

# EXECUTIVE

**Note: These Minutes have been amended. Please see Minutes of 8 September 2011 for amendments.**

## MINUTES OF THE MEETING HELD ON

**THURSDAY, 21 JULY 2011**

**Councillors Present:** Pamela Bale, David Betts, Hilary Cole, Graham Jones, Alan Law, Gordon Lundie, Joe Mooney, Irene Neill and Anthony Stansfeld

**Also Present:** John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Margaret Goldie (Corporate Director - Children and Young People), June Graves (Head of Social Care Commissioning and Housing) and David Holling (Head of Legal & Electoral), Councillor Jeff Beck, Councillor Jeff Brooks (from 7.24pm), Stephen Chard (Policy Officer), Councillor Adrian Edwards, Councillor Royce Longton, Councillor Alan Macro, Councillor Gwen Mason, Linda Pye (Policy Officer), Councillor David Rendel, Robin Steel (Group Executive (Cons)), Councillor Julian Swift-Hook, Councillor Tony Vickers and Councillor Keith Woodhams

**Apologies for inability to attend the meeting:** Councillor Keith Chopping and Teresa Bell and Councillor Keith Chopping

### PART I

#### 14. Minutes

The Minutes of the meeting held on 16 June 2011 were approved as a true and correct record and signed by the Leader subject to the following amendment:

**Page 9 – Minute 130(a) - Members' Questions** – This question had been withdrawn and therefore an answer had not been provided as had been stated in the minutes.

**In respect of the minute on Page 2 – Minute 125 - Provisional Outturn Report 2010/11** – Councillor David Rendel noted that comments made by Councillor Alan Macro in respect of a mistake in the figures had not been included within the minutes and he asked for those comments to be added into the minutes of that meeting. Councillor Graham Jones responded that Councillor Macro had been stating an opinion and the minutes would therefore not be amended.

**In respect of the minute on Page 7 – Minute 127 – Response to the Scrutiny Review into the Council's Common Housing Register** – Councillor Alan Law asked for confirmation that Councillor David Rendel agreed with the minute for that item and in particular paragraph 3. Councillor Rendel confirmed that he was in agreement with the minute being an accurate record of the item. Councillor Law advised that Councillor Rendel had misunderstood the legislation and that it should refer to the Data Protection Act and not the Freedom of Information Act as he had quoted. Personal information could not be supplied to Members without the consent of the resident concerned. Councillor Rendel disagreed and stated that he had received clarification that the Council did have the right to supply information provided it was for the good of constituents.

#### 15. Declarations of Interest

Councillor Julian Swift-Hook declared an interest in any agenda items on the subject of Learning Disability as he was Chair of West Berkshire Mencap, but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate and vote on the items.

**16. Public Questions**

- (a) **Question submitted by Mr. Richard Garvie to the Executive Member for Highways, Transport (Operational), ICT and Customer Services:**

This question was withdrawn subsequent to the production of the agenda and therefore no answer was provided.

- (b) **Question submitted by Mr. Richard Garvie to the Executive Member for Environment, 'Cleaner Greener', Public Protection, Culture and Leisure:**

A question standing in the name of Mr. Richard Garvie on the subject of the incinerator and AONB designation at Chieveley was answered by the Executive Member for Planning, Transport Policy, Housing, Economic Development.

- (c) **Question submitted by Mr. Richard Garvie to the Executive Member for Finance, Property, Health & Safety:**

A question standing in the name of Mr. Richard Garvie on the subject of allocation of Council funds to non-essential projects would receive a written response by the Executive Member for Finance, Property, Health & Safety.

- (d) **Question submitted by Mr. Richard Garvie to the Executive Member for Planning, Transport Policy, Housing and Economic Development:**

A question standing in the name of Mr. Richard Garvie on the subject of electric trains was answered by the Executive Member for Planning, Transport Policy, Housing and Economic Development.

- (e) **Question submitted by Mr. Richard Garvie to the Executive Member for Strategy, Performance, Community Safety:**

A question standing in the name of Mr. Richard Garvie on the subject of CCTV cameras and completion of the project was answered by the Executive Member for Strategy, Performance, Community Safety.

- (f) **Question submitted by Mr. Richard Garvie to the Executive Member for Children and Young People, Youth Service:**

A question standing in the name of Mr. Richard Garvie on the subject of academies and the effect on Council budgets was answered by the Executive Member for Children and Young People, Youth Services.

- (g) **Question submitted by Mr. Alexander Payton to the Executive Member for Children and Young People, Youth Service:**

A question standing in the name of Mr. Alexander Payton on the subject of the designated schools and the issue of sustainable travel was answered by the Executive Member for Children & Young People, Youth Services.

- (h) **Question submitted by Mr. Sam Dibas to the Executive Member for Planning, Transport Policy, Housing and Economic Development:**

A question standing in the name of Mr. Sam Dibas on the subject of the Core Strategy was answered by the Executive Member for Planning, Transport Policy, Housing and Economic Development.

**17. Petitions**

Mrs. Roxanne Nash-Williams presented a petition containing 510 signatures relating to Say No to Sandleford. The petition was referred to the Head of Planning and Countryside.

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### 18. **Civil Contingencies Annual Report 2010/11 (EX2058)**

The Executive considered a report (Agenda Item 6) concerning National and Local Civil Contingencies issues which had occurred during 2010/11.

Councillor Anthony Stansfeld introduced the report by advising that 2010/11 had been an eventful year in Civil Contingencies terms. He then went on to praise the work of the very competent Officer leading on this work and pointed out that the Civil Contingencies Team was in fact made up of only this Officer. This made the job even more remarkable when considering the many areas covered.

Councillor Stansfeld pointed out an amendment to the report. The self assessment rating for Planning and Countryside and Finance should be shown as Green.

The majority of the action plan had been achieved, although a lack of resources did have an impact in achieving some actions. Those areas not achieved had been included and prioritised within the plan for 2011/12 and some had already been fulfilled.

Councillor Pamela Bale advised that the Civil Contingencies principles were being rolled out across many parishes to help raise awareness.

Councillor Keith Woodhams referred to the comment in the report that in addition to the adverse weather plan there was more work ongoing in relation to the A34. Councillor Woodhams queried why this was not being covered by the Highways Agency. Nick Carter explained that this in fact related to the work of the Thames Valley Local Resilience Forum.

Councillor Alan Macro noted that two Acetylene Gas Cylinder fires had occurred during the past year and questioned whether representations could be made to the Government to restrict their usage. Councillor Stansfeld advised that restrictions were hard to enforce as usage of these cylinders was difficult to evidence. He did however accept it was an issue which brought additional complications in the event of a fire. Councillor Stansfeld did add that court proceedings could be brought if evidence of negligence was obtained.

Councillor Tony Vickers asked if recruitment was planned to help support the work of the action plan and Nick Carter advised that some part time assistance was being provided by a Policy Officer. Councillor Stansfeld added that the recent staffing reductions had taken a greater toll on the Chief Executive's Directorate than on some of the other Directorates.

#### **RESOLVED that:**

- (1) The contents of the report be noted;
- (2) The continued format of self assessment reporting for 2011/12 be approved;
- (3) Continued support by all services to ensure that the Council's plans were up to date and fit for purpose should be encouraged;
- (4) Support for the training and exercise programme be approved.

**Reason for the decision:** To ensure the improvement in the Service and the Council's response to any major incident and continued awareness.

**Other options considered:** None.

### 19. **Community Led Planning - Performance Report 2010/11 (EX2126)**

The Executive considered a report (Agenda Item 7) concerning progress with Community Led Planning within the District during 2010-11.

Councillor Pamela Bale in introducing the report stated that she had attended two recent events where she had been proud to represent West Berkshire Council due to the

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progress which had been made in respect of Parish Planning. A number of other authorities were struggling whereas West Berkshire continued to make progress and was committed to community planning. Councillor Bale confirmed that she had recently signed off the Beedon Parish Plan and a further two refresh of plans would be considered by Individual Decision over the next few weeks.

Parish Plan grants had helped to support ten communities with approximately £44k of grant being awarded for community schemes over the reporting period. Match funding was also available from the Vibrant Village Scheme and there were links to other funding streams such as s106 and the Rural Access to Services Programme (RASP).

Councillor Bale thanked Officers throughout the Council for taking account of Parish priorities within their Service Plans.

Councillor Graham Jones seconded the report with the amendment to paragraph 12.1 which should read "Executive" and not "Management Board".

Councillor Alan Law also added his congratulations to the Parish Planning process which promoted pride within the community and he stated that West Berkshire was well placed already in the implementation of the Localism Bill.

Councillor Tony Vickers supported the process but felt that it worked better in rural areas than urban areas and he felt that this would be the same for the Localism Bill. He questioned whether a different process was required for urban areas. Councillor Bale responded that it was really dependent on the urban area in question. The Holybrook Parish Plan had been very successful and the Thatcham Vision had worked well. Councillor Law accepted that the process tended to work more effectively in rural areas as there tended to be some overlapping communities in urban areas.

**RESOLVED** that the actions set out in the report be noted.

**Reason for the decision:** This report forms part of the Performance Management Framework.

**Other options considered:** None.

### 20. **Castle Gate Statement of Purpose (EX2296)**

The Executive considered a report (Agenda Item 8) concerning the annual revision of Castle Gate's Statement of Purpose.

Councillor Irene Neill in introducing the report advised that it was a requirement of the Care Standards Act 2000 and the Children's Home Regulations 2001 for a residential home to have a Statement of Purpose which was reviewed and agreed annually by Elected Members.

Castle Gate provided short term respite care for disabled children and their families, and was much valued by those who used it. The Statement of Purpose set out details covering a number of issues which included:

- the services provided;
- the staff team;
- how children were assessed for the service;
- what was on offer for the children and young people at the centre; and
- how their care plans were drawn up and managed.

The Statement of Purpose was little changed from that approved by Members for the previous year. The only changes related to the reference to two unannounced inspections by Ofsted during 2010/11, both of which received an overall quality rating of

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good. Ofsted commented that “the well managed staff team worked hard to ensure that children and young people had a good time whilst staying at the home.”

Improvements included the introduction of communication passports which contained items of key information that travelled with the child to each setting, and regular consultation events were held with families.

Monthly unannounced visits continued to be undertaken to check on different aspects of the care provided and to talk to the children, young people and staff on duty. This was undertaken by a senior Council Officer and a Councillor.

Councillor Neill added that she was always impressed by the care given to the children and by the happy atmosphere in the home. This was an invaluable service to parents and carers and without it there would be a need for expensive care packages.

Councillor Gordon Lundie felt that West Berkshire was fortunate to have this service in place and added that Officers did an outstanding job. He then urged Members to take the opportunity to visit Castle Gate to see the benefit it made to families.

Councillor Alan Macro agreed this was a valuable service and a good investment of the Council’s money. It was also pleasing to see such a positive outcome from the Ofsted inspections.

**RESOLVED** that the revised Statement of Purpose be agreed.

**Reason for the decision:** To comply with the Children’s Homes Regulations 2001.

**Other options considered:** None.

### 21. **Accessibility Strategy (EX2306)**

The Executive considered a report (Agenda Item 9) concerning agreement on the draft Accessibility Strategy.

Councillor Irene Neill in introducing the report stated that there was a statutory requirement for all local authorities to publish an Accessibility Strategy showing how they planned to increase access to schools for children with Special Educational Needs (SEN) and disabilities. This included access to the curriculum as well as to the physical environment.

This Strategy was a review of the previous one and it had been drawn up by a Steering Group which had included representatives from schools, voluntary groups and parents working alongside relevant Council officers.

Councillor Neill advised that the Strategy included wide-ranging information in respect of the prevalence of disability in children living in West Berkshire and to the range of support offered under school action, school action plus or a statement of SEN. It also referred to the Government’s intention, which had been set out in a recent SEN Green Paper, to amalgamate the two school-based categories. It also set out the wide range of provision already available in West Berkshire’s mainstream and special schools for children with all kinds of disabilities. Improvements in access to out of school activities for disabled children were highlighted and particular attention was drawn to the improvements in achievement for children with SEN at Key Stages 2 and 4. Further work would be required to ensure that children with SEN made two, or even three, levels of progress between these key stages.

West Berkshire’s rate of appeals to SEN Tribunals was less than 40% of the national average which showed that there was a high level of satisfaction with the process.

Councillor Neill stated that the Council’s strategic objectives in this area were set out in Section 7 and the Action Plan in Section 8 of the Strategy.

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Councillor Alan Macro referred to the Action Plan set out in Section 8 and stated that some of the dates appeared to lack ambition e.g. numbers 8.2.7 and 8.2.9. Councillor Neill responded that it had been felt that any dates should be both realistic and achievable. The Team responsible for this process was small and under a considerable amount of pressure. It was also necessary, in some cases, to wait for funding to become available through the Capital Programme. If the Feasibility Study was undertaken at too early a stage then the costings would inevitably change at a later date.

**RESOLVED** that the draft Accessibility Strategy be approved.

**Reason for the decision:** There is a statutory requirement for all Local Authorities to publish an Accessibility Strategy showing how they plan to increase access to schools for children with special educational needs and disabilities. This includes access to the curriculum, access to education and to the physical environment.

**Other options considered:** Not applicable.

### 22. **Annual Report of the West Berkshire Adoption Service and the West Berkshire Adoption Service Statement of Purpose (EX2311)**

The Executive considered a report (Agenda Item 10) concerning the annual report of the West Berkshire Adoption Service and West Berkshire Adoption Service Statement of Purpose.

Councillor Irene Neill introduced the report by advising that it was a statutory responsibility to report on the work of the Adoption Service to Elected Members on a six monthly basis and to agree a Statement of Purpose.

The work of the Service and its activity over the past twelve months was outlined within the report. It also included information about the way in which the Adoption Service operated, as well as the detailed policies that were in place to guide its day to day work.

West Berkshire had had a busy year in terms of placing children for adoption and in supporting approved adopters who had children placed with them from other areas. There were currently 111 adoptive families on the database, with over 75 receiving regular information and attending events. Approximately six to ten families received a higher level of support at any one time.

The Service was inspected by Ofsted in February 2011 and was rated as outstanding, one of only seven local authorities nationally to receive this high rating and the only one in the south east region.

Councillor Alan Macro praised the receipt of the high rating from Ofsted. He also referred to a campaign being led by The Times newspaper to increase the number of adoptive families which he hoped would prove the case in West Berkshire.

**RESOLVED** that the Statement of Purpose and Annual Report be agreed.

**Reason for the decision:** To comply with the Care Standards Act 2000 and the National Minimum Standards for Local Authority Adoption Services 2003. The department has a statutory responsibility to report on the work of the adoption service to Elected Members on a six monthly basis and also to agree a Statement of Purpose for the Service.

**Other options considered:** None.

### 23. **Annual Report of the West Berkshire Fostering Service and the West Berkshire Fostering Service Statement of Purpose (EX2312)**

The Executive considered a report (Agenda Item 11) concerning the Annual Report of the West Berkshire Fostering Service and West Berkshire Fostering Service Statement of Purpose.

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Councillor Irene Neill advised that the Fostering Service also had a statutory duty to report on the work of the service to elected Members on an annual basis and to agree a Statement of Purpose. The Fostering Service was last inspected by Ofsted in March 2008 and was then rated as outstanding. A further inspection of the service would be due at any time.

Councillor Neill reported that in March 2011 there were 62 approved fostering households able to provide up to 108 placements. This included short and long term placements, short breaks care and placements with relatives.

Councillor Neill advised that the number of children requiring placement continued to increase which put a considerable amount of pressure on the service and on current placements. The recruitment of new Foster Carers therefore continued to be a priority with active advertising in the local media and a particular focus had been on recruiting Foster Carers who would be willing to take on teenagers and disabled children.

The West Berkshire Foster Care Association met monthly and was active in organising events such as an evening for new Foster Carers, coffee mornings, involvement in recruitment events and training. Representatives would meet with Senior Officers every two months to discuss any issues and to work together to develop services and support for Foster Carers. The Family Placement Team also offered support to the children of Foster Carers through a well attended Carers of Tomorrow Group.

Councillor Neill advised that the Fostering Service continued to perform exceptionally well against national indicators.

Councillor Alan Macro also commended the service and the Foster Carers throughout West Berkshire.

**RESOLVED** that the Statement of Purpose and Annual Report be agreed.

**Reason for the decision:** To comply with the Care Standards Act 2000 and the National Minimum Standards for Local Authority Adoption Services 2003. The department has a statutory responsibility to report on the work of the fostering service to Elected Members on an annual basis and also to agree an annual Statement of Purpose for the service.

**Other options considered:** None.

### 24. **Establishment Report for Quarter 4 2010/11 (EX2227)**

The Executive considered a report (Agenda Item 12) concerning changes to the Establishment.

Councillor Anthony Stansfeld in introducing the report advised that this would be the last of the detailed quarterly reports, with six monthly reports only to be provided to the Executive in future (at the end of quarters two and four). A quarterly summary would still be provided to himself, Councillor Graham Jones and Councillor Keith Chopping (copied to Corporate Directors) at the end of quarters one and three.

Councillor Stansfeld explained that the fourth quarter of 2010/11 was a period of considerable change and highlighted the following aspects of the report in support of this statement:

- The total Council Establishment decreased by 103.72 FTE to a figure of 1628.88 FTE.
- The Council funded Establishment decreased by 73.88 FTE to a figure of 1418.39 FTE.
- The external and joint funded Establishment decreased by 29.84 to a figure of 210.48 FTE.

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Councillor Stansfeld added that the overall vacancy rate had reduced by nearly 2% from the end of quarter three. The rolling voluntary turnover rate was 14.69%, but the figure exclusive of redundancies was 7.4%.

In terms of staffing reduction, Councillor Stansfeld stated that a greater impact had been felt by back office/support functions with front line services protected where possible. It was however hoped that support services would remain more stable as they formed a critical element of the Council's work.

In terms of the change to the reporting cycle, Councillor Alan Macro asked if the summary report would be available to the Resource Management Working Group. Councillor David Rendel also asked if it could be provided to Councillor Jeff Brooks as the Opposition Spokesman for this area. Councillor Stansfeld agreed to both requests.

*(Councillor Jeff Brooks joined the meeting at 7.24pm).*

Councillor Rendel sought clarity on the figures stated in the report for the rolling annual turnover rate, as it appeared that annual figures for 2010/11 were compared with quarterly figures from 2009/10. Councillor Graham Jones agreed that this comparison was not appropriate and should be amended in future reports. **(It had subsequently been clarified that the comparison of turnover was always between rolling years and never quarters and therefore the comparison was appropriate and would not be amended in future reports).**

Councillor Rendel was surprised to note that the rolling voluntary turnover, when redundancies were excluded, was higher than in the previous year, particularly when considering the economic situation. Councillor Stansfeld responded by saying that part of the explanation for this was that West Berkshire had been less affected by the downturn than was the case in many other areas across the country.

**RESOLVED** that the report be noted.

**Reason for the decision:** Not applicable.

**Other options considered:** None.

### 25. **Members' Question(s)**

- (a) **Question to be answered by the Executive Member for Planning, Transport Policy, Housing and Economic Development submitted by Councillor Tony Vickers:**

A question standing in the name of Councillor Tony Vickers on the subject of the Core Strategy and Class B (employment) needs was answered by the Executive Member for Planning, Transport Policy, Housing and Economic Development.

- (b) **Question to be answered by the Executive Member for Planning, Transport Policy, Housing and Economic Development submitted by Councillor Tony Vickers:**

A question standing in the name of Councillor Tony Vickers on the subject of accommodation for homeless people was answered by the Executive Member for Planning, Transport Policy, Housing and Economic Development.

- (c) **Question to be answered by the Leader of the Council submitted by Councillor Julian Swift-Hook:**

A question standing in the name of Councillor Julian Swift-Hook on the subject of membership of the Health and Wellbeing Board was answered by the Leader of the Council.

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- (d) **Question to be answered by the Executive Member for Community Care, Pensions and Insurance submitted by Councillor Julian Swift-Hook:**

A question standing in the name of Councillor Julian Swift-Hook on the subject of Southern Cross was answered by the Executive Member for Community Care, Pensions and Insurance.

*(The meeting commenced at 6.30 pm and closed at 7.38 pm)*

**CHAIRMAN** .....

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