

# Notice of Meeting

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## **Overview and Scrutiny Management Commission**

**Tuesday, 2nd August, 2011 at 6.30 pm**  
in Council Chamber Council Offices  
Market Street Newbury

Date of despatch of Agenda: Monday, 25 July 2011

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact David Baker on (01635) 519083  
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**Agenda - Overview and Scrutiny Management Commission to be held on Tuesday, 2 August 2011 (continued)**

**To:** Councillors Jeff Beck, Brian Bedwell (Chairman), Dominic Boeck, Jeff Brooks (Vice-Chairman), Virginia von Celsing, Marcus Franks, Dave Goff, David Holtby, Mike Johnston, David Rendel, Tony Vickers, Quentin Webb and Emma Webster

**Substitutes:** Councillors

**Other Officers & Members invited:**

## Agenda

<b>Part I</b>	<b>Page No.</b>
1. <b>Apologies for Absence</b> To receive apologies for inability to attend the meeting (if any),	
2. <b>Minutes</b> To approve as a correct record the Minutes of the meeting of the Commission held on Tuesday 28 <sup>th</sup> June 2011.	1 - 8
3. <b>Declarations of Interest</b> To receive any Declarations of Interest from Members.	
4. <b>Actions from previous Minutes</b> To receive an update on actions following the previous Commission meetings. 1. Activities for Teenagers: Update presentation                      agenda Item 8; 2. School Severe Weather Plans: Verbal report                      agenda Item 10.	
5. <b>Items Called-in following the Executive meeting on 21st July 2011</b> <i>Purpose: To consider any items called-in by the requisite number of Members following the Executive meeting on 21<sup>st</sup> July 2011.</i>	
6. <b>Councillor Call for Action</b> <i>Purpose: To consider any items proposed for a Councillor Call for Action.</i>	
7. <b>Petitions</b> <i>Purpose: To consider any petitions requiring an Officer response.</i>	
8. <b>Activities for Teenagers</b> <i>Purpose: For the Commission to consider an update presentation on the progress in developing activities for teenagers and issues arising from this, identifying any recommendations as necessary</i>	9 - 10



**Agenda - Overview and Scrutiny Management Commission to be held on Tuesday, 2 August 2011 (continued)**

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|-----|--|---------|
| 9.  | <b>School Academies</b><br><i>Purpose: To outline to the Overview and Scrutiny Management Commission the draft recommendations arising from the review into the effect of schools becoming academies on the capacity of the Local Education Authority.</i>                         | 11 - 18 |
| 10. | <b>Schools Severe Weather Plans</b><br><i>Purpose: School Severe Weather Plans update report – to receive a verbal update report and discuss and agree any recommendations as necessary.</i>   |         |
| 11. | <b>Health Scrutiny Panel</b><br><i>Purpose: To provide an update on the work of the Health Scrutiny Panel and provide information on the meeting held on 19<sup>th</sup> July 2011.</i>  | 19 - 20 |
| 12. | <b>Resource Management Working Group</b><br><i>Purpose: To provide an update on the work of the Resource Management Working Group and provide information on the meeting held on 26<sup>th</sup> July 2011.</i>  | 21 - 22 |
| 13. | <b>West Berkshire Forward Plan July - October 2011</b><br><i>Purpose: To advise the Commission of items to be considered by West Berkshire Council from July - October 2011 and decide whether to review any of the proposed items prior to the meeting indicated in the plan.</i> | 23 - 32 |
| 14. | <b>Overview and Scrutiny Management Commission Work Programme</b><br><i>Purpose: To receive, agree and prioritise the work programme of the Commission, the Health Scrutiny Panel and the Resource Management Working Group for the remainder of 2010/11.</i>                      | 33 - 36 |

Andy Day  
Head of Policy and Communication

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

## **OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION**

### **MINUTES OF THE MEETING HELD ON TUESDAY, 28 JUNE 2011**

**Councillors Present:** Jeff Beck (Substitute) (In place of Virginia von Celsing), Brian Bedwell (Chairman), Jeff Brooks (Vice-Chairman), George Chandler (In place of Mike Johnston), Dave Goff, Manohar Gopal (In place of Dominic Boeck), David Holtby, Carol Jackson-Doerge (In place of Marcus Franks), Tony Linden (In place of Emma Webster), David Rendel, Tony Vickers and Quentin Webb

**Also Present:** Mel Brain (Housing Strategy Manager), Stuart Clark (Principal Engineer (Projects)), Joseph Holmes (Chief Accountant), Gary Lugg (Head of Planning & Countryside), Bryan Lyttle (Planning & Transport Policy Manager), Melvyn May (Highway Manager), Ian Priestley (Chief Internal Auditor), Jason Teal (Performance, Research & Consultation Manager), David Baker (LSP Performance Executive), Councillor David Betts, Councillor Keith Chopping and David Lowe (Scrutiny & Partnerships Manager)

**Apologies for inability to attend the meeting:** Councillor Dominic Boeck, Councillor Virginia von Celsing, Councillor Marcus Franks, Councillor Mike Johnston and Councillor Emma Webster

#### **PART I**

##### **19. Minutes**

The Minutes of the meeting held on 9 June 2011 were approved as a true and correct record and signed by the Chairman.

##### **20. Declarations of Interest**

*Councillor Dave Goff declared an interest in Agenda Item 10, 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 matter.*

##### **21. Actions from previous Minutes**

There were four main actions for review from previous minutes:

1. CCTV report and recommendations and supplementary information – 3 Towns CCTV . These actions were addressed under agenda Item 10.
2. Performance Indicator – Affordable Housing units. This was addressed under agenda Item 11.
3. Highways and Transport Update report. This was addressed under agenda Item 12.
4. School Severe Weather Plans. This action had been scheduled for the next Commission's meeting on Tuesday 2<sup>nd</sup> August.

**22. Items Called-in following the Executive on 16 June 2011**

The Commission considered a report (Agenda Item 5) concerning the Call In of Item EX 2166 - Provisional Outturn Report 2010-11 which was submitted to the Executive on 16 June 2011.

Councillor Brian Bedwell expressed surprise that this item had been called in for scrutiny.

Councillor David Rendel outlined the reasons for calling in the Provisional Outturn Report 2010-11 as follows:

1. There had been no proper discussion of why the underspend shot up between Month 9 and year-end by nearly £1million;
2. In particular, no explanation had been given in public about the underspend on "Levies and Interest" of over £1.7 million (approximately 37% of the budgeted amount);
3. There had been no proper discussion of what lessons needed to be learnt to avoid the next year's budget being set on the basis of such inaccurate figures in future;
4. There had been no indication that the Executive understood the importance to the local economy in a time of economic difficulty of spending its full budget;
5. There had been no acknowledgement by the Council that the report contained an error worth over £350,000 which had not been corrected at the time they took their decision to accept the report.

The Executive Member for Finance, Property and Health & Safety, Councillor Keith Chopping, responded as follows:

1. The budget underspend between Q3 and year end increased by less than £300k which represented less than 1/3 of one percent of the overall budget spend;
2. The month 10 report had been reviewed in public by the Resource Management Select Committee which included a half page explanation on Levies and Interest;
3. He did not accept that the 2011/12 budget assumptions were based on inaccurate figures;
4. The Council's four directorates had overspent their individual budgets by over £500K;
5. He accepted that the figure on page 19 of the report was wrong. This was clearly an error in presentation and not an error in calculation.

Councillor Tony Linden commented that an underspend did not imply there was money available that could be spent elsewhere. The Council was facing a very challenging year and there was a need to be prudent.

Councillor Quentin Webb stated the underspend was a very low variation at less than 0.6% on the Council's net budget. The Opposition did not question the matter at the time and there was no decision to be made.

Councillor Jeff Brooks responded that the final quarter performance showed significant changes compared to the month 9 forecasts – three directorates had predicted overspends and these had disappeared by year end. The Chief Executive's directorate finished with a £427K underspend and this happened year after year. There was a need to improve the budget process and financial management to avoid major changes in expenditure in the last quarter. He proposed that the budget should be scrutinised by the Resource Management Working Group (RMWG).

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Councillor Tony Vickers commented, as the Chairman of the RMWG, he was looking forward to scrutinising the budget. There was a need to detail the reasons why the underspend had occurred and to provide an explanation that the public could understand.

Councillor David Rendel responded to Councillor Chopping's remarks:

1. The Outturn report should be taken to the RMWG and a proper explanation should be given to determine where and why the variances had occurred.
2. There was no proper explanation of the variance for Levies and Interest in the Outturn report or papers
3. It was important to use accurate figures in the budget process and there was a need to discuss and understand the lessons learnt.
4. The underspend was against the Council's full budget not the individual directorates.
5. The Outturn report contained an error of £350K.

Councillor Keith Chopping restated that there was only a typing error where a minus sign was omitted and the calculation was correct.

Councillor Quentin Webb commented that there was no value in further discussion and proposed that no case had been made to refer the Outturn report back to the Executive. Councillor Chopping seconded the proposal.

At the vote the proposal was carried.

**RESOLVED that:** no case had been made to refer the Outturn report back to the Executive.

Councillor Jeff Brooks proposed that budget should be scrutinised by the RMWG. Councillor Rendel seconded the proposal.

At the vote the proposal was defeated.

**RESOLVED that:** the budget would not be taken to the RMWG.

### 23. Councillor Call for Action

No new Councillor Call for Action (CCfA) items were raised for discussion.

### 24. Petitions

No petitions were brought to the Commission for consideration.

### 25. Council Plan Outcomes 2010/11: Quarterly Year End: Update on Achievement

The Commission considered a report (Agenda Item 8) concerning Council Plan Outcomes 2010/11 Year End: Update on Achievement. Jason Teal (Performance, Research and Consultation manager) introduced the report to the Commission. In summary there were 107 key activities or measures spread across the sixteen Council Plan themes for 2010/11. For 2010/11, 78 of these activities/measures (74%) were successfully achieved which compared similarly with 2009/10, where the Council achieved 77% of its key activities/measures by year end.

Paragraph 2.15 documented those targets that were missed and sections 1 & 2 of the report provided additional detail on each measure and the remedial action for those targets that were missed.

Several Councillors commented on the remedial reports listed in Section 2 of the report. They thought that too many of the remedial reports failed to provide any assessment of

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the risks associated with the remedial action. Also some of the commentaries listed in Section 1 of the report and the reasons for red in Section 2 were inconsistent and lacked adequate information or explanation.

Councillor David Rendel raised a number of concerns. The Q3 report reviewed on 31 March identified 16 red indicators which grew by 12 to reach 28 by the end of the year report. He was disappointed that officers could not provide more up to date information albeit as a verbal report. There were a number of examples where the proposed action was weak and remained unchanged between Q3 & Year End reports. There was a greater need for robust actions to mitigate or reduce the impact of failure and a much clearer attempt to qualify the risks involved.

Councillor Rendel proposed two recommendations:

1. That there was a need for OSMC to have access to the performance information sooner within the reporting cycle.
2. That OSMC takes on a more critical role in examining remedial reports and their associated risks and where necessary, calling the appropriate officers to account for the impact of the actions taken.

At the vote, proposal 1 was carried and proposal 2 was defeated.

### **RESOLVED that:**

1. That there was a need for OSMC to have access to the performance information sooner within the reporting cycle.

## **26. Preliminary Flood Risk Assessment**

The Commission considered a report (Agenda Item 9) concerning the Preliminary Flood Risk Assessment. Stuart Clark (Principal Engineer) introduced the Assessment which was required as part of legislation introduced under the Flood Risk Regulations 2009 and implemented the requirements of the European Floods Directive 2007. The Regulations established four stages of activity within a six year flood risk management cycle. The Preliminary Flood Risk Assessment covered the first two stages of the management cycle.

The Preliminary Flood Risk Assessment, provided a high level overview of flood risk across West Berkshire from local sources of flooding. This included surface water, groundwater, ordinary watercourses and canals. It also considered flooding from main rivers because of the interaction between main rivers and local sources of flooding. The methodology used to produce the report had been based on the Environment Agency's Final PFRA Guidance and Defra's Guidance on selecting Flood Risk Areas, published in December 2010.

The Environment Agency had used a national methodology, as set out by Defra, to identify indicative Flood Risk Areas across England. No national indicative Flood Risk Areas had been identified within West Berkshire. However, Thatcham was highlighted as being nationally important with regard to surface water flooding. Both Thatcham and Newbury had been identified as important locally significant flood risk areas.

Other duties required by the legislation included:

1. The development of a local strategy for flood risk management
2. To production and maintenance a register of drainage assets
3. The investigation and reporting of any flood events
4. The maintenance of the drainage system.



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Councillor Tony Linden was surprised that Purley and Pangbourne were not covered in the report. It was explained that these areas were affected by main rivers and were not part of the report.

Councillor Tony Vickers expressed surprise that West Berkshire Council was designated as the lead authority for West Berkshire under the Act.

Councillor Jeff Brooks asked about the maintenance drainage assets and the clearance of culverts. The officer confirmed that West Berkshire Council regularly maintained culverts that it owned and the register of drainage assets would identify private landowners assets and help ensure that owners were involved in the local flood risk strategy.

Councillor Brian Bedwell thanked the officer for his report and commented that the Commission had taken a significant interest in receiving regular updates since the last major flood event in 2007. The Commission had been responsible for raising and monitoring a number of key recommendations to improve flood risk management in West Berkshire.

### 27. **Transfer of the West Berkshire Council CCTV control room to the Royal Borough of Windsor and Maidenhead**

*Councillor Dave Goff declared an interest in Agenda Item 10, 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 matter.*

The Commission considered a report (Agenda Item 10) concerning the transfer of the West Berkshire Council CCTV control room to the Royal Borough of Windsor and Maidenhead. Ian Priestley (Chief Internal Auditor) introduced the report that summarised the findings of the scrutiny work carried out by the Commission on 9<sup>th</sup> June 2011. Those findings had been discussed and reviewed at a meeting between with Councillors Brian Bedwell (Chairman), Jeff Brooks (Vice chairman) and the Chief Internal auditor. A set of five suggested recommendations had been drawn as outlined on page 114 of the agenda papers for the Commission to agree for forwarding to the Executive.

Councillor Brian Bedwell expressed his concern regarding a press release issued by Councillor David Rendel following the Commission's meeting on the 9<sup>th</sup> June 2011. He was of the view that at best the press release was misleading and that making politically motivated statements had no part to play in the scrutiny process. Returning to the report's recommendation he stated that the work carried out by the Commission on the CCTV project was an excellent example of what can be achieved.

Councillor Jeff Brooks supported the five recommendations as listed on page 114 of the agenda papers and endorsed the view that the Commission had completed an effective review of the project which was exactly what scrutiny was all about. Councillor Brooks proposed two minor changes (shown in bold type) to recommendations 3 and 5, so that they should read as:

3. *Risk Registers used on projects should consider the implications of projects being delayed and / or failing, and outline the measures that would be taken to maintain existing services until solutions can be found. **This would have highlighted the risks posed by the winter weather caused by the delay in starting the project.***
5. *Where a service / system is not classed as being business critical then consideration should be given to shutting down the service / system for a period before "shifting" to the new service / system in order to minimise cost and facilitate*

*the shift. Alternatively where a service / system is considered to be business **critical** then a fully costed proposal to ensure business continuity should be included within the project plan.*

Councillor Quentin Webb asked if any meeting had been scheduled with BT. It was confirmed that a meeting had already taken place (the day before the Commission met).

Councillor David Rendel asked for a written report on the BT meeting. Councillor Rendel also wanted an addition made to recommendation 2 that would penalise tenders from companies whose terms and conditions did not allow for penalty clauses to be included in contractual arrangements.

Councillor Brian Bedwell stated that he thought there was no need to modify recommendation 2.

Councillors Brian Bedwell and Jeff Brooks proposed and seconded that the 5 recommendations including the modification to the wording to recommendations 3 and 5 documented above.

At the vote the proposal was carried.

**RESOLVED that:**

The Commission agree to take the CCTV report recommendations forward to the Executive.

**28. Performance Indicator: Affordable Housing units**

Gary Lugg, the Head of Planning and Countryside, Bryan Lyttle, Planning and Transportation Policy Manager and Mel Brain (Housing Strategy manager) were in attendance for this agenda item. Gary Lugg stated that the performance of the total housing provision and the number of affordable housing units had remained well below the target set for the year. The main issues still facing the council were:

- delivery of housing was being severely impacted by the recession,
- there were delays in the implementation of extant permissions, and
- the loss of affordable housing contributions due to economic viability.

There was an adequate five year land supply available within West Berkshire but developers lacked access to capital funds and they were delaying completions whilst the market for the sale of new properties remained depressed.

The latest performance data for 2010/11 outturn showed there was a total of 198 houses completed, of which 28 were affordable units.

Councillor Tony Vickers commented that it was a sad story and it was likely to persist for quite some time. There was very little that the Council could do to influence the impact that land and money markets were having on new housing provision.

Councillor Jeff Brooks was concerned that the percentage of affordable housing units completed was now significantly below the stated 30% target. Officers commented that it was the larger developments which were so important to achieving the 30% affordable unit target and it was the larger developments (of 15 or more units) that were being most impacted by the recession. Officers were working hard to maintain the 30% mix on each specific development site. Future planning policy would also look to drive affordable housing allocation into smaller housing development applications as low as 5-9 dwellings.

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Councillor Brian Bedwell asked if other authorities doing anything differently to address the problem. Officers advised that they did meet regularly with other Berkshire and South East Regional local authorities where it was recognised that West Berkshire was leading the way in developing planning policy on affordable housing.

Councillor Jeff Brooks asked if incremental and phased developments which kept under the 15 dwellings limit were being controlled. Officers confirmed that new planning policy would help address this.

Officers advised that two aspects of the Localism Bill ( Neighbourhood Development Plans and Community Right to Build), currently at the Committee stage, were being monitored as they may open up new opportunities for affordable housing development.

Councillor Brian Bedwell thanked officers for their comments and that the Commission supported the efforts being made to best manage the number of affordable housing units completed.

### 29. Highways and Transport: Actions from previous minutes

Melvyn May (Highways Manager) provided a verbal report to the Commission on two action points:

1. 1 March 2011 – the Council's response to the severe weather of winter 2010/11; that further efforts should be made by Highways and Transport to engage local farmers in assisting with the clearance of snow from roads during adverse weather. It was reported that a meeting took place on 21<sup>st</sup> April 2011 of the Thames and Kennet Machinery Ring (TKMR) which addressed four main themes:

- Insurance of 3<sup>rd</sup> parties;
- The minimum training requirements required for snow clearance on public roads;
- Equipment;
- General management.

The meeting concluded that farmers were not interested in completing training for snow clearance work mainly because of the costs involved. The group had some examples of informal snow clearance working and cited Wiltshire and Hampshire as authorities that were worth approaching. Costs that farmers were expecting to charge ranged from £40 to £50/ hr. Additional advice on legal and insurance matters would be required.

Councillor Jeff Brooks was pleased that officers were continuing to investigate the use of the farming community in snow clearance during adverse winter weather conditions.

Councillor Quentin Webb asked what type of training was necessary. Melvyn May confirmed that there was a recognised NVQ course which covered the skills required to permit farmers to operate snow ploughs safely and effectively on public roads. Without appropriate training there was a real risk that road damage might be incurred.

Councillor David Betts confirmed that officers were continuing to look at ways of involving farmers in snow clearance, informally such work does take place, formally, it was more difficult to drive forward.

2. 18 May 2011 – the Three Year Highway Improvement Programme 2011/12 – 2013/14. A request had been made for a training session for Members. It was reported that a workshop was being planned in the early autumn to provide a greater understanding of how the road network condition was assessed and the process used to prioritise road repairs under the Highways Improvement Plan.

**30. West Berkshire Forward Plan June - September 2011**

The Commission considered the West Berkshire Forward Plan (Agenda Item 13) for the period covering June to September 2011.

**RESOLVED that:**

The Forward Plan would be noted.

**31. Overview and Scrutiny Management Commission Work Programme**

The Commission considered its work programme and that of the Health Scrutiny Panel and Resource Management Working Group for 2011/12 (Agenda Item 14).

**RESOLVED that:**

The work programme would be noted.

Councillor Quentin Webb stated that the Health Scrutiny Panel was meeting on 19<sup>th</sup> July 2011. Two main items of business to be addressed were:

1. Six lives: the provision of public services to people with learning disabilities.
2. Dignity and respect for elderly people in health and social care.

*(The meeting commenced at 6.30 pm and closed at 9.07 pm)*

**CHAIRMAN** .....

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

<b>Title of Report:</b>	<b>Activities for Teenagers</b>
<b>Report to be considered by:</b>	Overview and Scrutiny Management Commission
<b>Date of Meeting:</b>	2 August 2011

**Purpose of Report:** To provide an update presentation on the work undertaken and future action planned in the Children and Young People Directorate to improve activities for teenagers, following its identification as the top priority for improvement in the annual resident survey, set against the implementation of significant savings targets for the Youth Service.

**Recommended Action:** That the Overview and Scrutiny Management Commission considers the update presentation and issues arising from this, identifying any recommendations as necessary

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# Executive Report

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## 1. Introduction

1.1 The Overview and Scrutiny Management Commission requested an update on OSMC/10/78 Activities for Teenagers should be brought back to the Commission.

1.2 In order to provide an update Julia Waldman (Development Manager) will present to the Commission a summary of the work undertaken and the future action planned to improve teenage activities. It should be noted that since this work was initiated, significant budget savings targets have been agreed in the Youth Service budget over the next three years.

## 2. Recommendation

2.1 The Overview and Scrutiny Management Commission considers the update presentation and issues arising from this, identifying any recommendations as necessary.

## Appendices

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Presentation to follow.

<b>Title of Report:</b>	<b>Scrutiny review into the effect of schools becoming academies on the capacity of the Local Education Authority</b>
<b>Report to be considered by:</b>	Overview and Scrutiny Management Commission
<b>Date of Meeting:</b>	2 August 2011

**Purpose of Report:** To outline to the Overview and Scrutiny Management Commission the draft recommendations arising from the review into the effect of schools becoming academies on the capacity of the Local Education Authority.

**Recommended Action:** To agree the recommendations arising from the review.

**Key background documentation:** Part II notes from the meetings held on 17 March 2011 and 7 April 2011.

School Academies Task Group Chairman	
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# Executive Report

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## 1. Introduction

- 1.1 At its meeting on 18 January 2011 the Overview and Scrutiny Management Commission (OSMC) agreed draft Terms of Reference to conduct a review into the effect of schools becoming academies on the capacity of the Local Education Authority. The review was assigned to the Stronger Communities Select Committee and the Select Committee refined and approved the Terms of Reference at its meeting on 7 February 2011. At the agreement of the OSMC a Task Group, made up of Members from the Select Committee, was formed to conclude the review following the abolition of the Select Committees.
- 1.2 This report provides the Terms of Reference for the review, sets out how it was conducted and the rationale for undertaking the work. It then outlines the review's findings and the resultant recommendations.

## 2. Terms of Reference

- 2.1 The Terms of Reference agreed by the Select Committee were to conduct a review into the effect of schools becoming academies on the capacity of the Local Education Authority, and specifically to:
- (1) understand the scope and range of the powers allowed to schools under the Academies Act 2010;
  - (2) assess the immediate and likely take up within West Berkshire;
  - (3) evaluate the effect of schools becoming academies on the capacity and capability of the Local Education Authority and wider Council services;
  - (4) evaluate the effect of schools becoming academies on land and building assets, with a specific focus on community use of schools buildings; and
  - (5) report to the OSMC with draft recommendations for onward submission to the Executive.

## 3. Review methodology

- 3.1 The review was conducted by Members of the Select Committee, working with Officers from the Education, Legal and Cultural Service Areas.
- 3.2 The Select Committee held the meetings outlined in the table below.

Srl	Meeting date	Meeting focus
01	Thursday 17 March 2011	<ul style="list-style-type: none"><li>• Receipt of supporting information for the entire review from the Education Service and discussion of potential implications.</li></ul>
02	Thursday 7 April 2011	<ul style="list-style-type: none"><li>• Gain an understanding of a school's perspective of taking academy status.</li><li>• Community use of school buildings.</li></ul>



		<ul style="list-style-type: none"> <li>Continued discussions regarding the potential implications for the Council including financial implications.</li> <li>Identification of next steps.</li> </ul>
03	28 June 2011	<ul style="list-style-type: none"> <li>Identification of findings.</li> <li>Initial formulation of recommendations.</li> </ul>

3.3 An extract from the confidential minutes of the meetings of 17 March and 7 April are listed under key background documentation.

#### **4. Acknowledgements and thanks**

4.1 The Chairman and Members of the Select Committee would like to acknowledge and thank all those who supported and gave evidence to the review.

#### **5. Background**

5.1 The Academies Act 2010 aims to make it possible for all publicly-funded schools in England to become academies, still publicly-funded but with a vastly increased degree of autonomy in matters such as the setting of teachers' wages and diverging from the National Curriculum.

5.2 Academies are classed as "independent" state schools – charitable companies limited by guarantee. Rather than being directly funded and accountable to the Local Authority (LA), they are funded and accountable to the Secretary of State via the Young Peoples' Learning Agency (YPLA). The YPLA organises funding agreements and Academy Orders. A seven year funding agreement will be established for all new academies. At the end of the seven year funding agreement it is mostly likely that an extension will be agreed.

5.3 There are two types of academy:

- (1) The original sponsored academies, created from failing secondary schools, often serving deprived areas. These were created as city academies under the Learning and Skills Act 2000 and amended to academies in the Education Act 2002. This category will continue to capture secondary schools who do not achieve a certain percentage of pupils achieving five or more GCSE's A\* - C.
- (2) New academies, those created under the Academies Act 2010. This status has been available since September 2010. These can be any category of school but must be classed by Ofsted as being either "outstanding" or "good" with at least one outstanding feature. Although this requirement has been relaxed during the timeframe of the review to give consideration to schools that are seen to be performing well. The scope for Pupil Referral Units (PRUs) to become academies is being considered by the Secretary of State.

#### **6. Findings of the review**

6.1 The Select Committee's findings are outlined below.

- (1) Becoming an academy is optional, but the Secretary of State is encouraging schools to do so and has written to schools detailing the benefits of becoming an academy. The Schools White Paper and the Education Bill include assumptions from the Secretary of State that many schools will convert to academy status over time.
- (2) If a LA maintained school is failing then it is the responsibility of the LA to step in and offer assistance. However, as an academy is classed as an independent school then it is their responsibility to manage any failures in performance and only the Secretary of State has the power to intervene should performance become a concern. It is not clear what action can be taken, if any, by the LA for a failing academy.
- (3) The local infrastructure that supports LA maintained schools will not automatically be available to an academy, although it is possible for an academy to buy back some services from the LA. A 'Services for Academies' document lists those services that can be purchased on a fixed term contract or on a pay as used basis. Some of the services listed already have buy back arrangements with LA maintained schools. The document does not include detail on cost as this can differ significantly based on the number of services/the package to be purchased. The LA has decided that some services cannot be offered to academies.
- (4) Some of the powers allowed to academies are already existing freedoms of Voluntary Aided and Foundation Schools but will be new responsibilities for a Community or Controlled School. In addition, a number of responsibilities will be new for all schools converting to an academy. Overall, freedoms and responsibilities include:
  - Becoming employers of staff, with the ability to set pay and conditions.
  - Ownership of the land and buildings with a 125 year lease. A standard lease and clauses have been provided by the Department for Education (DfE) for the transfer of school buildings, with the LA having little scope to make alterations. The only requirement for academies in terms of buildings is to maintain/repair them in line with their condition at the time of transfer. The LA is obliged to fulfil basic need and it is unclear at what stage the LA will need to intervene should the school buildings be allowed to deteriorate over time.
  - The ability to vary lengths of terms and school days. The total number of school days will still need to be adhered to.
  - Freedom from following the National Curriculum.
  - Greater control over budget and spending decisions.
  - Total responsibility for matters of health and safety. This is a service that can be purchased from the LA.
- (5) The LA retains some statutory responsibilities. In Education this includes the assurance that school places are provided for all children

of statutory school age in West Berkshire, but the allocation of places in an academy is for the academy to determine as part of its own admission arrangements. Any dispute over the admission arrangements of an academy can be referred to the Office of the Schools Adjudicator. An academy can also propose changes to its catchment area, however this will require consultation before any decision is made. Other statutory responsibilities to be retained by the LA include Home to School Transport (which could be affected by a change to a catchment area), Special Educational Need (SEN) support for non-statemented pupils, assessment and provision for statemented pupils, and the need to ensure attendance.

- (6) The Secretary of State has made it clear that academies should be funded at the same level as other maintained schools in an area, which suggests that there is no financial incentive for converting to an academy. However, an academy will be able to access a proportion of central costs retained by the LA to deliver services to schools and pupils which is separate to the LA's funding formula. Following analysis of the DfE formula by the Education Service, it has been identified that it does not take into account the LA's funding arrangements which give consideration to levels of need. The Secretary of State has accepted that this is inequitable and it will be rectified for the second year and beyond. However, those applying at an early stage will potentially receive more funding than they are entitled to creating disadvantages elsewhere.
- (7) In terms of take up across West Berkshire, Kennet School converted to academy status on 1 April 2011 and Park House School converted on 1 May 2011. The minimal amount of consultation that appears to be required with parents is a concern.
- (8) A number of the remaining West Berkshire secondary schools have expressed an interest in becoming an academy or joining an academy chain (i.e. a group of schools working together). A school that does not meet the criteria to become an academy can do so as part of an academy chain as long as at least one other school involved meets the criteria. This creates a concern with regard to those schools becoming academies who are not considered outstanding and the fact that some have budget deficits.
- (9) A significant amount of Officer time is required for the transfer of a school to an academy which can be, based on experience, required in a very short timeframe. The timeframes are completely outside of the LA's control and any issues not covered could lead to complications over a considerable period of time. No financial assistance is available to the LA, whereas schools are entitled to £25k to help meet legal costs. The level of legal work required by the LA and the tight timescales has meant that external solicitors have needed to be employed. It is estimated that the LA's legal costs could well match the £25k which has been made available to schools.
- (10) Attractions reported from a school's perspective of becoming an academy included a financial benefit, the ability to move gradually

away from the National Curriculum, the independence it would bring in deciding how to manage the additional responsibilities referred to earlier in the report and the opportunity it gave in negotiating more cost effective and efficient contracts and services.

- (11) The Government has indicated a wish that academies support other, less successful, schools, but there has been a lack of clarity as to the extent to which this will operate. No detail has been requested from the Government, using the example of Kennet School and its partner school Trinity, on how this is to be delivered.
- (12) Those academies, and indeed schools, which are classed as being outstanding will not receive routine inspections unless they are requested by parents. However, Ofsted will still conduct a paper based annual performance assessment and some subject based inspections. The LA's opportunity to provide some challenge to academies could come from the Council services being purchased.
- (13) A number of secondary schools have leisure centres based on their sites. At the Kennet Leisure Centre, which is based on the Kennet School site, all parties have worked towards continuing arrangements for school and community use as before, but dual use arrangements need to be maintained in order to ensure the community can continue to access facilities. However, achieving this has added a very complex legal process to Kennet School becoming an academy. Academies will be required to contribute to the operating costs of leisure centres on their sites, this differs from the arrangement for maintained schools where no contribution is required.
- (14) A community's use of formal facilities in place at a school is felt to be better protected than more informal arrangements. The LA will need to negotiate the community's continued use of facilities in this circumstance.
- (15) The Department for Education has reported that they have no plans to alter the arrangements for schools converting to academy status.

## **7. Conclusion**

- 7.1 It is possible that other West Berkshire secondary schools will follow the lead taken by Kennet School and Park House School in converting to academy status. The impact this will have on the LA will need to continue to be monitored, but the LA will remain focused in working towards the best interests of all the children of West Berkshire. This will involve continued efforts to ensure that the transfer of a school to an academy is as smooth as possible, where this decision is made, for the benefit of West Berkshire's pupils.

## **8. Suggested actions for the Executive**

- 8.1 The suggested actions (recommendations) for the Executive are outlined below.
  - (1) The Head of Education Service, in conjunction with other appropriate Heads of Service, should actively seek to sell services to academies at full cost, where this makes sense for service delivery and is also to the

benefit of other schools. Efforts should be made to ensure that contracts are established for a minimum period of three years.

- (2) The Head of Education Service, in conjunction with other appropriate Heads of Service, should monitor service reductions to ensure continued viability of delivery and identify corrective action if necessary.
- (3) The Head of Education Service should encourage the Schools' Forum to ensure that any financial transfers to academies are in line with real costs and not to the detriment of other schools.
- (4) The Head of Education Service should monitor the extent to which the Local Authority remains responsible for certain academy capital costs to ensure that this does not have a detrimental impact on Local Authority budgets.
- (5) The Head of Education Service should monitor the conversion of schools to academy status and the setting up of Free Schools within West Berkshire, including those outside the District boundary which might have an impact on West Berkshire schools, in order to continually evaluate the impact to the Local Authority.
- (6) The Head of Education Service should request that the government looks at meeting the Council incurred costs of academy conversions in line with the financial support given to governing bodies who wish to convert.
- (7) The Head of Education Service should ensure that academies are meeting the requirements of their Funding Agreement with the Secretary of State to support 'weaker' schools.
- (8) The Head of Education Service and the Head of Cultural Services should encourage academies to make sites and facilities available for community use at a reasonable cost.
- (9) The Portfolio Holder for Children and Young People and the Youth Service should distribute the approved report to West Berkshire's Members of Parliament to seek their help with pursuing the concerns raised and potentially arranging a meeting with a representative of the Department for Education.

## **9. Recommendation for the Overview and Scrutiny Management Commission**

- 9.1 It is recommended that the Members of the Commission agree the suggestions outlined in section 8 for the consideration of the Executive.

### **Appendices**

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There are no Appendices to this report.

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# Agenda Item 11.

<b>Title of Report:</b>	<b>Health Scrutiny Panel Work Programme</b>
<b>Report to be considered by:</b>	Health Scrutiny Panel
<b>Date of Meeting:</b>	19 July 2011

**Purpose of Report:** To consider and prioritise the work programme for the municipal year 2010/11.

**Recommended Action:** To consider the current items and discuss any future areas for scrutiny.

<b>Resource Management Working Group Chairman</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Quentin Webb – Tel (01635) 202646
<b>E-mail Address:</b>	qwebb@westberks.gov.uk

<b>Contact Officer Details</b>	
<b>Name:</b>	Rob Alexander
<b>Job Title:</b>	Policy Officer
<b>Tel. No.:</b>	01635 503042
<b>E-mail Address:</b>	ralexander@westberks.gov.uk

# Executive Report

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## 1. Introduction

- 1.1 Members are requested to consider the latest work programme attached at Appendix A. In addition, Members are asked to give consideration to future areas for scrutiny.

## Appendices

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Appendix A – Health Scrutiny Panel Work Programme

## Consultees

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**Local Stakeholders:**

**Officers Consulted:** Scrutiny and Partnerships Manager

**Trade Union:** N/A



<b>Title of Report:</b>	<b>Resource Management Working Group Work Programme</b>
<b>Report to be considered by:</b>	Resource Management Working Group
<b>Date of Meeting:</b>	26 July 2011

**Purpose of Report:** To consider and prioritise the work programme for the municipal year 2010/11.

**Recommended Action:** To consider the current items and discuss any future areas for scrutiny.

<b>Resource Management Working Group Chairman</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Tony Vickers – Tel (01635) 230046
<b>E-mail Address:</b>	tvickers@westberks.gov.uk

<b>Contact Officer Details</b>	
<b>Name:</b>	Rob Alexander
<b>Job Title:</b>	Policy Officer
<b>Tel. No.:</b>	01635 503042
<b>E-mail Address:</b>	ralexander@westberks.gov.uk

# Executive Report

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## 1. Introduction

- 1.1 Members are requested to consider the latest work programme attached at Appendix A. In addition, Members are asked to give consideration to future areas for scrutiny.

## Appendices

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Appendix A – Resource Management Working Group Work Programme

## Consultees

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### Local Stakeholders:

**Officers Consulted:** Head of Finance, Scrutiny and Partnerships Manager

**Trade Union:** N/A

<b>Title of Report:</b>	<b>West Berkshire Forward Plan</b>
<b>Report to be considered by:</b>	Overview and Scrutiny Management Commission
<b>Date of Meeting:</b>	2 August 2011

**Purpose of Report:** To advise the Overview and Scrutiny Management Commission of items to be considered by West Berkshire Council from July to October 2011 and decide whether to review any of the proposed items prior to the meeting indicated in the plan

**Recommended Action:** That the Overview and Scrutiny Management Commission considers the West Berkshire Council Forward Plan for July to October 2011 and recommends further action as appropriate

<b>Overview and Scrutiny Management Commission Chairman</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Brian Bedwell – Tel (0118) 9420196
<b>E-mail Address:</b>	bbedwell@westberks.gov.uk

<b>Portfolio Member Details</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Graham Jones – Tel (01235) 762744
<b>E-mail Address:</b>	gjones@westberks.gov.uk

<b>Contact Officer Details</b>	
<b>Name:</b>	David Baker
<b>Job Title:</b>	Policy Officer (Scrutiny Support)
<b>Tel. No.:</b>	01635 519083
<b>E-mail Address:</b>	dbaker@westberks.gov.uk

# Executive Report

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## 1. Introduction

- 1.1 The Forward Plan attempts to cover all decisions, not just those made by the Executive, which the Authority intends to take over the next 4 months. The Forward Plan, attached at Appendix A, for the months of July to October 2011, also shows the decision path of each item including Council, Executive and Individual Decisions.
- 1.2 In order to hold the Executive to account, Overview and Scrutiny Management Commission Members are asked to identify any forthcoming decisions which may be appropriate for scrutiny.

## Appendices

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Appendix A – West Berkshire Council Forward Plan – July to October 2011

# West Berkshire Council Forward Plan - July to October 2011

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact	Lead Member (Portfolio Holder for ...)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
ID2233a	<b>Adoption of Beenham Parish Plan</b> <i>To adopt Beenham Parish Plan</i>	ID	04/07/11	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions, Communities		24/06/11			01 July 2011
ID2316	<b>Appointments to Outside Bodies</b> <i>To make any additional appointments to Outside Bodies not included on the bulk appointments made in June</i>	ID	07/07/11	Chief Executive	Moira Fraser						01 July 2011
ID2235	<b>West Berkshire Forward Plan - August 2011 to November 2011</b> <i>To advise Members of items to be considered by West Berkshire Council over the next four months.</i>	ID	14/07/11	Chief Executive	Moira Fraser (2045)	Leader of Council		06/07/11		Not subject to call in.	01 July 2011
ID2297	<b>Consultation on Home to School and College Transport Policy 2012-13</b> <i>To consult and agree a Home to school and College transport Policy for 2012-13</i>	ID	20/07/11	Children and Young People	Mwazwit a Mundan gepfupf u	Children and Young People, Youth Service					01 July 2011
ID2233b	<b>Adoption of Yattendon Parish Plan</b> <i>To adopt Yattendon Parish Plan</i>	ID	26/07/11	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions, Communities					01 July 2011
ID2233c	<b>Adoption of Bucklebury Parish Plan</b> <i>To adopt Bucklebury Parish Plan</i>	ID	27/07/11	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions, Communities					01 July 2011
EX2116a	<b>Provisional Outturn Report 2010/12</b> <i>To consider the report called in after the Executive on the 16 June 2011.</i>	EX	21/07/11 EX	Chief Executive	Andy Walker						01 July 2011
EX2227	<b>Establishment Report Q4 2010/11</b> <i>To provide Members with an update on information pertaining to the Council's establishment.</i>	EX	21/07/11 EX	Chief Executive	Robert O'Reilly	Strategy, Performance, Community Safety					01 July 2011

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# West Berkshire Council Forward Plan - July to October 2011

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact	Lead Member (Portfolio Holder for ...)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
EX2058	<b>Civil Contingencies Annual Report 2010/11</b> <i>To provide Members with an update on the activities undertaken in respect of Civil Contingency during the final quarter of the 2010/11 Financial Year.</i>	EX	21/07/11 EX	Chief Executive	Carolyn Richardson	Strategy, Performance, Community Safety					01 July 2011
EX2296	<b>Castle Gate Statement of Purpose</b> <i>To present Members with a copy of the Castle Gate's annual revision of its Statement of Purpose as required by the Children's Home Regulations 2001. To present members with the Short Break Statement which is a new legal requirement.</i>	EX	21/07/11 EX	Children and Young People	Juliet Penley	Children and Young People, Youth Service		13/07/11			01 July 2011
EX2306	<b>Accessibility Strategy</b>	EX	21/07/11 EX	Children and Young People	Jane Seymour	Children and Young People, Youth Service					01 July 2011
EX2311	<b>Annual Report of the West Berkshire Adoption Service and the West Berkshire Adoption Service Statement and Purpose</b> <i>To enable Members to scrutinise the operation of the Adoption Service</i>	EX	21/07/11 EX	Children and Young People	Sandra Dopson	Children and Young People, Youth Service		13/07/11			01 July 2011
EX2312	<b>Annual Report of the West Berkshire Fostering Service and the West Berkshire Fostering Service Statement and Purpose</b> <i>To enable Members to scrutinise the operation of the Fostering Service</i>	EX	21/07/11 EX	Children and Young People	Sandra Dopson	Children and Young People, Youth Service		13/07/11			01 July 2011

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# West Berkshire Council Forward Plan - July to October 2011

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EX2126	<b>Community Led Planning - Performance Report 2010/11</b> <i>To provide Members with an update on parish planning activity during the final quarter of 2010/11 Financial Year.</i>	EX	21/07/11 EX	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions, Communities					01 July 2011
ID2236	<b>Adoption of Parish Plans</b> <i>To adopt Parish Plans.</i>	ID	01/08/11	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions, Communities		TBC			01 August 2011
ID2237	<b>Approval of Village Design Statements</b> <i>To approve Village Design Statements.</i>	ID	01/08/11	Environment	Paula Amorelli	Planning, Transport Policy, Housing, Economic Development		TBC			01 August 2011
ID2328	<b>Appoint an additional substitute for the Henwick Worthy JMC</b>	ID	01/08/11	Chief Executive	Moira Fraser	Leader of Council					01 August 2011
ID2238	<b>West Berkshire Forward Plan - September 2011 to December 2011</b> <i>To advise Members of items to be considered by West Berkshire Council over the next four months.</i>	ID	11/08/11	Chief Executive	Moira Fraser (2045)	Leader of Council		03/08/11		Not subject to call in.	01 August 2011
EX2123	<b>Scrutiny Annual Report 2010/11</b> <i>To provide Members with an update on the Scrutiny activity undertaken during the 2010/11 Financial Year.</i>	EX	30/08/11	Chief Executive	David Lowe	Strategy, Performance, Community Safety		31/08/11			01 August 2011
ID2239	<b>Adoption of Parish Plans</b> <i>To adopt Parish Plans.</i>	ID	01/09/11	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions, Communities		TBC			01 September 2011
ID2240	<b>Approval of Village Design Statements</b> <i>To approve Village Design Statements.</i>	ID	01/09/11	Environment	Paula Amorelli	Planning, Transport Policy, Housing, Economic Development		TBC			01 September 2011

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# West Berkshire Council Forward Plan - July to October 2011

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact	Lead Member (Portfolio Holder for ...)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
ID2321	<b>Speed Limit Review (&amp; response to separate petitions regarding Church Street and Engelfield Road, Theale)</b> <i>To approve the statutory consultation for altering the speed limit on a number of roads following a meeting of the speed limit task group</i>	ID	01/09/11	Environment	Andrew Garratt	Highways, Transport (Operational), ICT, Customer Services			Local ward members		01 September 2011
ID2322	<b>Petition - Traffic Calming in Oregon Avenue, Tilehurst</b> <i>To respond to a petition that has been submitted to the Council</i>	ID	01/09/11	Environment	Andrew Garratt	Highways, Transport (Operational), ICT, Customer Services			Local ward members		01 September 2011
ID2323	<b>Lamtarra Way , Greenham Consultation</b> <i>To report the responses received during the statutory consultation and advisement of a road closure</i>	ID	01/09/11	Environment	Andrew Garratt	Highways, Transport (Operational), ICT, Customer Services			Statutory consultees, general public, Parish Council and Ward Members		01 September 2011
ID2327	<b>Non-Domestic Rates - application for hardship relief (Part II - Information relating to the business /financial affairs of a particular person)</b> <i>To make a decision on an application to allow hardship relief.</i>	ID	01/09/11	Chief Executive	Bill Blackett	Finance, Property, Health & Safety	Yes		None		01 September 2011
ID2241	<b>West Berkshire Forward Plan - October 2011 to January 2012</b> <i>To advise Members of items to be considered by West Berkshire Council over the next four months.</i>	ID	15/09/11	Chief Executive	Moirra Fraser (2045)	Leader of Council		07/09/11		Not subject to call in.	01 September 2011
GA2118	<b>Risk Management Annual Report</b>	GA	05/09/11	Chief Executive	Ian Priestley	Strategy, Performance, Community Safety					01 September 2011

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# West Berkshire Council Forward Plan - July to October 2011

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GA2056	<b>Internal Audit Annual Report 2010/11</b> <i>To provide the Committee with an opinion from the "Head of Internal Audit" on the Council's internal control framework, and to support the approval of the Annual Governance Statement</i>	GA	05/09/11 GA	Chief Executive	Ian Priestley	Strategy, Performance, Community Safety		25/08/11			01 September 2011
GA2218	<b>Financial Statements 2010-11</b>	GA	05/09/11 GA	Chief Executive	Joseph Holmes			25/08/11			01 September 2011
EX2300	<b>Progress report on Consolidation of Council Leases</b>	EX	08/09/11 EX	Chief Executive	Les Gaulton			31/08/11			01 September 2011
EX2271	<b>Referral and Assessment Team</b> <i>To provide an update for Members on the increasing pressures on the Referral and Assessment Team</i>	EX	08/09/11 EX	Children and Young People	Sue Adamantos	Children and Young People, Youth Service		31/08/11			01 September 2011
EX2295	<b>Annual Report on Children Subject to Child Protection Plans</b> <i>To update Members on recent activity in relation to children subject to child protection plans</i>	EX	08/09/11 EX	Children and Young People	Sue Adamantos	Children and Young People, Youth Service		31/08/11			01 September 2011
EX2288	<b>Finance Report - Quarter 1</b> <i>To provide Members with information in respect of the Council's Capital and Revenue Budgets for the first quarter of the Financial Year 2011/12.</i>	EX	08/09/11 EX	Chief Executive	Joseph Holmes	Finance, Property, Health and Safety		31/08/11			01 September 2011
EX2274	<b>Q1 Performance Update</b> <i>To report quarterly performance against each of the outcomes identified in the 2011/12 Council Plan and to report remedial action being taken, where targets were not projected to be met.</i>	EX	08/09/11 EX	Chief Executive	Jessica Broom	Strategy, Performance, Community Safety		31/08/11			01 September 2011

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# West Berkshire Council Forward Plan - July to October 2011

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact	Lead Member (Portfolio Holder for ...)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
EX2313	<b>Treasury Management Annual Report 2010/11</b> <i>To consider an Annual Report on the Treasury Management Function, reviewing the previous year's activities and performance of the fund for the year.</i>	EX	08/09/11 EX	Chief Executive	Gabrielle Esplin	Finance, Property, Health and Safety					01 September 2011
EX2325	<b>Response to the Scrutiny Review of HR Establishment Reporting</b>	EX	08/09/11	Chief Executive	Robert O'Reilly	Strategy, Performance, Community Safety					01 September 2011
C2188	<b>West Berkshire Council 2011/12: Corporate Performance Framework</b>	C	22/09/11	Chief Executive	Jason Teal	Leader of Council					01 September 2011
C2326	<b>Recognition of Former Councillors</b> <i>To consider introducing a scheme which will enable this Council to recognise former Councillors who have provided eminent service to this Council over a long period of time.</i>	C	22/09/11 C	Chief Executive	Andy Day			15/09/11			01 September 2011
C2303	<b>Changes to the Constitution - Part 4, 5 &amp; 6</b> <i>To consider any changes required to the Council's Constitution.</i>	C	22/09/11 C 05/09/11 GA	Chief Executive	Moir Fraser	Leader of Council		26/08/11			01 September 2011
C2304	<b>Changes to the Constitution - Scheme of Delegation; Reservoir Act</b> <i>To consider any changes required to the Council's Constitution - SoD.</i>	C	22/09/11 C 05/09/11 GA	Environment	Mark Edwards	Leader of Council		26/08/11			01 September 2011
C2155	<b>Report to Consider the Recommendations of the IRP</b> <i>To consider any changes required to the scheme following the March 2011 Council meeting where the Governance Structures of the Council were discussed</i>	C	22/09/11 C	Chief Executive	Jo Watt			15/09/11			01 September 2011

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# West Berkshire Council Forward Plan - July to October 2011

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact	Lead Member (Portfolio Holder for ...)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
ID2242	<b>Adoption of Parish Plans</b> <i>To adopt Parish Plans.</i>	ID	01/10/11	Chief Executive	Jo Naylor	Partnerships, Equality, The Visions, Communities		TBC			01 October 2011
ID2243	<b>Approval of Village Design Statements</b> <i>To approve Village Design Statements.</i>	ID	01/10/11	Environment	Paula Amorelli	Planning, Transport Policy, Housing, Economic Development		TBC			01 October 2011
ID2318	<b>Petition - Phased Crossing at Padworth Lane</b> <i>To provide a response to a petition submitted to the Executive in respect of a controlled pedestrian facility at Padworth Lane</i>	ID	01/10/11	Environment	Mark Edwards	Highways, Transport (Operational), ICT, Customer Services					01 October 2011
ID2244	<b>West Berkshire Forward Plan - November 2011 to February 2012</b> <i>To advise Members of items to be considered by West Berkshire Council over the next four months.</i>	ID	13/10/11	Chief Executive	Moira Fraser (2045)	Leader of Council		05/10/11		Not subject to call in.	01 October 2011
EX2284	<b>Equalities Report</b>	EX	20/10/11 EX	Chief Executive	Robert O'Reilly	Partnerships, Equality, The Visions, Communities		12/10/11			01 October 2011
EX2315	<b>Transfer of the Council's contract with the Skills Funding Agency for Adult and Community Learning to new arrangements.</b> <i>To gain Members approval for the transfer of the Council's contract with the Skills Funding Agency for Adult Safeguarded Learning to the preferred provider.</i>	EX	20/10/11 EX	Children and Young People	Sara Hanson	Children and Young People, Youth Service	Yes				01 October 2011

**KEY:**

ID = Individual Executive Member  
 EX = Executive  
 C = Council  
 GA = Governance & Audit Committee  
 S = Standards Committee  
 PC = Personnel Committee

The items included in the Forward Plan were correct at the time of publication. The Forward Plan may, however, change and you are advised to contact Moira Fraser – Tel: 01635 519045 or e-mail: [mfraser@westberks.gov.uk](mailto:mfraser@westberks.gov.uk) to confirm the contents of any agenda before attending a meeting. **Executive decisions may be taken by the Executive acting as a collective body or by officers acting under delegated powers.**

# West Berkshire Council Forward Plan - July to October 2011

Reference	Decision and Purpose	Decision Body	Decision Path	Directorate	Contact	Lead Member (Portfolio Holder for ...)	Part II	Date Report Published	Consultee(s)	Notes	Decision Month
EX2319	<b>Petition - Trees along Skilton Road</b> <i>To provide a response to a petition submitted to the Executive in respect of the condition and affects of the trees along Skilton Avenue, Tilehurst</i>	EX	20/10/11 EX	Environment	Gary Lugg	Environment, Cleaner greener, Public Protection, Culture and Leisure					01 October 2011

The items included in the Forward Plan were correct at the time of publication. The Forward Plan may, however, change and you are advised to contact Moira Fraser – Tel: 01635 519045 or e-mail: [mfraser@westberks.gov.uk](mailto:mfraser@westberks.gov.uk) to confirm the contents of any agenda before attending a meeting. **Executive decisions may be taken by the Executive acting as a collective body or by officers acting under delegated powers.**

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<b>Title of Report:</b>	<b>Overview and Scrutiny Management Commission Work Programme</b>
<b>Report to be considered by:</b>	Overview and Scrutiny Management Commission
<b>Date of Meeting:</b>	2 August 2011

**Purpose of Report:** To review the Work Programme of the Overview and Scrutiny Management Commission for 2011/12 Municipal Year

**Recommended Action:** To consider the current items and any future areas for scrutiny.

<b>Overview and Scrutiny Management Commission Chairman</b>	
<b>Name &amp; Telephone No.:</b>	Councillor Brian Bedwell – Tel (0118) 9420196
<b>E-mail Address:</b>	bbedwell@westberks.gov.uk

<b>Contact Officer Details</b>	
<b>Name:</b>	David Baker
<b>Job Title:</b>	Policy Officer (Scrutiny Support)
<b>Tel. No.:</b>	01635 519083
<b>E-mail Address:</b>	dbaker@westberks.gov.uk

# Executive Report

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## 1. Introduction

- 1.1 An updated version of the Work Programme is attached at Appendix A for the Commission's consideration. Members are also asked to consider any future areas for scrutiny.

## Appendices

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Appendix A – Overview and Scrutiny Management Commission Work Programme 2011/12

## Consultees

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**Officers Consulted:** Scrutiny and Partnerships Manager, Principal Policy Officers

# OVERVIEW & SCRUTINY MANAGEMENT COMMISSION WORK PROGRAMME 2011/12

Reference	Subject/purpose	Methodology	Expected outcome	Review Body	Dates	Lead Officer(s)/ Service Area	Portfolio Holder(s)	Status: In Progress Completed	Comments
OSMC/09/02	<b>Performance Report for Level One Indicators</b> To monitor quarterly the performance levels across the Council and to consider, where appropriate, any remedial action.	In meeting review with information supplied by, and questioning of, lead officers.	Monitoring item	OSMC	Start: each Q End: OSMC 01/11/11	Jason Teal – 2102 Policy & Communication	Councillor Anthony Stansfeld	In Progress	Quarterly item.
OSMC/10/78	<b>Activities for teenagers</b> To identify the work undertaken and future action planned in the Children and Young People Directorate to improve activities for teenagers, following its identification as the top priority for improvement in the annual resident survey.	Information supplied by, and questioning of, lead officers.		OSMC	Start: 25/05/10 End: 28/06/11 OSMC 02/08/11	Julia Waldman – 2815 Children and Young People	Councillor Irene Neill	In Progress	As requested by OSMC on 2nd March 2010.
OSMC/10/95	<b>Big Society/Localism</b> To explore the initiative as a way of enabling people and encouraging them to take responsibility for their own communities.	Initial briefing followed by in meeting review.		OSMC	Start: Q4 End:	Andy Day – 2459 Policy & Communication	Councillor Pamela Bale	To be scheduled	Item to be scheduled at a later date once further detail known. Work ongoing at LSP level.
OSMC/09/57	<b>Revenue and capital budget reports</b> To receive the latest period revenue and capital budget reports To consider any areas of concern.	Information supplied by, and questioning of, lead officer via in meeting review	Monitoring item	RMWG	Start: 13/09/10 End: Each Quarter	Andy Walker – 2433 Finance	Councillor Keith Chopping	In Progress	May lead to areas for in depth review.
OSMC/09/63	<b>Establishment Reports</b> To receive the latest report on the changes to the Council's establishment.	Information supplied by, and questioning of, lead officer via in meeting review	Monitoring item	RMWG	Start: 13/09/10 End: Each Quarter	Robert O'Reilly – 2368 Human Resources	Councillor Anthony Stansfeld	In Progress	May lead to areas for in depth review.
OSMC/11/98	<b>Legal and Electoral Services Budget</b> To discuss budget pressures within this service area.	In meeting review with information supplied by, and questioning of, lead officers.		RMWG	Start: End:	David Holling Legal & Electoral Services	Councillor Anthony Stansfeld	In Progress	Requested by RMSC on 14 December 2010.
OSMC/11/99	<b>Highways Asset Management Plan</b> To review the AMP and the highways land contained within it.	In meeting review with information supplied by, and questioning of, lead officers.		RMWG	Start: End:	Mark Edwards – 2208 Highways & Transport	Councillor David Betts	To be scheduled	Requested by RMSC on 14 December 2010.
OSMC/11/100	<b>School Academies</b> To review the effect of schools becoming Academies on the capacity of the LEA.	Task group review with information supplied by, and questioning of, lead officers and external partners.		Task Group	Start: 07/02/11 End: 30/06/11 OSMC 02/08/11	Ian Pearson – 2729 Education	Councillor Irene Neill	In Progress	Terms of Reference approved by OSMC on 18/01/11

# OVERVIEW & SCRUTINY MANAGEMENT COMMISSION WORK PROGRAMME 2011/12

Reference	Subject/purpose	Methodology	Expected outcome	Review Body	Dates	Lead Officer(s)/ Service Area	Portfolio Holder(s)	Status: In Progress Completed	Comments
OSMC/11/102	<b>Day Centres</b> To examine the provision of day centres across the District.	Task group review with information supplied by, and questioning of, lead officers and external partners.		Task Group	Start: TBD End: TBD	Jan Evans – 2736 Adult Social Care	Councillor Joe Mooney	To be scheduled	
OSMC/11/103	<b>Delayed discharges from hospital</b> To determine the causes of delayed discharges from hospitals affecting West Berkshire residents.	In meeting review with information supplied by, and questioning of, lead officers.		HSP	Start: TBC End:	Chief Executive of the Royal Berkshire NHS Trust & Bev Searle - NHS Berkshire West.	Cllr Joe Mooney	To be scheduled	
OSMC/11/104	<b>Anti-Child Poverty Strategy</b>	To monitor the strategy		HSP	Start: On-going End: April 2012	Julia Waldman – 2815 Children and Young People	Cllr Joe Mooney		
OSMC/11/105	<b>Dignity and Nutrition</b> To review the Care Quality Commission report on Dignity and Nutrition - Hospitals	In meeting review with information supplied by, and questioning of, lead officers.		HSP	Start: TBC End:	TBC	Cllr Joe Mooney		
OSMC/11/106	<b>Updates:</b> To receive updates from the Health and Wellbeing Board Health Service in West Berkshire	In meeting review with information supplied by, and questioning of, lead officers.		HSP	Start: TBC End:	TBC	Cllr Joe Mooney		
OSMC/11/107	<b>Six Lives report</b> To receive updates on progress of Six Lives report	In meeting review with information supplied by, and questioning of, lead officers.		HSP	Start: TBC End:	TBC	Cllr Joe Mooney		
OSMC/11/108	<b>Protection, Safety and Welfare</b> To discuss the Protection, Safety and Welfare of people who use West Berkshire Council services	In meeting review with information supplied by, and questioning of, lead officers.		HSP	Start: TBC End:	TBC	Cllr Joe Mooney		

**Key:**  
OSMC  
HSP  
RMWG

Overview and Scrutiny Management Commission  
Health Scrutiny Panel  
Resource Management Working Group