/20.
 - (4) It has been announced that negative RSG will be eliminated. Negative RSG is the name given to a downward adjustment of a local authority's business rates

tariff, as a consequence of changes to distribution methodology adopted in 2016/17. This has given us a benefit of £1.8m in 2019/20.

- 6.2 2019/20 is the final year of the four year settlement. Beyond this, future funding for local government will be announced as part of the 2019 Spending Review.

7. Funding Gap

- 7.1 Council Tax funds 75% of our revenue budget. The MTFs is built on a 2.99% Council Tax increase in 2019/20 and a 1.99% increase thereafter, tax base growth of 0.2% in 2019/20 and 0.75% thereafter, and a collection rate of 99.6%. The tax base is the number of properties paying Council Tax.
- 7.2 The Council's costs grow each year as a result of inflation, salary increases, changes to National Insurance and pension contributions, and service pressures arising from increased demand and new responsibilities, particularly in social care.
- 7.3 The Council continues to invest in commercial property, and this is scheduled to generated £2m income per year once fully invested, which is equivalent to approximately 2% Council Tax.
- 7.4 The forecast levels of revenue funding over the period of the MTFs, together with provision for forecast budgetary increases, means that West Berkshire Council faces a funding gap of just over £6m each year. This is at an assumed Council Tax increase of 2.99% in 2019/20 followed by 1.99% thereafter.

8. Capital Funding

- 8.1 Capital funding is covered in detail in the Capital Strategy 2019 to 2022. The size of the proposed Capital Programme is determined by the amount which the Council can afford to borrow together with other sources of capital funding including capital receipts, government grants and developers' contributions. The Council funded programme for 2019/20 is £68m. This figure includes £35m planned to be spent on investment property; the borrowing and repayment will be funded from income to be earned from that property. Further detail on Council borrowing is included with the Capital Strategy and Capital Programme 2019/20 – 2021/22.

9. Reserves

- 9.1 The level of usable reserves the Council holds is reviewed as part of the medium term financial planning. The s151 officer (Head of Finance & Property) recommends that the General Reserve is a minimum of 5% of the Council's net revenue expenditure, which for 2019/20 would be £6.55m. Usable reserves are shown in the following table:

Usable Reserves	1.4.2017	1.4.2018	1.4.2019
	Actual	Actual	Estimate
	£m	£m	£m
General Reserve	6.35	6.07	6.55
Earmarked Reserves	12.85	11.37	10.58
Total Usable Reserves	19.20	17.44	17.13

9.2 During 2018/19, earmarked reserves are expected to reduce by £0.8m to fund the forecast revenue over spend, exit costs arising from savings plans, transformation projects and release earmarked reserves.

10. Medium Term Financial Strategy

10.1 The financial strategy to close the funding gap over the medium term will focus on transformation, digitisation and commercialisation projects. The areas of focus that will contribute to closing the funding gap include:

- (1) Financial Challenge – challenging services to identify savings and income generating opportunities.
- (2) New Ways of Working - reviewing how and why we deliver services and looking at how we might deliver them in a more effective and efficient way.
- (3) Demand management - reviewing where the demand on our services actually comes from, who the key users are, what their requirements are and how might we better manage demand or anticipate needs.
- (4) Commercialisation - changing working practices and encouraging a shift in culture to improve the way the Council trades with others.
- (5) Digitisation – creating Digital Capabilities to generate online efficiencies.
- (6) Sharing services and working with partners - with other local authorities, Town and Parish Councils and communities.

10.2 The strategy is aimed at closing the funding gap and bringing financial stability for the future. The three year Medium Term Financial Model is shown below:

2018/19	Line ref		2019/20	2020/21	2021/22
£m			£m	£m	£m
2.99%		Council Tax Increase	2.99%	1.99%	1.99%
3%		ASC Precept	0.00%	0.00%	0.00%
88.05	1a	Council Tax income	90.61	93.10	95.67
6.79	1b	Adult Social Care Precept	7.26	7.46	7.67
0.00	2	Revenue Support Grant	0.00	0.00	0.00
6.01	3a	Adult Social Care BCF and iBCF ringfenced funding	6.22	5.43	5.43
0.31	3b	Social Care Support Grant	0.86	0.00	0.00
0.08	4	Additional Government Funding	0.07	0.05	0.00
86.63	5a	<i>Business Rates Collected</i>	86.43	86.91	88.64
-64.15	5b	<i>Business Rates sent to Central Government</i>	-62.83	-62.61	-64.27
22.48	5c	Retained Business Rates	23.60	24.29	24.37
2.69	6	New Homes Bonus	2.39	1.91	1.72
-0.97	7	Collection Fund deficit (-)/ surplus	0.09	0.00	0.00
125.44	8	Funds Available	131.11	132.25	134.86
136.28	9a	Expenditure budget (net of ring-fenced grants)	143.50	152.13	155.64
-21.33	9b	Fees, charges and commercial income	-25.37	-27.74	-29.32
114.95	9c	Base budget	118.13	124.39	126.32
2.35	10	Budget growth	2.71	2.04	2.06
1.76	11	Contract inflation	1.72	1.77	1.86
4.49	12	Increased budget requirement (pressures)	7.57	4.39	4.50
0.50	13	Increase in capital financing cost	0.50	0.50	0.50
-4.70	14a	Savings/Income Proposals	-5.13	-1.26	0.00
-0.53	14b	Commercial income	-1.11	-0.50	0.00
	14c	Remaining savings/income target	0.00	-5.00	-6.31
118.83	15	Annual Budget Requirement	124.39	126.32	128.93
0.60	16	Risk provision	0.50	0.50	0.50
119.43	17	Net Budget Requirement for Management Accounting	124.89	126.82	129.43
6.01	18	Adult Social Care BCF and iBCF ringfenced funding	6.22	5.43	5.43
0.00	19	Use of reserves	0.00	0.00	0.00
125.44	20	Budget Requirement	131.11	132.25	134.86

11. Proposal

11.1 To approve the MTFS.

12. Conclusion

- 12.1 The forecast levels of funding available over the medium term, together with provision for budgetary increases and growing pressures, mean that we need to address a funding gap of over £6m each year, after assuming Council Tax increases of 2.99% in 2019/20 and 1.99% per year thereafter. The key financial strategy to close the funding gap over the medium term will focus on innovation around service transformation, strategic transformation in order to bring financial stability for the future. Capital investment will continue to ensure that core assets are maintained and protected. Reserves have been reviewed to ensure they are for the Council to deliver services and take appropriate risks in amending service delivery models without impacting on the financial viability of the organisation.
- 12.2 The Council has a track record of strong financial management. Historically budgets have been delivered without significant over or under spends. The Council's ability to manage within significant financial challenge is vital to its continuing success in delivering the Council Strategy.

13. Appendices

- 13.1 Appendix A – Data Protection Impact Assessment
- 13.2 Appendix B – Equalities Impact Assessment
- 13.3 Appendix C – Supporting Information

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:	Finance and property
Team:	Accountancy
Lead Officer:	Melanie Ellis/Andy walker
Title of Project/System:	MTFS
Date of Assessment:	25.1.19

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

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>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</i>”</p>		<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>		<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>		<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p>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?</p>		<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>		<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>		<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		<input checked="" type="checkbox"/>

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, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	Approve the MTFS
Summary of relevant legislation:	n/a
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Andy Walker/Melanie Ellis
Date of assessment:	25.1.19

Is this a:		Is this:	
Policy	No	New or proposed	Yes
Strategy	Yes	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 proposed decision and who is likely to benefit from it?	
Aims:	Set a three year MTFS
Objectives:	Medium term planning
Outcomes:	Medium term planning
Benefits:	Medium term planning

2 Note which groups may be affected by the proposed decision. 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
Age		
Disability		
Gender Reassignment		
Marriage and Civil		

Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision 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 Two 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:	

Name: Andy Walker/Melanie Ellis

Date: 25.1.19

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

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Capital Strategy and Programme 2019/20 - 2021/22

Committee considering report:	Executive on 14 February 2019 Council on 5 March 2019
Portfolio Member:	Councillor Anthony Chadley
Date Portfolio Member agreed report:	22 January 2019
Report Author:	Shannon Coleman-Slaughter
Forward Plan Ref:	C3615

1. Purpose of the Report

- 1.1 To outline the three year Capital Strategy for 2019 - 2022, including the minimum revenue provision (MRP) and to set out the funding framework for Council's three year capital programme for 2019 - 2022.

2. Recommendation

- 2.1 To recommend to the Council that the Capital Strategy and Programme 2019/20 to 2021/22 be approved.

3. Implications

- 3.1 **Financial:** The draft programme allocates £68million of Council capital resources over three years to be funded mainly from prudential borrowing. This level of investment is expected to require an annual increase in the revenue budget for capital financing of £500k per year from 2019/20 to 2021/22. These increases are reflected in the proposed Revenue Budget 2019/20 and the Medium Term Financial Strategy 2019/20 – 2021/22.
- 3.2 **Policy:** The Capital Strategy is closely aligned to the Council Strategy.
- 3.3 **Personnel:** A proportion of the Council's establishment is funded directly by the Capital Programme where it can be demonstrated that staff directly support and help to deliver the capital programme
- 3.4 **Legal:** The Capital Strategy contains Prudential Indicators that are mandatory under the Capital Finance Act 2003.

When the final programme has been approved by Council, the budget managers will have the authority to let contracts for the schemes included in the 2019/20 programme in accordance with the Council's Contract Rules of Procedure.
- 3.5 **Risk Management:** Strategic risks relating to the Capital Programme are set out in the Council's Strategic Risk Register. Individual programmes/projects will have their own Risk Management

Plans

3.6 **Property:** The proposed Capital Programme will provide for maintenance and improvements to a number of existing Council buildings. The level of funding available for the proposed programme is partly dependant on final decisions still to be made about the disposal of some Council land and buildings.

3.7 **Other:** Not applicable

4. Other options considered

4.1 Not applicable

Executive Summary

5. Introduction / Background

- 5.1 This report sets out the draft Capital Strategy and Programme covering the three year period 2019/20 – 2021/22. Despite ongoing pressure on the revenue budget, the Council continues to make significant investment in the future of West Berkshire through its capital programme. The programme continues to be supported by an annual increase in the revenue budget for capital financing which has remained unchanged at £500k per year, with no allowance for inflation, since 2011.

6. Proposals

- 6.1 The Capital Programme helps deliver the key priorities for improvement in the Council Strategy by proposing investment over the next three years in the following key areas:
- (1) Improving Educational Attainment and Closing the Educational Attainment Gap: £38.7 million for new school places and improvements to school buildings;
 - (2) Key Infrastructure Improvements in Relation to Roads: £34.0 million for maintenance and improvement of highways and public rights of way;
 - (3) Safeguarding Children and Vulnerable Adults: £8.7 million for occupational health equipment, home adaptations and supported living for vulnerable adults and looked after children;
 - (4) Supporting Communities to do More to Help Themselves: £2.9million for maintenance and improvement of parks, open spaces sporting and cultural facilities and £320k for grants to support community projects;
 - (5) Becoming and Even More Effective Council: £35 million for investment in commercial property, and £4.3 million for ICT and improvements in energy efficiency, in order to generate revenue income and to improve the efficiency of Council Services.

7. Conclusions

- 7.1 The proposed programme allows for all the most urgent capital investment priorities identified by services to help implement the Council Strategy over the next three years. The proposed programme relies on some sources of external funding which have not yet been confirmed for the later years of the programme. Programme priorities and the availability of funding will therefore need to be kept under review, and changes may need to be made to the programme in future years.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information

8.4 Appendix D – Summary Capital Programme 2019/20 -2021/22

8.5 Appendix E – Detailed Capital Programme 2019/20 -2021/22

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:	Finance & Property
Team:	Accountancy
Lead Officer:	Shannon Coleman-Slaughter
Title of Project/System:	Capital Programme
Date of Assessment:	18.1.2019

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

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>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</i>”</p>	<input type="checkbox"/>	X
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	X
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	X
<p>Will any decisions be automated?</p> <p>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?</p>	<input type="checkbox"/>	X
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	X
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	X
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	X

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, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
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- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	Approve the 2019/20 – 2021/22 Capital Strategy & Programme
Summary of relevant legislation:	Referred to in the main report
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Shannon Coleman-Slaughter
Date of assessment:	18.01.2019

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

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To target funding at Council priorities to enable the Council's assets and systems to be maintained and improved in a way which is affordable within the Medium Term Financial Strategy.
Objectives:	To enable the effective and efficient delivery of the Council's key priorities as set out in the Council Strategy 2019 to 2022.
Outcomes:	The Council's buildings, equipment and systems are maintained, renewed and improved.
Benefits:	Improvements in the effectiveness and efficiency of the Council's services.

2 Note which groups may be affected by the proposed decision. 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

Age	Yes	The proposed capital programme includes a number of capital schemes to support services to these groups in particular the programme for services within the Communities and Environment directorates
Disability	Yes	
Gender Reassignment	No	
Marriage and Civil Partnership	No	
Pregnancy and Maternity	No	
Race	No	
Religion or Belief	No	
Sex	No	
Sexual Orientation	No	
Further Comments relating to the item:		
The capital strategy itself does not have any direct equalities impact, but more detailed equalities assessments will be carried out for any new schemes within the capital programme prior to implementation.		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: The capital strategy seeks to improve the quality of buildings, equipment and systems with one of the aims being to address improve accessibility for vulnerable groups.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: The capital strategy seeks to improve the quality of buildings and equipment which are used by employees and for the benefit of service users, with one of the aims being to improve accessibility	

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 Two 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	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Shannon Coleman-Slaughter

Date: 18.01.2019

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

Revenue Budget 2019/20

Committee considering report:	Executive on 14 February 2019 Council on 5 March 2019
Portfolio Member:	Councillor Anthony Chadley
Date Portfolio Member agreed report:	24 January 2019
Report Author:	Andy Walker/Melanie Ellis
Forward Plan Ref:	C3616

1. Purpose of the Report

- 1.1 To consider and recommend to Council the 2019/20 Revenue Budget, which proposes a Council Tax requirement of £97.87m requiring a Council Tax increase of 2.99% in 2019/20. The Council Tax increase will raise £2.84m.
- 1.2 This report also proposes the Fees and Charges for 2019/20 as set out in Appendix H and the Parish Expenses as set out in Appendix I and recommends the level of General Reserves as set out in Appendix F and Appendix G.

2. Recommendations

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

3. Implications

- 3.1 **Financial:** These are contained in further detail within the report. The key implication is the proposed 2.99% Council Tax increase, which leads to a savings and income generation programme of £6.24m in 2019/20. The Council has a good track record of delivering past savings programmes and monitors and reports on progress on a monthly basis.
- 3.2 **Policy:** None
- 3.3 **Personnel:** There will be some implications for staff which are detailed in a separate report. The trade unions have been consulted and the reductions in staffing will be handled in accordance with the Organisational Change Procedure.

- 3.4 **Legal:** Requirement to produce a Revenue Budget under the various Local Government Finance Acts. The savings proposals have been out to public consultation in order to meet the Council's Public Sector Equality Duty and responses considered in setting the budget. Challenges may be made to certain proposals by means of judicial review as well as under employment legislation in respect of staffing reductions. All cases have been assessed in order to reduce risk of challenge regarding the lawfulness of proposals.

The Public Sector Equality Duty (149 (1) requires a Local Authority in exercise of its functions to have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The essential duty is that decision makers must keep the welfare of service users at the forefront of their mind, but also families, and especially their families who are most disadvantaged.

- 3.5 **Risk Management:** As part of the 2019/20 financial monitoring, savings proposals will be kept under monthly review to ensure they are deliverable. Appendices F and G set out how the impact of increased volatility in Local Government finance will be managed and considers the impact on levels of reserves.
- 3.6 **Property:** The full property implications would need to be determined and a strategy developed for dealing with the impact where the Council retracts from the whole or part of a property. There could be a number of options to be investigated when the decision on the revenue budget has been agreed from; sale of the site, re-development, shared use, and/or change of use or re-letting for another purpose.
- 3.7 **Other:** In the light of the funding reductions required for 2019/20 the options available to the Council for making savings were very limited and it is acknowledged that in some cases the Council will be providing the minimum level of service for some of its Statutory Services.

4. Other options considered

- 4.1 We are proposing to increase Council Tax by 2.99%. If this Council Tax was not increased the savings requirement would be £2.84m higher. Each 1% increase in Council Tax raises £950k. We have considered all options available to us in reaching the decision to increase Council Tax for 2019/20.

Executive Summary

5. Introduction

- 5.1 The purpose of this paper is to consider and recommend to Council the 2019/20 Revenue Budget, which proposes a Council Tax requirement of £97.87m requiring a Council Tax increase of 2.99%. The Council Tax increase will raise an additional £2.84m. In order to arrive at a balanced budget for 2019/20, £6.24m of savings and income generation proposals have been recommended.

6. 2018/19 In Year Position

- 6.1 At Quarter Three of 2018/19, we are forecasting an over spend of £250k which is 0.2% of the net budget. The Communities Directorate is forecasting an overspend of £1.8m, with underspends of £367k in Economy and Environment, £613k in Resources, and £610k in Risk Management bringing the overall overspend down to £250k. Two services are forecasting overspends: Adult Social Care £1.1m and Children & Family Services £755k.
- 6.2 The forecast overspend of £250k is after £2.2m of mitigating action taken to slow expenditure as a corporate response to the overspend, and after deploying a £500k risk management budget and releasing £812k of service risk reserves. Prior to any mitigation, or release of risk funds, the Council would be forecasting an overspend position of £3.8m.
- 6.3 Any over spend will have a negative impact on our reserves. For 2019/20, we have made budget provision for the ongoing pressures that have arisen during 2018/19.

7. The Provisional 2019/20 Local Government Finance Settlement

- 7.1 The provisional settlement figures were issued on 13 December 2018 and the final settlement will be announced in February 2019. Key points are:
- (1) The six unitary authorities in Berkshire will continue the business rates retention pilot, under a 75% retention scheme, including the Royal Fire and Rescue Service from 2019/20. Being part of a pilot is estimated to generate additional funding for West Berkshire of approximately £1.75m per year. However, from the £86m we collect in business rates locally, we will still only retain £24m. This is because we pay 25% to central government, and pay a further 48% to central government in the form of a tariff.
 - (2) One-off funding has been announced for 2019/20 to spend on social care services.
 - (3) For Council Tax, a core principle of up to 3% increase was announced. The ASC precept continues, subject to total increases not exceeding 6% between 2017/18 and 2019/20.
 - (4) Negative Revenue Support Grant (RSG) will be eliminated. Negative RSG is the name given to a downward adjustment of a local authority's business rates tariff, as a consequence of changes to distribution methodology adopted in 2016/17. This has given us a benefit of £1.8m in 2019/20.

8. Funding

- 8.1 West Berkshire Council's main source of funding is from Council Tax. The recommendation included within this report is a Council Tax increase of 2.99% for 2019/20. The Council Tax increase will raise £2.84m.
- 8.2 The Council's costs grow each year as a result of inflation, salary increases, changes to National Insurance and pension contributions, and service pressures arising from increased demand and new responsibilities, particularly in social care.
- 8.3 The Council continues to invest in commercial property, and this is scheduled to generated £2m income per year once fully invested, which is equivalent to approximately 2% Council Tax.
- 8.4 The Funding Statement for 2019/20 shows the funding available to the Council which can be used to fund the budget requirement.

2019/20 Funding Statement		
Income	£m	£m
Council Tax income		90.61
Adult Social Care Precept		7.26
Revenue Support Grant		0.00
Adult Social Care BCF ringfenced funding		5.43
Adult Social Care iBCF ringfenced funding		0.78
Social Care Support Grant		0.86
Other Non-Ringfenced Grants		0.07
Retained Business Rates		23.60
New Homes Bonus		2.39
Collection Fund deficit		0.09
Funds Available		131.11
Expenditure	£m	£m
Opening budget	118.13	
Budget growth	2.71	
Contract inflation	1.72	
Increased budget requirement (pressures)	7.57	
Increase in capital financing costs	0.50	
Savings/Income proposals	-5.13	
Commercial income	-1.11	
Annual Budget Requirement		124.39
Risk provision		0.50
Net Budget Requirement for Management Accounting		124.89
Adult Social Care BCF and iBCF ringfenced funding		5.43
One off Adult Social Care iBCF ringfenced funding		0.78
Increase in reserves		0.00
Use of reserves		0.00
Budget Requirement		131.11
<i>£10k roundings may apply</i>		

9. Reserves

- 9.1 As part of the financial planning process, the Council considers the establishment and maintenance of reserves. The Council s151 officer (Head of Finance and Property) recommends that the General Reserve is a minimum of 5% of the Council's net revenue budget, which for 2019/20 would be £6.55m.
- 9.2 During 2018/19, usable reserves are expected to reduce by £0.8m to fund the forecast revenue over spend, fund exit costs arising from savings plans, fund transformation projects and release earmarked reserves.

10. Proposals

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

11. Conclusion

11.1 The Council is forecasting an over spend of £250k in 2018/19 which will reduce our level of reserves. The ongoing effect of these budget pressures and the impact on reserves has been factored into the 2019/20 budget, and together with the reductions in government funding, we have had to increase Council Tax by 2.99% and find savings or income generation of £6.24m. West Berkshire Council has an excellent track record of delivering on its savings proposals and of reacting to ongoing pressures in order to minimise the budgetary impact.

12. Appendices

- 12.1 Appendix A – Data Protection Impact Assessment
- 12.2 Appendix B – Equalities Impact Assessment
- 12.3 Appendix C – Supporting Information
- 12.4 Appendix D – Contract inflation and increased budget requirement (pressures)
- 12.5 Appendix E – Savings and income proposals
- 12.6 Appendix F – Reserves Statements
- 12.7 Appendix G – Adequacy of reserves and robustness of budget
- 12.8 Appendix H – Fees and charges
- 12.9 Appendix I – Parish Expenses
- 12.10 Appendix J – Council Tax Collection Fund
- 12.11 Appendix K – Unison comments – to be provided at Council on 5 March 2019
- 12.12 Appendix L – Business Panel information meeting to be held on 12 February 2019 was cancelled due to the number of apologies received. As a result a separate briefing note was e-mailed to all participants and any comments received will be captured in this Appendix for information and will be presented at Council on 5 March 2019
- 12.13 Appendix M – Council Tax Resolution – to be provided at Council on 5 March 2019
- 12.14 Appendix N – Consultation papers

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:	Finance and property
Team:	Accountancy
Lead Officer:	Andy walker
Title of Project/System:	Revenue budget
Date of Assessment:	18.1.19

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

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>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</i>”</p>		<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>		<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>		<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p>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?</p>		<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>		<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>		<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		<input checked="" type="checkbox"/>

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.

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	Approve the revenue budget
Summary of relevant legislation:	
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Andy Walker
Date of assessment:	18.1.19

Is this a:		Is this:	
Policy	No	New or proposed	Yes
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 proposed decision and who is likely to benefit from it?	
Aims:	Set a revenue budget
Objectives:	Balanced budget
Outcomes:	
Benefits:	Statutory requirement

2 Note which groups may be affected by the proposed decision. 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
Age		
Disability		
Gender Reassignment		
Marriage and Civil		

Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision 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 Two 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:	

Name: Andy Walker

Date: 18.1.19

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

2018/19 Revenue Financial Performance: Quarter Three

Committee considering report:	Executive on 14 February 2019
Portfolio Member:	Councillor Anthony Chadley
Date Portfolio Member agreed report:	25 January 2019
Report Author:	Melanie Ellis
Forward Plan Ref:	EX3563

1. Purpose of the Report

- 1.1 To inform Members of the latest revenue financial performance for 2018/19.

2. Recommendations

- 2.1 To note the report, and in particular the continued challenge of managing pressures in adult social care, which are shared nationally, and the mitigation that is proposed in year to reduce the current end of year projection.
- 2.2 To approve the release of £609k from the Adult Social Care risk reserve and £203k from the Children and Family Services risk reserve to support the in-year overspend.

3. Implications

3.1 Financial:

The current financial forecast is an overspend of £250k against a net revenue budget £119.4m. The forecast position is 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 risk reserves (subject to Executive approval).

3.2 Policy: n/a

3.3 Personnel: n/a

3.4 Legal: n/a

3.5 Risk Management: n/a

3.6 Property: n/a

3.7 Other: n/a

4. Other options considered

- 4.1 N/a – factual report for information.

Executive Summary

- 4.2 The financial performance reports provided to Members throughout the financial year report the forecast under or over spend against the Council's 2018/19 approved revenue budget of £119.4m. The Quarter Three forecast is an overspend of £250k, which is 0.2% of the net budget. The forecast position is 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 risk reserves (subject to Executive approval).
- 4.3 The 2018/19 budget was set with a risk management budget of £768k. As per the Medium Term Financial Strategy and Revenue Budget approved by Council, this budget was built because the Council was facing a number of risks that could arise in 2018/19 but could not be quantified at the time of budget setting. These included increase in demand for services over and above budget assumptions, inflationary pressures, income risks and risk to delivery of savings plans. At Quarter Three, £500k of this budget is proposed to be used to support the in-year overspend. The remainder will be returned to reserves.
- 4.4 In response to the volatility of some of the Council's budgets, service specific risk reserves have been established. The levels of these reserves are informed by the level of risks in the service risk registers. The Quarter Three forecast of £250k, is after the proposed release of £812k from the risk reserves.
- 4.5 Summary Revenue Forecast

	Current Net Budget	Forecast (under)/over spend			Change from Last Quarter
		Quarter One	Quarter Two	Quarter Three	
	£000	£000	£000	£000	£000
Adult Social Care	43,689	2,388	1,640	1,136	(504)
Children & Family Services	16,107	220	657	755	98
Corporate Director -	152	8	8	(1)	(9)
Education DSG funded	(444)	0	0	0	0
Education	8,963	152	(1)	(51)	(50)
Public Health & Wellbeing	252	0	0	0	0
Communities	68,719	2,768	2,303	1,840	(464)
Corporate Director -	179	0	0	0	0
Development & Planning	2,821	(114)	(232)	(236)	(4)
Public Protection & Culture	4,060	47	70	(11)	(81)
Transport & Countryside	23,877	70	(171)	(120)	51
Economy and Environment	30,937	3	(333)	(367)	(34)
Chief Executive	791	0	(75)	(77)	(2)
Commissioning	1,042	0	(46)	(46)	0
Customer Services & ICT	3,035	(3)	(104)	(98)	6
Finance & Property	3,229	(260)	(314)	(303)	11
Human Resources	1,472	0	(52)	(33)	19
Legal Services	1,066	0	(36)	(16)	20
Strategic Support	2,344	(17)	(40)	(40)	0
Resources	12,979	(280)	(667)	(613)	54
Capital Financing	10,476	0	0	(110)	(110)
Movement through Reserves	(4,452)	0	0	0	0
Risk Management	768	(1,200)	0	(500)	(500)
Capital Financing & Risk Management	6,792	(1,200)	0	(610)	(610)
Total	119,427	1,291	1,303	250	(1,054)

NB. Rounding differences may apply to nearest £k.

- 4.6 At Quarter three, the Communities Directorate is forecasting an overspend of £1.8m, with underspends of £367k in Economy and Environment, £613k in Resources, and £610k in Risk Management bringing the overall overspend down to £250k. Two services are forecasting overspends: Adult Social Care £1.1m and Children & Family Services £755k.
- 4.7 Local Authorities nationally are facing significant financial challenges relating to the funding of Adult Social Care budgets, increasing demand on services and rising costs of commissioning care. Our position, as with other Local Authorities across the country highlights the urgent need for a national review of funding for Adult Social Care. The service is facing increasing financial pressures on demand led, externally commissioned placement budgets, over and above the modelled assumptions that formed the basis of budget setting. In addition, a number of risks, which are provided for in the service specific risk reserve, have materialised. Further pressures have arisen in short term services, learning disability and improving Birchwood Care Home (staffing costs). At Quarter Three, it is proposed that £609k be released from the risk reserve.
- 4.8 In Children & Family Services, £500k of the forecast overspend is due to pressure in Child Care Lawyers. This is in part attributable to an unmet savings target and in part to four complex high court cases. The demand led placement budgets are reporting an overspend of £474k mainly in Residential Care, Independent Fostering Agencies' and Special Guardianship cost centres. At Quarter Three, it is proposed that £203k be released from the service risk reserve.
- 4.9 A decision has been taken corporately to slow expenditure in the remainder of the current financial year as a corporate response to the Adult Social Care overspend. Adult Social Care has been tasked with identifying £500k mitigation strategies. Children & Family Services and the Education Service, have been tasked with identifying mitigation strategies of £200k each. A further £500k mitigation target was allocated to corporate services. £1.4m has now been identified and reported within the Directorates forecasts. A further £853k has been found from capitalising relevant expenditure.
- 4.10 The budget for 2018/19 was set with a savings and income generation programme of £5.2m. The programme is monitored on a monthly basis using the RAG system. The Council set a revenue budget of £119.4m for 2018/19. At Quarter Three £447k of risks are Red (9%), £689k Amber (13%) and £4.1m Green (78%).
- 4.11 The Council created a Transformation Reserve of £1m in order to ensure that the Council has the resources to pursue transformation plans outlined in the MTFs and to invest in strategies that will bring future benefits to the organisation. £566k was allocated in 2017/18 and £710k in 2018/19. Council approval was given to increase the Transformation Reserve in 2018/19 by £561k, as part of the Strategy for use of Capital Receipts. The reserve currently stands at £285k.

5. Proposals

- 5.1 To note the forecast position.
- 5.2 To approve the release of £609k from the Adult Social Care risk reserve and £203k from the Children and Family Services risk reserve to support the in-year overspend.

6. Conclusion

- 6.1 The Council is facing an in year overspend of £250k against a net revenue budget of £119.4 million, which is 0.2% of the net budget. The main driver of this is a £1.1m overspend in Adult Social Care and a £755k overspend in Children and Family Services. The Council has responded to the financial position and has put in place measures to mitigate the overspend, and identified budgets that could be released to bring the forecast position down. These measures will be monitored through the remainder of the year. The Council has an excellent track record of managing the savings programme and minimising budget over spends.

7. Appendices

- 7.1 Appendix A – Data Protection Impact Assessment
- 7.2 Appendix B – Equalities Impact Assessment
- 7.3 Appendix C – Supporting Information
- 7.4 Appendix D – Summary Revenue Forecast 2018/19
- 7.5 Appendix E – Savings and Income Generation Programme Risk Items
- 7.6 Appendix F – Budget Changes
- 7.7 Appendix G – Employee Costs

2018/19 Capital Financial Performance: Quarter Three

Committee considering report:	Executive on 14 February 2019
Portfolio Member:	Councillor Anthony Chadley
Date Portfolio Member agreed report:	17 January 2019
Report Author:	Shannon Coleman-Slaughter
Forward Plan Ref:	EX3593

1. Purpose of the Report

- 1.1 To inform Members of the progress with major capital schemes, particularly those considered to be high risk, and forecast spend against the 2018/19 approved capital budget.

2. Recommendations

- 2.1 That Members should note progress against the Council's capital programme and forecast expenditure against the approved capital budget.

3. Implications

- 3.1 **Financial:**
Any potential capital slippage will be monitored in year and any impact on the 2019/20 capital programme reviewed by the Capital Strategy Group (CSG).
- 3.2 **Policy:** n/a
- 3.3 **Personnel:** n/a
- 3.4 **Legal:** n/a
- 3.5 **Risk Management:** n/a
- 3.6 **Property:** n/a
- 3.7 **Other:** n/a

4. Other options considered

- 4.1 N/a – factual report for information.

5. Executive Summary

- 5.1 The Council set an original capital budget for 2018/19 of £72.8million, with funding of £25.5million from external grants, £4.5million section 106 contributions and Community Infrastructure Levy and with £42.8million planned to be funded from borrowing. In-year changes to the capital budget may occur as a result of budgets brought forward from the previous financial year, additional grants and section 106 allocations received in year and spend re-profiled into 2019/20.
- 5.2 The revised budget at Quarter Three is £90.6million compared to an original budget of £72.8million, mainly as a result of £11.3million programme slippage from the financial year 2017/18 and the re-profiling of £2 million highways spend to 2019/20, agreed by Capital Strategy Group in May and July 2018.
- 5.3 At the end of Quarter Three, expenditure of £87.6million has been forecast against the £90.6million budget (97%), an overall underspend of £3.1million is anticipated against the planned programme at outturn.

Directorate Summary	Current Budget	Quarter Two		Quarter Three		Change in Forecast from Last Quarter
		Forecast Spend in Year	Forecast (under)/Over Spend	Forecast Spend in Year	Forecast (under)/Over Spend	
	£'000	£'000	£'000	£'000	£'000	£'000
Communities	10,967	11,778	(937)	10,967	0	937
Economy & Environment	26,924	25,947	(2,878)	26,924	0	2,878
Resources	52,749	42,149	24	49,671	(3,078)	(3,102)
Totals	90,640	79,874	(3,791)	87,562	(3,078)	713

5.4 Communities Directorate

At the end of Quarter Three the Communities directorate is forecasting capital spend of £10.9million, 100% of the revised capital budget. Education Services have undertaken a thorough review of its current year programme during Quarter Three and as a result has re-profiled £1.67million spend to 2019/20 and later years. This is due to delays to a number of school schemes including the expansion of Trinity School and Winchcombe Primary School; improvements to Aldermaston Primary School and Hungerford Primary School kitchen and the new East of Area PRU.

5.5 Economy & Environment Directorate

At the end of Quarter Three the directorate is forecasting capital spend of £26.9 million, 100% of the revised capital budget. The Development and Planning Service has re-profiled £1.18million budget for the Four Houses Corner Gypsy and Travellers site because of problems with relocation of some tenants and ongoing contamination of the site are ongoing. The scheme to redevelop the site is currently planned to proceed in 2019/20, although it is likely that the cost will increase due to the additional contamination and alternative options for the future of the site are being considered.

5.6 Resources Directorate

At the end of Quarter Three the directorate is forecasting capital spend of £49.7 million, or 94% of the capital budget of £52.7million.

6. Proposal

6.1 To note the forecast position.

7. Conclusion

7.1 Progress with all capital schemes and in particular those which are considered to be high risk, will continue to be monitored by CSG and the final outturn position will be reported to Executive in June 2019.

8. Appendices

Appendix A - Data Protection Impact Assessment

Appendix B - Equalities Impact Assessment

Appendix C - Supporting Information

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:	Finance & Property
Team:	Accountancy
Lead Officer:	Andy Walker
Title of Project/System:	N/a
Date of Assessment:	18.1.19

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

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>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</i>”</p>	<input type="checkbox"/>	X
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	X
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	X
<p>Will any decisions be automated?</p> <p>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?</p>	<input type="checkbox"/>	X
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	X
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	X
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	X

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, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favorably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	To note the Quarter Three capital monitoring position.
Summary of relevant legislation:	Not applicable
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Shannon Coleman-Slaughter
Date of assessment:	18.1.19

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 proposed decision and who is likely to benefit from it?	
Aims:	Overview of the position of the 2018/19 capital programme
Objectives:	As above
Outcomes:	As above
Benefits:	As above

2 Note which groups may be affected by the proposed decision. 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
Age	Yes	Capital programme covers delivery of key projects aligned to the Council Strategy.
Disability	Yes	
Gender Reassignment	No	

Marriage and Civil Partnership	No	
Pregnancy and Maternity	No	
Race	No	
Religion or Belief	No	
Sex	No	
Sexual Orientation	No	
Further Comments relating to the item:		
Capital programme covers delivery of key projects aligned to the Council Strategy.		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: The report provides an overview of the financial position/delivery of projects against the overall capital programme.	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: The report provides an overview of the financial position/delivery of projects against the overall capital programme.	

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 Two 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	No
Owner of Stage Two assessment:	N/a
Timescale for Stage Two assessment:	N/a

Name: Shannon Coleman-Slaughter

Date: 18.1.19

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

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Final Schools Funding Formula 2019/20

Committee considering report:	Executive on 14 February 2019
Portfolio Member:	Councillor Lynne Doherty
Date Portfolio Member agreed report:	24 January 2019
Report Author:	Andy Walker/Melanie Ellis
Forward Plan Ref:	EX3681

1. Purpose of the Report

- 1.1 The Council's Executive must agree on an annual basis the school funding formula for primary and secondary schools. This report sets out the proposal for financial year 2019/20.

2. Recommendations

- 2.1 To approve the final formula rates and allocations to schools. These have been made according to the principles agreed by Schools' Forum in December and in relation to the total funding available from the Schools Block DSG allocation.
- 2.2 For schools that gain funding under the new formula, additional funding is capped at 2% per pupil (as per the National Funding Formula).
- 2.3 For schools that lose funding under the new formula, a minimum funding guarantee of an additional 0% per pupil increase is applied (maximum affordable).

3. Implications

- 3.1 **Financial:** Schools are funded by the ring fenced Dedicated Schools Grant (DSG) and the school formula allocations do not impact on the Council's own resources. However, the cost of unmanageable school deficits or closing schools may fall on the Council.
- 3.2 **Policy:** None
- 3.3 **Personnel:** Real term reductions in funding allocations will inevitably lead to staffing restructures and possible redundancies in schools.
- 3.4 **Legal:** The allocation of funding to schools must comply with The Schools and Early Years Finance Regulations 2019.
- 3.5 **Risk Management:** For many schools their funding allocation will not increase by anywhere near the amount required to cover current increases in costs; the number of schools at risk of deficit will increase, and the non-viability of small schools may become a reality. It is imperative that the work which commenced in 2017/18 on supporting schools in financial difficulty continues.
- 3.6 **Property:** None

3.7 **Other: None**

4. Other options considered

4.1 None

Executive Summary

5. Introduction

- 5.1 The funding arrangements for 2019/20 include the introduction of the National Funding Formula (NFF). For the next two years the NFF will operate as a “soft” system. This means that the NFF is used as a new methodology of allocating funding to each local authority in a more fair and equitable way. Local authorities will then allocate this out to schools according to a local formula complying with the school finance regulations. The two are not the same, and not all local authorities will be able to exactly replicate the NFF in the allocations it makes to schools.
- 5.2 A consultation took place with all schools from 31st October to 20th November 2018. Appendix E contains the briefing and consultation document that went out to all schools.
- 5.3 The following recommendations were agreed upon on by Schools’ Forum on 9th December 2018:
- (1) Use the National Funding Formula (NFF) rates for every formula factor, applying a minimum funding guarantee of 0% and a funding cap on gains of 2% per pupil.
 - (2) If required after the above has been applied, scale every formula factor upwards or downwards in order to match the final funding allocation available for distribution to schools.
 - (3) Use the School Finance Regulations calculation of the sparsity factor, rather than the NFF calculation.
- 5.4 West Berkshire is able to replicate the NFF because:
- (1) The previous West Berkshire funding rates are not significantly different.
 - (2) There has not been a significant difference between 2017 pupil characteristics used in the DSG funding allocation and the 2018 actual pupil characteristics that need to be funded in schools.
 - (3) There is only a small deficit in the schools block to be repaid from the 2019/20 allocation (this relates to the difference between budgeted and actual business rate allocations in the formula).
 - (4) The estimated requirements for growth funding in 2019/20 are not greater than the historical funding allocated within the DSG.
 - (5) There is **no** funding to be transferred from the schools block DSG to other funding blocks, including meeting pressures in the high needs block.

6. Final School Formula

- 6.1 The final schools block DSG funding allocation for 2019/20 is £100.09m. After deducting £0.555m for the growth fund this leaves £99.535m to be allocated to schools.
- 6.2 The final data from the October 2018 school census was received from ESFA on 15th December. By applying the NFF rates (including the area cost adjustment (ACA) for West Berkshire of 0.0341), and using a 2% per pupil cap on gains and 0% minimum funding guarantee, this costs £100.639m, just over the grant allocation.
- 6.3 Appendix D contains the funding allocations per school, also comparing to 2018/19 allocations. Where there is a negative impact in total funding, this is because pupil numbers have decreased (funding is protected on a per pupil level only, there is no funding floor). Where funding per pupil has decreased, this is because pupil numbers in the school have increased and the fixed sum is spread over more pupils.
- 6.4 Overall, there is £3m of extra funding going into West Berkshire schools.

7. Conclusion

- 7.1 Moving straight onto the NFF rates gives West Berkshire schools certainty and stability on their funding allocations for the next couple of years.
- 7.2 There continues however 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 illustrates that for most schools gaining funding, the gain is not significant. Many schools will still have difficulty in balancing their individual budgets given current cost pressures, particularly the twenty schools where pupil numbers have decreased and overall funding has gone down.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information
- 8.4 Appendix D – 2019/20 School Formula Allocations – Final (January 2019)
- 8.5 Appendix E - 2019/20 consultation document for Schools Funding

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:	Communities
Service:	DSG
Team:	Schools Block
Lead Officer:	Amin Hussain
Title of Project/System:	19/20 Schools Funding Formula
Date of Assessment:	06/02/2019

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

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>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</i>”</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p>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?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	Agree the school funding formula for primary and secondary schools as proposed in the report
Summary of relevant legislation:	
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Amin Hussain
Date of assessment:	06/02/2019

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

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	
Objectives:	
Outcomes:	
Benefits:	

2 Note which groups may be affected by the proposed decision. 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
Age		
Disability		
Gender Reassignment		
Marriage and Civil		

Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Further Comments relating to the item:		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision 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 Two 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:	

Name:

Date:

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

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Business Rates Discretionary Rate Relief Policy Update Report

Committee considering report:	Executive on 14 February 2019
Portfolio Member:	Councillor Dominic Boeck
Date Portfolio Member agreed report:	31 January 2019
Report Author:	Iain Bell
Forward Plan Ref:	EX3677

1. Purpose of the Report

- 1.1 To update the approach for awarding the new 2017 Discretionary Rate Relief for 2018/19 and 2019/20

2. Recommendations

- 2.1 To approve a revised Discretionary Rate Relief Policy which is highlighted at Appendix D – Section 8.3 page 7 & 8.
- 2.2 This is to increase the amount of relief awarded from 35% to 50% for 2018/19 and from 15% to 25% in 2019/20, and to make the award automatic rather than upon application. This will reduce even further the burden of business rates to those most affected by the increase in charges.
- 2.3 The reason for the above is to ensure that the allocation of government funding is fully utilised for businesses who saw the largest increases in their bills as a result of the 2017 revaluation.

3. Implications

- 3.1 **Financial:** As the proposed change to the relief scheme is funded by government there are no financial consequences providing no more than £272,000 is spent by 31st March 2019.
- Anything over this amount will have to be repaid to government.
- 3.2 **Policy:** The Discretionary Policy was last reviewed in November 2017 following the introduction and cessation of a number of different relief schemes. The proposed amendment relates to one of the new funded relief schemes.
- 3.3 **Personnel:** None
- 3.4 **Legal:** Having a properly adopted policy will assist the Council in ensuring that it takes lawful decisions and will reduce the risk

of successful challenge.

3.5 **Risk Management:** None

3.6 **Property:** None

3.7 **Other:** None

4. **Other options considered**

4.1 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 new supporting small businesses scheme.

4.2 It was therefore considered the best option to further assist those businesses that already qualify under the present criteria.

Executive Summary

5. Introduction / Background

5.1 Discretionary Rate Relief has existed in a variety of forms since business rates were introduced in 1990. In April 2013 the introduction of a rates retention scheme changed the funding arrangements whereby the Council has to meet 49% of the cost of all Discretionary Relief awards unless government has provided funding.

In April 2017 a Business Rates revaluation took place which saw significant changes in rates bills.

5.2 The table below shows which types of Discretionary relief are currently available;

Type of Relief	Maximum award	Amount awarded 2017/18 (£)	Cost to Council (£)	Comments
Charitable relief (known as top up)	20%	60,955	29,867.95	For registered charities and Community Amateur Sports Clubs (CASCs)
Non Charitable relief	100%	20,892	10,237.08	For not-for-profit organisations such as Friendly Provident Societies or Community Interest Companies
Statutory Rural relief	50%	10,836	5,309.64	Rural post offices, pubs, food or general stores
Non Statutory Rural Relief	50%	10,434	5,112.66	As above
Part Occupied Relief	100%	6,190	0	Relates to properties where difficulties exist in occupying the whole property
Hardship Relief	100%	0	0	For those organisations who paying the business rates would cause financial hardship

5.3 In April 2017 Government also introduced 3 new types of relief to help those businesses who saw significant increases in their Business Rates bills as a result of the revaluation. They are as follows;

Type of relief	2017/ 2018 discount	How funded	Amount awarded 2017/2018 (£)
Pub relief	£1000 off rates bill where Pub has Rateable Value less than £100,000	Fully funded by government for 2017/18 and 2018/19	94,174
Supporting Small Business	Limits increases to £600 for the next 5 years to those organisation who lost Small Business Rate Relief.	Fully funded by government over next 5 years	61,416
2017 new Discretionary Relief	% of relief awarded based upon agreed set criteria. This was aimed at organisations who faced the largest increases.	Financial Support provided by government over following 4 years	430,841

- 5.4 The purpose of this report is to update the approach as to how the 2017 new Discretionary Relief be administered.
- 5.5 In relation to this scheme the financial support being given by government to West Berkshire over the next 3 years is;

2018/19 - £272,000
2019/20 - £112,000
2020/21 - £16,000

The government's intention is to phase out and reduce this relief until the end of current valuation list which is due to end in 2021/22. Each year the Council will therefore reduce the amount of relief to ensure that these amounts are not overspent.

6. Proposal

- 6.1 223 organisations are currently in receipt of this form of relief. The amount of relief granted for 2018/19 based upon the current 35% level of award is £190,000. By increasing this level to 50% the amount spent will be around £240,000. This is still under the limit and allows for any increases in valuations.
- 6.2 In 2019/20 the proposal is to increase the award from 15% to 25%.

7. Conclusion

- 7.1 In April 2017, the Government introduced a new 2017 Discretionary Relief Scheme which was aimed at those organisations who were facing the largest increases as a result of the revaluation. The policy should now include a set of new increased relief values which will provide further support for businesses that the Council believes contribute to the local economy.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – Supporting Information
- 8.4 Appendix D – Current Discretionary Relief Policy

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:	Finance & Property
Team:	Revenues & Benefits
Lead Officer:	Iain Bell
Title of Project/System:	Discretionary Rate Relief Policy update
Date of Assessment:	27 th November 2018

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

	Yes	No
<p>Will you be processing SENSITIVE or “special category” personal data?</p> <p>Note – sensitive personal data is described as “<i>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</i>”</p>	<input type="checkbox"/>	x
<p>Will you be processing data on a large scale?</p> <p>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</p>	<input type="checkbox"/>	x
<p>Will your project or system have a “social media” dimension?</p> <p>Note – will it have an interactive element which allows users to communicate directly with one another?</p>	<input type="checkbox"/>	x
<p>Will any decisions be automated?</p> <p>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?</p>	<input type="checkbox"/>	x
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>	<input type="checkbox"/>	x
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>	<input type="checkbox"/>	x
<p>Will you be using any novel, or technologically advanced systems or processes?</p> <p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>	<input type="checkbox"/>	x

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, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

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

What is the proposed decision that you are asking the Executive to make:	Amendments to current policy
Summary of relevant legislation:	Local Government Finance Act 1988
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Iain Bell
Date of assessment:	27 th November

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

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	To update the current Business Rates Discretionary Rate Relief Policy
Objectives:	To update the current policy
Outcomes:	To produce a revised policy
Benefits:	To be able to provide Business Rate Payers with advice on the criteria to qualify for rate relief

2 Note which groups may be affected by the proposed decision. 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
Further Comments relating to the item:		
This form of relief is aimed at commercial organisations or businesses		

3 Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer: These are 'business' organisations where qualification is based upon other criteria	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer: These are 'business' organisations	

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 Two 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	No
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name: Iain Bell

Date: 18th December 2018

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.

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