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Meeting of West Berkshire District Council

Tuesday 5 March 2019

Summons and Agenda



WestBerkshire
C O U N C I L

To: All Members of the Council

You are requested to attend a meeting of

West Berkshire Council

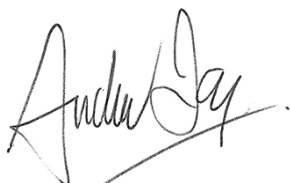
to be held in the

Council Offices Market Street Newbury

on

Tuesday 5 March 2019

at 6.30pm



Andy Day
Head of Strategic Support
West Berkshire District Council

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: Monday 25 February 2019

AGENDA

1. **APOLOGIES FOR ABSENCE**

To receive apologies for inability to attend the meeting (if any).

2. **CHAIRMAN'S REMARKS**

The Chairman to report on functions attended since the last meeting and other matters of interest to Members.



Agenda - Council to be held on Tuesday, 5 March 2019 (continued)

3. MINUTES

The Chairman to sign as a correct record the Minutes of the Council meeting held on 6 December 2018. (Pages 9 - 26)

4. 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](#).

5. PUBLIC QUESTIONS

Members of the Executive to answer questions submitted by members of the public in accordance with the Council's Constitution.

- (a) **Question to be answered by the Portfolio Holder for Highways, Transport, Environment and Countryside submitted by Mr Peter Norman:**

"I am sure the Council will want to join me in congratulating West Berkshire students who took time off school to demand action on climate change on 15th February, however could the Council explain why no one from the Executive was there to listen to the demands of their demonstration and to support our youth in taking an active interest in getting involved in our democratic processes?"

- (b) **Question to be answered by the Portfolio Holder for Finance, Transformation and Property submitted by Mrs Joanne Stewart:**

"What measures have been put in place to support the good causes who have been approved for the new West Berkshire Lottery?"

- (c) **Question to be answered by the Leader of the Council submitted by Mr Steve Masters:**

"Will the Leader of the Council reassure the students that the Council will do everything it can to plan and execute a credible, science based solution to the looming climate catastrophe and ensure that they have a sustainable future?"

- (d) **Question to be answered by the Portfolio Holder for Highways, Transport, Environment and Countryside submitted by Mr Steve Masters:**

"Should environmental impact be an integral part of all council planning and decision making in the same way financial impacts are assessed?"



Agenda - Council to be held on Tuesday, 5 March 2019 (continued)

- (e) **Question to be answered by the Portfolio Holder for Highways, Transport, Environment and Countryside submitted by Ms Carlyne Culver:**

“Will West Berkshire Council commit to return salt bins to parishes whence they were removed, so that parish councils and/or local residents can make arrangements to fill and maintain them?”

- (f) **Question to be answered by the Portfolio Holder for Highways, Transport, Environment and Countryside submitted by Ms Carlyne Culver:**

“Would the Council consider allowing residents who, for example, simply want to visit the bank or drop their library books off, to park for free for 30 minutes in car parks in central Newbury?”

- (g) **Question to be answered by the Portfolio Holder for Finance, Transformation and Property submitted by Dr Julie Wintrup:**

“Can we look forward to this being the final year of destabilising cuts and threats of cuts to local public health, drug and alcohol, and mental health services, now that the government has announced that austerity has ended?”

- (h) **Question to be answered by the Portfolio Holder for Corporate Services submitted by Mr Thomas Tunney:**

“Given that public sector retail jobs are offering better pay, what is the council doing in ways of attracting job applicants and retaining staff?”

- (i) **Question to be answered by the Portfolio Holder for Finance, Transformation and Property submitted by Mr Thomas Tunney:**

“What is the point of raising council tax by 2.99% if it is still not going to fill the hole left by central government cuts?”

- (j) **Question to be answered by the Portfolio Holder for Children, Education and Young People submitted by Mr Thomas Tunney:**

“At current funding rates, which schools will be in budget deficit in the upcoming financial year?”

- (k) **Question to be answered by the Portfolio Holder for Highways, Transport, Environment and Countryside submitted by Mr Thomas Tunney:**

“What has been the uptake of the Get your coat app?”



Agenda - Council to be held on Tuesday, 5 March 2019 (continued)

- (l) **Question to be answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture submitted by Mr Thomas Tunney:**

“How will the upcoming budget affect the ability of the Health and Wellbeing Board’s 2 main goals of Mental Health and helping vulnerable people back in to meaningful activities?”

- (m) **Question to be answered by the Portfolio Holder for Highways, Transport, Environment and Countryside submitted by Mr Steve Masters:**

“How many times is climate change mentioned in the proposed budget?”

- (n) **Question to be answered by the Portfolio Holder for Highways, Transport, Environment and Countryside submitted by Mrs Miriam Lee:**

“In the light of the IPCC report saying we have 12 years to reduce carbon emissions by 50%, can the council confirm if they are using a 100% renewable energy supplier for the electricity used in all their services?”

- (o) **Question to be answered by the Portfolio Holder for Highways, Transport, Environment and Countryside submitted by Mrs Miriam Lee:**

“If the Council does not use a 100% renewable energy supplier for its electricity when do they intend to switch?”

- (p) **Question to be answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture and Countryside submitted by Mr Paul Morgan:**

“Would the Council agree that the adoption of the Playing Pitch Strategy, when finalised, would be a good example of how the Council is adhering to the objectives and spirit of their own Consultation Policy, which states that West Berkshire Council (WBC) is committed to making sure decisions are evidence-based, taking into account the views and experiences of residents and service users?”

6. MEMBERSHIP OF COMMITTEES

The Council to agree any changes to the membership of Committees.

7. LICENSING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Licensing Committee met on 11 February 2019 and 21 February 2019. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).



Agenda - Council to be held on Tuesday, 5 March 2019 (continued)

8. PERSONNEL COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Personnel Committee met on the 12 February 2019. Copies of the Minutes of these meetings can be obtained from Strategic Support or via the [Council's website](#).

9. GOVERNANCE AND ETHICS COMMITTEE

The Council is asked to note that since the last meeting of Council, the Governance and Ethics Committee has not met.

10. DISTRICT PLANNING COMMITTEE

The Council is asked to note that since the last meeting of the Council, the District Planning Committee has not met.

11. OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

The Council is asked to note that since the last meeting of the Council, the Overview and Scrutiny Management Commission met on 6 December 2018, 15 January 2019 and 26 February 2019. Copies of the Minutes of these meetings can be obtained from Strategic Support or via the [Council's website](#).

12. JOINT PUBLIC PROTECTION COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Joint Public Protection Committee has not met.

13. INVESTMENT AND BORROWING STRATEGY 2019/20 (C3613)

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 requests Council approval of the Annual Investment and Borrowing Strategy for 2019/20. **(Pages 27 - 36)**

14. MEDIUM TERM FINANCIAL STRATEGY 2019/20 TO 2021/22 (C3614)

That Council approves and adopts the medium Term financial planning and strategy for the organisation. **(Pages 37 - 48)**

15. CAPITAL STRATEGY AND PROGRAMME 2019/20 TO 2021/22 (C3615)

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. **(Pages 49 - 58)**

Agenda - Council to be held on Tuesday, 5 March 2019 (continued)

16. REVENUE BUDGET 2019/20 (C3616)

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.

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. **(Pages 59 - 72)**

17. STATUTORY PAY POLICY 2019 (C3617)

To seek Council's approval of the Statutory Pay Policy Statement for publication from 1 April 2019. **(Pages 73 - 80)**

18. COUNCIL TAX EMPTY PROPERTY CHANGES REPORT (C3675)

To update Council on the legislation changes made by government in respect to Council Tax empty home charges from 2019/20 onwards. **(Pages 81 - 90)**

19. POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS REVIEW 2019/20 (C3428)

This report provides feedback on the results of the public consultation into the Polling Districts, Polling Places and Polling Stations Review 2019/20. **(Pages 91 - 102)**

20. WEST BERKSHIRE 2036 VISION (C3647)

To introduce the final draft of the West Berkshire 2036 Vision for Council endorsement following its agreement by the Health and Wellbeing Board on 24 January 2019. **(Pages 103 - 112)**

21. NOTICES OF MOTION

(a) The following Motion has been submitted in the name of Councillor Richard Somner:

"The District of West Berkshire has over 50 Parish/Town Councils all of which have an important part to play in continuing to make West Berkshire a great place in which to live, work, study and play.

As this Council continues to focus on the more strategic core services that it must provide Parish Councils will have an increasingly important role to play in the delivery of services at the local level. It has been acknowledged that devolution can support local communities to become more self-sufficient and ultimately do more for themselves.

The National Association of Local Councils has also welcomed the opportunity for Parish Councils to play an active role in the devolution agenda.

Agenda - Council to be held on Tuesday, 5 March 2019 *(continued)*

Members are therefore requested to confirm that they fully support the Council's collaborative approach to devolution with its Parishes with the objective of making sure that appropriate services and assets are managed at the local level where possible."

(b) **The following Motion has been submitted in the name of Councillor Jeanette Clifford:**

"**This council** has a long-standing commitment to 'green principles' of stewardship, responsibility and resilience and in order to reaffirm this commitment the Council is asked to:

- **Accept and welcome** its local leadership role, as the United Kingdom as a whole moves further towards environmental sustainability and achieving or bettering targets in line with the Paris Agreement
- **Anticipate** the advice expected from the Committee on Climate Change to the UK government on May 2nd 2019 on how and when to achieve net zero emissions and **commit** to translating this into a programme of action for West Berkshire
- **Resolve** to maintain its strong record of leadership, innovation and partnership in protecting and enhancing the environment in West Berkshire in all spheres of its work
- **Determine to act**, not sloganise, respecting the need to consult and work with residents to deliver change
- **Achieve** this while promoting green growth and maintaining the status of west Berkshire as a vibrant and innovative world economy, with a highly skilled workforce and low unemployment".

22. MEMBERS' QUESTIONS

Members of the Executive to answer questions submitted by Councillors in accordance with the [Council's Constitution](#). *(Note: there were no Member questions submitted relating to items not included on this Agenda).*

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

Agenda Item 3.

DRAFT

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

COUNCIL

MINUTES OF THE MEETING HELD ON THURSDAY, 6 DECEMBER 2018

Councillors Present: Steve Ardagh-Walter, Peter Argyle (Vice-Chairman), Howard Bairstow, Jeff Beck, Dennis Benneyworth, Dominic Boeck, Graham Bridgman, Jeff Brooks, Paul Bryant, Anthony Chadley, Keith Chopping, Jeanette Clifford, Hilary Cole, James Cole, Jason Collis, Richard Crumly, Rob Denton-Powell, Lee Dillon, Lynne Doherty, Billy Drummond, Adrian Edwards, Sheila Ellison, Marcus Franks, Dave Goff, Manohar Gopal, Clive Hooker, Carol Jackson-Doerge, Mike Johnston, Graham Jones, Rick Jones, Alan Law, Tony Linden, Mollie Lock, Alan Macro, Tim Metcalfe, Graham Pask, Anthony Pick, James Podger, Garth Simpson, Richard Somner, Anthony Stansfeld, Virginia von Celsing, Quentin Webb, Emma Webster and Laszlo Zverko

Also Present: Michael Butler (Principal Planning Officer), Derek Carnegie (Team Leader - Development Control), Nick Carter (Chief Executive), Stuart Clark (Principal Engineer), Sarah Clarke (Acting Head of Legal Services), Tess Ethelston (Group Executive (Cons)), Olivia Lewis (Group Executive (Lib Dem)), Moira Fraser (Democratic and Electoral Services Manager) and Honorary Alderman Andrew Rowles

Apologies for inability to attend the meeting: Councillor Pamela Bale, Councillor James Fredrickson, Councillor Marigold Jaques and Councillor Gordon Lundie

Councillors Absent: Councillor Jeremy Bartlett, Councillor Paul Hewer and Councillor Ian Morrin

PART I

49. Chairman's Remarks

The Chairman reported that former Councillor David Liddiard had sadly passed away. The Chairman asked the Council to observe a minute's silence as a mark of respect and an opportunity to reflect on his life.

Councillor Graham Jones, in paying tribute to David commented that he was a man of action rather than words. Councillor James Podger said that everything David did, he did with great enthusiasm and he simply would not be defeated. He went on to comment that David was ambitious for everyone he met and he was very honoured to have known him. Councillor Jeff Brooks stated that David would be remembered with great affection and sent his best wishes to David's family at this difficult time.

The Chairman reported that she, the Vice Chairman and former Chairmen had attended 51 events since the last Council meeting. It was a genuine pleasure to represent the Council at the range of events she had been fortunate enough to be invited to.

50. Presentation of the West Berkshire Community Champion Awards (C3659)

The Chairman explained that the first West Berkshire Council Community Champion Awards were launched in September 2014. In addition to the pre-existing Junior Citizen Award (now the Pat Eastop Junior Citizen Award), three new awards were created; The Volunteer of the Year, the Community Group of the Year and the Lifetime Achievement Award.

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The judging was undertaken by independent representatives and she thanked the judges for their contribution. The standard of the nominations was very high throughout all the categories. The Chairman thanked all the nominators; those of nominees that did not win as well as those of winners. She stated that it was very encouraging to hear of the contributions that volunteers made in the community.

Prizes were awarded to the winner of the Pat Eastop Junior Citizen Award and in addition a highly commended award was also granted. Emily Curtis was highly commended by the panel. The nine year old was nominated by her mother, Mrs Maria Curtis and a family friend, Emily Allen. Emily had been collecting rubbish in her free time for a number of months and successfully lobbied her local councillor to have a new litter bin installed. She also worked via a Facebook page to educate others to keep the local area clean and tidy. The judges were very impressed by the work undertaken by Emily and the ongoing impact of her campaigning.

The winner of the Pat Eastop Junior Citizen Award was sixteen year old Kieren Nailer. Kieren was nominated by Miss Helen Randall, Manager at Partners for Active Leisure Service (PALS West Berkshire). PALS were a local charity that supported children and young people between the ages of five and 25 who had physical disabilities. Kieren had been helping at PALS for over a year, completing over 100 hours of service in that time. Kieren supported the youth group on a fortnightly basis, attended every weekend and supported holiday activities. Kieren had also run a 10km race to raise funds for PALS.

The judges were particularly impressed with the extent of Kieren's commitment to helping others in this challenging area and his very mature attitude at such a young age. Kieren was very highly thought of and a great role model to the PALS members and other volunteers alike.

The Highly Commended Awards for Community Group of the Year were awarded to the Kennet District Scout Council and the Newbury Street Pastors.

Kennet District Scout Council were nominated by David Elliott, District Commissioner. The Kennet District Scout Council supported over 1500 young people in the community including many children with special educational needs and disabilities. The panel were very impressed by the impact made by the Kennet District Scout Council to huge numbers of young people over a long period of time.

The Newbury Street Pastors were nominated by Mr Andy Bone from Thames Valley Police. The Street Pastors provided a range of assistance to those on a night out in Newbury, from giving people flip flops, helping people to get home safely and giving first aid and water to those under the influence. They helped by intervening in conflicts that occurred before they became serious. They operated in all weathers and the volunteers worked unsocial hours with shifts from 10pm to 4am. The non judgemental service which was often provided in challenging situations impressed the panel especially as the Street Pastors put themselves in potentially dangerous situations.

The joint winners of the Community Group of the Year were the Burghfield Santas and Pangbourne Dementia Friends.

The Burghfield Santas received three nominations from Mr Ben Twomey, Mrs Emma Shumsky and Ms Kylie Duncan. The group organised numerous fund raising events including a pub crawl, fun runs, Burghfest and the Burghfield Box-Kart bash. These activities raised money for very worthy causes (including a huge £150k for the Thames Valley Air Ambulance) and instilled a fantastic sense of community. The panel were extremely impressed by the strength of the nomination and could see the Burghfield Santas were clearly a charity 'not just for Christmas'.

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Pangbourne Dementia Friends were nominated by Sue Butterworth of West Berkshire Council. They actively facilitated social interaction and reduced loneliness and isolation felt by many older folk living in the community. Their activities were inclusive of people with dementia but were not restricted to only those with dementia which reduced stigma and encouraged inclusion. Events were held on a monthly basis. Sue added that the success of the group was down to their enthusiasm, commitment and generosity of time. The panel were struck by the fact that the group not only reached out to people who might otherwise be isolated but also recognised their awareness raising role in the wider community.

In terms of the Volunteer of the Year Award the judges had a very difficult job due to the number and strength of the nominations. The judges gave a highly commended award in this category as well as the overall winner.

The highly commended award winner recipient was Sue Bennett. Sue was nominated by Mr Dave Sollis. Sue was a running coach for the West Berks Run Together Groups, an England Athletics Mental Health Ambassador, a Park-run Race Director and volunteer and a fund raiser for the MS UK charity. Sue suffered with MS herself and had a very demanding job at the front line of the local NHS community service. Sue was described as 'truly inspirational, kind, caring and a phenomenally dedicated individual'.

The panel felt that Sue was a fantastic ambassador for both the physical and mental health benefits of running and keeping active. The panel applauded Sue's positive attitude which encouraged involvement and celebrated diversity.

The winner in the volunteer of the year award category was Mrs Janet Wood. Janet was nominated by Margaret Goswell. Janet had been heavily involved with three local community groups, the Brownies, St Mary's Church Shaw and the Shaw-Cum-Donnington Village Hall. Janet had been a brownie leader for 38 years. Janet had been a member of the Shaw-cum-Donnington village hall committee since about 1980 and inspired others with her enthusiasm and boundless energy.

The panel felt that Janet was totally invested in all three organisations and was greatly valued by everyone she worked with.

The judging panel was very impressed by the nominations for the Lifetime Achievement Award and decided to award three highly commended awards and an overall winner.

The three highly commended awards went to: Mrs Helen Relf, Mr Mike Hart and Mr Graham Plank.

Mrs Helen Relf was nominated by Patricia Wynne Frankum, Chair of Bucklebury Parish Council. Helen had contributed hugely to the enjoyment and knowledge of many of the residents of her parish. This has been done through a variety of activities ranging from helping the library service deliver books to those at home, to organising the Bucklebury walking group and a very popular Theatre Group. Helen had fund raised for local cancer charities but had also offered support to fellow cancer sufferers.

The panel felt that Helen was an amazing mentor to a lot of women and that her work in the village of Bucklebury was widespread and meaningful.

The second highly commended award went to Mr Mike Hart who was nominated by Mr Richard Jones. Mike had run keep fit classes for adults in the Newbury area for almost fifty years for no financial gain. The nomination was made on behalf of the substantial number of people whose health and wellbeing had benefitted from this activity over the years. Mike had also fund raised tirelessly for local cancer charities, raising large amounts of money for these very worthy causes. The panel felt that after 50 years of service to the community Mike should be applauded for his dedication and leadership.

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The panel was extremely impressed with Mike's commitment to providing the fitness classes for adults as these classes had encouraged healthy living for hundreds of people whilst creating friendships and support networks. Mike's fundraising for cancer causes had also impressed the panel.

The final highly commended award in this category was given to Mr Graham Plank who was nominated by Mr John Brims. Graham had been involved in many West Berkshire activities (some since 1960) including the Bradfield Young Farmers, Bucklebury Football Club and the Scouts. Graham's fundraising activities had been numerous and included the Chapel Row Fayre which had raised in excess of £175,000 over the 20 years it had been run. A large number of local organisations had benefitted from Graham's commitment and enthusiasm. The panel felt the work carried out by Mr Plank was very impressive, particularly the huge amounts of money raised for a large number of charities.

The winner of the Lifetime Achievement Award was Mr Graham Reeves. Mr Reeves was nominated by Mrs Cynthia Herbert. Graham was the Treasurer and Co-ordinator of the Carebus Volunteer Group and had devoted 30 years of service to the group. They provided transport for the elderly and disabled people of West Berkshire. Eighty year old Graham still worked every day of the week, arranging pick-ups for hospital appointments. He had arranged the purchase of two care buses and 2 cars and recruited volunteer drivers. Graham still drove one of the cars himself taking people to hospital in Reading and Newbury. In the evenings, Graham attended to all the administration associated with the Carebus service.

The panel was extremely impressed by the nomination and applauded the fact that Graham had devoted his life to helping others some of whom were the most vulnerable in the community.

The Chairman congratulated all nominees again and thanked them all for their contributions to the communities of West Berkshire.

51. Minutes

The Minutes of the meeting held on 13 September 2018 were approved as a true and correct record and signed by the Chairman.

52. Declarations of Interest

Councillors Billy Drummond and Paul Bryant declared an interest in Agenda Item 17, and reported that, as their interest was a disclosable pecuniary interest or an other registrable interest, they would be leaving the meeting during the course of consideration of the matter.

Councillor Lee Dillon declared an interest in Agenda Item 20 and reported that, as this interest was an other registrable interest, he would be leaving the meeting during the course of consideration of the matter.

Councillors Peter Argyle, Howard Bairstow, Jeanette Clifford, Dominic Boeck and Carol Jackson-Doerge declared an interest in Agenda Item 21, but reported that, as their interest was a personal interest they determined to remain to take part in the debate and vote on the matter.

Councillor Graham Bridgman declared an interest in Agenda Item 20, but reported that, as his interest was a personal interest he determined to remain to take part in the debate and vote on the matter.

Councillors Marcus Franks and Lee Dillon declared an interest in all the questions relating to housing and homelessness by virtue of the fact that they were employees of

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Sovereign Housing. As their interest was personal they determined to remain in the meeting and to listen to the responses and supplementary questions asked and answered.

53. Petitions

There were no petitions presented to the Council meeting.

54. Public Questions

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#). *(right click on link and 'Edit Hyperlink'. Insert URL to pdf on website in 'address' field)*

- (a) A question standing in the name of Mr Peter Carline on the subject of a no deal Brexit would receive a written response from the Portfolio Holder for Economic Development and Communications.
- (b) A question standing in the name of Mr Thomas Tunney on the subject of practices adopted by the housing team was asked on his behalf by Ms Deborah Sowerby and answered by the Portfolio Holder for Planning, Housing and Waste. Mr Tunney would receive a written response and could ask a supplementary question.
- (c) A question standing in the name of Mr Thomas Tunney on the subject of repayments by Councillor Nick Goodes was asked on his behalf by Ms Deborah Sowerby and was answered by the Leader of the Council. Mr Tunney would receive a written response and could ask a supplementary question.
- (d) A question standing in the name of Mr Thomas Tunney on the subject of eviction notices at a homeless camp was asked on his behalf by Ms Deborah Sowerby and was answered by the Portfolio Holder for Planning, Housing and Waste. Mr Tunney would receive a written response and could ask a supplementary question.
- (e) A question standing in the name of Mr Thomas Tunney on the subject of using the Council Chamber as a shelter for homeless people was asked on his behalf by Ms Deborah Sowerby and was answered by the Portfolio Holder for Planning, Housing and Waste. Mr Tunney would receive a written response and could ask a supplementary question.
- (f) A question standing in the name of Mr James Thomas on the subject of embracing cloud-based software-as-a-service offering was answered by the Portfolio Holder for Corporate Services.
- (g) A question standing in the name of Mr Steve Masters on the subject of investing in local housing stock was answered by the Portfolio Holder for Finance, Transformation and Property.
- (h) A question standing in the name of Mr Steve Masters on the subject of improvements to the verges on Burchell Road and Digby Road was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.
- (i) A question standing in the name of Mr Steve Masters on the subject of undertaking a risk assessment and exploring options to ensure that emergency vehicles had clear and safe access to Talbot Close was answered by the Portfolio Holder for Highways and Transport, Environment and Countryside.

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- (j) A question standing in the name of Mr Steve Masters on the subject of the impact of the budget cuts on the priorities of the Health and Wellbeing Board was answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture.
- (k) A question standing in the name of Mr Erik Pattenden on the subject of the Conservative manifesto promise to protect neighbourhood wardens was answered by the Leader of the Council.
- (l) A question standing in the name of Mrs Martha Vickers on the subject of using the showers and toilets at the football ground to support the homeless was answered by the Portfolio Holder for Planning, Housing and Waste.
- (m) A question standing in the name of Dr Tony Vickers on the subject of an exemption for those on benefits to have their garden waste collected for free was answered by the Portfolio Holder for Planning, Housing and Waste.
- (n) A question standing in the name of Dr Julie Wintrup on the subject of holding a full public independent inquiry into the agreement signed with St Modwen Developments Ltd was answered by the Portfolio Holder for Corporate Services.
- (o) A question standing in the name of Dr Julie Wintrup on the subject of defending the case brought by Faraday Development Limited was answered by the Portfolio Holder for Corporate Services.

55. Membership of Committees

MOTION: Proposed by Councillor Graham Jones and seconded by Councillor Graham Bridgman:

That the Council:

“amends its appointment to the Overview and Scrutiny Management Commission as follows: Councillor Alan Law to replace Councillor Emma Webster.”

The Motion was put to the meeting and duly **RESOLVED**.

MOTION: Proposed by Councillor Graham Jones and seconded by Councillor Hilary Cole:

That the Council:

“amends its appointment to the Overview and Scrutiny Management Commission as follows: Councillor James Cole to replace Councillor Richard Somner.”

The Motion was put to the meeting and duly **RESOLVED**.

MOTION: Proposed by Councillor Graham Jones and seconded by Councillor Hilary Cole:

That the Council:

“amends its appointment to the Joint Public Protection Committee as follows: Councillor James Cole to replace Councillor Emma Webster.”

The Motion was put to the meeting and duly **RESOLVED**.

MOTION: Proposed by Councillor Graham Jones and seconded by Councillor Hilary Cole:

That the Council:

“amends its appointment to the Governance and Ethics Committee as follows: Councillor Jason Collis to replace Councillor James Cole .”

The Motion was put to the meeting and duly **RESOLVED**.

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MOTION: Proposed by Councillor Graham Jones and seconded by Councillor Hilary Cole:

That the Council:

“amends its appointment to the Governance and Ethics Committee as follows: Councillor Graham Bridgman to replace Councillor Jason Collis as a substitute on this Committee .”

The Motion was put to the meeting and duly **RESOLVED**.

Councillor Lee Dillon offered thanks, on behalf of his group, to the outgoing Chairman of the Overview and Scrutiny Management Commission Councillor Emma Webster. He noted that she had always tried to accommodate his Group’s requests and that she had held the Administration to account in a fair and appropriate way. He stated that it would be a shame not to have her voice on the Commission in the future.

56. **Adjournment of the Meeting**

RESOLVED that the meeting of Council be adjourned to enable the Overview and Scrutiny Management Commission to determine their Chairman and Vice-Chairman.

The meeting was adjourned at 8.26pm.

57. **Recommencement of the Meeting**

The meeting was reconvened at 8.29pm.

58. **Licensing Committee**

The Council noted that, since the last meeting, the Licensing Committee had met on 19 November 2018.

59. **Personnel Committee**

The Council noted that, since the last meeting, the Personnel Committee had met on 17 September 2018.

60. **Governance and Ethics Committee**

The Council noted that, since the last meeting, the Governance and Ethics Committee had met on 29 October 2018 (special) and 26 November 2018.

61. **District Planning Committee**

The Council noted that, since the last meeting, the District Planning Committee had not met.

62. **Overview and Scrutiny Management Commission**

The Council noted that, since the last meeting, the Overview and Scrutiny Management Commission had met on 9 October 2018.

63. **Joint Public Protection Committee**

The Council noted that, since the last meeting, the Joint Public Protection Committee had met on 18 September 2018.

64. **Greenham Business Park Local Development Order (C3417)**

(Councillor Billy Drummond declared a disclosable pecuniary interest in Agenda item 17 by virtue of the fact that he was a director of Greenham Business Park. As his interest was a disclosable pecuniary interest he left the meeting and took no part in the debate or voting on the matter).

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(Councillor Paul Bryant declared an other registrable interest in Agenda item 17 by virtue of the fact that he was the Council's appointed representative on Greenham Common Trust. As his interest was an other registrable interest he left the meeting and took no part in the debate or voting on the matter).

(Councillors Drummond and Bryant left the meeting at 8.30pm).

The Council considered a report (Agenda Item 17) concerning a Local Development order for the Greenham Business Park.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Anthony Pick:

That the Council:

“adopts the Greenham Business Park Local Development Order including the corrections set out under separate cover at the meeting”.

In introducing the item Councillor Hilary Cole drew Members' attention to the following corrections which had been tabled at the meeting:

“In Appendix C:

Figure 3 – page 85 of Agenda

Figure 4 – page 88 of the agenda.

Figure 3:

- Delete notation identifying “16m maximum building height”.

Figure 4: -

- Alter “10m building height up to bund” to read “7m building height up to bund”
- Add in wording “external lighting to be directed inwards to minimise impact on ecologically sensitive boundary and wider landscape”
- Delete wording of “northern pitches to blend with tree line, [potential for green roofs to be used”], and insert “selective use of roof materials to northern pitches, to minimise visual impact, e.g. earth tones.
- Add in “selective use of cladding material to minimise impact e.g. earth tones: timber” after “vertical cladding to the northern elevation to compliment tree line”.

Councillor Hilary Cole reported that Greenham Business Park was a premier employment site in the district. In 1997 the site was granted mixed use planning permission. It was estimated that only 40% of the approved space had actually been built out. Greenham Trust (GT) had approached the Council to see if it would consider granting permission for a Local Development Order (LDO) on the site. The Council had worked in partnership with GT over the past 18 months to achieve this. An LDO meant that development could take place on the site without the need for a separate planning application albeit that any development had to be within the defined parameters and conditions of the LDO. Councillor Cole thanked Officers, especially Michael Butler, for their diligence in producing the LDO and she thanked GT for their forbearance.

Councillor Alan Macro stated that the Liberal Democrat Group supported the LDO which would allow GT to respond more quickly to its clients. He thanked the Council for taking comments on board during the consultation and was especially pleased to see that his comments on halving the space for distribution storage had been accepted. This would help to reduce the number of heavy goods vehicle movements on the site and surrounding road network.

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Councillor Anthony Pick felt that the adoption of the LDO would be a major step forward while maintaining a proper balance for the area. A favourable planning regime would be seen as attractive to new businesses.

Councillor Hilary Cole thanked Members for their support and in noting Councillor Macro's comments about consultation, explained that the Council did take on board issues raised during consultation exercises where appropriate.

The Motion was put to the meeting and duly **RESOLVED**.

(Councillor James Podger was not present for the entire discussion and did not vote on this item)

(Councillors Drummond and Bryant re-joined the meeting at 8.36pm)

65. **Council Response to Garden Waste Petition (C3669)**

The Council considered a report (Agenda Item 18) which set out a response to the Garden Waste petition containing 6,854 signatures submitted to the Council on 18 October 2018.

Prior to the discussion starting on this item the Chairman explained that in accordance with paragraph 1.4 (f) of Appendix C (Procedure Rules for Dealing with Representations) to Part 13 (Codes and Protocols) of the Constitution the procedure for dealing with this item would be that the petition organiser would have five minutes to introduce the petition. Councillor Graham Jones would propose the Council's response and the response would be seconded by Councillor Hilary Cole. They would each have five minutes to speak. The Opposition Spokesman would have 2.5 minutes to speak and other Members would be able to use the remaining 2.5 minutes to make comment.

Councillor Macro in introducing the petition stated that this was an amalgam of two petitions; one arranged by Mr George Davis and one arranged by him. In talking to residents he had been surprised at their strength of feeling on this issue. The petition stated that:

"Do not charge residents to recycle! Scrap the £50 charge! This charge comes as an additional separate payment on top of council tax, and is optional. Recycling is an essential service and should not be charged additionally - it is not a hobby for the wealthy. Less economically fortunate residents should not be trapped out of recycling their garden waste. Further to this, there are concerns disabled and elderly residents will not be able to take recycling to a waste facility as an alternative. We are at an environmental tipping point, everyone needs to be able to play their part in protecting the environment. We need to maintain and improve recycling rates not risk lowering them! Nearly 85% of respondents to the consultation oppose the £50 charge. We do not support this charge, or the damage it could do to our environment. I urge you, West Berkshire Council, to scrap the £50 charge immediately!"

He noted that the report stated that the consultation had 'helped to inform the recommendation which was considered at the meeting of Council which took place on 1 March 2018'. He disagreed with that comment and felt that the views of consultees had not been taken into account. The petition raised the potential impact on poorer households. The petition organisers were also concerned that the charge might have a negative impact on recycling rates. They were also concerned that disabled and elderly residents might have difficulties accessing recycling centres. Councillor Macro also commented that the Council had not widely highlighted that the payments could be made in instalments. He stated that the Council had chosen to ignore the comments made by

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85% (643) of the respondents to the consultation and he urged Members not to ignore the 6,854 people that had signed the petition.

Councillor Graham Jones stated that the Council had been forced to make a number of decisions over the past five years that the Administration did not want to make. Costs continued to increase and council tax was used in the main to fund core services. He accepted that there was a disconnect and better dialogue was needed as to how care was funded in the future. It was important to keep Council Tax as low as possible while continuing to care for the most vulnerable residents in the District.

Councillor Jones noted that most neighbouring authorities already charged for the collection of green waste and it was predicted that all authorities would be doing so by 2022. It was simple, if there was no funding for services they could not be delivered. While charging for the service could be revisited in the future in the current climate it would not be possible to remove the charge.

Councillor Lee Dillon stated that when this item was discussed at the March 2018 meeting he had proposed that the Council use £450k of the remainder of the Transitional Fund to reduce the proposed green waste collection service charge from £50 per household to £25 per household for 2018/19 to assist residents with the transition. In his opinion the Transition Funding was set up precisely to deal with these issues where it could be used to mitigate harm. The Council needed to recognise the universal right to recycle and needed to make it as easy as possible for residents to do so.

Councillor Graham Bridgman stated that Members would need to consider what would be missing if the requests within the petition was adhered to. Someone would need to tell the Portfolio Holder for Adult Social Care which services totalling circa £1m they would like to see cut. The Council was seeking to generate income. No-one wanted to charge residents for valuable services but this was a service that the Council did not have a statutory duty to provide.

Councillor Lee Dillon raised a point of order and stated that income generated was around £900k and not a million pounds as Councillor Bridgman was suggesting. In addition the £900k also included some one off costs. Councillor Bridgman accepted this point and stated that the Council would lose £900k of income which would have to be found from elsewhere in the budget.

Councillor Hilary Cole said that she understood the reasons behind the petition. She did however wish the Council to note that of the 6854 signatories only 3776 of them resided within West Berkshire. The remaining 3078 signatories were from other parts of the country and also from all around the world.

Councillor Macro raised a point of order and stated that some residents would state that they lived in Reading albeit that they were still residents of West Berkshire.

Councillor Cole explained that Officers had taken that issue into consideration and she was confident that the figures they had produced were correct. Councillor Cole agreed with Councillor Jones that all councils were likely to introduce the charges by 2022. Many already did. The lowest charge was currently £44.20 and the highest was £75.00. Eleven of the thirteen Liberal Democrat run Councils had already introduced the charge and the highest charging of those authorities charged £70.00.

To date 26,000 households had signed up for the scheme which was a higher figure than had been modelled on. She reiterated that this was an opt in charge and was not a Green Bin Tax. The Council would continue to encourage residents to home compost as this was still the greenest option. The Council was being forced to make tough choices and this charge was seen as being preferable to cutting services to the District's most vulnerable residents.

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Councillor Graham Jones commented that he too had spoken to residents and had received a different response to those received by the petitioners. The people he had spoken to had an understanding of the local authority's financial position. He reminded the Opposition Group that they had endorsed the principle at the March 2018 Council meeting.

MOTION: Proposed by Councillor Graham Jones and seconded by Councillor Hilary Cole:

That the Council:

“rejects the proposal and continue charging for the garden waste collection service in light of the significant financial and resource implications that would result from the proposal in the petition”.

The Motion was put to the meeting and duly **RESOLVED**.

66. **Statement of Gambling Principles (C3430)**

The Council considered a report (Agenda Item 19) which set out West Berkshire District Council's Statement of Gambling Principles ('Statement') under the Gambling Act 2005 which had to be reviewed and be re-published by 31st January 2019.

MOTION: Proposed by Councillor James Cole and seconded by Councillor Marcus Franks:

That the Council:

“adopts the Statement of Gambling Principles as set out at Appendix E”.

Councillor James Cole in introducing the item stated that the documentation had been considered in great detail at the 19 November 2018 Licensing Committee meeting. He noted that the Council had consulted on the document and had taken the comments from the consultees on board where appropriate.

Councillor James Cole commented that the Council's lottery scheme was not covered in the document as it was being dealt with by an external provider. The key changes were summarised in paragraph 2.1 of Appendix C. In essence the document had been substantially re-ordered, should be easier to read and was aligned as far as was possible with the policies of the partners in the Public Protection Partnership. He reported that the web version of the document would include links which should make it easier to read.

Councillor James Cole thanked Councillor Graham Bridgman for his assistance with reformatting the document.

Councillor Bridgman commented that as with all documents from this service there was a move to try and standardise them where possible across the three authorities in the Public Protection Partnership. While this was a matter of convenience it was also useful for the shared team to be operating under similar policies in all three localities.

The Motion was put to the meeting and duly **RESOLVED**.

67. **Statement of Licensing Policy (C3431)**

(Councillor Lee Dillon declared an other registrable interest in Agenda item 17 by virtue of the fact that his father was a landlord at a public house in West Berkshire. As his interest was an other registrable interest he left the meeting and took no part in the debate or voting on the matter).

(Councillor Graham Bridgman declared a personal interest in agenda item 17 by virtue of the fact that he was a director of a CIC which held a premise licence in Mortimer. As his

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interest was personal he remained in the meeting, took part in the debate and voted on this item).

(Councillor Dillon left the meeting at 8.59pm).

The Council considered a report (Agenda Item 20) which set out West Berkshire District Council's Statement of Licensing Policy ('SLP') under the Licensing Act 2003 which had to be reviewed and be re-published by 11th December 2018.

MOTION: Proposed by Councillor James Cole and seconded by Councillor Marcus Franks:

That the Council:

"adopts the Statement of Licensing Policy as set out at Appendix E".

Councillor James Cole in introducing the item stated that the policy accorded with the Licensing Act 2003 which required the Licensing Authority to prepare and publish a SLP every five years. It outlined the general approach of the Council when making licensing decisions. It also considered how the Council would address the four 'licensing objectives' namely the prevention of crime and disorder, public safety, prevention of children from harm and prevention of public nuisance. This item had also been considered in great detail at the 19 November 2018 Licensing Committee meeting.

The policy had been drafted in consultation with colleagues across Bracknell and Wokingham as it was a stated objective of the Public Protection Partnership to reduce duplication and derive efficiency from economies of scale. He thanked Councillor Bridgman for his input into reformatting this document. The final version would include a glossary and links.

The Motion was put to the meeting and duly **RESOLVED**.

(Councillor Dillon re-joined the meeting at 9.03pm)

68. **Leisure Centre Fees and Charges 2019 (C3657)**

(Councillor Peter Argyle declared a personal interest in Agenda item 21 by virtue of the fact that he used the Willink Leisure Centre. As his interest was a personal interest he remained in the meeting, took part in the debate and voted on the matter).

(Councillor Howard Bairstow declared a personal interest in Agenda item 21 by virtue of the fact that he had a West Berkshire Leisure Card and occasionally used the Northcroft swimming pool. As his interest was a personal interest he remained in the meeting, took part in the debate and voted on the matter).

(Councillor Jeanette Clifford declared a personal interest in Agenda item 21 by virtue of the fact that she used the Northcroft Leisure Centre. As her interest was a personal interest she remained in the meeting, took part in the debate and voted on the matter).

(Councillor Dominic Boeck declared a personal interest in Agenda item 21 by virtue of the fact that he was a member of Kennet Leisure Centre. As his interest was a personal interest he remained in the meeting, took part in the debate and voted on the matter).

(Councillor Carol Jackson-Doerge declared a personal interest in Agenda item 21 by virtue of the fact that she was a Member of the Willink Leisure Centre Joint Advisory Committee. As her interest was a personal interest she remained in the meeting, took part in the debate and voted on the matter).

The Council considered a report (Agenda Item 21) which set out the implications associated with the contractual requirement for an annual price review for the leisure contractor which would come into effect on the 1st January 2019.

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MOTION: Proposed by Councillor Rick Jones and seconded by Councillor Rob Denton-Powell:

That:

“the proposed increase in Fees and Charges as outlined in Appendix D for the leisure management contract be approved”.

Councillor Rick Jones reported that the Council had a contractual obligation to review the fees and charges annually in advance of the 01 January when the new fees would be introduced. This report proposed a modest increase to fees at an average of 2.9% which was lower than the previous year and below the inflation rate of 3.4%. The charges were based on benchmarking with other relevant local authorities, competitors in the market and also looked into usage figures. The fees were still at the lower end of the scale and would be even lower for residents who made use of their West Berkshire Leisure Card. Councillor Jones was pleased to note that just over a million visits had been made to the District’s leisure centres during the past year.

The Motion was put to the meeting and duly **RESOLVED**.

69. **Amendments to the Constitution (C3260)**

The Council considered a report (Agenda Item 22) which proposed a number of amendments to Parts 2, 3, 10, 11 and 13 of the Constitution.

MOTION: Proposed by Councillor Keith Chopping and seconded by Councillor Graham Bridgman:

That:

- “(i) The amendments to the Articles of the Constitution which are detailed in Appendix D of this Report be approved.
- (ii) The amendments to the Scheme of Delegation which are shown fully in Appendix E of this Report be approved.
- (iii) The amendments to the Financial Rules of Procedure at Part 10 of the Constitution, as detailed in Appendix F of this Report be approved.
- (iv) The amendments to the Contracts Rules of Procedure at Part 11 of the Constitution, as detailed in Appendix G of this Report be approved.
- (v) The amendments to the Social Media Protocol for Councillors at Part 13 of the Constitution, as shown at Appendix H of this Report be approved.”

Councillor Chopping stated that the Governance and Ethics Committee had considered the proposed changes in great depth at its meeting on the 26 November 2018. Key changes included: amending the Financial Rules of procedure to increase the level of bad debt that the Head of Finance and Property was authorised to write off from the current limit of £10k to £25k. This change was based on a benchmarking exercise involving other local authorities and also to reflect the fact that there had been no uplift to this limit in more than ten years.

Part 11 had been amended to reflect that Commercial Board had recently been renamed Procurement Board. Following discussions with Members it has also been agreed to streamline the governance arrangements around contractual procurement.

The Scheme of Delegation and Financial Rules of Procedure had been amended to allow the Head of Finance and Property, in consultation with the Portfolio Holder for Finance, the Head of Human Resources and the Head of Legal, to make payments up to a

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maximum of £5k to officers of tier 3 or below to reward them for generating ideas that resulted in significant income for the Council.

Councillor Chopping also explained that in addition it was also proposed that the Scheme of Delegation be amended to delegate power to the Personnel Committee to allocate the statutory posts of Director of Children's Services and the Director of Adults Services to appropriate officers. He noted that the Personnel Committee already had delegated authority to appoint officers to other statutory posts within the Council.

Councillor Chopping explained that a small Task Group comprising both Members and Officers was set up to review the Social Media Protocol for Councillors. The changes suggested were designed to reflect both technological changes and to more closely align the Members' protocol with the recently updated Officer Protocol.

Councillor Alan Macro commented that he did not believe that the revised Social Media Protocol addressed the issues identified in the recent standards complaint against Councillor Dominic Boeck.

Councillor Jeff Brooks stated that he wanted more detail around the request to increase the limit to which the Head of Finance and Property could write off bad debt. He was concerned about this decision given the Council's financial situation. He asked for more information around the number of bad debts that had been written off over the past year and also the reasoning behind the write offs.

Councillor Brooks also stated that while the cash incentive for Officers, who generated ideas that resulted in significant income for the Council, was laudable the proposal as stated lacked clarity, should have parameters and was too subjective.

Councillor Anthony Chadley explained that there would be clear parameters set around the scheme and these would be developed now that Members had agreed the principle.

Councillor Lee Dillon proposed that this decision be delayed until the detail requested could be provided.

Councillor Graham Bridgman explained that the rationale behind the write off decision was set out in the supporting information. He stated that although Councillor Macro had been unable to attend the Governance and Ethics Committee he had submitted written comments and those had been taken into consideration. The Social Media Protocol (SMP) was designed to provide guidance for Members on its usage. Inappropriate comments would be considered as potential breaches of the Code of Conduct and it was therefore not necessary to make reference to them in the SMP. On the basis that all the concerns raised had been dealt with he suggested that the decision should not be delayed.

Councillor Bridgman urged all Members to carefully read the expanded definition of what a Councillor was.

Councillor Chopping stated that it was important that Members read the report properly. He suggested that if Councillor Macro had any concerns about the policies that he could raise them at a future Governance and Ethics Committee meeting.

The Motion was put to the meeting and duly **RESOLVED**.

70. **Proposed Member Induction and Development Programme - 2019/20 (C3632)**

The Council considered a report (Agenda Item 23) which set out the proposed Member Induction and Development Programme for 2019/20 following the forthcoming District Council Election in May 2019.

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MOTION: Proposed by Councillor Graham Jones and seconded by Councillor Lee Dillon:
That:

“The Member Induction and Development Programme for 2019/20 be approved”.

Councillor Dominic Boeck emphasised the importance for new and existing Members to attend the training. He also stated that he had valued the sessions that he had attended and thanked Officers for running and delivering the programme.

The Motion was put to the meeting and duly **RESOLVED**.

71. **2019/20 West Berkshire Council Timetable of Public Meetings (C3658)**

The Council considered a report (Agenda Item 24) which set out the proposed timetable of public meetings for the 2019/20 Municipal Year.

MOTION: Proposed by Councillor Graham Jones and seconded by Councillor Lee Dillon:
That:

“the timetable of public meetings for the 2019/20 Municipal Year be approved”.

The Motion was put to the meeting and duly **RESOLVED**.

72. **Sustainable Drainage Systems (SuDS) Supplementary Planning Document (SPD) (C3660)**

The Council considered a report (Agenda Item 25) which set out the representations received in response to the consultation on the Sustainable Drainage Systems Supplementary Planning Document (SuDS SPD) undertaken between 11 June and 23 July 2018, the ensuing representations and sought approval to adopt the SuDS SPD as attached in Appendix D.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Jeanette Clifford:

That:

1. “the SuDS SPD be adopted in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.
2. it be noted that as no new information or evidence arose through the consultation no major changes be made to the SuDS SPD.
3. the Council responses to the representations received as set out in Appendix C be agreed.
4. Authority be delegated to the Head of Development and Planning to agree any minor typographical and formatting refinements to the SuDS SPD before publication.”

Councillor Hilary Cole stated that Members would be aware that the District had been affected by flooding in recent years. In the case of the 2007 floods in Newbury and Thatcham, the source was rainfall which overwhelmed drainage systems. SuDS acted as sponges, storing rainfall and releasing it slowly, controlling the volume and speed of rainwater which ran off paved areas. This delayed the amount of water reaching rivers, which helped to manage flooding to downstream properties.

The document set out a framework for good quality SuDS. The document provided guidance to help developers, consultants and planning officers choose the right SuDS for sites in West Berkshire. It also explained the process of planning and designing SuDS

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and outlined standards for West Berkshire, as well as supporting and signposting Government and industry SuDS standards.

A public consultation exercise had been undertaken in June and July. Eighteen comments had been received and they were all supportive and included some suggestions for enhancing clarity where it was appropriate to do so.

Councillor Hilary Cole thanked Officers, especially Stuart Clark and Laila Bassett, for all the work they had done to bring this report before Council for adoption.

Councillor Alan Macro stated that his group was in favour of the proposal. Their concerns related to the ongoing maintenance of minor sites. Where there was a turnover of residents the collective memory behind the reasons for the SuDS might be lost. He had raised his concerns as part of the consultation but his proposals had been rejected.

Councillor Jeanette Clifford commented that the SuDS systems were beautiful in their design. They would save money but would also create areas to play in and would be homes for all manner of life. They provided an ambitious, visionary, long term, cost effective solution. This was a stupendous piece of work and she wanted to join Councillor Cole in congratulating the officers involved. She also wanted to thank Councillor Cole for guiding officers through this piece of work.

The Motion was put to the meeting and duly **RESOLVED**.

73. Notices of Motion

The Council considered the under-mentioned Motion (Agenda item 26a) submitted in the name of Councillor Lynne Doherty relating to ongoing government funding for nursery schools.

The Chairman informed the Council that the Motion would be debated at the meeting.

MOTION: Proposed by Councillor Lynne Doherty and seconded by Councillor Jeanette Clifford:

“That this Council adds its voice to the All Party Parliamentary Group for Nursery Schools, Nursery and Reception Classes and our own MP Richard Benyon to call on the Government to take action to ensure nursery schools are financially sustainable for the future when the current supplementary funding ends in England in March 2020.”

The Motion was put to the vote and declared **CARRIED**.

The Council considered the under-mentioned Urgent Motion (Agenda item 26b) submitted in the name of Councillor Lee Dillon relating to the Court of Appeal decision in the case of Faraday Development Ltd –v- West Berkshire Council.

The Chairman informed the Council that the Motion would be debated at the meeting.

MOTION: Proposed by Councillor Lee Dillon and seconded by Councillor Jeff Brooks:

“In the light of the recent Court of Appeal decision in the case of Faraday Development Ltd –v- West Berkshire Council, the Council agree to hold an independent inquiry starting with the decision making process that led to a development agreement being signed which the Court of Appeal has now declared to be ineffective due to a failure by the Council to fully comply with relevant procurement legislation and to formally consult with the Opposition before deciding to appeal the decision moving forwards.”

During the discussion of this item Councillor Emma Webster proposed that in accordance with paragraph 4.9.12 (i) of the Constitution, Members vote to allow continuation of the meeting past 10.00pm. The proposal was seconded and unanimously agreed.

The Motion was put to the vote and declared **LOST**.

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74. Members' Questions

- (a) A question standing in the name of Councillor Alan Macro on the subject of the use of the Newbury Football Ground was answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture.
- (b) A question standing in the name of Councillor Lee Dillon on the subject of grant funding for the Corn Exchange was answered by the Portfolio Holder for Health and Wellbeing, Leisure and Culture.

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#). *(right click on link and 'Edit Hyperlink'. Insert URL to pdf on website in 'address' field)*

(The meeting commenced at 7.00pm and closed at 10.04pm)

CHAIRMAN

Date of Signature

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Investment and Borrowing Strategy 2019/20

Committee considering report:	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 requests Council approval of 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 requests Council approval of 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:	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 Council approves and adopts 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, achieved through becoming more efficient, staffing reductions, transforming services and generating income.

6. The 2019/20 Local Government Finance Settlement

- 6.1 The final settlement figures were issued on 29 January 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:	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 request approval of the Capital Strategy and Programme 2019/20 to 2021/22.

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:

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 - (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 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 Councils 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:	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 The Council is recommended to resolve as follows:
 - (1) That Council approves 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.
 - (5) That it be noted that the following amounts for the year 2019/20 in accordance with regulations made under Section 31B of the Local Government Finance Act 1992, as amended (by the Localism Act 2011):-
 - (a) 65,021.46 being the amount calculated by the Council, (Item T) in accordance with regulation 31B of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended by the Localism Act 2011), as its council tax base for the year.
 - (b) Part of the Council's area as per Appendix M being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year

for dwellings in those parts of its area to which a Parish precept relates.

- (6) Calculate that the Council Tax requirement for the Council's own purposes for 2019/20 (excluding Parish precepts) is £97,870,951.
- (7) That the following amounts be now calculated by the Council for the year 2019/20 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992, amended by the Localism Act 2011:-
 - (a) £329,889,607 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2), (a) to (f) of the Act taking into account all precepts issued to it by Parish councils.
 - (b) £227,777,905 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3), (a) to (d) of the Act.
 - (c) £102,111,702 being the amount by which the aggregate at 7(a) above, exceeds the aggregate at 7(b) above, calculated by the Council, in accordance with the Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R).
 - (d) £1570.43 being the amount at 7(c) above (Item R), all divided by 5(a) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the 'basic amount of its Council Tax for the year (including Parish precepts)'.
 - (e) £4,240,751 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per Appendix M).
 - (f) £1505.21 being the amount at 7(d) above less the result given by dividing the amount at 7(e) above by the amount at 5(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special items relates.
- (8) That it be noted that for the year 2019/20, Police and Crime Commissioner for Thames Valley & The Royal Berkshire Fire and Rescue Service have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Councils area as indicated in Appendix M.
- (9) That the Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables in Appendix M as the amounts of Council Tax for 2019/20 for each part of its area and for each of the categories of dwellings.

2.2 A petition was submitted to the Council on 14 February 2019 at a meeting of the Executive, calling on the Council to award a grant to the Corn Exchange of £50,000

in 2019/20 and 2020/21. In view of the financial implications resulting from the proposal detailed in the petition, and the fact that the Council has agreed to transfer the freehold of the Corn Exchange building to the Trustees of the Corn Exchange, it is recommended that the request within the petition for the Council to provide additional funding should be rejected.

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 in the area of the Public Protection Partnership and this has been subject to a separate report to the Executive. 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 2019/20 Local Government Finance Settlement

- 7.1 The final settlement figures were issued on 29 January 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.

- (5) The Council will receive a total of £210,000 funding from the Government to assist it with its Brexit preparations. Whilst this funding is not ring-fenced there is a clear expectation that this funding will be used to help prepare for Brexit. The funding will be divided into two years, £105,000 in 2018/19 and £105,000 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 generate £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		
	£m	£m
Income		
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		
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's 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.
- (5) That the request within the petition calling on the Council to award a grant to the Corn Exchange of £50,000 in 2019/20 and 2020/21 be rejected.

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
- 12.12 Appendix L – Briefing paper for Ratepayers
- 12.13 Appendix M – Council Tax Resolution
- 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.

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 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.

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Statutory Pay Policy 2019

Committee considering report:	Council on 5 March 2019
Portfolio Member:	Councillor Dominic Boeck
Date Portfolio Member agreed report:	31 January 2019
Report Author:	Rebecca Bird
Forward Plan Ref:	C3617

1. Purpose of the Report

- 1.1 To seek Council's approval of the Statutory Pay Policy Statement for publication from 1st April 2019.

2. Recommendation

- 2.1 To approve and then publish the policy statement in accordance with s38 of the Localism Act 2011.

3. Implications

- 3.1 **Financial:** None
- 3.2 **Policy:** None
- 3.3 **Personnel:** None
- 3.4 **Legal:** None
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Other options considered

- 4.1 Not applicable – this is a statutory requirement.

Executive Summary and Report

- 4.2 Section 38 of the Localism Act 2011 requires local authorities to publish an annual pay policy statement. The method of publication is at the discretion of the authority, but it is expected to comply with the principles set out in the Local Government Transparency Code. The statement must be approved by full Council.
- 4.3 Council approved the annual publication of the statement, in principle, on 1st March 2012. This report seeks approval for publication of the 2019 Pay Policy Statement (attached at appendix C) with effect from 1st April 2019.
- 4.4 The statement should set out the policies in relation to;
- (1) Remuneration of its chief officers
 - (2) The remuneration of its lowest paid employees (and our definition and reasons for defining it)
 - (3) The relationship between the remuneration of its chief officers and those who are not chief officers
- 4.5 The definition of chief officers includes the Chief Executive, the Monitoring Officer, the Section 151 Officer, Executive and Corporate Directors, as well as those who report directly to any of these post holders. Thus, in West Berkshire Council, this definition would include all Heads of Service.
- 4.6 Chief Officer remuneration includes salary, bonuses, performance-related pay, fees or allowances (including as returning officer), benefits in kind, etc. The policy should also state how chief officer salary will be determined on appointment and any arrangements for payments upon leaving office.
- 4.7 The Pay Policy Statement for 2019 has been updated to reflect the new National Joint Council pay scales to be implemented on 1st April 2019.
- 4.8 *The figures in the policy statement in italics will be revised once the pay award has been implemented, as their calculation relies on the HR information system.*

5. Conclusion

- 5.1 The Pay Policy Statement attached as Appendix C should be published on the Council website with effect from 1st April 2019, to comply with our statutory duty under the Localism Act.

6. Appendices

- 6.1 Appendix A – Data Protection Impact Statement
- 6.2 Appendix B - Equalities Impact Assessment
- 6.3 Appendix C –Draft Statutory Pay Policy 2019

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:	Human Resources
Team:	
Lead Officer:	Rebecca Bird
Title of Project/System:	Statutory Pay Report
Date of Assessment:	14/01/19

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><small>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”</small></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will you be processing data on a large scale?</p> <p><small>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</small></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will your project or system have a “social media” dimension?</p> <p><small>Note – will it have an interactive element which allows users to communicate directly with one another?</small></p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Will any decisions be automated?</p> <p><small>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?</small></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><small>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</small></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.

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:		Approval of the Statutory Pay Report	
Summary of relevant legislation:		S38 of the Localism Act 2011 requires the Council to publish a pay policy statement.	
Does the proposed decision conflict with any of the Council's key strategy priorities?		No	
Name of assessor:		Rebecca Bird	
Date of assessment:		14/1/19	
Is this a:		Is this:	
Policy	No	New or proposed	No
Strategy	No	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 fulfil a statutory requirement to publish pay data.	
Objectives:		To publish the statutory pay policy by 1 st April 2019.	
Outcomes:		Provision of clear statutory information.	
Benefits:		To fulfil our statutory duty.	
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: The statement publishes our current position on pay.		
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: See above.		

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: Rebecca Bird

Date: 14th January 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.

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Council Tax Empty Property Changes Report

Committee considering report:	Council on 5 March 2019
Portfolio Member:	Councillor Dominic Boeck
Date Portfolio Member agreed report:	14 February 2019
Report Author:	Iain Bell
Forward Plan Ref:	C3675

1. Purpose of the Report

- 1.1 To update Council on the legislation changes made by government in respect to Council Tax empty home charges from 2019/20 onwards.

2. Recommendations

- 2.1 To agree for the empty homes charges to increase in line with the following;
- 2.2 2019/2020 – 50% premium charge to increase to 100% if a property has been empty for more than 2 years.
- 2.3 2020/2021 – 100% premium to apply to properties that have been empty for between 2 and 5 years. 200% premium where the property has been empty for more than 5 years
- 2.4 2021/2022 – 100% to apply to properties that have been empty for between 2 and 5 years. 200% premium where the property has been empty for between 5 and 10 years. 300% premium where the property has been empty for more than 10 years.
- 2.5 Not to apply the additional premium charges from 1st April 2019 where there is a genuine case that the property is up for sale and there are difficulties in the sale.

3. Implications

- 3.1 **Financial:** Having modelled the above on our current cases, by 2021/2022 an additional income of £377,000 could be generated should these proposals have no effect on the home owner's choices to leave their properties empty.
- 3.2 **Policy:** Currently all empty home owners pay a full 100% charge.
- A 50% premium is charged where the property has been empty for more than 2 years. So in effect they pay 150% of the Council Tax bill
- The proposed changes could mean that someone in the average Band D house who has left their property empty for more than 10 years could be paying 400% Council Tax by

2021/22 at around £7,000 per year (or around £14,000 for a Band H).

Government's intention has been made clear in that there is still a substantial shortfall in the number of affordable homes. It hopes by introducing additional charges to reduce the number of empty homes. Latest estimates suggest that there are over 200,000 empty properties in England worth £50bn.

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 Not applying the additional premiums is an option but government's intention is quite clear. It wishes to reduce the number of empty homes due to a substantial shortfall in the number of affordable homes.

Executive Summary

5. Introduction / Background

- 5.1 This report explains the consequences of changes in legislation in respect to empty home charges from the 1st April 2019. These changes are being made by the Rating (Properties in Common Occupation) and Council Tax (Empty Dwellings) Bill 2018.

Royal Assent for this piece of legislation was given on 1st November 2018.

The introduction of charging additional premiums for empty properties was introduced in April 2013 at the same time as welfare reform.

The changes do allow a degree of flexibility in that Councils can decide the appropriate level of discount where there is a genuine case that the property is up for sale and there are difficulties in the sale.

The intention of the recommended action is to increase council tax revenue whilst also supporting the government's and council's initiatives to bring back empty homes into the housing market.

The proposed changes do not affect furnished 2nd or holiday homes.

- 5.2 The table below shows the number of empty properties in West Berks since 2013/14;

Year	Total number of properties	Number of homes empty for under 2 years (100% charge)	Number of homes empty for more than 2 years (150% charge)
2013/14	66087	628	164
2014/15	66391	472	144
2015/16	67097	540	151
2016/17	67536	268	96
2017/18	68084	314	95
2018/19 (date)	68345	318	89

The number of empty properties currently exceeding 5 years is 23

6. Proposal

- 6.1 That the Council takes advantage of the changes made. This could generate additional income of £377,000 by 2021/22.

However the Council should also consider leaving the empty property charge at the current 50% premium level where the property is up for sale and there are genuine reasons why the property cannot being sold.

7. Conclusion

- 7.1 The reforms from government are to allow for an additional charge or premium to be placed on empty homes which should contribute to the government's intention of reducing the number of empty homes whilst also generating further income for the Council.

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 – Technical Reforms to Council Tax
- 8.5 Appendix E – Copy of Legislation Council Tax (Empty Dwellings) Bill 2018

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:	Council Tax Empty Homes
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 1992 The Rating(Property in Common Occupation) and Council Tax (Empty Properties) Bill 2018
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 2018

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 policy in regards to Council Tax and empty property charges
Objectives:	As above
Outcomes:	As above
Benefits:	To be able to provide Council Tax payers with clear advice on how the Council charges empty home owners

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:		
The recommendations relate to Council Tax and empty home/property owners. They apply equally across all these groups.		

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: There is no differentiation across these 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 : Although potentially it would have a financial impact on those who own an empty property	

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](#).

Name: Iain Bell

Date: 27th November 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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Polling Districts, Polling Places and Polling Stations Review 2019/20

Committee considering report:	Council on 5 March 2019
Portfolio Member:	Councillor Dominic Boeck
Date Portfolio Member agreed report:	22 February 2019
Report Author:	Andy Day
Forward Plan Ref:	C3428

1. Purpose of the Report

- 1.1 This report provides feedback on the results of the public consultation into the Polling Districts, Polling Places and Polling Stations Review 2019/20.

2. Recommendations

- 2.1 That, in response to the Council's public consultation on its review of Polling Districts, Polling Places and Polling Stations 2019, the Council is asked to approve the recommendations set out below and which are also included in Appendix D.
- 2.2 That the Returning Officer be given delegated authority to agree any further minor changes to Polling Districts and Polling Stations.
- 2.3 That any Polling Places be assumed to relate to Polling Districts in their entirety.

Chieveley and Cold Ash Ward

- (1) That 2 new Polling Districts for Florence Gardens and Little Copse be created as a result of the Boundary Review and that electors in Florence Gardens and Little Copse vote in Polling Stations as set out below:
- (i) Electors in Florence Gardens will vote in the Newbury and Thatcham Hockey Club, Henwick Worthy.
- (ii) Electors living in Little Copse in Thatcham North East will vote in the Central Family Hub, Park Lane.

Hungerford and Kintbury

- (2) That the Polling Station for Combe be moved from the Inn Keepers' Bungalow to Combe Manor.

Newbury Central Ward

- (3) That electors around the Park Way area that used to vote at St Nicholas Church Hall in future vote at St Joseph's Catholic Church Hall.

Newbury Greenham Ward

- (4) That Newbury Rugby Club be used as a future Polling Station for the Sandford Polling District, which will be in the Newbury Greenham Ward.

Newbury Speen Ward

- (5) That electors in Polling District NB7 (Brumell Grove) vote, in the future, at the Scout Hut, Poplar Place.
- (6) That SB2 and SB3 Polling Districts be merged to create a unique SB2 Polling District.
- (7) That the permanent moorings adjacent to Monkey Bridge be included in NBY14 Polling District.
- (8) The line of the northern boundary of NBY10 has been moved north to follow the line of the River Kennet. This will ensure that the electors between the canal and the river vote at St Nicholas Church Hall.

Newbury Wash Common

- (9) That Newbury Rugby Club be used as a future Polling Station for the Sandford Polling District, which will be in the Newbury Wash Common Ward.

Ridgeway Ward

- (10) That the Swan Public House be used at a Polling Station for East Ilsley.

Thatcham Colthrop and Crookham Ward

- (11) That a new Polling District (THA7) be created for all those residents located south of the Railway Line and Crookham Hill. These electors will continue to use the Travellers Friend as their Polling Station.

Thatcham North East Ward

- (12) Those residents which are part of the Little Copse Polling District (in Cold Ash) Parish use the Thatcham Children's Centre as their designated Polling Station.

Thatcham West Ward

- (13) That electors located in the Polling District of Florence Gardens (Cold Ash Parish) use the Newbury and Thatcham Hockey Club, Henwick Worthy as their Polling Station.
- (14) That electors on the eastern side of Northfield Road use the Hockey Club, as opposed to the Memorial Hall.

Tilehurst South and Holybrook Ward

- (15) That the electors north of the A4 in Calcot Row, New Lane Hill and the Golf Course form a new Polling District (ZTH1), using the Beansheaf Community Centre and their designated Polling Station.

3. Implications

- 3.1 **Financial:** There are no financial implications associated with this report.
- 3.2 **Policy:** There are no policy implications associated with this report.
- 3.3 **Personnel:** There is no personnel implications associated with this report.
- 3.4 **Legal:** There are no legal implications associated with this report.
- 3.5 **Risk Management:** There are no risk management implications associated with this report.
- 3.6 **Property:** There are no Property implications associated with this report.

Executive Summary

4. Introduction / Background

- 4.1 The Returning Officer recently conducted a review of polling districts, polling places and polling stations ahead of the scheduled District and Parish elections in May 2019. This review is pursuant to the Electoral Registration and Administration Act 2013.
- 4.2 The Local Government Boundary Commission for England completed a Boundary Review of the district in January 2018. The Boundary Commissions' proposals for West Berkshire were:
- (i) A reduction in the total number of Councillors from 52 to 43.
 - (ii) A reduction in the total number of wards from 30 to 24.
 - (iii) The boundaries of one ward staying the same.
- 4.3 These proposals will take effect from the May 2019 District/Parish Council Elections.
- 4.4 Section 17 of the Electoral Registration and Administration Act 2013 requires Local Authorities to carry out and complete reviews of Polling Districts and Polling Places (Polling Stations) every five years. However, this review is being undertaken having regard to the outcome of the Local Government Boundary Commission for England's boundary review of the district.
- 4.5 A Polling Place is provided for electors living within each polling district. The changes to wards mean that the Council is required to carry out a review of the Polling Districts and Polling Places within the District, pursuant to Section 18C of the Representation of the People Act 1983.
- 4.6 A Polling Place for a Polling District is expected to be an area in that district, except where special circumstances make it desirable to designate an area wholly or partly outside the Polling District. Any Polling District is expected to be small enough to indicate to electors in different parts of the Polling District how they will be able to reach the Polling Place.
- 4.7 A Public Notice was posted on to the Council's website and consultation letters were sent to all Local members of Parliament and West Berkshire Councillors and relevant Disability organisations via the Disability Forum. Feedback received from Polling Station staff in the past has also been used to help shape this review and the preliminary proposals set out in this document.
- 4.8 The consultation was open for four weeks starting on 14 January 2019 and ending on 11 February 2019. 46 responses were received to the consultation, however, only 42 actually gave their views on the proposed changes.
- 4.9 The feedback from those that responded to the consultation was supportive of the Council's approach to the three new Polling Station venues that it was proposing to use. This has been reflected in the recommendations. The opportunity has also been taken to make minor changes to some Polling Districts to ensure that electors continue to vote in the most appropriate Polling Station.

5. Conclusion

- 5.1 The public consultation has resulted in 42 full responses being received. Responses which have resulted in changes being made to the draft proposals have been incorporated into the response section for each ward of the consultation document.

6. Appendices

- 6.1 Appendix A – Data Protection Impact Assessment
- 6.2 Appendix B – Equalities Impact Assessment
- 6.3 Appendix C – Supporting Information
- 6.4 Appendix D – Consultation Document

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:	Strategic Support
Team:	
Lead Officer:	Andy Day
Title of Project/System:	Review of Polling Districts and Polling Places 2019
Date of Assessment:	12 February 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.**
- (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 Council to make:	To support the recommendations set out in the review of Polling Districts, Polling Places and Polling Stations 2019.
Summary of relevant legislation:	Section 17 of the Electoral Registration and Administration Act 2013
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Andy Day
Date of assessment:	12 February 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:	The review looks at, amongst other things, the accessibility of Polling Stations.
Objectives:	To ensure that each Polling Station is as accessible as possible notwithstanding the limitations of requiring polling stations in some remote rural areas.
Outcomes:	To ensure that Polling Stations have been
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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West Berkshire 2036 Vision

Committee considering report:	Council on 5 March 2019
Portfolio Member:	Councillor Rick Jones
Date Portfolio Member agreed report:	19 February 2019
Report Author:	Gabrielle Mancini
Forward Plan Ref:	C3647

1. Purpose of the Report

- 1.1 To introduce the final draft of the West Berkshire 2036 Vision which was agreed by the Health and Wellbeing Board on 24th January 2019.

2. Recommendation

- 2.1 That Council endorses the West Berkshire 2036 Vision.

3. Implications

- 3.1 **Financial: None**

- 3.2 **Policy: The West Berkshire 2036 Vision is a key component of the council's policy making in the years to 2036 and is being considered closely throughout the Local Plan Review and the development of other council strategies.**

- 3.3 **Personnel: None**

- 3.4 **Legal: None**

- 3.5 **Risk Management: None**

- 3.6 **Property: None**

- 3.7 **Other: None**

4. Other options considered

- 4.1 None

Executive Summary

5. Introduction / Background

- 5.1 In early 2017, the West Berkshire Health and Wellbeing Board decided to produce a long term vision statement for the district.
- 5.2 The aim of this vision statement was to identify challenges and opportunities for West Berkshire in the years to 2036 across all policy areas and to establish shared aspirations for the future of the district.
- 5.3 The first draft of the West Berkshire 2036 Vision was produced by West Berkshire Council's Chief Executive and Performance and Research Team in mid-2017.
- 5.4 It was felt that the second draft of the West Berkshire 2036 Vision would benefit from input from a wider variety of age groups, backgrounds and service areas. The Chief Executive asked for volunteers to coordinate this and received an offer from an officer who, at that time, was based in Strategic Support.
- 5.5 A group of West Berkshire Council officers then worked with Health and Wellbeing Board members to form a second draft, which went out to consultation in September 2018.
- 5.6 Following the closure of the consultation in October 31st 2018, the responses were considered and the team working on the draft made a number of amendments, which are reflected in this final draft.
- 5.7 There were 96 responses to the consultation.
- 5.8 Consultees were asked whether they agreed with the five themes laid out in the West Berkshire 2036 Vision. 85% of respondents either strongly agreed or agreed with the themes, with the majority of the remainder stating that they neither agreed nor disagreed with the themes.
- 5.9 Feedback on the content of the West Berkshire 2036 Vision was, in the main, very positive and respondents felt that the aspirations chosen were the correct ones.
- 5.10 Of the concerns expressed about the content, the majority of these were in the final chapter and related to our aspirations for our historic environment and our cultural offering. Officers gave consideration to this and made a number of amendments to the chapter. A meeting of partners interested in working towards a more comprehensive cultural strategy took place in December 2018, which will contribute to work in this area.
- 5.11 The final draft was considered by the Health and Wellbeing Board on 24th January, 2019, who agreed to endorse its content.

6. Proposal

- 6.1 That Council endorses the West Berkshire 2036 Vision.

7. Conclusion

- 7.1 Council is asked to endorse the final draft of the West Berkshire 2036 Vision.

8. Appendices

- 8.1 Appendix A – Data Protection Impact Assessment
- 8.2 Appendix B – Equalities Impact Assessment
- 8.3 Appendix C – West Berkshire 2036 Vision
- 8.4 Appendix D – West Berkshire 2036 Vision Evidence
- 8.5 Appendix E- West Berkshire 2036 Vision Consultation Analysis

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:	Economy and Environment
Service:	Development and Planning
Team:	Planning and Transport Policy
Lead Officer:	Gabrielle Mancini
Title of Project/System:	West Berkshire 2036 Vision
Date of Assessment:	19/02/2019

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>		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>		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>		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>		X
<p>Will your project/system involve CCTV or monitoring of an area accessible to the public?</p>		X
<p>Will you be using the data you collect to match or cross-reference against another existing set of data?</p>		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>		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.

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:	To endorse the West Berkshire 2036 Vision
Summary of relevant legislation:	An evidence based long term statement of intent for the district containing aspirations across a range of policy areas.
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Gabrielle Mancini
Date of assessment:	19/02/2019

Is this a:		Is this:	
Policy	/No	New or proposed	Yes
Strategy	Yes	Already exists and is being reviewed	No
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 identify aspirations which will contribute to the preservation and enhancement of West Berkshire's position as a great place to live, work and learn.
Objectives:	To signpost its partners to areas for attention.
Outcomes:	This document in and of itself will not facilitate outcomes as it is strategic and aspirational in its focus.
Benefits:	This document in and of itself will not facilitate benefits as it is strategic and aspirational in its focus.

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	None	

Disability	None	
Gender Reassignment	None	
Marriage and Civil Partnership	None	
Pregnancy and Maternity	None	
Race	None	
Religion or Belief	None	
Sex	None	
Sexual Orientation	None	
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	N/A
Owner of Stage Two assessment:	
Timescale for Stage Two assessment:	

Name:

Date:

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