

Meeting of West Berkshire District Council

Tuesday, 4th March, 2014

Summons and Agenda

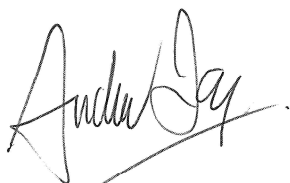


WestBerkshire
C O U N C I L

To: All Members of the Council

You are requested to attend a meeting of
WEST BERKSHIRE DISTRICT COUNCIL
to be held in the
**COUNCIL OFFICES, MARKET STREET,
NEWBURY**

on
Tuesday, 4th March, 2014
at 6.30 pm



Andy Day
Head of Strategic Support
West Berkshire District Council

Date of despatch of Agenda: Monday, 24 February 2014

AGENDA

1. **APOLOGIES FOR ABSENCE**

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

2. **CHAIRMAN'S REMARKS**

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

3. **MINUTES**

The Chairman to sign as a correct record the Minutes of the Council meeting held on 12 December 2013. **(Pages 1 - 18)**

4. **DECLARATIONS OF INTEREST**

To remind Members of the need to record the existence and nature of any Personal, Disclosable Pecuniary or other interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).



WestBerkshire
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Agenda - Council to be held on Tuesday, 4 March 2014 (continued)

5. PETITIONS

Councillors may present any petition which they have received. These will normally be referred to the appropriate body without discussion.

6. PUBLIC QUESTIONS

Members of the Executive to answer the following question submitted by members of the public in accordance with the Council's Constitution:

(a) **Question to be answered by the Executive Member for Children and Young People, Youth Service, Education submitted by Mrs Maryanne Thomas:**

"West Berkshire has a long standing reputation for appreciating, valuing and supporting the work carried out by volunteers in the community as well as acknowledging the significant economic contribution in terms of time and expertise. In the proposed cuts for 2014/15 the Council is cutting 33% off the budget for vulnerable young people over 2 years. Do these cuts mean that the Council will compromise its standard of support and appreciation of volunteers working with vulnerable young people?"

7. MEMBERSHIP OF COMMITTEES

The Monitoring Officer to advise of any changes to the membership of Committees since the previous Council meeting. **(Verbal Report)**

8. LICENSING COMMITTEE

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

9. PERSONNEL COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Personnel Committee met on 04 February 2014. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

10. GOVERNANCE AND AUDIT COMMITTEE

The Council is asked to note that since the last meeting of Council, the Governance and Audit Committee met on 10 February 2014. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

11. DISTRICT PLANNING COMMITTEE

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

12. OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

The Council is asked to note that since the last meeting of the Council, the Overview and Scrutiny Management Commission met on 07 January 2014 (Special Meeting), 21 January 2014 and 25 February 2014. Copies of the Minutes of these meetings can be obtained from Strategic Support or via the [Council's website](#).



13. STANDARDS COMMITTEE

The Council is asked to note that since the last meeting of the Council, the Standards Committee met on 13 February 2014. Copies of the Minutes of this meeting can be obtained from Strategic Support or via the [Council's website](#).

14. WEST BERKSHIRE COUNCIL STRATEGY: REFRESH (C2744)

To present the refreshed Council Strategy. **(Pages 19 - 42)**

15. INVESTMENT AND BORROWING STRATEGY 2014/15 (2747)

In compliance with the Local Government Act 2003, this report summarises the Council's borrowing limits as set out by CIPFA's Prudential Code, and recommends the Annual Investment and Borrowing Strategy for 2014/15. **(Pages 43 - 50)**

16. MEDIUM TERM FINANCIAL STRATEGY (MTFS) 2014-17 (C2748)

To inform Members of the medium term financial planning and strategy for the organisation. **(Pages 51 - 68)**

17. CAPITAL STRATEGY AND PROGRAMME 2014/15 TO 2018/19 (C2746)

To outline the five year Capital Strategy for 2014 to 2019, including the Minimum Revenue Provision (MRP) statement and the Asset Management Plan, and to set out the funding framework for Council's five year Capital Programme for 2014/15 to 2018/19. **(Pages 69 - 128)**

18. REVENUE BUDGET: 2014/15 (C2749)

To consider and recommend to Council the 2014-15 revenue budget. **(Pages 129 - 262)**

19. STATUTORY PAY POLICY STATEMENT (C2646)

To present a Pay Policy Statement to be published from 1st April 2014, for approval. **(Pages 263 - 282)**

20. COMMUNITY INFRASTRUCTURE LEVY - ADOPTION AND IMPLEMENTATION OF CHARGING SCHEDULE (C2587)

To:

- (a) Consider the Examiner's report into West Berkshire's Draft Charging Schedule;
- (b) Seek approval for the adoption and implementation of a Community Infrastructure Levy. **(Pages 283 - 330)**

21. AMENDMENTS TO THE CONSTITUTION - SCHEME OF DELEGATION (C2770)

To review and amend sections of the Scheme of Delegation in light of legislative changes. **(Pages 331 - 404)**

22. CHANGES TO THE CONSTITUTION - PART 13 CODES AND PROTOCOLS (C2771)

To review and amend sections of Part 13 (Codes and Protocols) i.e. Appendices A (West Berkshire Code of Conduct for Planning), D (Gifts and Hospitality: A Code of Conduct for Councillors), E (Procedure for Local Determination of Allegation) and G (West Berkshire Code of Conduct for Licensing) in light of legislative changes, policy changes and recent government guidance.

(Pages 405 - 452)

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



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COUNCIL
MINUTES OF THE MEETING HELD ON
THURSDAY, 12 DECEMBER 2013

Councillors Present: David Allen, Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck, Brian Bedwell, Dominic Boeck, Jeff Brooks, Paul Bryant, George Chandler, Keith Chopping (Chairman), Hilary Cole, Roger Croft, Richard Crumly, Adrian Edwards, Marcus Franks, Manohar Gopal, John Horton, Carol Jackson-Doerge, Mike Johnston, Graham Jones, Alan Law, Tony Linden, Mollie Lock, Royce Longton, Gordon Lundie, Alan Macro, Gwen Mason, Geoff Mayes, Tim Metcalfe, Joe Mooney, Irene Neill, Graham Pask, James Podger, David Rendel, Andrew Rowles, Garth Simpson, Anthony Stansfeld, Julian Swift-Hook, Ieuan Tuck, Tony Vickers, Virginia von Celsing, Quentin Webb, Emma Webster, Keith Woodhams and Laszlo Zverko

Also Present: John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Sarah Clarke (Team Leader - Solicitor), Moira Fraser (Democratic and Electoral Services Manager), Robin Steel (Conservative Group Executive) and Linda Pye (Principal Policy Officer)

Apologies for inability to attend the meeting: Councillor David Betts, Councillor Billy Drummond, Honorary Alderman Geoff Findlay, Councillor Dave Goff, Councillor Roger Hunneman, Honorary Alderman Alan Thorpe and Rachael Wardell

Councillors Absent: Councillor Sheila Ellison and Councillor Paul Hower

PART I

48. Minutes

The Chairman asked all those present to observe a minute's silence to reflect on the passing away of Nelson Mandela.

The Minutes of the meeting held on 19th September 2013 were approved as a true and correct record and signed by the Chairman.

49. Declarations of Interest

The Deputy Monitoring Officer announced that all Members present, in accordance with the Localism Act 2011, had applied for and had been granted a dispensation to consider any matter which had a bearing on the setting of the Council Tax (Item 15 on this agenda). Failure to grant this dispensation would have impeded the transaction of the business because of the number of Councillors having the same disclosable pecuniary interest.

The Deputy Monitoring Officer also announced that Councillors David Allen, Howard Bairstow, Jeff Beck, Brian Bedwell, Dominic Boeck, Jeff Brooks, Hilary Cole, Roger Croft, Richard Crumly, Adrian Edwards, Sheila Ellison, Marcus Franks, John Horton, Carol Jackson-Doerge, Alan Law, Mollie Lock, Royce Longton, Alan Macro, Tim Metcalfe, Andrew Rowles, Anthony Stansfeld, Julian Swift-Hook, Ieuan Tuck and Tony Vickers, in accordance with the Localism Act, had applied for and had been granted a dispensation (by the Standards Committee) to consider Recommendation 4 of Item 15. Failure to grant this dispensation would have impeded the transaction of the business because of the number of Councillors having the same disclosable pecuniary interest.

Councillor James Podger declared an interest in Agenda Item 15 and reported that, as his interest was a disclosable pecuniary interest, he would be leaving the meeting during the course of consideration of the matter.

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Councillor Emma Webster noted that although she had disclosed a disclosable pecuniary interest in the Motion relating to the Closure of Public Houses at the previous meeting she would not be declaring an interest this time (see Item 14) as the declaration previously made was no longer relevant.

Councillors Gwen Mason, Keith Woodhams, Roger Croft, Royce Longton, Tony Vickers, Carol Jackson-Doerge, Gordon Lundie, Andrew Rowles, Dominic Boeck and Graham Jones declared an interest in Agenda Item 16, but reported that, as their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

Councillor Anthony Stansfeld declared an interest in Agenda Item 18, but reported that, as his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillor Tim Metcalfe declared an interest in Agenda Item 17, but reported that, as his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

Councillors Royce Longton and David Rendel declared an interest in Agenda Item 14, but reported that, as their interest was personal and not prejudicial or a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

50. Chairman's Remarks and Changes to Committees Since the Previous Council Meeting

The Chairman reported that he and the Vice Chairman had attended 69 events since the last Council meeting. The Chairman thanked Councillor Adrian Edwards and Councillor Jeff Brooks for attending Remembrance Day events on behalf of the Council.

The Chairman highlighted a number of events that he had attended including a very colourful Diwali evening, the unveiling of the innovative duck seat at Linear Park, a scout's breakfast at Burghfield, the signing of the contract with Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust, the Aldermaston Nativity Play, the switching on of the Christmas lights in Hungerford, Thatcham and Newbury, the Macmillan Concert at St Nicolas' Church and a number of citizenship ceremonies held at Shaw House.

The Chairman thanked all the Officers and Members that had attended his quiz on the 21 November 2013 which had raised £960 for his chosen charity 'Children with Cancer UK'. He congratulated the 'Bright Blues' on winning the quiz.

Councillor Chopping observed that the young people of the district continued to act as an inspiration for all residents. He had thoroughly enjoyed the Berkshire Maestro's concert at the Hexagon Theatre in Reading. He also highlighted the primary school carol concert event at St Nicolas's Church.

The Chairman reported that he had been fortunate to be present at an event held at XTRAC the previous day where the Duke of Kent had made an award to apprentices at this organisation which was a world leader in its field.

The Chairman provided Members with an update on the Motion proposed by Councillor David Goff and seconded by Councillor Jeff Brooks which was debated and adopted by

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the Council at the September 2013 meeting regarding the potential closure of Newbury Magistrates Court. The Motion required that the Chairman write to a number of Government departments and individuals in order to put forward the wide concerns of this Council bearing in mind the cross party support which there was. The Chairman sent a number of letters as requested.

Councillor Chopping confirmed that all three of the local MP's: Alok Sharma, John Redwood and Richard Benyon had contacted HM Courts and Tribunal Service. The Chairman also received a response from the Minister with responsibility for HM Courts and Tribunal Service Shailesh Vara MP and support from the Police and Crime Commissioner for the Thames Valley.

A full response was also received from Chris Jennings the Delivery Director – South East for HM Courts and Tribunal Service. In his response he confirmed that there were no current plans to close the court but he indicated that his service was required by Government to continually review its assets and estate in order to provide an efficient service to Court users within budgetary constraints. He went on to address court usage and listing but suggested that this was a matter for local Magistrates to comment upon. However in order to cover this aspect he offered a meeting with him and the Clerk to the Thames Valley Justices David Richmond and this meeting was scheduled to take place on the 22nd January 2014. That meeting would allow the opportunity to place on record at the highest level the concerns of this Council as regards the administration of justice locally.

Richard Benyon MP had held a constructive meeting with Chris Jennings the Delivery Director on 12th November 2013 and was advised that if there were to be any further rationalisation of the Courts in the South East, Newbury Magistrates Court would not be one of the courts he would be recommending for closure to Ministers which was a positive outcome.

The Deputy Monitoring Officer announced that the following changes had been made to Committees since the September 2013 Council meeting:

Executive – Councillor Graham Jones stood down from the Executive on the 31 October 2013. Councillor Marcus Franks had been appointed as the Executive Member with responsibility for Health and Wellbeing. Councillor Graham Pask would have the additional responsibility for Community Safety.

Health and Wellbeing Board - Adrian Barker had replaced Lady Emma Stevens as the Healthwatch Representative. Councillor Marcus Franks had replaced Councillor Graham Jones on the Board and Councillor Gordon Lundie had replaced Councillor Graham Pask on the Board and was the new Chairman.

Standards Committee - Barry Dickens had replaced Maoline Akins as a Parish Council Representative on the Standards Committee.

Eastern Area Planning – Councillor Sheila Ellison was now a Member of the Committee and Councillor Irene Neill was a substitute on the Committee.

Heritage Champion – Councillor Adrian Edwards had taken over the role of Heritage Champion from Councillor Hilary Cole.

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Overview and Scrutiny Management Commission – Councillor Sheila Ellison had replaced Councillor Marcus Franks on the Commission. Councillor Paul Bryant had replaced Councillor Sheila Ellison as a substitute on this Commission.

Member Point of Contact for all Safeguarding Matters – Councillor Irene Neill had been appointed to this role.

Councillor Jeff Brooks thanked Councillor Graham Jones for all the work that he had done while he was on the front bench and noted that he had been a respected adversary. Councillor Jones thanked Councillor Brooks for the comments.

51. Junior Citizen of the Year 2013

The Chairman explained that the Junior Citizen Award was given to a young person from West Berkshire who had excelled in one of the following categories:

- Had helped someone in trouble;
- Had achieved excellence in school or an outside activity;
- Had made West Berkshire a better place to live and work;
- Had demonstrated an act of bravery.

He thanked the independent judging panel (Mrs Pat Eastop, Ms Lindsey Appleton and Mr John Aldis) who had met to consider the nominations.

Councillor Chopping noted that the panel had decided to award two Highly Commended certificates this year. The first of these certificates was awarded to Simon Ball. He was nominated by Mrs Orsolya Sirok, Manager of the Sue Ryder shop in Newbury for his voluntary work at the shop. The panel was very impressed with the voluntary work carried out by Simon, which they felt showed great commitment and a very caring attitude.

The second recipient of a Highly Commended award was Edward Collins. He was nominated by his mother, Caroline Lane, for his work, both on a weekly basis and for a week long summer camp, teaching young people with Down's Syndrome how to ride bikes. The panel felt that Edward's caring attitude was evident and were sure that his work was very rewarding.

The third place winner of the Junior Citizen of the Year Award was Josh Booker who was nominated by Norma Maggs of Sovereign Housing Association for his dedication and hard work as a volunteer at the Riverside Community Centre. He helped to organise and run events that were put on for the younger members and often helped coach them in the various sports and activities. The panel noted how involved Josh was in the Community Centre and its activities and how his mature attitude and very positive outlook had led the children to look up to him as a role model.

In second place was Chris Weedon who was nominated by Mrs Jenny Johnson, his form tutor at Kennet School, for his voluntary work with Thatcham Town Disabled Football Club. He had coached the football team, and spent time socialising with the young people providing them with opportunities to develop their social skills and a place where they could feel valued and equal. The panel was extremely impressed by the huge commitment demonstrated by Chris over three years.

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The winner of the overall Junior Citizen of the Year Award for 2013 was Chloe Johnson who received four nominations from friends and members of the local community including the youth worker at Greenham Community Centre. Chloe was an active Youth Council member of the Greenham Community Youth Project when she was diagnosed with Leukaemia in November 2012. Chloe had retained her sense of humour and determination throughout her illness, started a new college course, continued to work with the Youth Project and fundraising for the John Radcliffe Hospital. The panel felt that Chloe's bravery, determination and commitment to help others made her a worthy winner of the Junior Citizen of the Year Award 2013.

52. Petitions

Councillor Alan Macro presented a petition containing 30 written signatures and 12 electronic signatures (albeit that two of these were repeated giving a total of 40 signatures) relating to requested road safety improvements for people crossing the A4 road at Wigmore Lane, Theale. Councillor Macro was informed that the petition would be referred to the Highways Service for a response which would be set out in a report to be considered via Individual Decision or by the Executive.

Councillor Jeff Beck presented a petition, on behalf of Mr Peter Logan, containing 290 signatures relating to the possible withdrawal of the current School Crossing Patrol located in Fir Tree lane. This petition would be fed into the consultation on the proposed changes to the budget.

53. Public Questions

There were no public questions received.

54. Licensing Committee

The Council noted that, since the last meeting, the Licensing Committee had met on 26th September 2013.

55. Personnel Committee

The Council noted that, since the last meeting, the Personnel Committee had met on 30th October 2013.

56. Governance and Audit Committee

The Council noted that, since the last meeting, the Governance and Audit Committee had met on 25th November 2013.

57. District Planning Committee

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

58. Overview and Scrutiny Management Commission

The Council noted that, since the last meeting, the Overview and Scrutiny Management Committee had met on 21st November 2013 and 10th December 2013.

59. Standards Committee

The Council noted that, since the last meeting, the Standards Committee had met on 14th October 2013 and a special meeting took place on the 11th December 2013.

60. Closure of Public Houses - Response to Motion at Council (C2756)

(Councillors Royce Longton and David Rendel declared a personal interest in Agenda item 14 by virtue of the fact that they were members of (Campaign for Real Ale) CAMRA. As their interest was personal and not a prejudicial or disclosable pecuniary interest they were permitted to take part in the debate and vote on the matter).

The Council considered a report (Agenda Item 14) setting out a response to a motion raised at the September 2013 Council meeting by Councillor Royce Longton pertaining to the action the Council could take in relation to the potential closure of public houses.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Quentin Webb:

That the Council:

“agrees the response to the Motion”.

Councillor Cole noted this report had been drafted following the submission of a Motion to the September 2013 Council meeting by Councillor Royce Longton. Councillor Cole reported that although the local closure rate of public houses was below the national average West Berkshire was not being complacent. Councillor Cole acknowledged that a well run public house was a real asset to a local community. She was pleased to note that two public houses had already been listed as Assets of Community Value in the district. There were only 150 such listings across the country. One of these public houses had been saved from development and had recently been opened as a community pub.

Councillor Cole commented that she was not able to support the sixth recommendation in the original motion which asked the council to ‘lobby MPs and other political representatives to support CAMRA’s Fair Deal for Your Local campaign’. She was also not able to support the seventh proposal pertaining to the ‘price differential for beer between pubs and supermarkets’. Although she felt that it would not be appropriate for the Council to support these campaigns individual Members were of course free to do so. She therefore proposed acceptance of the first five recommendations to the original motion and noted that the Council was already undertaking some action on these proposals. The recommendation before Members that evening was therefore to accept the first five items in the original Motion but to discount the last two.

AMENDMENT: Proposed by Councillor Royce Longton and seconded by Councillor Alan Macro:

“That the Council:

1. Continue to support local communities in applying to list pubs as Assets of Community value (p17, 3.4, 3.5);
2. Encourage the West Berkshire Heritage Forum to include pubs of historic or architectural interest, that currently lack a statutory designation, in the Council’s Local Heritage Listing (p17, 3.6);
3. Continue to promote and champion award winning local pubs and encourage Parish Councils to draw attention to pubs of importance to the local community in their Parish Plans (p19, 8(3), p18, 3.15);
4. Ask Officers to write to the Government seeking to close the loopholes that currently, for example, allow the demolition of pubs, or their change of use to other commercial activities, without planning permission (p19, 3(4), p18, 3.14)

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5. Use the CAMRA Public House Viability Test, in addition to other viability tests, when considering planning applications involving pubs (p20, 3(5))
6. Lobby the Government to take measures to reduce the price differential for beer between pubs and supermarkets, for example by reducing the tax on beer, or introducing a minimum retail price, in line with the Health and Wellbeing Strategy and as a further measure that could help to reverse the decline in pubs (p19, 7.1, 7.2, 7.3)"

Councillor Longton noted the British public house was under serious threat and they were now closing at a rate of around 26 per week which equated to around 1300 closures per annum. Councillor Longton explained that one in six public houses had already closed nationally. He was therefore pleased to see that the Planning Policy Task Group had largely endorsed the recommendations in his Motion to the September 2013 Council meeting. However the response that had been drafted did not, in his opinion, include any actions and he therefore felt that he needed to table an amendment at this meeting.

Councillor Cole stated that while she was happy to accept the first five recommendations she was not able to support the sixth recommendation.

Councillor Alan Macro, in seconding the amendment, noted that at recent planning meetings there had been a lot of cynicism in relation to viability tests produced by the applicants and he therefore felt that the introduction of the CAMRA Public House Viability Test would provide a more objective measure.

In view of the statement made by Councillor Cole it was agreed that the amendment would be split into two parts (recommendations 1-5 as one group and then recommendation 6 would be taken separately) and thereby voted on in two parts.

Items 1 to 5 of the Amended Motion were put to the vote and declared **CARRIED**.

Items 6 of the Amended Motion was put to the vote and declared **LOST**.

Discussion then returned to the Substantive Motion, as amended. Councillor Gordon Lundie stated that he felt that this was generally a good motion although he did have questions around the viability test. He felt that where a public house was taken over by a community it was by its very nature likely to be more viable. He was sorry that he was not able to support all aspects of Councillor Longton's amendment.

The Substantive Motion (the original five recommendations including the first five recommendations of the amendment) was put to the meeting and duly **RESOLVED**.

61. **Council Tax Reduction Scheme 2014/2015 (C2729)**

(Councillor James Podger declared a personal and a disclosable pecuniary interest in Agenda item 15 by virtue of the fact that his daughter was a Hungerford Town Councillor and he had not applied for a dispensation to allow him to take part in the debate on this item. As his interest was personal and a disclosable pecuniary interest he left the meeting and took no part in the debate or voting on the matter).

(Councillor James Podger left the meeting at 7.47pm and returned at 8.25pm)

The Council considered a report (Agenda Item 15) which asked Members to consider whether to revise its existing Council Tax Support Scheme or to replace it with another

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scheme under the requirements of the relevant legislation. A decision was required by the 31st January each year.

MOTION: Proposed by Councillor Alan Law and seconded by Councillor Laszlo Zverko:

That the Council:

“for the purposes of a Council Tax Support Scheme for 2014/15:

1. The CTS Scheme for 2014/15 should replicate that in place for 2013/14 with the single exception that claimants in the unprotected group will be required to pay a minimum of 10% of their Council Tax liability rather than 8.5% as in 2013/14;
2. An amount of £6.23m be drawn from Revenue Support Grant to contribute towards funding of the Scheme together with £1.23m income generated by earlier changes to Council Tax discounts;
3. That the proposals for addressing variations between estimated and actual costs through the Collection Fund be approved;
4. No transfer of funding will be made to parish and town councils;
5. That the associated risks be noted.”

Councillor Law, in introducing the item requested that the following corrections be made to typographical errors in the report: the figure in Recommendation 2 should read £1.23m and not £1.27m as stated on the agenda and that this figure was also erroneously referred to in the financial implications, in paragraph 4.1(2) in the Executive Summary and paragraph 8(2) of main body of report.

He also noted that the scheme was called the Council Tax Support Scheme and any reference to Council Tax Reduction Scheme should read Council Tax Support Scheme throughout the report.

The Chairman, with the permission of those Members present, accepted the corrections.

Councillor Law explained that this was predominantly a technical report that the Council was required to produce to take on board changes made by Central Government the previous year. The Council Tax Support Scheme had replaced Council Tax Benefit and as a consequence the Council had received 14% less funding. The Council had also previously received a specific grant to fund the scheme but this year the funding ((£6.23m) would be included in the Revenue Support Grant. The Council was therefore recommending that all claimants in the unprotected group would pay a minimum of 10% Council Tax, which was an increase when compared to the 8.5% charged the previous year. In respect of recommendation 4 all Town and Parish Councils had been informed in January 2013 that they would not receive the transfer funding this year.

Councillor Jeff Brooks drew Members' attention to page 23 of the agenda and in particular to the line in the equalities section which stated that the policy would not have an impact on how other organisations operated in terms of equality. He opined that if funding was not transferred to the town and parish councils it was possible that they would no longer be able to offer grants to disadvantaged groups and therefore there would be an impact. He was therefore concerned that the Equalities Impact Assessment did not contain sufficient detail. Councillor Marcus Franks stated that Councillor Brooks' assertion was conjecture and the Council could not surmise what the Town and Parish Councils did with their budgets.

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Councillor Brooks also stated that the 1.5% (from 8.5% to 10%) increase would equate to an 18% increase in costs to those in receipt of benefits many of whom were being paid a minimum wage. He noted that the non-collection rate had almost doubled as people in work were struggling to pay their Council Tax and the information provided suggested that the Council was having difficulty collecting the payments from these individuals.

Councillor Brooks was also concerned that if the Council determined recommendation 4 at this meeting and then there was a change in the guidelines produced by Central Government the Council would have fettered its discretion. Councillor Marcus Franks reminded Members that the Council had not received funding to support the Town and Parish Councils this year.

Councillor David Allen commented that the guidance issued by the Department for Communities and Local Government towards the end of 2012 set out a clear expectation that the Council Tax Support Grant would be passed to the Town and Parish Councils.

Councillor Tony Vickers suggested that instead of raising the contribution from claimants in the unprotected group from 8.5% to 10% the Council should remove the 28 day exemption period currently in place for empty homes. This receipt would negate the need to introduce an increase and it would also mean that two thirds of the funding would still be available to be transferred to the Town and Parish Councils.

Councillor Pamela Bale drew Members' attention to paragraph 1.4 of the report which stated that 'the Council would not be in a position to make such a payment unless the Government reversed its position on the matter.' She stated that if there was a change the Council would be able to review its position. It was confirmed that if there was a material change in circumstances Members would be able to revisit the decision despite the six month rule.

Councillor Gordon Lundie stated that it was not appropriate for the Council to increase its taxes in order to pass the funding onto other organisations. Town and Parish Councils had to take on responsibility for meeting their own funding gaps.

Councillor Law commented that a comprehensive Equality Impact Assessment had been undertaken when the scheme was first introduced in December 2012. Pensioners and vulnerable persons were still protected and would continue to receive 100% of their liability. There was financial assistance available for those on low incomes.

Councillor Law reminded Members that the increase from 8.5% to 10% equated to 44p per week. He also noted that collection rates were almost identical to previous years. Councillor Law reiterated that the Parish and Town Councils had been informed in January 2013 that they would not receive the Council Tax Support Grant this year.

The Deputy Monitoring Officer clarified that a full Equality Impact Assessment had taken place in the previous year, reference to it was made in the report and it was referenced in the background documentation. Sarah Clarke also explained that if there was a material change in circumstance the Council could review the decision not to pass the funding onto Town and Parish Councils despite the six month rule.

In accordance with Procedure Rule 4.17.3 it was requisitioned that the voting on the Motion be recorded. The names of those Members voting for, against and abstaining were read to the Council as follows:

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FOR the Motion:

Councillors Peter Argyle, Howard Bairstow, Pamela Bale, Jeff Beck, Brian Bedwell, Dominic Boeck, Paul Bryant, Virginia von Celsing, George Chandler, Keith Chopping, Hilary Cole, Roger Croft, Richard Crumly, Adrian Edwards, Marcus Franks, Manohar Gopal, John Horton, Carol Jackson-Doerge, Mike Johnson, Graham Jones, Alan Law, Tony Linden, Gordon Lundie, Tim Metcalfe, Joe Mooney, Irene Neill, Graham Pask, Andrew Rowles, Garth Simpson, Anthony Stansfeld, Ieuan Tuck, Quentin Webb, Emma Webster, Laszlo Zverko (34)

AGAINST the Motion:

Councillors David Allen, Jeff Brooks, Mollie Lock, Royce Longton, Alan Macro, Gwen Mason, Geoff Mayes, David Rendel, Julian Swift-Hook, Tony Vickers, Keith Woodhams (11)

ABSTAINED:

None.

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

62. Leisure Centres' Fees and Charges 2014 (C2593)

(Councillor Gwen Mason declared a personal interest in Agenda item 16 by virtue of the fact that she was a member of the Northcroft Leisure Centre Customer Focus Group. As her interest was personal and not a prejudicial or disclosable pecuniary interest she was permitted to take part in the debate and vote on the matter).

(Councillor Keith Woodhams declared a personal interest in Agenda item 16 by virtue of the fact that he was a member of the Kennet Leisure Centre Joint Advisory Committee. As his interest was personal and not a prejudicial or disclosable pecuniary interest he was permitted to take part in the debate and vote on the matter).

(Councillor Roger Croft declared a personal interest in Agenda item 16 by virtue of the fact that he was a member of the Kennet Leisure Centre Joint Advisory Committee (JAC) and also the President of the Newbury and District Swimming Club. As his interest was personal and not a prejudicial or disclosable pecuniary interest he/ was permitted to take part in the debate and vote on the matter).

(Councillors Royce Longton and Carol Jackson-Doerge declared a personal interest in Agenda item 16 by virtue of the fact that they were members of the Willink Joint Advisory Committee. As their interest was personal and not a prejudicial or disclosable pecuniary interest they were permitted to take part in the debate and vote on the matter).

(Councillor Tony Vickers declared a personal interest in Agenda item 16 by virtue of the fact that he was on the Customer Focus Group of the Northcroft Leisure Centre. As his interest was personal and not a prejudicial or disclosable pecuniary interest he was permitted to take part in the debate and vote on the matter).

(Councillors Gordon Lundie and Graham Jones declared a personal interest in Agenda item 16 by virtue of the fact that they were members of the Lambourn Leisure Centre Joint Advisory Committee. As their interest was personal and not a prejudicial or disclosable pecuniary interest they were permitted to take part in the debate and vote on the matter).

(Councillor Andrew Rowles declared a personal interest in Agenda item 16 by virtue of the fact that he was a member of the John O' Gaunt Leisure Centre's Joint Advisory Committee. As his interest was personal and not a prejudicial or disclosable pecuniary interest he was permitted to take part in the debate and vote on the matter).

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(Councillor Dominic Boeck declared a personal interest in Agenda item 16 by virtue of the fact that he was a member of the Kennet Leisure Centre. As his interest was personal and not a prejudicial or disclosable pecuniary interest he was permitted to take part in the debate and vote on the matter).

The Council considered a report (Agenda Item 16) considering the implementation of the contractual requirement for an annual price review for 2014 for Parkwood Community Leisure to come into effect from the 01st January 2014.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Virginia von Celsing:

That the Council:

“approves the proposed increase in Fees and Charges for the Leisure Management Contract”.

Councillor Cole noted that it was a contractual requirement for Parkwood Community Leisure to introduce any increase in fees and charges in January each year and therefore this item did not form part of the annual fees and charges report agreed in March each year. The proposed increase reflected an average increase of 3% across the contract as a whole.

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

63. **Adventure Dolphin Fees and Charges 2014/15 (C2595)**

(Councillor Tim Metcalfe declared a personal interest in Agenda item 18 by virtue of the fact that he was a member of the stakeholder group and his wife was a volunteer at the centre. As his interest was personal and not a prejudicial or disclosable pecuniary interest he was permitted to take part in the debate and vote on the matter).

The Council considered a report (Agenda Item 17) setting out proposed increases in fees and charges for the 2014/15 Adventure Dolphin activity programme in order to be able to competitively advertise and promote activities and maximise advance bookings and income.

MOTION: Proposed by Councillor Hilary Cole and seconded by Councillor Virginia von Celsing.

That the Council:

“agrees the increase in fees and charges for the Adventure Dolphin programme, equipment hire and resources hire as set out in Appendices B and C to the report”.

Councillor Cole noted that the fees and charges for Adventure Dolphin were historically set in December to allow the Centre to produce promotional information in January in order to maximise bookings. An increase in fees of 1.5% was being proposed this year to take account of the significant increase that was introduced in December 2012.

Councillor Tim Metcalfe noted that although uptake of activities at the Centre had improved towards the end of the year there had been a significant decrease at the beginning of the year. He opined that the steep increase in fees introduced the previous year had been a contributory factor.

Councillor Metcalfe noted that in the third table of Appendix B (School Holiday Activities – Core Commercial Activity) it stated that the school holiday half day climbing course – young people (4 half days) would cost £110 in 2014/15 (the current costs was £100) but that this represented a 0% increase in cost. He suspected that this was a typographical

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error and that the cost for 2014/15 should read £100 but he sought confirmation that this was the case.

He urged caution in respect of the commercialisation of private hire so as not to contravene the lease with Pangbourne Parish Council or the planning permission for the site.

Councillor Metcalfe also noted that in the first table of Appendix B (Subscription Charges) a new fee was being introduced in respect of registration for the Duke of Edinburgh scheme of £20. He was not aware that this issue had been discussed at the recent stakeholders meeting and he therefore wanted to clarify if this fee was in addition to the cost of the courses.

Councillor Hilary Cole stated that she did not have the information to hand and she would provide Councillor Metcalfe with a written response.

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

64. **Licensing Act 2003 (C2766)**

(Councillor Anthony Stansfeld declared a personal interest in Agenda item 18 by virtue of the fact that he was the Police and Crime Commissioner. As his interest was personal and not a prejudicial or disclosable pecuniary interest he was permitted to take part in the debate and vote on the matter).

The Council considered a report (Agenda Item 18) pertaining to the Council's Licensing Policy Statement as required under the Licensing Act 2003 Part 2.5 (1) (a)(b).

MOTION: Proposed by Councillor Dominic Boeck and seconded by Councillor Jeff Beck:

That the Council:

“agrees to the adoption of the Licensing Policy”.

Councillor Boeck noted there was historically a legislative requirement to review the policy every three years. The key changes were set out in paragraph 2 of the report and were primarily associated with changes arising from the Live Music Act 2012 and the Police Reform and Social Responsibility Act 2011. The changes had been consulted on and the additional amendments arising from the consultation were also set out in the report.

Councillor Boeck noted that following the introduction of the Police Reform and Social Responsibility Act 2011 the policy would only be required to be reviewed every five years.

Councillor David Allen noted that, in terms of the Late Night Levy, as a Ward Member for Newbury Town Centre he was concerned about the number of reported incidents relating to night clubs. He noted that these incidents impacted significantly on the work load of police officers. He would therefore like to see the Levy, which would allow authorities (both the local authority and the police) to raise a contribution from the late opening alcohol retailers, to be introduced at the soonest opportunity to mitigate the problem. Councillor Anthony Stansfeld commented that he supported the introduction of Late Night Levies.

Councillor Gordon Lundie noted that Late Night Levies were a contentious issue. He felt that this was an issue for the Licensing Committee to consider with a view to making a recommendation to full Council for determination. The Licensing Committee would need

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to take the views of a range of affected organisations into consideration in formulating their recommendation.

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

65. Revised Code of Conduct for Members (including a Social Media Protocol) (C2737)

The Council considered a report (Agenda Item 19) which set out recommended changes to the Members' Code of Code following the scheduled review of the Code by the Standards Committee and the report also set out a proposed Social Media Protocol for Members.

MOTION: Proposed by Councillor Jeff Beck and seconded by Councillor Gwen Mason:

That the Council:

“adopts the revised Code of Conduct for Members (as set out in Appendix H to Part 13 of the Constitution) and the Social Media Protocol for Members (as set out in Appendix K to Part 13 of the Constitution) ”.

Councillor Beck noted that the Governance and Audit Committee had gone through the report in great detail at its meeting on the 25 November 2013. The document had also previously been considered by the Standards Committee.

Councillor Gwen Mason commented that when the revised Code of Conduct had first been adopted (July 2012) it was agreed that it would be reviewed after it had been in place for a year. The Standards Committee had therefore undertaken the review. It had also been agreed that it was necessary to introduce a Social Media Protocol to try and protect Members from complaints arising from blogging and social networking.

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

66. Amendments to the Constitution - Parts 4, 7 and 13 (C2728)

The Council considered a report (Agenda Item 20) concerning proposed amendments to Part 4 (Council Rules of procedure), Part 7 (Regulatory and Other Committees Rules of Procedure) and Part 13 (Codes and Protocols) in light of legislative changes, policy changes and recently issued Government guidance.

MOTION: Proposed by Councillor Jeff Beck and seconded by Councillor Quentin Webb:

That the Council:

- “1. agree the proposed amendments to Parts 4, 7 and 13 of the Council's Constitution;
2. delegates authority to the Monitoring Officer to make amendments to Part 5 (Executive Rules of Procedure) and Part 6 (Scrutiny Rules of Procedure) in respect of the use of Electronic Communication Devices and the Code of Practice Relating to Televising and Sound Recording of Meetings to align them with the changes made to Parts 4 and 7.
3. agrees that the changes will come into effect on the 13 December 2013.”

Councillor Beck, in introducing the item, explained that there was a typographical error in the first recommendation which should read ‘To agree the proposed amendments to Parts 4, 7 and 13 of the Council's Constitution ‘.

The Chairman, with the permission of those Members present, accepted the correction.

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Councillor Beck noted that this item had also been considered in great detail at the Governance and Audit Committee meeting on the 25 November 2013.

Councillor Quentin Webb stated that he was very happy to second this report which was a very useful clean up exercise of these sections of the Constitution and which also took into consideration the changes in legislation regarding the future use of electronic devices at meetings.

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

The Chairman thanked Officers for the work undertaken in producing the documents.

67. Proposed Member Development Programme for 2014 to 2015 (C2672)

The Council considered a report (Agenda Item 21) setting out the proposed Member Development Programme for 2014/15.

MOTION: Proposed by Councillor Paul Bryant and seconded by Councillor Gwen Mason:

That the Council:

“agrees the Member Development Programme for 2014/15 and that the two Leaders nominate three Members from each group to join an E learning pilot group.”

Councillor Bryant noted that the programme had been developed based on the previously agreed Member Development Strategy. This meant that the programme included three service based sessions and six monthly policy and finance updates per annum. Members had the opportunity to put forward suggested topics where there were gaps in the programme. It had also been agreed that the recently introduced repeat day time sessions had been successful and should be continued. Councillor Bryant noted that there was an attendance rate of around 50% per session and he urged Members that were not attending the sessions regularly to do so.

Councillor Alan Macro welcomed the introduction of the pilot e-learning project which he felt would be very useful.

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

(Councillor Julian Swift-Hook left the meeting at 8.50pm)

68. 2014/15 West Berkshire Council Timetable of Public Meetings (C2594)

The Council considered a report (Agenda Item 22) setting out the timetable of meetings for the 2014/15 Municipal Year.

MOTION: Proposed by Councillor Gordon Lundie and seconded by Councillor Pamela Bale:

That the Council:

“approves the timetable of meetings for the 2014/15 Municipal Year”.

Councillor Lundie asked Members to agree the proposed timetable of meetings.

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

69. Notices of Motion

The Council considered the under-mentioned Motion (Agenda Item 23(a) refers) submitted in the name of Councillor David Rendel relating to the way in which land deemed subject to escheat to the Crown was managed.

MOTION: Proposed by Councillor Rendel and seconded by Councillor Richard Crumly:

"It has been discovered that at least one parcel of land within West Berkshire has been deemed subject to escheat to the Crown at common law (i.e. the company which used to own the land went into liquidation, and as a result the land is now ownerless). This parcel therefore falls to be dealt with by the Crown Estate, on whose behalf the firm of Burges Salmon acts. As Burges Salmon has made clear in a letter to Councillor Rendel, "The Crown Estate does not propose to take any action which might be construed as an act of management, possession or ownership in relation to the Property, since to do so may incur upon it liabilities with which the Property is, or may become encumbered." This means that the rights of access across this land which are enjoyed by a number of local householders, as laid out in their title deeds, are gradually being spoiled by a total absence of any management of the land, including a failure to repair, for example, pothole damage. Moreover the local householders have no legal means to enforce the carrying out of such maintenance, even though any costs involved would be recoverable from those householders.

This Council will therefore write to the Secretary of State for Communities and Local Government with a copy to each of the three local MPs, to request that he institutes as soon as possible a review of the way in which land deemed subject to escheat to the Crown is managed, and that following the review he should speedily propose legislation to ensure that in future such land is passed into the ownership of a Local Authority body who will then be made responsible for its proper maintenance."

AMENDED MOTION: Proposed by Councillor Rendel and seconded by Councillor Crumly:

That the Council:

"It has been discovered that at least one parcel of land within West Berkshire has been deemed subject to escheat to the Crown at common law (i.e. the company which used to own the land went into liquidation, and as a result the land is now ownerless). This parcel therefore falls to be dealt with by the Crown Estate, on whose behalf the firm of Burges Salmon acts. As Burges Salmon has made clear in a letter to Councillor Rendel, "The Crown Estate does not propose to take any action which might be construed as an act of management, possession or ownership in relation to the Property, since to do so may incur upon it liabilities with which the Property is, or may become encumbered." This means that the rights of access across this land which are enjoyed by a number of local householders, as laid out in their title deeds, are gradually being spoiled by a total absence of any management of the land, including a failure to repair, for example, pothole damage. Moreover the local householders have no legal means to enforce the carrying out of such maintenance, even though any costs involved would be recoverable from those householders.

This Council will therefore write to the Secretary of State for Communities and Local Government with a copy to each of the three local MPs, to request that he institutes as soon as possible a review of the way in which land deemed subject to escheat to the Crown is managed, and that following the review he should speedily propose legislation to ensure that in future such land is passed into the ownership of a Local Authority body who will then be made responsible for its proper maintenance and would receive from central government funding for any related financial implications."

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

(Councillor Richard Crumly left the meeting at 9.06pm)

The Council considered the under-mentioned Motion (Agenda Item 23(b) refers) submitted in the name of Councillor Royce Longton relating to the delay in the Implementation of the Community Infrastructure Levy.

MOTION: Proposed by Councillor Longton and seconded by Councillor Alan Macro:

“This Council:

Welcomes the Coalition Government's decision to delay the deadline for implementing the Community Infrastructure Levy (CIL) for 12 months until April 2015;

Notes that the existing system involving "Section 106" financial contributions from developers, which CIL will replace, has proved to be fair and generates about one third more in capital receipts than is expected under CIL; also that West Berkshire's operation of Section 106 was endorsed by Government as exemplary under both Liberal Democrat and Conservative Administrations; but that Ward Members and local councils in this District are not always involved in every stage of the process;

Therefore we call:

- a. On the Leaders of both Parties on this Council to continue pressing for retention of the S106 system by writing to the Minister of Planning; and
- b. On the Planning Department to amend its procedures so as to ensure that local town and parish councils and Ward Members are involved from the outset in the allocation of S106 funds, from the pre-application stage through to post-construction of new developments.”

AMENDED MOTION: Proposed by Councillor Longton and seconded by Councillor Macro:

“This Council:

Welcomes the Coalition Government's decision to delay the deadline for implementing the Community Infrastructure Levy (CIL) for 12 months until April 2015;

Notes that the existing system involving "Section 106" financial contributions from developers, which CIL will replace, has proved to be fair and generates about one third more in capital receipts than is expected under CIL; also that West Berkshire's operation of Section 106 was endorsed by Government as exemplary under both Liberal Democrat and Conservative Administrations; but that Ward Members and local councils in this District are not always involved in every stage of the process;

Therefore we call:

- a. On the Leaders of both Parties on this Council to continue pressing for retention of the S106 system by writing to the Minister of Planning; and
- b. On the Planning Department to ~~amend~~ (review) its procedures so as to ensure that local town and parish councils and Ward Members are involved from the outset in the allocation of S106 and CIL funds, from the pre-application stage through to post-construction of new developments.”

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

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The Council considered the under-mentioned Motion (Agenda Item 23(c) refers) submitted in the name of Councillor Tony Vickers relating to protected employment areas near Newbury Town Centre.

The Chairman informed the Council that should the motion be approved, under Procedural Rule 4.5.8 it would be referred to the Head of Planning and Countryside to draft a report that would be brought to a future Council meeting for consideration after being considered by the Planning Policy Task Group.

MOTION: Proposed by Councillor Vickers and seconded by Councillor David Allen:

“This Council

Notes that large areas of employment land, including sites in “Protected Employment Areas”, near the centre of Newbury have been vacant or derelict for years;

Further notes:

- a) that the Local Plan Inspector in his report on the Core Strategy of July 2012 said that a review of the District’s Employment Land Requirement should be completed during the next stage of the Local Plan preparation;
- b) the global and national economy has changed in its land requirements, as exemplified by this Council’s TimeLord programme and the rapid move to online shopping and business-to-business activity;
- c) that the vibrancy of Newbury is being damaged by allowing edge-of-town-centre empty sites;
- d) the resistance of our planning department to the NPPF’s call for planning decisions to take account of ‘market signals’;
- e) the buoyant market for new housing in areas occupied by low quality commercial property (such as the Travis Perkins site);
- f) the benefits to certain demographics of affordable homes near facilities such as rail stations and night-time economy, combined with minimal need by such households for outdoor private ‘amenity space’;

Therefore calls:

1. For the Employment Boundary Review to be given the highest priority in the Local Plan Programme, with cross-party Member input to the Terms of Reference of this work in recognition of the public concern about waste land and empty offices, and meanwhile
2. For greater flexibility to be given to mixed use redevelopment, with significant housing, on land designated for employment near Newbury town centre.”

The Motion was put to the meeting and duly **RESOLVED** that it would be referred to the Head of Planning and Countryside to draft a report that would be brought to a future Council meeting after being considered by the Planning Policy Task Group.

The Council considered the under-mentioned Motion (Agenda Item 23(d) refers) submitted in the name of Councillor Woodhams relating to a peer review of the Highways Department.

MOTION: Proposed by Councillor Woodhams and seconded by Councillor Jeff Brooks:

“Council will be aware that the Local Government Association has received funding from the Department of Transport (DfT) to undertake strategic reviews of local authorities’ highways departments.

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These peer reviews bring together the LGA's proven peer review approach, with very significant sector specific knowledge available through the Highways Maintenance Efficiency Programme (HMEP).

This motion proposes that this Council commissions a peer led review of the Highways Department on the lines outlined below.

The peer reviews are being led by Surrey County Council and have already been undertaken by Cambridgeshire, Blackpool and Oxfordshire councils. Each review involves a team of peers from local government who spend time on site at the council to fully review its practices so that the authority can reflect on its processes and improve the way it works. These reviews focus on a wide range of people working in the Local Authority and key findings are delivered rapidly. The major cost to the Council would be officer support.

Surrey County Council advised that the DfT has agreed that they will fully fund a further 4 reviews this year and are in discussions with a number of Council's who have expressed an interest in a review. If for any reason any of these do not proceed this year they would be able to offer a review to another authority at no charge.

West Berkshire Council therefore agrees that it will invite the LGA to undertake a peer review of the West Berkshire Council Highways Department as soon as possible."

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

70. **Members' Questions**

There were no member questions submitted.

(The meeting commenced at 7.00 pm and closed at 9.45 pm)

CHAIRMAN

Date of Signature

Title of Report:	West Berkshire Council Strategy: Refresh 2014/15
Report to be considered by:	Council
Date of Meeting:	4 March 2014
Forward Plan Ref:	C2744

Purpose of Report: To present the refreshed Council Strategy.

Recommended Action: Council to approve the updated Council Strategy (noting the strategic objectives which form the basis for service delivery planning).

Reason for decision to be taken: The Council Strategy provides the framework around which the Council will shape its resources and efforts over the next few years, supporting quality of life for people in West Berkshire whilst continuing to live within our means.

Other options considered: n/a

Key background documentation: None

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- ☒ **CSP1 – Caring for and protecting the vulnerable**
- ☒ **CSP2 – Promoting a vibrant district**
- ☒ **CSP3 – Improving education**
- ☒ **CSP4 – Protecting the environment**

The proposals will also help achieve the following Council Strategy principles:

- ☒ **CSP5 - Putting people first**
- ☒ **CSP6 - Living within our means**
- ☒ **CSP7 - Empowering people and communities**
- ☒ **CSP8 - Transforming our services to remain affordable and effective**
- ☒ **CSP9 - Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy priorities and principles by setting the overarching strategic focus for the Council for the medium term.

Portfolio Member Details

Name & Telephone No.:	Councillor Roger Croft
E-mail Address:	rcroft@westberks.gov.uk
Date Portfolio Member agreed report:	14 th January 2014

Contact Officer Details	
Name:	Jason Teal
Job Title:	Research, Consultation and Performance Manager
Tel. No.:	01635 519102
E-mail Address:	jteal@westberks.gov.uk

Implications

Policy:	The strategy sets the broad framework around which the Council is able to prioritise its resources. The strategy is central to the operation and planning of the Council and as such will impact on many Council policies.
Financial:	In setting the broad framework around which the Council is able to prioritise its resources the MTFS is drafted to reflect the priorities and objectives set out in the strategy.
Personnel:	n/a
Legal/Procurement:	n/a
Property:	n/a
Risk Management:	Risk assessments will be carried out on appropriate elements of the plan.
Equalities Impact Assessment:	Equality impact assessments will be carried out on key policies and activities arising from this strategy.

Is this item subject to call-in?	Yes: ☐	No: ☒
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval	☒	
Delays in implementation could have serious financial implications for the Council	☐	
Delays in implementation could compromise the Council's position	☐	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	☐	
Item is Urgent Key Decision	☐	

Is this item relevant to equality?	Yes	No
Please see Appendix A	x	

Executive Summary

1. Introduction

- 1.1 The Council Strategy sets out our priorities and a realistic set of objectives that we will deliver for the people of West Berkshire, whilst living within our means.
- 1.2 It provides the framework for future decision making: prioritising those areas seen as most critical or important and setting out our overarching approach to dealing with the reduction in our resource, whilst keeping the impact on local communities to a minimum.
- 1.3 The strategy lists a set of strategic objectives which set out more specifically what we are seeking to achieve.
- 1.4 These strategic objectives form the basis for our decision making and more detailed business, service delivery and financial planning, through which our strategic objectives and outcomes are delivered.
- 1.5 This refresh represents a relatively 'light touch' update to the strategy adopted by the Council last March – largely around any amendments to the objectives used as the basis for strategic and service delivery planning.

2. Conclusion

- 2.1 All substantive comments have been reviewed by officers and Members and the draft strategy amended accordingly. The Council Strategy is now submitted for approval.

Appendices

Appendix A – Equalities Impact Assessment

Appendix B – West Berkshire Council Strategy 2014

Consultees

Local Stakeholders: N/a

Officers Consulted: Strategic Review Board, Heads of Service, Portfolio Holders, Directorate and Service SMTs and Corporate Board

Trade Union: N/a

APPENDIX A

Equality Impact Assessment – Stage One

Name of item being assessed:	West Berkshire Council Strategy: refresh
Version and release date of item (if applicable):	
Owner of item being assessed:	Jason Teal
Name of assessor:	Jason Teal
Date of assessment:	20 th Dec 2013

1. What are the main aims of the item?
The Council Strategy sets out the purpose, ambition and strategic direction of West Berkshire Council. It focuses on 4 key priorities areas, underpinned by a set of principles, outlining how we are approaching and responding to changes in the policy, financial and legislative landscape. Each of these contains a set of strategic objectives which sets out more specifically what we are seeking to achieve. These will form the basis of our Council Delivery Plan and service delivery plans.

2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)		
Group Affected	What might be the effect?	Information to support this.
Further comments relating to the item:		
The Council Strategy contains a number of strategic objectives across the priorities and principles that the Council will be seeking to achieve over the next 4 years. The strategy does not go into the detail of how these objectives will be achieved: they are embedded into individual service delivery and cross-cutting plans, within which more particular issues of design and provision will be addressed. Equality impact assessments will be carried out on key policies and activities arising from this Council Strategy and the impact of these different strands of work and resources will be considered individually as they come to light, for example, as part of the service planning and delivery process, budget setting and service or delivery design and tailoring.		

3. Result (please tick by clicking on relevant box)	
☐	High Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
☐	Medium Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
☐	Low Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
☒	No Relevance - This does not need to undergo a Stage 2 Equality Impact Assessment

For items requiring a Stage 2 equality impact assessment, begin the planning of this now, referring to the equality impact assessment guidance and Stage 2 template.

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

Name: Jason Teal

Date: 20th Dec 2013

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Council Strategy

-  **caring for and protecting the vulnerable**
-  **promoting a vibrant district**
-  **improving education**
-  **protecting the environment**

2014-18



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ONE district

One council

154,000 people

105,000 cars

750 miles of road

65,000 homes

12,500 streetlights

730 miles of countryside paths

74% of an Area of Outstanding
Natural Beauty

ONE year

£121m net budget

25,000 children at school

4,300 older people and disabled
adults helped to live at home

3,500 families accessing
Children's Centres

3,000 planning applications

39,000 tonnes waste recycled

2 million bus passengers

ONE day

2,650 children transported to
school

400 people looked after in
residential and nursing care

130 looked after children

900 enquiries through the
Contact Centre

2,500 books borrowed from
libraries

WEST BERKSHIRE COUNCIL STRATEGIC FRAMEWORK: 2014-18

Our overarching vision:

Keeping West Berkshire a great place in which to live, learn, work and do business



The purpose of the Council:

1. Helping you to help yourself
2. Helping you when you cannot help yourself
3. Helping you to help one another
4. Promoting and acting in the interests of the communities, people and businesses of the district.

Our priorities in delivering public services:

- Caring for and protecting the vulnerable
- Promoting a vibrant district
 - Improving education
- Protecting the environment

The principles we work to:

- Putting people first
- Living within our means
- Empowering people and communities
- Doing what's important well

FOREWORD

Our vision is to keep West Berkshire a great place in which to live, learn, work and do business.

To achieve this, we want the vulnerable in our communities to be cared for and supported. We want to promote a vibrant district and our economy to prosper. We want our young people to fulfil their potential. We want people to be able to enjoy our towns, villages, green spaces and countryside.

We want these things because people living in West Berkshire want them.

West Berkshire has a long track record of self-reliance and enterprise mixed with a strong sense of community. Through helping you to help yourself and helping you to help one another, we want to enable local people and communities to take more control and to feel that they can make a real difference to their own quality of life in the place where they live.

By helping you when you cannot help yourself we need to help and support the most vulnerable people and families and work with our partners to make sure our children, the elderly and disadvantaged get the help, care and protection they need.

By promoting and acting in the interests of West Berkshire we want to support local enterprise in the creation of more high quality jobs and help local people to benefit from opportunities and share in the wealth created. This also means keeping West Berkshire special, and to help people get the most out of our natural environment and the advantages and opportunities this creates.

It is no surprise that we should return to these core purposes when seeking to make the very best use of our limited public resources during these difficult financial times. In this period of austerity we need to get the most out of every penny we spend. We need to focus on things that are most important, to stop doing things that are less effective or that we simply can't afford, and to drive down the costs of bureaucracy as far as we can.

We recognise that our ambitions can only be achieved by working together in partnership with local communities, other public service providers, businesses, voluntary and community organisations, town and parish councils.

This strategy defines our ambition and agenda for change into the future. It focuses on our 4 key priority areas - underpinned by a set of principles which will guide how we are responding to changes in the policy, financial and legislative landscape.

There is no doubt that the past few years have been difficult financially. Major challenges remain however over the next few years and we are continuing to face some tough financial choices. But by working together and backing each other, we can make sure West Berkshire remains a great place in which to live, learn, work and do business in.

We know the next few years will mean a great deal of upheaval and uncertainty for a great many people. Whilst we cannot avoid that, we make a commitment to be fair and open about what we are doing. We believe that a more flexible, responsive council will deliver better outcomes and value for people and provide a fulfilling place for staff to work.

We are a strong and committed organisation. Built upon the dedication and professionalism of our staff and partners, we feel we are well placed to deal with the challenges and opportunities that lie ahead.

Gordon Lundie
Leader

Nick Carter
Chief Executive

March 2014

UNDERSTANDING WEST BERKSHIRE

The best place to start in outlining the work of the Council and where we need to be is to consider our place – the West Berkshire that we live, learn, work and do business in – and to understand some of the socio-economic and demographic pressures we are set to face, alongside issues that matter to local people.

West Berkshire is a great place to be.

The area is made up largely of rolling, chalk Downlands, with the Kennet valley forming our southern border with Hampshire. We are a substantially rural area, with three quarters of the district lying within the North Wessex Downs Area of Outstanding Natural Beauty.

Around two thirds of people live in the Kennet valley: Newbury, Thatcham, Hungerford, Theale, and in the suburban areas to the west of Reading borough. It is within this area where some of our key businesses – Walker Snacks, X-trac, Harrods distribution, ADP business systems, Quantel, Bayer, AWE and Vodafone - are located. However, covering an area of over half of Berkshire, we also have one of the most dispersed populations in the South East.

Not surprisingly, West Berkshire is a desirable place to live. Our population has grown by 6% over the last decade and projections suggest growth of a further 10% over the next.

In line with the rest of the country, we are an increasingly ageing population. The number of over 65s has grown by around 23% since 2001 (a faster rate than that seen across the South East more generally) and is projected to increase by a further 34% over the next decade (compared to 26% regionally). This will mean 8,000 more older people living in the district by 2021.

Although this could bring many benefits including higher levels of volunteering and a wealth of experience to the jobs market, it will inevitably increase pressure on health and social care services. For example, over the next decade it is estimated that the number of older people suffering from dementia will have risen by 30%.

As a result of this, the proportion of people who are working will fall. This could result in less money for services and gaps in the jobs market, with businesses and public services lacking the required workforce and skills. We must ensure that we champion the opportunities and aspirations for young people and support our

partners to provide further education, work experience, training and apprenticeship opportunities.

Over the course of 2013 we have seen an encouraging fall in the number of people claiming unemployment benefit (JSA) across the district with the rate standing at 1% (Dec 2013) - a level not seen since 2008. Similarly, the rate of young people claiming unemployment benefit has been falling over the last 12 months. It now stands at just under 2% (compared to 3% across the South East) – again, a level not seen since 2008. This equates to around one in five of all those claiming unemployment benefit overall and, as participants in the Thames Valley Berkshire City Deal, we will be working to ensure access to employment and skills opportunities for young people within the area.

Over the last few years, businesses have been lost - most visibly on the High Street, but also small and medium sized enterprises. However, the area has a strong economic base and there is continued investment in the area: most obvious is the opening of the Parkway development, but the overall growth in new businesses in West Berkshire is higher than across the South East more generally.

The housing market appears to have turned the corner with completions rising after a period of decline. Demand for housing remains high in the area and in the medium term is expected to grow. Affordability is a significant issue for many people: there are around 7,500 households in receipt of housing benefit and around 1,500 people in the reasonable preference group on our housing register. Demand for housing options and advice remains high.

This is a short summary of some of the key issues relevant to West Berkshire. A more substantial overview of the social and economic fabric of the area, is provided in our District Profile, available at westberks.gov.uk/research.

VISION AND PURPOSE

Our vision is to keep West Berkshire a great place in which to live, learn, work and do business

People's changing expectations, changes in government policy, difficult economic circumstances, coupled with demographic and growth pressures mean that we are reviewing how we deliver services across the district.

The relationship between the Council, our partners and local communities is inevitably changing and the Council's role is shifting from a traditional provider of public services, to a more supportive one. This is, in part, driven by constrained resources, but also by a recognition that things can often be better delivered at a local level.

We need to constantly do things smarter and keep all our services affordable, whilst giving local people the support they need. We need to make difficult choices. We need to ensure a level of service within different areas – be it good or adequate. Vital, however, is that our priorities are done well.

Guiding this shift in emphasis, our core purpose defines what we are here for as a council:

- Helping you to help yourself
- Helping you when you cannot help yourself
- Helping you to help one another
- Promoting and acting in the interests of the people, communities and businesses of the district.

These four simple ideas run throughout our approach to delivering outcomes for the people and communities of West Berkshire.

- *Helping you to help yourself* means enabling people to get access to the information and support they need to help them get on with living their lives, in the most efficient and effective way possible, without relying on the direct provision of council services. This recognises that individuals would like to be - or could be - in greater control.

This might be as simple as providing customers with information on which they can take personal decisions - for example developing the range of services available

online; through to the more complex provision of personalised budgets and the support for people using social care services.

- *Helping you when you cannot help yourself* means supporting and protecting the vulnerable in our communities – be they children or adults. It focuses on those who need the support of public services - such as looking after children in care, or supporting people with learning, physical or sensory disabilities.
- *Helping you to help one another* means working with and supporting people and communities to achieve their own ambitions. Local people value their local area and take pride in it. Most of West Berkshire is already covered by a local community plan and volunteers and community groups across the district positively influence others' lives. We will build on this, helping communities to get their ideas off the ground and be more involved in the services and facilities provided in their area.
- *Promoting and acting in the interests of the communities, people and businesses of the district* highlights the role the Council plays in representing West Berkshire, for example in promoting inward investment to achieve sustainable business growth and create skilled jobs, developing a skilled workforce and planning and maintaining our infrastructure to meet the demands of growth and businesses.

Every service that we provide as a council, either directly, or indirectly through empowering individuals, communities and the involvement of individuals, is designed with this core purpose at its heart.

MANAGING THE CHANGING FACE OF LOCAL GOVERNMENT

Along with the rest of local government and other public service providers, we are facing unprecedented financial challenges. As an organisation therefore we are continuing to review and amend what we do, and how we do it to ensure we continue to provide quality and cost-effective services for local people.

Finance

Lots of people ask what services they get for their council tax and if West Berkshire Council provides value for money. Over the course of 2014/15, we will provide over £121m worth of services across the district. You will probably use at least one every day – even if it is just driving to work, walking in the countryside, or simply putting your rubbish in the bin.

The graph below is useful in showing the relative amounts of money spent on different services across the Council. By far and away the largest area of spend is in the Communities directorate

(some 60% of service-related expenditure): just less than a third of expenditure is in relation to the Environment directorate (roads, bins, transport, planning) with a tenth of service expenditure in the Resources directorate. Adult Social Care is the largest area of expenditure reflecting the social safety net provided by the Council to support vulnerable individuals in our communities. The second largest area of spend is in Cultural and Environmental protection: around £15m of this relates to the collection of waste and refuse from across the district.



Update graph once 14/15 budget set

The Government's 2010 Comprehensive Spending Review (CSR) allocated a tough settlement for local government, reducing the amount of grant funding by some 28% over four years.

In response to this, we have put in place a programme to remain within our budget, whilst minimising the impact on front line service delivery. This has delivered savings of around £28m although has meant removing around 1 in 6 posts across the organisation. As a result, we are continuing to live within our means, whilst maintaining delivery of key services.

The planned amount of planned capital expenditure from the Council's own resources (i.e. in addition to government grants and developers contributions) will be approximately £8.5 million per year over the next three years, as compared to £14 million per year on average over the last three years. We are continually reviewing the level of planned capital spending to ensure that it is

affordable and while continuing to support our priorities – notably the highways network and education.

Finances continue to be difficult to predict with any certainty as key, Government policy changes – around business rates, council tax benefit, planning fees, and support for academies – are proposed, consulted on, amended and implemented. Alongside these external factors, there are significant demand pressures within some services – notably within adult social care, providing the social safety net for the most vulnerable in our communities.

However, there are opportunities. Local authorities are now able to retain at least part of any extra receipts as a result of increased business growth in the area. This places greater emphasis on growing the local economy and supporting local businesses and feeds naturally into our priority of

creating and safeguarding local jobs in ensuring a vibrant district.

In ensuring that we live within our means however, significant savings still need to be made. Between 2014-15 and 2016-17 around £15.5m worth of savings need to be found – note the size of grey circle in the graph above.

You can find out more about our finances at westberks.gov.uk/councilspending.

Prioritising services

Of the £11m savings identified for the next 2 years, we can achieve just over 70% by continuing to change things we do behind the scenes that would be less noticed by service users. New technology sometimes means we can do the same for less money. We're renegotiating contracts. We're transferring management of countryside sites to the voluntary sector.

All that said, and with staffing and management already significantly reduced, cuts to front-line services are unavoidable if we are to continue to live within our means. We recognise this is difficult for some people who rely and value these services. We have been open and honest and published our proposals, asking for people's feedback so that we fully understand the impact of any proposals on those affected and can put in place steps to mitigate the impact as best we can.

The purpose of this strategy therefore is to provide the framework for these decisions: prioritising those areas seen as most critical or important. The development of the strategy was informed by the Budget Simulator exercise we undertook with local residents and as a result, sets out our overarching approach to dealing with this reduction in resource, whilst minimising the impact on local communities.

This is reflected in our [Medium Term Financial Strategy](#) which prioritises the allocation of our resources to those determined as most critical in supporting the strategic objectives within this strategy and our statutory responsibilities.

This, in turn, will determine the level of service we will realistically be able to provide in different areas, be they good or adequate.

Working better together

In recent years, our community leadership role has become increasingly pronounced. This involves working closely with all public services in the area

and working in this way we will ensure there is fair and open access to a choice of good-quality services in the local area; that individuals and neighbourhoods get more control over their future; and that the needs of people facing multiple disadvantages are met. These create new opportunities for further joint working across the different sectors.

Our partners in the public sector are also undergoing significant change, for example through reforms in the education sector through the advent of academies, but equally in the transfer of public health responsibilities to local authorities and the greater integration of health and social care between local government and the NHS.

Our strategic role in removing barriers to economic growth, managing natural resources and protecting the local environment is more critical than ever. We are key partners in the new Local Enterprise Partnership and are working hard to deliver infrastructure projects such as superfast broadband across the district.

Voluntary organisations have the potential to play a greater role in delivering services. However they are also adapting to a climate of reduced funding by finding new ways of working. Some need help to boost their infrastructure and resources and to enable them to compete for public sector contracts. We will need to support our community and voluntary partners in order to meet the challenges ahead.

West Berkshire has a strong sense of community. Levels of volunteering and people's sense of belonging are amongst the highest in the country. The vast majority of local communities have developed a parish plan outlining their priorities and vision for how their local areas should develop. As a result of these many of our local communities are well placed to take advantage of the opportunities that more devolved power, influence and resources will open up. Projects across West Berkshire have already shown how such initiatives can help communities to become stronger and more self reliant.

We will continue to work with the voluntary and community sector, and with parish and town councils, to help communities shape and take their responsibility for the provision of services important to them, without feeling overburdened.

This is a long term challenge, involving a fundamental change in the relationship between local people and service providers. Deprived communities will continue to need support to

ensure they can exploit the opportunities as fully as more affluent communities.

Prevention and early intervention in social care and health

Prevention and early intervention means finding ways of predicting and reducing demand for services before it happens, rather than simply responding to demand. This will be important for all our services, but particularly for public health, social care and services to support the most vulnerable in our communities.

The Council now leads the transformation and integration of local health and social care services to improve health and wellbeing for the people of West Berkshire.

This will be achieved through investing in prevention and early intervention, ensuring that everything we do is informed by evidence of effectiveness, delivering effective health and care services as close to people's homes as is possible.

Identifying and meeting people's needs early enough requires carefully coordinated action from all organisations and individuals who have responsibilities for health and wellbeing. We are rethinking the way we work together to support our most vulnerable families and communities. Many emerging health and care needs relate to West Berkshire's ageing population. As people live longer, so the numbers with long term chronic illness and complex health and care needs increase. The Council helps many older people to remain independent in their home. Increasing choice and control over care is an essential part of this process.

The Council will lead on tackling inequalities in health across West Berkshire, reducing social exclusion and working in partnership to promote more independence, address underlying environmental and economic determinants of health whilst endeavouring to get the best value from our resources.

A new Health and Well-Being Strategy has identified a number of key priorities that are being addressed by a small team of public health professionals who now champion health and wellbeing, working within the local authority and in partnership with local GP commissioners and the third sector, integrating health and social care, preventing ill health, protecting against threats to public health and tackling inequalities in health.

Welfare reform and housing

Welfare reform is a major priority for central Government.

The spare room subsidy, Council Tax reform and the cap on benefits have already been introduced and Universal Credit and the replacement of Disability Living Allowance by Personal Independence Payments are scheduled for introduction early in 2014. Further reforms are expected in the future. We recognise however that residents will be impacted to varying degrees and we will seek to support people in times of difficulty.

The biggest impact is likely to be seen in housing. We are committed to working with residents to help them find and sustain secure, appropriate and affordable housing and Discretionary Housing Payments will be used, where possible, to help residents manage the transition arising from changes to their circumstances.

The impact on housing demonstrates the need for a balanced housing stock within West Berkshire.

Moving forward, West Berkshire has a strong Core Strategy that dictates a substantial (30%-40%) requirement to build affordable housing as part of any new residential development. The Local Development Framework (2012) shows that 10,500 homes are needed across West Berkshire over the period 2006 to 2026. The Council's approved planning applications still show a 5 year supply of land and work at Newbury Racecourse has commenced and Sandleford, in South Newbury, has been identified as a strategic site.

The Council does not operate its own housing stock other than a restricted supply of temporary accommodation. It provides services through housing associations such as Sovereign Housing and through service providers. Strategically, it works to prevent homelessness and to increase the availability of housing of all kinds, especially affordable housing. It also is a shareholder in Green Deal Together - an accredited Green Deal Provider backed by a consortium of local authorities located in the South and East of England. This will enable home owners, landlords and businesses to improve the energy efficiency of their buildings, without any upfront cost.

WHAT YOU'VE TOLD US

We have worked hard to keep people informed and engaged in local decisions affecting them. We continue to listen to service users' and customers' feedback and to respond to this as we continually strive to improve what we do.

Given the significant changes in the funding and delivery of public services, at the outset of this strategy in 2010, we undertook a budget simulation exercise with local residents, asking the question - *how would you allocate diminishing resources across the range of different services the Council provides?*

The purpose of this was to provide the guidance and insight into what local people saw as the priorities for local government for the lifetime of this strategy.



More than 800 people took the opportunity to take part giving us a clear message about the services local people most value and where we should be focussing our resources.

Child protection was considered the most important service for local residents, along with care and support for older people and adults with disabilities, children's services, community safety, support for schools and youth services.

Loosely speaking, functions dealing with people were more valued than place-based services such as roads, waste, public protection, traffic management, countryside services, libraries and leisure facilities. This stemmed from a sense amongst many of "people first and things second". As one respondent commented:

"In hard times, I think it is better to protect services for children, disabled and older people. We must try to reduce the human cost; that's why expenditure items like buildings, heritage, parks and road maintenance should take the back seat until the situation improves."

A theme emerged that people could - and necessarily should - be doing more to help themselves. For example, "if we can support local communities to take care of each other, we can reduce the need for certain facilities."

The feedback from this exercise has been used explicitly in the planning and development of this strategy and in our approach to budget setting where - for example - the overall level of funding of both adult and children's social care services are more substantively protected.

This is also reflected in the revised structure of the Council, themed around 'people', 'place' and 'resources' which has further streamlined the organisation, reducing the number of directorates from 4 to 3.

The full results of the budget simulator exercise - and all other exercises we undertake to engage with and listen to the views of residents and service users - are published online through our Consultation Finder database at westberks.gov.uk/research.

OUR PRINCIPLES WHICH GUIDE HOW WE WORK

The corporate business and service delivery plans emanating from this strategy are built on four clear principles which will help us as an organisation, to navigate through the years ahead.

This is all about how we do business: our way of thinking, leadership style, values and behaviours and approach to designing and running services so we can provide high quality, low cost, customer focused services, ensure local, open and honest decision-making and work with our partners to support West Berkshire's communities

These principles can be applied to every function and service we provide and will mean, not only that the Council is smaller, but also more flexible and responsive to local needs.

Putting people first

We are committed to improving quality of life for all. Central to this is putting people at the heart of everything we do. Reflecting local need, putting people first means looking at how our services are designed and operated from the perspective of those who use them.

We are open and transparent in the way we do business and we will continue to listen to local people in deciding how our services should be delivered in the future and that they feel able to contribute to the decisions that affect them.

We will work to minimise discrimination, harassment and victimisation and advance equality of opportunity for all members of our communities;

We are also focussing on how we communicate, recognising that people live busy lives and that we live increasingly in a digital age. We are expanding access to our services online, placing a greater emphasis on self-service and adopting the 'digital by choice' principle.

Empowering people and communities

The Council is at its most effective when it is helping communities to help themselves: helping people to live successful lives as independently as possible. We believe that if you give power to local people, you get better results and achieve better value.

We know that the army of volunteers across the district already make a huge difference to thousands of people's everyday lives in their local areas. We want to work more closely with our voluntary and community sector to make it easier for people to contribute to their communities.

We will continue to support the development of parish plans and town visions and make sure we put in place the resources to play our part in realising their aims. We will also continue to facilitate the development of Neighbourhood Development Plans – where they are wanted - to involve communities more closely in planning matters in their local area;

We recognise that some of the services we will have to scale back or stop are still important to local people, so we want to continue to make it as easy as possible for communities to take over local facilities. This will include handing over buildings to community ownership, helping communities to get their ideas off the ground and encouraging people to volunteer.

We believe that not only is this approach more sustainable in the long-run, but that it will also make them more flexible to local needs.

Living within our means

We never forget that the money we spend is yours. In straitened times it is even more important that we deliver the best possible value for money for local taxpayers.

We have already saved £28m over the last 4 years, with £15m needed between 2014-16. Continuing to 'live within our means' means that we have to make difficult decisions now, managing our budgets whilst ensuring we focus on our priorities.

We are committed to ensuring that Council Tax increases are kept to a minimum. Prudent financial management means that we must deliver on the necessary savings to continue to live within our means. We must therefore continue to drive ever greater value for money from our services: seeking

more efficient provision where services are too expensive; changing providers if they aren't cost-effective and; ceasing provision altogether if they have little or no public need or value.

We have a programme underway to review and renegotiate our contracts with external suppliers and service providers to drive down costs and are increasing and enhancing our approach to procurement and contract management and where possible, join up with other public sector organisations, to ensure that we are getting value for money.

We have been rationalising our estate, making greater use of existing buildings and sharing more of our buildings with partners wherever possible.

We have developed joint-funding arrangements with voluntary and community sector, parish councils and other community groups to fund local improvements and joined forces with other authorities (for example with Wokingham with our Trading Standards service) to provide services together at a reduced cost.

We will take maximum advantage from central government's proposals on returning business rates to local control and continue to maximise the income coming into the Council through ensuring all our fees and charges generally align with the rise in inflation.

We then regularly monitor and publish a 'scorecard' against which local people can assess our progress against the key priority outcomes set out within this strategy and the supporting Council Delivery Plan.

Doing what's important well

It is important that we 'keep our eye on the ball': remaining focussed on our priorities and those core services most valued, or important to local people and on which the most vulnerable in our communities rely. We need to manage our services, ensuring a level of service within different areas – be it good or adequate.

Our focus is on ensuring that the delivery of core services is maintained; that we make decisions that promote the long term economic and social well-being of the district, promote localism and manage outcomes for the most vulnerable.

In ensuring we do what's important well we review our achievement against our key priority measures on an annual basis alongside the refresh of this strategy.

Based on an assessment of our strengths and where we recognise we need to do better we set ourselves appropriately robust and realistic targets for these key priority outcomes and achieve them.

OUR PRIORITIES

Caring for and protecting the vulnerable

Why is this a priority?

Supporting and safeguarding the most vulnerable in our communities is one of the most important things we do. It is central to the whole purpose of the Council, providing the safety net for people when they cannot help themselves.

Children, young people and adults may need support for a whole number of reasons including learning, physical or sensory disabilities, mental ill-health or needing support as they get older. Alongside this socio economic issues are creating vulnerabilities for other groups of people who may not meet the threshold for receiving statutory services from adult social care, such as people who are in difficulty with either accessing or retaining suitable accommodation.

Where possible, we will seek to ensure people are supported to make their own decisions, maintain their independence, overcome barriers to reaching their potential and to help them improve their quality of life.

What will we do ...

Children and young people

- Continue to **implement** the Munro Programme to modernise and improve services to children, young people and their families.
- Continue **implementation** of personalised budgets for young people with disabilities.
- Continue to **focus on** recruitment of additional local carers with a particular emphasis on adopters and foster care for children with complex needs.
- **Ensuring** early help is prompt and accessible through the introduction of our new Early Help Hub.
- Turn Around Families project will continue to **offer help and support** to vulnerable families with multiple problems
- Continue to **improve** our support to children and families experiencing all chronic forms of abuse.
- **Improve** health and wellbeing outcomes for vulnerable children and young people

Older people and vulnerable adults

- **Review** our social care activity to ensure it is affordable, sustainable and targeted at critical risk or prevention of dependency on long term services.
- **Provide** an information and signposting service so individuals can make informed decisions about options and the cost of their care and early intervention and support to access timely assessment to prevent dependency on care services.
- **Ensure** that people have a positive experience of care and support
- **Safeguard** adults whose circumstances make them vulnerable and protect them from avoidable harm.
- **Target** services on helping adults back to independence and recovery recognising that many can return to independence after a short period of reablement and rehabilitation services.
- **Support** carers to continue caring through increased numbers of carers identified assessed and supported.
- **Improve** health and wellbeing outcomes for groups at greater risk of health inequalities
- **Target** services for housing related support to those most in need across the district.
- Continue to work to **prevent** homelessness offering the widest possible range of options, advice and interventions.

Promoting a vibrant district

Why is this a priority?

Continued economic growth is vital if West Berkshire is to remain competitive. This needs to be sustained through supporting existing businesses and encouraging inward investment.

Whilst prosperity is key to a good quality of life, so is the social wellbeing of the local population. We need to provide and maintain the physical infrastructure on which the district depends. Only in delivering on all these will we succeed in keeping West Berkshire a great place in which to live, learn, work and do business.

What we will do ...

Infrastructure

- **Focus** on carrying out essential highway maintenance.
- **Deliver** effective transport solutions across the district
- **Make best use of** existing stock and seek to improve access to private rented accommodation addressing issues of affordability and quality
- **Lead and deliver** the *Superfast Berkshire* project, as part of a national infrastructure programme, to bring superfast broadband to rural areas of West Berkshire.

Supporting Business

- **Become** more business friendly and **encourage** new investment and business retention across all sectors
- **Promote** West Berkshire as the desirable location for combining business, leisure, learning and life.
- **Work with** partners to ensure that local skills meet the needs of today's business and work environments.
- **Actively support** sustainable rejuvenation and regeneration projects in key locations.

Planning

- **Provide** a responsive planning service with a clear policy framework that balances protection of the environment, economic development and the housing needs of local residents.

Community Safety

- **Work with** our partners to keep crime levels low, reducing incidents of crime and anti-social behaviour
- **Work with** local communities to help protect them from future flooding

Healthy Lives

- **Give** every child and young person the best start in life
- **Improve** the wider determinants of health and wellbeing and reducing health inequalities
- **Support** people to make informed choices and live healthier lifestyles
- **Reduce** preventable ill health and premature death whilst promoting independence and supporting older people to manage their long term conditions

Improving education

Why is this a priority?

People are any area's greatest asset. The right knowledge and skills are vital, not only in to help each and every person to fulfil their potential and improve their quality of life, but also to underpin growth and innovation in the district, vital for our future competitiveness and prosperity.

The establishment of academies and other changes in the education system will alter the role of the Council in relation to schools. We will continue to work to make sure that every young person realises their potential.

We recognise that significant improvements need to be made in relation to the attainment of pupils in receipt of Pupil Premium. We have put in place a strategy to address the gap in achievement between our more disadvantaged pupils and more generally and intend to see this closing over the next few years.

Amongst other things this means working with schools, children and their families to improve outcomes for all, and improving training opportunities for young people, especially those currently not in education, employment or training.

What we will do ...

Working with schools

- **Support** schools and governors to continuously raise standards at all key stages and achieve an Ofsted inspection rating of good or better.
- **Support** schools in evaluating themselves and giving successful schools greater freedoms.
- **Develop** school buildings to meet demand and create the best possible learning environments within available resources.
- **Provide** efficient and effective services that are traded with schools, including academies.

Higher and adult education

- **Support** schools and work with other providers to ensure positive delivery of the raising of the participation age to 17 from September 2013 and 18 in 2015.
- **Influence, commission and provide** adult and community learning opportunities that provide for the most vulnerable, and the wider adult population.

Vulnerable pupils

- **Challenge and support** schools where outcomes for pupils need improvement and focus early years support on children and families who are most vulnerable.
- **Ensure** appropriate support is in place for all the most vulnerable children, including those with special educational needs and disabilities, or who are looked after, or in need of safeguarding or are in receipt of Pupil Premium.

Protecting the Environment

Why is this a priority?

Three quarters of West Berkshire is designated as an Area of Outstanding Beauty. That natural environment plays a key role in sustaining a high quality of life in West Berkshire and is the reason why many people chose to live here.

Protecting this resource and the environment more generally, both now and for future generations, are seen as key to the district's continued prosperity.

What we will do ...

Environmental and historic protection

- **Focus development** on the existing urban areas to protect our countryside and the surrounding Area of Outstanding Natural Beauty.
- **Ensure** the protection and promotion of our natural and built environment and heritage

Cleaner and Greener

- **Maximise** the proportion of waste recycled and composted across the district.
- **Minimise** the amount of waste being sent to landfill sites.
- **Reduce** carbon emissions through efficient energy management, thereby reducing our energy consumption and bills.

MAKING IT HAPPEN

This Council Strategy sets out our priorities and a realistic set of objectives that we will deliver for the people of West Berkshire, whilst living within our means.

We cannot achieve these objectives alone and effective joint working with partners, especially parish councils, the police, health and the voluntary and community sector will ensure that we make better use of scarce resources and can also respond to very local or specialised needs.

We want to ensure that together we help communities to achieve what they aspire to. West Berkshire Council is focusing its efforts in this way through a variety of initiatives that respond to local need, and we recognise that by working in partnership the benefits to communities can be even greater.

Aligned to the wider strategic aims within the Sustainable Community Strategy, the objectives within this strategy form the basis for our more detailed strategic, service delivery and financial

planning, which will turn these ambitions into actions.

In order to be able to deliver these objectives, live within our means and meet our statutory responsibilities, we must take a very proactive approach to managing our resources effectively. Our Medium Term Financial Strategy is the key tool for proactive financial management, providing the basis of the annual budget setting process to ensure that our resources for the forthcoming year are aligned correctly to our priorities.

Together with the overarching Council Strategy, they provide the framework from which our more detailed strategic business plan and individual service plans are developed, through which our strategic objectives and outcomes are delivered.



Tracking progress and identifying opportunities for improvement are key to realising and delivering on this strategy. We will continue to monitor progress against each of the objectives in this strategy and report on a set of key accountable measures on a quarterly basis through our westberks.gov.uk/performance webpages. This will provide us with a consistent and timely picture of how well we are doing, as well as ensuring we remain accountable for the delivery of these outcomes to local people.

The delivery of our strategic objectives is supported by a range of policies and strategies, as well as individual service delivery plans. These set out in detail how our vision and objectives will be delivered and progress will be measured. These plans are principally working documents to enable managers to allocate staff and other resources, and to ensure employees are clear on how their work contributes to the Council's overarching objectives.

The reporting on this strategy will reflect progress on these key plan

Title of Report:	Investment and Borrowing Strategy 2014/15
Report to be considered by:	Council
Date of Meeting:	4 March 2014
Forward Plan Ref:	C2747

Purpose of Report: In compliance with the Local Government Act 2003, this report summarises the Council's borrowing limits as set out by CIPFA's Prudential Code, and recommends the Annual Investment and Borrowing Strategy for 2014/15.

Recommended Action: To approve the Investment and Borrowing Strategy 2014/15.

Reason for decision to be taken: Formulation of Treasury Management Policy in compliance with the Local Government Act 2003 and the CIPFA's Prudential Code and Code of Practice for Treasury Management.

Other options considered: Not applicable

Key background documentation: None

The proposals will help achieve the following Council Strategy principle:

☒ **CSP6 - Living within our means**

The proposals contained in this report will help to achieve the above Council Strategy principle by:

Maximising the return on the Council's investments while minimising risk and ensuring sufficient liquidity; ensuring that long term borrowing is affordable.

Portfolio Member Details

Name & Telephone No.:	Councillor Alan Law - Tel (01491) 873614
E-mail Address:	alaw@westberks.gov.uk
Date Portfolio Member agreed report:	21 January 2014

Contact Officer Details

Name:	Gabrielle Esplin
Job Title:	Finance Manager - Capital, Assets Treasury and VAT
Tel. No.:	01635 519836
E-mail Address:	gesplin@westberks.gov.uk

Implications

Policy:	The Treasury Management Strategy for the new financial year is in accordance with the Local Government Act 2003 and CIPFA's Prudential Code and Code of Practice for Treasury Management.
Financial:	Investment Income and Debt Charges form part of the Council's Medium Term Financial Strategy (MTFS).
Personnel:	None
Legal/Procurement:	None
Property:	None
Risk Management:	The policy is intended to ensure that all borrowing and investment is undertaken with a view to minimising risk and exposure to financial loss.

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		☐	☒
• Is it a major policy, significantly affecting how functions are delivered?		☐	☒
• Will the policy have a significant impact on how other organisations operate in terms of equality?		☐	☒
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		☐	☒
• Does the policy relate to an area with known inequalities?		☐	☒
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			☐
Not relevant to equality			☒

Is this item subject to call-in?	Yes: ☐	No: ☒
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		☒
Delays in implementation could have serious financial implications for the Council		☐
Delays in implementation could compromise the Council's position		☐
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		☐
Item is Urgent Key Decision		☐
Report is to note only		☐

Executive Summary

1. Introduction

- 1.1 This report sets out the framework within which the Treasury Management Team will conduct the Council's investments and borrowing for the forthcoming financial year. It recommends prudential limits for investments in 2014/15 and borrowing limits for the next three years.

2. Proposals

- 2.1 The report proposes an increase in the Council's maximum borrowing limits by £3 million (to £155 million) in 2014/15, by £8 million (to £163 million) in 2015/16 and by £5 million (to £168 million) in 2016/17. The increases in borrowing limits over the next three years are to allow for the planned level of borrowing to fund the proposed capital programme (also taking into account the planned level of debt repayment).
- 2.2 The report also recommends prudential limits for exposure to borrowing at fixed and variable rates of interest, and the maturity structure of borrowing and parameters for the types and minimum credit ratings for institutions with which the Council will invest its funds. No changes are proposed to the main limits and parameters for 2014/15, although the policy on credit ratings has been amended to allow reference to Moody's Investor Service credit ratings in addition to Fitch ratings.

3. Equalities Impact Assessment Outcomes

- 3.1 This item is not relevant to equality.

4. Conclusion

- 4.1 These proposals form part of the Council's overall Treasury and Capital Strategy and are aligned with the requirements of the Prudential Code. The strategy sets the underlying principles by which the Council's annual investment and borrowing activity will be managed for the 2014/15 financial year.
- 4.2 A report on the actual performance of the Treasury Team in managing the Council's loans and investments for the whole of 2013/14 will be brought to Executive after the end of the financial year.

Executive Report

1. Introduction

- 1.1 This report proposes the Annual Investment and Borrowing Strategy for 2014/15, as required by the Local Government Act 2003. The strategy must be approved by full Council and made available to the public before the start of the financial year to which it relates. The strategy can be varied at any time, but any variations must be approved by the Council and made available to the public.
- 1.2 West Berkshire Council's treasury management activities consist of the management of the organisation's cash flow, banking, money market transactions, loans and investments. The main aim of the Treasury Management function is to maximise the return on the Council's investments while ensuring sufficient liquidity and minimising the risks to the Council's resources. All investment and borrowing decisions are therefore governed by the following principles (in order of priority as shown):
- (1) Security (minimising risk)
 - (2) Liquidity (availability of sufficient funds a day to day basis to support the Council's business)
 - (3) Yield (return on investment).
- 1.3 Effective treasury management supports the achievement of all the Council's service objectives. The performance of the treasury management function will, therefore, be monitored through regular reports to the Treasury Management Group of Members and officers. An annual report on treasury management performance for the year as a whole will also be presented to the Executive shortly after the end of the financial year.

2. Proposed Prudential Indicators for 2014/15

- 2.1 The Local Government Act 2003 introduced the new Prudential Capital Finance System, which was applied from 1 April 2004, and replaced the requirements under the Local Government and Housing Act 1989. CIPFA published the final Prudential Code in November 2003, which sets out a range of indicators that the Council must set in order to establish its borrowing limit.
- 2.2 The following prudential limits are required to be set for the forthcoming financial year and the following two financial years:
- (a) Authorised limit for total external debt - the maximum amount the Council may borrow
 - (b) Operational boundary for its total external debt - The most money the Council would normally borrow at any time during the year.
 - (c) Exposure to borrowing at variable rates of interest.
 - (d) Exposure to borrowing at fixed rates of interest.
 - (e) Maturity structure of borrowing.

(f) Levels of External Debt:

- 2.3 An annual increase in borrowing will be required to fund proposed capital expenditure which cannot be funded from grants, capital receipts or other sources of funds. The amount of the increase is determined by the amount of debt charges which the Council can afford to fund from its revenue budget.
- 2.4 The recommended limits for external debt for 2014/15 and the following two financial years are shown below in comparison with the agreed level for 2013/14.

New Recommended Limits for External Debt		
	Authorised Limit	Operational Boundary
2013/14 Approved	£152 million	£142 million
2014/15 Proposed	£155 million	£145 million
2015/16 Proposed	£163 million	£153 million
2016/17 Proposed	£168 million	£158 million

- 2.5 The operational boundaries proposed above allow for the overall level of long term debt to fund capital expenditure (which is expected to be £99.2 million at the end of March 2014), plus the level of debt embedded in the PFI contract, which currently stands at £25 million, plus approximately £15 million for temporary borrowing (for less than 364 days) for cashflow purposes during the course of the year. The authorised limit is set £10 million higher than the operational boundary to allow for any unforeseen borrowing needs.
- 2.6 The increases in the borrowing limits of £3 million in 2014/15, £8 million in 2015/16 and £5 million in 2016/17 reflect the new borrowing which is expected to be required over the next three years to fund the proposed capital programme 2014-2019 (also on this agenda). They also take account of the fact that new borrowing is offset by the repayments made against existing debts. More details of the Council's borrowing strategy are given in Section 4 (below).
- 2.7 The recommended limits for exposure to borrowing at variable and fixed rates of interest are as follows (unchanged from 2013/14):

Exposure to Variable Interest Rates	
	Upper Limit
2014/15	50%
2015/16	50%
2016/17	50%

Exposure to Fixed interest rates		
	Upper Limit	Lower Limit
2014/15	100%	50%
2015/16	100%	50%
2016/17	100%	50%

In practice, almost all Council borrowing is undertaken on fixed rates of interest. This includes all long term borrowing undertaken from the Public Works and Loans Board.

- 2.8 The recommended limits for the maturity structure of borrowing are as follows (unchanged from 2013/14):

	Lower Limit	Upper Limit
Under 1 Year	0%	50%
1 – 2 years	0%	50%
2 – 5 years	0%	50%
5 – 10 years	0%	50%
Over 10 years	0%	90%

3. Annual Investment Strategy for 2014/15

- 3.1 The purpose of the Annual Investment Strategy is to set out the policies to ensure the security and liquidity of the Council's investments. The strategy deals with the credit ratings defined for each category of specified investments, the prudential use of non specified investments, and the liquidity of investments.
- 3.2 Specified Investments are defined as those satisfying each of the following conditions:
- (a) Denominated in sterling.
 - (b) To be repaid or redeemed within 12 months of the date on which the investment was made.
 - (c) Do not involve the acquisition of share capital or loan capital in any body corporate.
 - (d) Are made with the UK Government, local authorities, parish councils, community councils, or with a deposit taker which has been awarded a high credit rating by a credit rating agency and is authorised by a regulatory body (normally the Financial Services Authority - FSA).
- 3.3 Any investments that do not meet the criteria defined in paragraph 3.2 above are classified as 'Non-specified Investments'. It is proposed that the Council will only invest in non-specified investments, including those to be repaid or redeemed more than 12 months from the date on which the investment was made, should the need arise in relation to cash-flow and borrowing strategy decisions.
- 3.4 The credit ratings and limits proposed for the categories of investments intended for use by the Council in 2014/15 are as follows:

Debt Management Office (UK Govt)	Unlimited
UK Local Authorities (including Police and Fire Authorities and similar public bodies)	Not more than £5,000,000 per authority
UK Building Societies	
Ranked 1 to 11	Not more than £5,000,000 per institution
Ranked 12 to 21	Not more than £4,000,000 per institution
Ranked 22 to 25	Not more than £3,000,000 per institution

UK Banks & Other Financial Institutions rated at least F1 by Fitch or Prime 1 by Moody's	Not more than £5,000,000 per institution
UK Banks & Other Financial Institutions rated at least F2 by Fitch or Prime 2 or 3 by Moody's	Not more than £2,500,000 per institution
UK based Money Market Funds (AAA rated by Fitch or Moody's)	Not more than £5,000,000 per fund

- 3.5 The limits above represent the maximum amounts to be invested with individual organisations. The Treasury Management Group may temporarily reduce these amounts and/or shorten the time-period of investments in order to spread the exposure to loss from institutions failing.
- 3.6 No changes are proposed to the existing limits for 2014/15. However, while the Council has previously relied on the ratings given by the Fitch ratings agency, consideration is now also being given to consulting Moody's ratings, where this offers better value for money for the Council.

Liquidity of Investments:

- 3.7 The period for which funds are invested is determined by the cash flow needs of the Council. Funds are invested for as long as possible, in order to maximise the rate of return, while still ensuring that sufficient funds are available to meet the Council's outgoings. The normal maximum period for which funds may prudently be committed is 12 months.
- 3.8 If sufficient funds become available, and market conditions are favourable enough to permit secure longer term investment, funds may, from time to time be invested for longer periods which will offer a better rate of return. However in order to minimise risk and ensure liquidity, no more than 40% of the Council's funds will be held at any one time in investments longer than 12 months.

4. Borrowing Strategy

- 4.1 All the Council's long term borrowing (with the exception of the debt contained within the waste PFI contract) is at a fixed rate from the Public Works and Loans Board (PWLb). The PWLB currently offers the most competitive and secure rates of interest to local authorities. For example, the 40 year fixed annuity rate currently stands at 4.3% as at the 15th January 2013. (This includes the 0.2% "certainty" discount which is currently being offered by the PWLB to those local authorities, including West Berkshire, which have made available to HM Treasury their medium term borrowing plans).
- 4.2 At the start of the current financial year the balance of the Council's loans from the PWLB currently was £87.6 million. This sum includes £20.5 million which is still outstanding from the debt inherited from the former Berkshire County Council. These loans were taken out on a maturity basis and it is therefore necessary to make an annual provision in the revenue budget to repay these loans at the end of their term, currently approximately £500,000 per year on average. All loans taken out by West Berkshire Council since 2006, however, have been on an annuity

basis, which provides certainty over the future level of loan repayments and avoids the future liability for repayment of the principal.

- 4.3 By March 2014, the PWLB loans balance is expected to increase by £11.7 million to £99.3 million. Part of this increase is to fund £8.4 million proposed capital spending for 2013/14 which is not funded from grants, capital receipts or other external sources of capital funding. It is also expected to be necessary to borrow around £6 million in respect of previous years' capital expenditure, which has not yet been financed from borrowing. However the new borrowing will be offset by approximately £2.7 million repayments against existing loans which will have been made by the end of the financial year.
- 4.4 The forecast balance of total long term debt at the end of March 2014, including that related to the PFI contract, is approximately £124 million.
- 4.5 Based on the current proposals for capital spending from 2014 to 2019, the Council's overall level of borrowing is expected to increase at a slower rate from 2014/15 onwards than in recent years. This is because the amount of principal repaid on annuity loans increases year on year, while the level of capital expenditure funded from borrowing is planned to decrease to around £5 million per year by 2017. The overall level of debt to fund capital expenditure is therefore expected to peak at around £124 million in 2020 (or £144 million including PFI debt).

Appendices

There are no Appendices to this report.

Consultees

Local Stakeholders: N/a

Officers Consulted: Corporate Board

Trade Union: N/a

Title of Report:	Medium Term Financial Strategy (MTFS): 2014-17
Report to be considered by:	Council
Date of Meeting:	4 March 2014
Forward Plan Ref:	C2748

Purpose of Report: To inform Members of the medium term financial planning and strategy for the organisation.

Recommended Action: That Council approves and adopts the 2014-2017 Medium Term Financial Strategy.

Reason for decision to be taken: To set the Council's financial planning framework for the coming years.

Key background documentation: Revenue Budget 2014-15
Capital Strategy and Programme 2014-19
Council Strategy 2013-17

The proposals will help achieve the following Council Strategy principles:

- ☒ **CSP6 - Living within our means**
- ☒ **CSP8 - Transforming our services to remain affordable and effective**

Portfolio Member Details	
Name & Telephone No.:	Councillor Alan Law - Tel (01491) 873614
E-mail Address:	alaw@westberks.gov.uk
Date Portfolio Member agreed report:	30 January 2014

Contact Officer Details	
Name:	Andy Walker
Job Title:	Head of Finance (S151 Officer)
Tel. No.:	01635 519619
E-mail Address:	awalker@westberks.gov.uk

Implications

Policy: The Medium Term Financial Strategy (MTFS) seeks to provide a medium term financial planning framework for the Authority.

Financial: Integral to the report

Personnel: n/a

Legal/Procurement: n/a

Property: n/a

Risk Management: The MTFS is strongly aligned to the strategic risk register

Is this item relevant to equality?	Please tick relevant boxes		Yes	No
Does the policy affect service users, employees or the wider community and:				
• Is it likely to affect people with particular protected characteristics differently?	☐	☒		
• Is it a major policy, significantly affecting how functions are delivered?	☐	☒		
• Will the policy have a significant impact on how other organisations operate in terms of equality?	☐	☒		
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?	☐	☒		
• Does the policy relate to an area with known inequalities?	☐	☒		
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)				
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia				☐
Not relevant to equality				☒

Is this item subject to call-in?	Yes: ☐	No: ☒
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		☒
Delays in implementation could have serious financial implications for the Council		☐
Delays in implementation could compromise the Council's position		☐
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		☐
Item is Urgent Key Decision		☐
Report is to note only		☐

Executive Summary and Report

1. Introduction

- 1.1 The Medium Term Financial Strategy (MTFS) sets out the financial planning framework for the Council over the coming three years. The MTFS is a rolling three year strategy which is fundamentally about ensuring the financial resources, both revenue and capital, are available to deliver the Council Strategy.
- 1.2 The document itself outlines the key challenges that the Council faces from 2014 to 2017 and the how these are expected to be met at a strategic level
- 1.3 The contents of the document are set out as follows:
 - (1) Introduction
 - (2) Background
 - (3) The financial challenge
 - (4) Delivering the Council Strategy
 - (5) Rising to the Challenge
 - (6) Conclusions

2. Proposals

- 2.1 To approve the report

3. Equalities Impact Assessment Outcomes

- 3.1 This item is not relevant to equality as Equality Impact Assessments have been undertaken on individual savings proposals.

4. Conclusion

- 4.1 The Council has a track record of strong financial management. Historically budgets have been delivered without significant over or under spends. The Council's ability to manage within significant financial change is vital to its continuing success in delivering the Council Strategy.

Appendices

Appendix 1 – Medium Term Financial Strategy: 2014-17

Consultees

Local Stakeholders: n/a
Officers Consulted: Corporate Board
Trade Union: n/a

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Medium Term Financial Strategy: 2014-17

1 Introduction

- 1.1 The Medium Term Financial Strategy (MTFS) sets out the financial planning framework for the Council over the coming three years. The MTFS is a rolling three year strategy which is fundamentally about ensuring the financial resources, both revenue and capital, are available to deliver the Council Strategy.
- 1.2 The document itself outlines the key challenges that the Council faces from 2014 to 2017 and how these are expected to be met at a strategic level.

The remainder of the document is set out as follows:

Section 2: Background
Section 3: The Financial Challenge
Section 4: Delivering the Council Strategy
Section 5: Rising to the Challenge
Section 6: Conclusions

2 Background

- 2.1 Since 2010 there have been unprecedented reductions in the Council's funding from Central Government as part of the Government's deficit reduction programme, amounting to a near 50% reduction from 2010/11 to 2016/17 of circa £15m.
- 2.2 West Berkshire Council has taken unprecedented action in response to reduced funding. Since 2010 we have continued to make efficiency savings and transform services. Staff numbers have reduced by 204 since 2010. 309 posts in total have been reduced representing 15% of the total workforce.

Government announcements affecting the MTFS

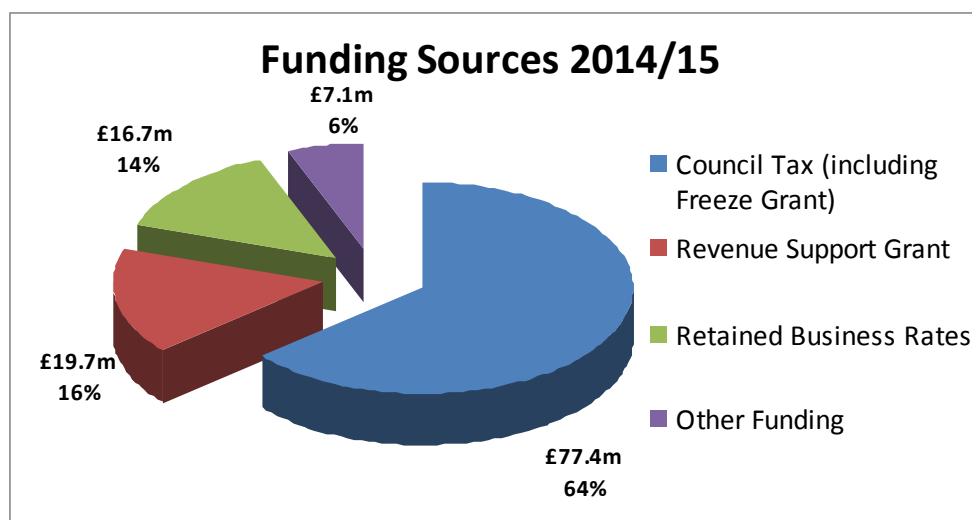
- 2.3 The June 2013 Spending Review, announced pooled funding between the NHS and local authorities for joint commissioning of health and social care. The Better Care Fund will provide funding to achieve closer integration and improve outcomes for patients, services users and carers. A condition of accessing the money is that the CCGs and Councils must jointly agree plans for how the money will be spent. The fund is also intended to meet the costs of meeting the Care Bill. This funding increases the total funding available to the Council in comparison to previous years, but also increases the Council's expenditure by the same amount.
- 2.4 Government has announced that the Council tax freeze grant will be extended over the next two years and will form part of the Revenue Support Grant thereafter. This MTFS assumes that WBC will freeze Council Tax and accept the freeze grant which is equivalent to 1% of Council Tax, although additional savings are still required to meet this freeze objective.
- 2.5 For 2014/15 the small business rates multiplier has been capped at 2%, rather than the September 2013 RPI rate of 3.2%. Local authorities will be compensated for this.

Key issues over the life of the MTFS

- 2.6 The Council's ability to manage within significant financial change and reduced Government grant, is vital to its continuing success in delivering the Council Strategy. Ensuring that businesses thrive and grow within West Berkshire has become an increasing priority for the Council as reliance on this area of funding increases over the life of the MTFS. Due to Government reforms to business rates, the Council is now exposed to the volatility in both the local and national economy.
- 2.7 Demand is expected to increase for services such as Adult Social Care and Children's Services, where additional cost pressures are occurring due to extra child placements. The Council's universal services such as waste management, highways, planning and cultural services must respond to an increasing population, reduced Government funding and built-in contractual cost increases in line with inflation measures.
- 2.8 In Education, Government reforms create significant instability over the Council's future role in influencing the education of the district's children, with funding flows moving away from LEA maintained schools.

3 The Financial Challenge

- 3.1 The Council has seen significant reductions to Government Grants over the past three years, and expects to see further reductions in the coming years. At the same time, the Council has suppressed Council Tax levels and the working assumption is to maintain low levels of Council Tax rises in the future.
- 3.2 As the graph below highlights, in 2014-15 the Council's primary financing sources will be from three main areas:

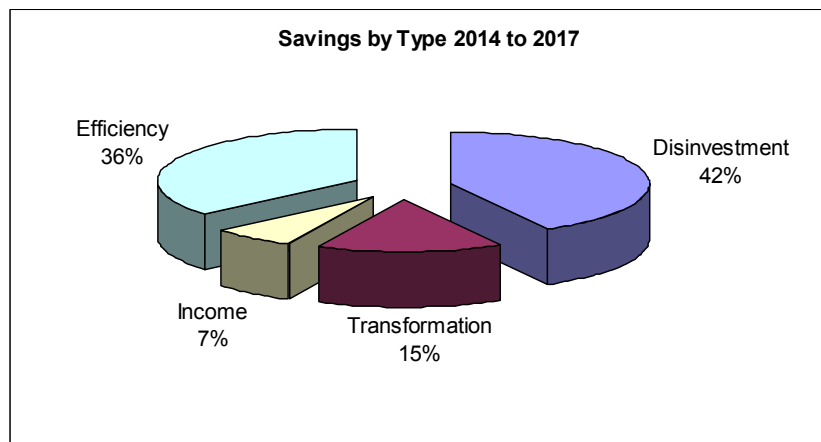


- 3.3 This highlights that nearly two thirds of Council funding comes directly from the local population in the form of Council Tax; therefore decisions around its level, and the increase in properties on which the Council can charge Council Tax (the Taxbase) are extremely important for West Berkshire Council.
- 3.4 For the Council to perform exactly the same functions year on year with no new demands, the Council's costs rise by around 2% each year. This is due to a combination of nationally driven pay awards and cost increases on the contracts the Council has with external service providers. Therefore, just to 'stand still' the Council must find over £6.7m of savings over the period of the MTFS. This is before adjusting for any new cost pressures and reduction in funding levels as can be seen in the following table.

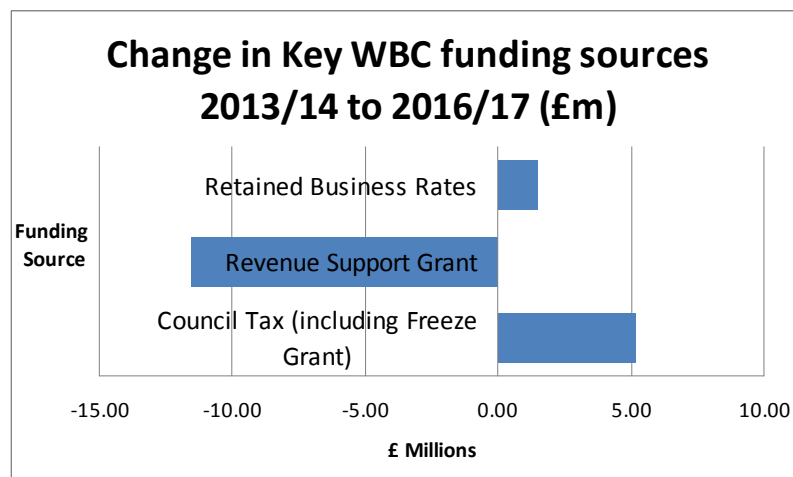
Changes to Revenue Budgets 2014/15 to 2016/17	2014/15	2015/16	2016/17	Total
	£m	£m	£m	£m
Reduced Government funding	3.67	4.82	1.43	9.92
Increase in Council Tax and Business Rate income	-2.19	-2.90	-2.26	-7.35
Pay and contractual increases	2.16	1.85	2.73	6.74
New cost pressures	1.20	0.71	1.41	3.32
Increase in capital financing costs	0.66	0.61	0.50	1.77
Other adjustments and use of reserves	0.13	-0.20	0.91	0.84
Savings Programme	-5.63	-4.89	-4.72	-15.24
Balance	0.00	0.00	0.00	0.00

Note: this table excludes the impact of the Better Care Fund on both income and expenditure.

- 3.5 The resulting savings requirements are circa £15.2m over the next three years. The chart below shows how these savings are broken down by type.



- 3.6 The changes to the three main areas of WBC's funding is highlighted below:



- 3.7 The Medium Term Financial Plan is summarised below, with further explanation behind each item within the model explained in Appendix 1. In summary, income remains constrained within this model over the next three years.

2013/14	Line ref	Medium Term Financial Strategy	2014/15	2015/16	2016/17
£m			£m	£m	£m
-75.66	1a	Council Tax income	-76.56	-77.48	-78.41
0.00	1b	Council Tax Freeze Grant	-0.82	-1.60	-2.38
-23.97	2	Revenue Support Grant	-19.69	-14.61	-12.42
-17.13	3	Retained Business Rates	-16.66	-18.02	-18.56
-2.67	4	Education Services Grant (ESG)	-2.52	-2.01	-2.01
-1.79	5	Better Care Fund	-2.21	-8.58	-8.58
-1.50	6	New Homes Bonus	-2.26	-3.03	-3.79
0.77	7	Council Tax Collection Fund deficit / surplus (-)	-0.16	0.00	0.00
-121.94	8	Funds available	-120.88	-125.33	-126.16
117.09	9	Opening Directorate Budget	115.57	113.71	117.76
2.09	10	Base budget growth (pay and non-pay)	2.26	7.95	2.54
0.41	11	Super inflation	0.31	0.27	0.19
1.68	12	Unavoidable service pressures	1.20	0.71	1.41
-5.70	13	Savings identified	-5.63	-4.89	-4.72
115.57	14	Directorate budget requirement	113.71	117.76	117.17
6.78	15	Levies & capital financing costs	7.45	8.05	8.55
-0.66	16a	Use of reserves	0.00	0.00	0.00
	16b	Use of Medium Term Financial Volatility Reserve	-0.44	-0.59	0.38
0.25	17	CTSS support for Parishes	0.16	0.11	0.05
121.94	18	Budget requirement	120.88	125.33	126.16

Nb roundings may apply in table

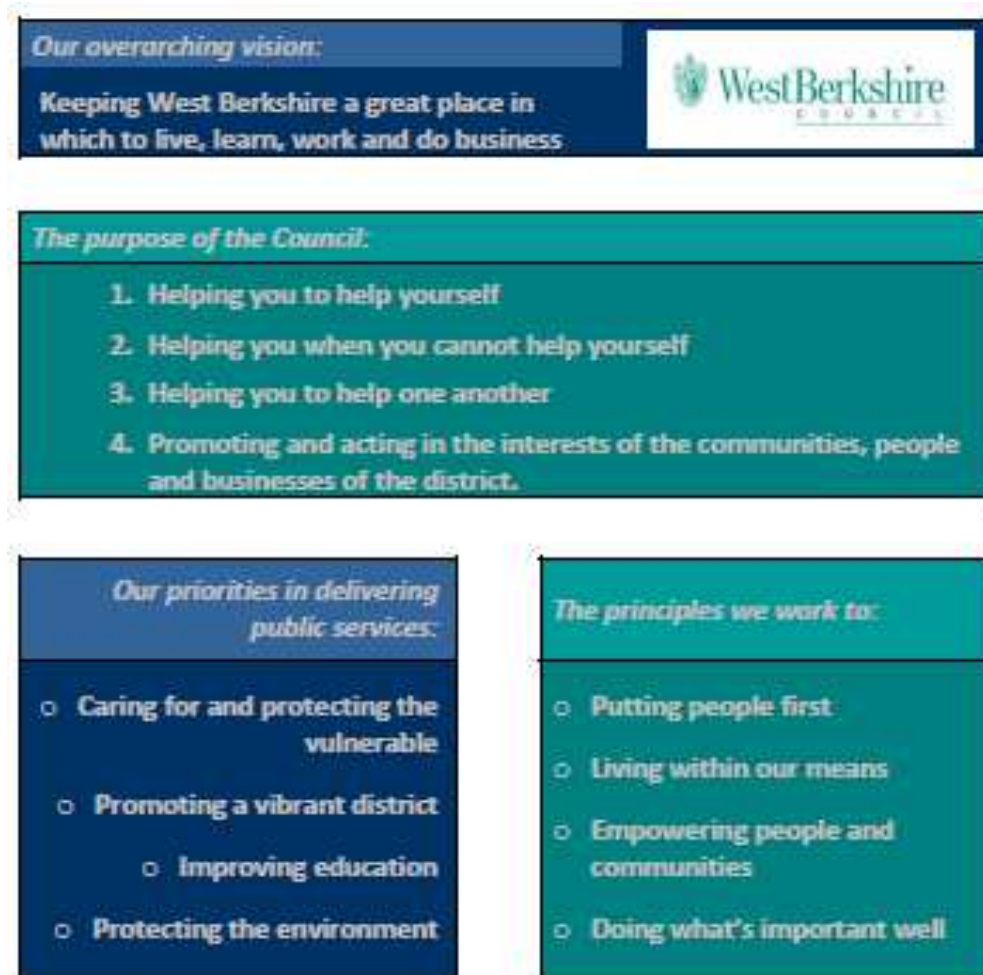
Note: Line 10 increases in 2015/16 due to the extra costs associated with meeting the Health Integration and Transformation agenda along with Care Bill requirements, and funded by additional Better Care Funds shown in Line 5. If these costs and funding were excluded from the MTFS, the budget requirement would be as follows:

2013/14			2014/15	2015/16	2016/17
£m			£m	£m	£m
121.94		Budget requirement	120.46	118.54	119.37

- 3.8 Excluding the Better Care Fund areas it can be seen that there has been a real terms cut in budget requirement levels over the 3 years of the Strategy.

4 Delivering the Council Strategy

- 4.1 The Council Strategy sets out our priorities and a realistic set of objectives that we will deliver for the people of West Berkshire, whilst living within our means. The Strategy focuses on four key priority areas which are underpinned by a set of principles which will guide how we are responding to changes in the policy, financial and legislative landscape and how we intend to shape future service delivery.



- 4.2 This provides the framework for future decision making; prioritising those areas seen as most important and setting out our overarching approach to dealing with the reduction in our resources, whilst keeping the impact on local communities to a minimum.

- 4.3 The Medium Term Financial Strategy allocates our available resources focussing on those determined as most critical in supporting our priorities and statutory responsibilities. This, in turn, determines the level of service we will realistically be able to provide in different areas.
- 4.4 During 2013/14 a business rate shortfall arose due to valuation changes. The total business rates shortfall is estimated to be in the region of £440k by year end. As a result, the Medium Term Financial Volatility Reserve will be called upon to make up the shortfall in income in 2014/15.

Asset and Capital Strategies

- 4.4 It is also important that the Council's asset and capital strategies follow the Council Strategy as the guiding document for the Authority's activities. To ensure that the Council Strategy is imbued across all capital-related activities, the Asset Management Strategy (part of the Capital Strategy that accompanies this document) has been more closely aligned to the Council Strategy. This is to ensure that over the life of this MTFS the Council's tangible assets reflect the services currently provided, these assets are efficient as possible, and assets that do not align with the Council Strategy are disposed of. Within the Capital Strategy itself, funding decisions over the lifespan of the document are considered in light of the Council Strategy and fit to achieve these objectives. Key spend areas within the strategy encompass *Promoting a Vibrant District* and *Improving Education*.
- 4.5 The financial challenge to the capital programme is to meet the service requirements within the available funding as set out in the Capital Strategy also on this agenda.

5 Rising to the Challenge

- 5.1 The underlying approach to financial management over the medium term remains similar to the previous year; i.e. Council Strategy led, Directorates supporting the provision of the Council Strategy and then Business Planning beneath this.
- 5.2 To ensure that the MTFs represents the themes expressed in the Council Strategy, the Council sets Capped Expenditure Levels (CELs) for directorates over the period 2014-2017. These set out the net change to directorate budgets over the three years based on assumptions such as expected cost pressures, major contracts and savings plans and priorities in the Council Strategy.
- 5.3 In recent years the Council has delivered historically low levels of Council Tax changes year on year, including a Council Tax freeze in 2011-12 and 2012-13, and aims to continue freezing Council Tax over the term of this financial strategy.
- 5.4 The Council has identified an expenditure reduction programme that will save in the region of £15m over the course of the medium term financial strategy in order to match predicted income levels. This gap will be closed through a mix of income generation, expenditure reductions and efficiency savings. Costs have been reduced across its different services whilst ensuring that services remain focussed on the priorities contained within the refreshed Council Strategy (2014-17).
- 5.5 As per previous years the Council will focus on making efficiency savings first to ensure the organisation is as effective as possible. However, to get more efficient will require us to evolve our budgeting methodology. In 2014/15 we will be piloting a Zero Based Budgeting (ZBB) approach in a major service area. Given the scale of the budget reductions, and the level of savings already identified, further reductions beyond efficiency will be required. The Council will therefore need to look more at income generation, which it has been successful in doing in the past, though opportunities to raise fees significantly remain constrained. This leaves the Council to pursue further options to transform services and also to disinvest in services.

6 Conclusions

- 6.1 The Government's strategy to reduce the national financial deficit is likely to continue through to 2018 at the very earliest. Local Government has been one of the areas of the public sector that has seen the highest reductions in Government spend, and this is likely to continue to be the case. In light of the ongoing funding reductions and constraint with any new Council Tax rises, the Council will be considering its core models of service delivery over the coming months in light of the Council Strategy and local priorities.
- 6.2 The local economy is improving which is having a positive impact on our Council taxbase, but we need to monitor this closely as any changes to both the local and national economy will impact our funding.
- 6.3 The Council needs to ensure that it has a robust financial structure on which to base its long term decisions. Continued capital investment (albeit at lower levels than in recent years) continues to ensure that the Council Balance Sheet and core assets are maintained and protected. The Council will also review its asset base to ensure that it is in line with the refreshed Council Strategy.
- 6.4 There needs to be sufficient levels of reserves for the Council to deliver services and take appropriate risks in amending service delivery models without impacting on the financial viability of the organisation. The main reserves that the Council holds in light of the MTFS are the 'General Reserves' of just over £6m (or just over 5% of net revenue expenditure¹) and the Medium Term Financial Volatility Reserve (MTFVR) of just over £1m.
- 6.5 The Council has a track record of strong financial management. Historically budgets have been delivered without significant over or under spends. The Council's ability to manage within significant financial change is vital to its continuing success in delivering the Council Strategy.

¹ This is the level traditionally recommended, though s151 officers must set out the final % used

Medium Term Financial Strategy – Appendix 1

Assumptions behind the Financial Model

(1) Council Tax

Current taxbase growth assumptions are 1.2% per annum, reflecting new developments from 2014/15. Assumes taking the Council Tax freeze grants for 2014/15 and 2015/16 and that a grant will be offered in 2016/17.

(2) Revenue Support Grant (RSG)

This figure is based on the Local Government Finance Settlement (December 2013). Figures from 2016-17 and beyond are unknown at present, but assumptions have been put in place for reductions over 15%, using trends in national control totals.

(3) Retained Business Rates

This is the anticipated element of retained Business Rates. The performance of the national and local economy in maintaining and growing the number (and size) of businesses in the local area will be important. For 2014/15 increases have been capped at 2%, which will be compensated by a settlement funding assessment adjustment grant.

(4) Education Services Grant (ESG)

This figure represents a Government Grant in respect of Local Education Authority (LEA) support service functions to schools. The assumption in the MTFS is that there is a 5% reduction in children in maintained schools in 2014-15 with no further schools converting to Academy status beyond then. For every pupil that is in an Academy school, the financial loss via this grant will be circa £116 per pupil.

(5) Better Care Fund

The Better Care Fund (previously the Integration Transformation Fund) provides funding to be spent locally on health and care with the aim of achieving closer integration and improve outcomes for patients and service users and carers. The fund is also intended to

meet the costs from meeting the Care Bill. In 2015-16 the fund will be allocated to local areas where it will be put into pooled budgets under Section 75 joint governance arrangements between CCGs and Councils. A condition of accessing the money is that the CCGs and Councils must jointly agree plans for how the money will be spent, and these plans must meet certain requirements.

(6) New Homes Bonus

This is monies received from central Government (equivalent to the Council Tax received on a band D property) for every net new additional property in the district. The Government created this scheme to incentivise planning authorities to help promote new properties being built.

(7) Council Tax Collection Fund

This is the surplus or deficit from the previous year's Collection Fund. The Collection Fund is a ring-fenced account for Council Tax collected. The variation compared to the expected Council Tax collected is pass-ported into the next financial year.

(8) Funds Available

Summary of the total non-ringfenced funds available for setting the Council's budget

(9) Opening Directorate Budget

This is the opening budget before new costs and savings are built in.

(10) Budget Build Growth

Adjustments to the Council's core costs; primarily non-pay inflation up to 1.5% on contracts, pay inflation and incremental pay awards

(11) Super Inflation

The amounts over 1.5% for Council inflation linked contracts.

(12) Unavoidable Service Pressures

Any additional investments required for new costs; for example due to additional demand in social care

(13) Savings

The totals of savings requirements to ensure a balanced budget

(14) Directorate Budget Requirement

The closing base budget for the Directorates

(15) Levies and Capital Financing Costs

Budget for payments to the Environment Agency, Magistrates courts, interest paid and received on Treasury Management (Investment) activity and, primarily, the revenue costs of paying for long term capital borrowing to fund the Council's Capital Programme.

(16) Use of Reserves

This is the planned use of reserves to support the revenue budget.

(17) CTSS Support for Parishes

This is reducing transitional funding to assist Parish Councils in dealing with the impact of the Council Tax Support Scheme (CTSS) on their local precepts.

(18) Budget Requirement

Total budget required:

2014/15	£120.88m
2015/16	£125.33m
2016/17	£126.16m

Note: the 2013/14 requirement was £121.94m

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Title of Report:	Capital Strategy and Programme 2014/15 to 2018/19
Report to be considered by:	Council
Date of Meeting:	4 March 2014
Forward Plan Ref:	C2746

Purpose of Report:

To outline the five year Capital Strategy for 2014 to 2019, including the Minimum Revenue Provision (MRP) statement and the Asset Management Plan, and to set out the funding framework for Council's five year Capital Programme for 2014/15 to 2018/19.

Recommended Action:

That the Capital Strategy and Programme be approved and adopted.

Reasons for decision to be taken:

1. To enable the Council to align resources to agreed Council priorities.
2. To clarify the processes and procedures to ensure that the Capital Programme is managed in accordance with the Council Strategy.
3. To provide a mechanism for the effective medium term planning of capital resources.
4. To ensure effective, efficient and economic use of the Council's assets and resources, and achieve best value for money.

Other options considered:

N/A

Key background documentation:

Capital Strategy and Programme 2013/14–2017/18
Medium Term Financial Strategy 2013-14 to 2016/17
Investment and Borrowing Strategy 2013/14
Capital Strategy Group papers
The Council Strategy 2013-17

The proposals contained in this report will help achieve the following Council Strategy priorities:

- ☒ **CSP1 - Caring for and protecting the vulnerable**
- ☒ **CSP2 - Promoting a vibrant district**
- ☒ **CSP3 - Improving education**
- ☒ **CSP4 - Protecting the environment**

The proposals will also help achieve the following Council Strategy principles:

- ☒ **CSP5 - Putting people first**
- ☒ **CSP6 - Living within our means**
- ☒ **CSP7 - Empowering people and communities**

The proposals contained in this report will help to achieve the above Council Strategy priorities and principles by:
Ensuring that investment in the Council's assets and systems makes best use of available resources to maximise the benefit to the West Berkshire community in line with the Council Strategy 2013-17.

Portfolio Member Details	
Name & Telephone No.:	Councillor Alan Law - Tel (01491) 873614
E-mail Address:	alaw@westberks.gov.uk
Date Portfolio Member agreed report:	3 February 2014
Contact Officer Details	
Name:	Gabrielle Esplin
Job Title:	Finance Manager
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Implications

Policy:	The Capital Strategy is aligned directly to both the Council Strategy 2013-2017 and the Medium Term Financial Strategy (MTFS). The policy implications arising from the Prudential Framework are set out within the report.
Financial:	The draft programme allocates £37.9 million of Council capital resources over five years. This includes £4.0 million from capital receipts from assets which are expected to be sold over the next year. The remainder will be funded from prudential borrowing. The cost of borrowing will be reflected in the Revenue Budget and the Medium Term Financial Strategy. Some proposed capital spending will be financed from external funding, including government capital grants from 2014/15 onwards which have still to be confirmed. The level of spend in future years may need to be reviewed depending on the actual level of capital receipts and government grants. The Strategy also includes the statement on Minimum Revenue Provision (MRP) required in accordance with the Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008.
Personnel:	A proportion of the Council's establishment is funded directly by the Capital Programme where it can be demonstrated that staff directly support and help to deliver the capital programme.
Legal/Procurement:	The Capital Strategy contains Prudential Indicators that are mandatory under the Capital Finance Act 2003
Property:	The proposed Capital Programme will provide for maintenance and improvements to a number of existing Council buildings.

The level of funding available for the proposed programme is partly dependant on final decisions still to be made about the disposal of some Council buildings.

Risk Management: Strategic risks relating to the Capital Programme are set out in the Council's Strategic Risk Register. Individual programmes/projects will have their own Risk Management Plans.

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		☐	☒
• Is it a major policy, significantly affecting how functions are delivered?		☐	☒
• Will the policy have a significant impact on how other organisations operate in terms of equality?		☐	☒
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		☒	☐
• Does the policy relate to an area with known inequalities?		☐	☒
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			☒
Not relevant to equality			☐

Is this item subject to call-in?	Yes: ☐	No: ☒
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		☒
Delays in implementation could have serious financial implications for the Council		☐
Delays in implementation could compromise the Council's position		☐
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		☐
Item is Urgent Key Decision		☐
Report is to note only		☐

Executive Summary and Report

1. Introduction

- 1.1 This report sets out the draft Capital Strategy and Programme covering the five year period 2014/15 to 2018/19. Its aim is to ensure that the Council's highest priorities for capital investment can be delivered within the financial constraints which the Council faces.

2. Proposals

- 2.1 The draft Capital Strategy and Programme comprises:

- The five-year Capital Strategy including the Minimum Revenue Provision (MRP)
- An analysis of the funding of the proposed Capital Programme 2014 to 2019, including the cost of borrowing to fund capital investment.
- The proposed five-year Capital Programme.
- The Council's Asset Management Plan for 2014/15

- 2.2 The proposed Capital Programme helps deliver the key priorities set out in the Council Strategy 2013-2017, including investment over the next five years in the following key areas:

- Protecting the Vulnerable: £8.7 million for occupational health equipment, home adaptations and supported living for older people and people with physical, sensory or learning disabilities;
- Promoting a Vibrant District: £40.4 million for maintenance and improvement of highways; £2.2 million for maintenance and improvement of parks, open spaces sporting and cultural facilities; £1 million for the provision of new affordable housing and £700,000 to facilitate the delivery of superfast broadband across the majority of West Berkshire;
- Improving Education: £51.2 million for new school places and improvement of school buildings.

3. Equalities Impact Assessment Outcomes

- 3.1 The capital strategy itself does not have any direct equalities impact, but more detailed equalities assessments will be carried out for any new schemes within the capital programme, or potential asset transfers, prior to implementation.

4. Conclusion

- 4.1 The proposed Capital Programme allows for total expenditure over five years of £115.2 million, of which £69.6 million is funded from government grants, £7.7 million from developers contributions and £37.9 million, or an average of £7.6 million per year, is funded by Council resources. The latter element includes an estimated £4 million capital receipts from assets which are expected to be sold over the next two years, although final decisions on the sale of some assets have still to be taken. The remainder is funded from prudential borrowing in line with the

revenue provision for capital financing assumed in the proposed Medium Term Financial Strategy (MTFS) 2013-16 (also on this agenda).

- 4.2 The proposed programme is expected to be sufficient to provide for the main capital investment priorities for Education in 2014/15 and 2015/16. These include additional school places in Newbury and other parts of the district, some improvements to the condition and suitability of school buildings and provision for universal free school meals to reception and key stage 1 pupils. However, the level of government funding for school maintenance for 2015/16 onwards is not yet known and current pupil number forecast data still needs to be finalised. This may result in further pressure on Council funding.
- 4.3 Pupil number forecast data will continue to be reviewed and updated and Education managers will carry out a further review of condition and suitability needs of all schools by planning area over the coming year. This additional data will provide increasing clarity on the medium to long term pressures which will be taken into account in revising the Capital Programme for the next five year period of 2015 to 2020.

Appendices

Appendix A – Draft Capital Strategy and Programme 2014/15 to 2018/19

Appendix B – Equality Impact Assessment

Consultees

Local Stakeholders: N/a

Officers Consulted: Corporate Board

Trade Union: N/a

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Capital Strategy **2014/15 – 2018/19**

**Incorporating the Capital Programme for 2014/15 to 2018/19 the
Corporate Property Asset Management Plan 2014/15**

1. INTRODUCTION

- 1.1 The Capital Strategy sets out the financial and policy context within which the Council can plan for long term investment in its assets. The Capital Strategy incorporates both the Asset Management Plan and the five year Capital Programme, which defines the amount of planned investment over the next five years and how this investment is to be funded. This strategy is also closely related to the Medium Term Financial Strategy (MTFS), and together these documents help to deliver the overarching Council Strategy.
- 1.2 The aim of the Capital Strategy is to:
- Enable the Council's assets and systems to be maintained and improved to enable the effective and efficient delivery of the Council's key priorities as set out in the Council Strategy 2013 to 2017;
 - To ensure that capital investment is affordable within the terms of the MTFS;
 - To ensure that capital investment is prioritised to take account of Council priorities, in particular improving Education and Highways, within available resources;

Overview of the Proposed Capital Programme 2014-2019

- 1.3 The starting point for the new capital strategy is the previously approved level of Council funded capital spending for 2014/15 to 2017/18. This has been updated to take account of:
- £1.2 million investment in surface treatment of the A4 in 2014/15 which is proposed to be funded partly from savings in patching costs over 10 years from 2014/15 to 2023/24 and partly from capital receipts;
 - Savings in the 2014/15 to 2017/18 highways capital maintenance programme to fund the £1.4 million investment in emergency repairs to highways in 2013/14 following serious deterioration of roads in the winter of 2012/13;
 - The latest estimates of future school pupil numbers and the cost of providing additional primary school places to accommodate them;
 - Provisional capital grant allocations for Education, which were announced on the 18th December 2013, including basic need grant allocations for 2015/16 to 2016/17 of £14.6 million in total, which reflects the Council's forecasts for future pupil number growth and which is a significantly higher grant settlement than was previously expected;
 - The latest estimates of capital receipts expected to be available to fund capital expenditure over the next five years;

- The current level of interest rates for borrowing from the Public Works and Loans Board to fund capital expenditure and the latest assumptions about future rates.

Funding of the Capital Programme

- 1.4 The proposed average level of Council funded capital spend is approximately £7.6 million per year. This figure takes account of the higher than average level of capital receipts between 2013 and 2015, which the Council agreed in March 2013 to use to boost investment in ICT and to help meet the pressure on primary school pupil numbers. It also includes some funding brought forward from previous years. The underlying level affordable of Council capital investment from 2017/18 onwards is approximately £5 million per year.
- 1.5 Council capital funds come partly from capital receipts, with the remainder from prudential borrowing. The proposed level of Council funded programme is based on the assumption that the revenue budget for borrowing costs will increase by £510,000 in 2014/15, £607,000 in 2015/16 to allow for the additional investment in highways infrastructure and then by approximately £500,000 per year from 2016/17 onwards to reflect future highways savings. These figures are in line with the proposed MTFS for 2014 to 2017, also on this agenda.
- 1.6 The programme makes use of government grants and developers contributions which have already been received or allocated. It also takes into account estimates of future grants and contributions, based recent trends and other available data. The total proposed five year programme including external funding, amounts to £115.2 million or an average of £23.0 million per year.
- 1.7 However if the actual level of future government grants and developers' contributions is lower than expected, the planned level of spending in the later years of the programme will have to be reviewed. This will also be necessary if capital receipts are lower than expected e.g. if the Council decides to not to dispose of some assets which are currently earmarked for disposal, or not to sell them at their full market value.

Service Specific Issues – Education

- 1.8 The level of the provisional capital grant settlement for Basic Need for 2014/15 to 2015/16 from the Department for Education (DfE) reflects the pupil number forecast model and the schools capacity (SCAP) return submitted by Education Services. The amount allocated for this period is significantly higher than was previously expected.
- 1.9 The proposed programme is expected to be sufficient to provide for the main capital investment priorities for Education in 2014/15 and 2015/16. These include additional school places in Newbury and other parts of the district, some improvements to the condition and suitability of school buildings and provision for universal free school meals to reception and key stage 1 pupils. However, the level of government funding for school maintenance for 2015/16 onwards is not yet known and current pupil number forecast data also suggests that the number of

additional places planned to be provided in Newbury may not be sufficient in the medium to long term. These factors may result in further pressure on Council funding.

- 1.10 Pupil number forecast data will continue to be reviewed and updated and Education managers will carry out a further review of condition and suitability needs of all schools by planning area over the coming year. This additional data will provide increasing clarity on the medium to long term pressures, which will be taken into account in revising the Capital Programme for the next five year period of 2015 to 2020.

ICT

- 1.11 Additional funding has been allocated for the extension of the Superfast Broadband project across West Berkshire.
- 1.12 The ICT Programme Board will also continue to review its priorities for investment in the Council's systems, in the context of a longer term ICT strategy, and will work in conjunction with the Capital Strategy Group over the coming year to propose ways in which further investment in the most important projects can be funded from within available resources.
- 1.13 The remainder of the strategy document will be structured as follows:

Section 2: The Capital Strategy for 2014/15 to 2018/19 which explains how the proposed programme helps to deliver the Council Strategy and also explains the funding framework for the programme;

Section 3: An analysis of the funding of the proposed programme over the next five years;

Section 4: An overview of the Proposed Capital Programme 2015/15 to 2018/19.

Appendix 1: A Summary of the proposed Capital Programme 2014/15 to 2018/19

Appendix 2: The detailed Capital Programme for 2014/15 to 2018/19

Appendix 3: The Council's Asset Management Plan for 2014/15.

2. CAPITAL STRATEGY

2.1 The Council's Capital Strategy is guided by the following principles:

- Resources are aligned with the priorities and principles identified in the Council Strategy for 2013-2017;
- Making best use of government capital grants (in particular for Education and Highways) to minimise the need for borrowing to fund capital investment;
- Disposing of surplus assets at market value where possible and appropriate, in order to maximise the level of capital receipts and reducing the need to borrow to fund capital expenditure;
- When borrowing is necessary to fund capital expenditure, ensuring that it is affordable, sustainable and prudent in keeping with the principles of the Prudential Code and that the revenue costs are affordable within the context of the MTFS;
- Seeking additional funding and capacity e.g. through partnership working, developers' contributions and/or the proposed new Community Infrastructure Levy (CIL);
- Making best use of matched funding wherever available to enable schemes which otherwise might not be undertaken;
- Enabling "Invest to Save" bids through the provision of up front capital funding to deliver long-term efficiency savings;
- A corporate framework involving both Officers and Members to ensure value for money through the evaluation and prioritisation of capital bids and the management and monitoring of projects;
- Ensuring full integration with the planning frameworks of both this Council and our key partners; and
- Taking account of key asset issues highlighted in the Council's Property and Highways Asset Management Plans.

2.2 The links between the Capital Strategy and Programme and the key priorities in the Council Strategy are set out in the following paragraphs.

2.3 Caring for and Protecting the Vulnerable

Adult Social Care and Disabled Facilities Grants

- 2.3.1 One of the Council's key priorities is to support and enhance the quality of life and safety of vulnerable people. The Adult Social Care capital and the Disabled Facilities Grants (DFG) programmes support this priority by providing occupational health equipment and home adaptations for older people and individuals with a learning disability, or a physical or sensory disability. In this way vulnerable people are helped to maintain their independence, with the minimum of support from the Council.
- 2.3.2 Opportunities are also being sought to incorporate additional provision for extra care housing into the capital programme, as an alternative to residential care. This priority is being addressed by exploring the potential for further partnership working with social housing providers and the possible use of government grants, section 106 contributions, CIL and/or capital receipts to help fund future extra care housing schemes.

Children and Young People

- 2.3.3 The Children's Services programme also provides funding for home adaptations to enable foster carers better to care for vulnerable children. The Education capital programme includes improvements to educational facilities for children with special educational needs (see also section on improving Education). The quality of life of all vulnerable groups is also enhanced by improvements to open spaces and cultural facilities (see paragraphs 2.5.1 to 2.5.5).

2.4 Promoting a Vibrant District

Highways and Transport

- 2.4.1 The transport network keeps the local economy moving, supports future economic development and helps deliver a better quality of life for local people. The Highways and Transport Capital programme is driven by a number of key plans and strategies including the Council's Local Transport Plan 2011 to 2026 (LTP3). LTP3 is informed by a number of service specific plans and strategies as detailed below:
- Freight strategy
 - Smarter choices strategy
 - Passenger transport strategy
 - Road safety strategy
 - Sustainable modes of travel strategy
 - Parking strategy
 - Network Management Plan

- 2.4.2 The programme is also driven by the Highway Asset Management Plan which provides guidance on the delivery of value for money highway maintenance services with the aim of providing a safer highway network, improved travelling conditions for all highway users, and ensuring greater care of the local environment.
- 2.4.3 There is also a continued emphasis on partnership working, with stakeholders including the Environment Agency, Thames Water, Sovereign Housing and Network Rail to ensure our limited funds stretch as far as possible

Housing

- 2.4.4 Housing also impacts on many areas of life – health, education, community safety, social care and care for the environment. High quality social housing is key to building communities which are inclusive and where people have a sense of belonging. The Council's capital programme supports the delivery of new affordable housing, the provision and refurbishment of temporary accommodation in support of the Council's statutory housing duties and the regeneration and improvement of private sector stock.
- 2.4.5 The Council's approach to affordable housing requires consideration of new and innovative ways of working in order to maximise the funding that is available and ensure delivery of new affordable housing. This includes:
- Seeking grant from the Homes & Communities Agency through their development programme via our Registered Provider (RP) partners.
 - Seeking on-site affordable housing provision through S106 Agreements with no public subsidy on above-threshold development sites.
 - Seeking commuted sums in lieu of on-site affordable housing provision on above-threshold development sites and utilising the monies to provide affordable housing on alternative sites.
 - Encouraging RP partners to fund development from their own reserves.
 - Using the Council's own land for development (an option that may have an impact upon the Council's ability to fund its Capital Programme).
- 2.4.6 Over recent years the Council has successfully focussed on the prevention of homelessness which reduces the need for temporary housing, but the Council still maintains a small supply of temporary accommodation to meet its statutory duty in this area. In addition, the Council provides assistance to support the improvement of private sector housing. The Council's view is that it is primarily the responsibility of private sector owners to maintain their own property, but it recognises that some owners, particularly the elderly and most vulnerable, do not have the necessary resources to repair or improve their homes.

Town Centre Visions

- 2.4.7 The capital programme also provides funds to help pump prime town centre redevelopment schemes. These schemes have the potential to contribute to the local economy and to improve the town centre environment and the income generating potential of Council owned land.

2.5 Health and Wellbeing - Parks, Open Spaces and Sporting and Cultural Facilities

- 2.5.1 The health and wellbeing of residents is considerably enhanced by access to good quality parks and open spaces and by opportunities to participate in sport, physical activity, performing and visual arts, and other leisure interests. In particular it is important to provide play and social opportunities for children and young people. Where children and young people can be attracted to make positive use of their leisure time it adds to their personal development but can also have an impact on levels of anti-social behaviour within communities.
- 2.5.2 A significant improvement to the Council's cultural facilities will be achieved with the help of a grant of approximately £1 million from the Heritage Lottery Fund to support for the restoration of the museum buildings in Newbury. By combining this grant with the Council funding which would be required to undertake the minimum level of maintenance to the building, it will be possible to develop a modern visitor attraction that enhances the town centre. Construction started in 2013 and is planned to be completed in the summer of 2014.
- 2.5.3 Capital investment will also be targeted at ensuring that the existing network of libraries, leisure centres, parks, recreation grounds and rights of way are accessible, safe to use and meet the reasonable expectations of users, in order to enhance the health and wellbeing of West Berkshire residents. In particular, a programme of investment in the structural maintenance and refurbishment of Leisure Centres will continue over the next five years in order to ensure that these facilities continue to provide a safe and enjoyable environment for service users. This investment is partly funded from savings in service revenue budgets from 2013 to 2018. After that period, a view will need to be taken whether to repeat a similar exercise in order to maintain the level of capital maintenance.
- 2.5.4 The quality of life of West Berkshire residents is also enhanced by access to the countryside, through the maintenance of country parks, rights of way and countryside conservation projects.
- 2.5.5 The Council will also work in partnership with other organisations including schools, links with Parish and Town Councils and voluntary organisations to enhance the provision of cultural facilities across the district.

2.6 Improving Education

- 2.6.1 The aim of the Council is to enable all children and young people to maximise their potential while intervening positively to ensure that the most vulnerable have an equal opportunity to succeed. The Council has a number of strategic service specific plans to support this aim through capital investment. These are the Education Asset Management Plan, the Primary Strategy for Change, the Secondary Strategy and the School Places Plan. These plans drive capital investment in schools and Early Years settings, with the following key strategic outcomes:
- i. the provision of suitable and sufficient school places across the district;
 - ii. the provision of buildings and grounds that meet all legislative requirements, are in good condition, and are safe and secure;
 - iii. the creation of flexible, adaptable and stimulating learning environments designed and equipped for 21st century learning;
 - iv. the provision of high quality sustainable ICT infrastructure to support learning, teaching and management, to improve engagement and raise pupil attainment, and promote community learning outside school hours;
 - v. schools to act as facilities and learning hubs for the communities they serve, including the provision of extended services;
 - vi. the provision of learning environments that are examples of the practical application of sustainable construction, improving value for money and driving further down the carbon footprint of schools;
 - vii. supporting the outcomes of the Small Schools Review;
 - viii. the continuing improvement in the accessibility of schools; and
 - ix. inclusion of pupils with SEN into mainstream education where appropriate.
- 2.6.2 Government funding for capital investment in Education Facilities by Local Authorities remains focussed on Basic Need and Maintenance. Basic Need funding “is to be used for the needs of all taxpayer funded schools in the area. Local authorities are responsible for ensuring sufficient school places in their area, and where planning for growth in numbers, all sectors should be considered in prioritising this funding. This includes schools in the voluntary aided sector, open academies and especially proposals for new free schools where they can address basic need pressures.”
- 2.6.3 The bulk of maintenance funding is currently allocated to local authorities, in order to support local prioritisation and larger capital maintenance projects with co-ordinated and more efficient procurement. The Council is therefore responsible for maintenance and health and safety work in all schools except academies, which receive maintenance funding directly from DfE. The Academy programme has the effect of reducing the capital maintenance allocations year on year, as more of the total national funding pot is diverted to the Academy Maintenance Programme.

- 2.6.4 The medium term scope of responsibility for the maintenance and development of school buildings is still somewhat uncertain. In December 2013 the government published a progress update on the Review of Education Capital undertaken in 2011. Within that document the government finally confirmed that the concept put forward in the review of a single, flexible funding pot, with strategic planning and spend managed at a local level by local authorities, was not accepted. However, the progress update goes on to say that there are alternative ways of achieving strategic planning to explore. The Property Team will therefore have to adapt and ensure it is appropriately resourced to deal with to any changes in responsibility.
- 2.6.5 The level of Council capital funds available for Education schemes in the later part of the programme is minimal. For the duration of the 5-year programme available resources are likely to be targeted only at basic need and urgent capital maintenance, with little or no funding available for modernisation of school buildings. However, with the recent basic need capital settlement with allocations for the first three years of the programme it does seem likely at present, given the current indications of growth in pupil numbers over the next three years, that there will be sufficient resources within the programme to fully meet these objectives.

2.7 Protecting the Environment

- 2.7.1 The Council's energy management strategy is targeted at measures which will help save energy and reduce carbon emissions and work is underway to ensure that energy saving features are incorporated into building projects wherever possible. In addition it is proposed, where possible, to use revenue savings achieved in energy costs to meet the capital financing costs of additional investment in energy saving and carbon reduction schemes in future years.
- 2.7.2 Care of the environment also includes the stewardship of the public open spaces and historically important buildings and ensuring access to the countryside. Planned investment of Council resources in these areas will be limited over the period of the strategy. However, every opportunity will be taken to attract external funding and additional resources through partnership arrangements (e.g. with the Berkshire and Oxfordshire Wildlife Trust – BBOWT), with a view to maintaining and improve these important community assets.

2.8 Putting People First

- 2.8.1 The Council has always seen better services to the public and modernisation of the Council as a key driver and e-government expenditure is critical to supporting these goals by enhancing and modernising the ICT infrastructure and tools to support -service delivery. The Capital Programme plays an important role primarily through investment in Information Communications Technology (ICT).

2.9 Capital Financing

2.9.1 The Council's capital programme is financed from the following main sources of funding:

- Government Grants
- Prudential borrowing
- Developer Contributions
- Capital Receipts

Government Grants

2.9.2 Wherever possible the Council aims to fund capital spending from grants in order to minimise the revenue impact of borrowing. The main government grants which support the proposed programme are set out in paragraphs 3.10-3.16 below.

Prudential Borrowing

2.9.3 The Prudential Framework places the emphasis on affordability. Local authorities may decide how much they can afford to borrow and the costs of this borrowing must be met from the revenue budget. In establishing its Prudential Framework the Council is required to look at the investment required to maintain its asset base fit for purpose and to prevent deterioration to the fabric of the assets it holds. This level of required investment must then be considered against the revenue impact of repaying the funds it borrows. (The basis of the affordable level of borrowing to support the programme is discussed in more detail in paragraphs 3.7-3.9 below).

Section 106 Developer Contributions

2.9.4 In November 2004 the Council adopted Supplementary Planning Guidance (SPG04/4) which enables it to obtain contributions towards capital schemes from developers through S106 agreements (also known as developers' contributions or planning obligations). The SPG was updated to a Supplementary Planning Document (SPD) in June 2013. The aim of the SPD is to ensure that the impact of new developments on Council infrastructure and services is met in full by the developer. The level of charge is based on the nature of the development, and its impact. S106 agreements specify the amounts which must be spent on particular Council services and in what geographical areas. In some cases a specific project is specified.

2.9.5 The Council maintains a database showing the details of the planning application, the application site, and proposals for development. The database also contains information on all S106 contributions agreed and received, and amounts allocated to and spent on specific projects and expenditure.

Community Infrastructure Levy

- 2.9.6 The S106 framework has now been affected by the introduction of the Community Infrastructure Levy (CIL) Regulations, which came into force on 6 April 2010. Further Amendment Regulations came into force in April 2011 and , April 2012, and April 2013, and further amendment regulations are due to come into force by the end of January 2014. The CIL enables local planning authorities to raise a standard levy on any new development in their area. The levy is to be used to fund improvements to the infrastructure of the Council area as a whole e.g. roads, schools, hospitals and parks.
- 2.9.7 CIL is intended to make it easier for developers to predict how much they will be asked to contribute; it should increase fairness by broadening the range of developments requiring a contribution; it allows the cumulative impact of small developments to be better addressed and enables important sub-regional infrastructure to be funded.
- 2.9.8 Local Authorities can choose whether or not to adopt CIL. However the new regulations which are about to come into effect will limit the use of S106 planning obligations with effect from April 2015 (previously April 2014), to the funding of affordable housing and the direct impact of specific developments, e.g. a new road junction for a new development.
- 2.9.9 It will therefore be necessary for West Berkshire Council to implement CIL in order to continue to receive funding from developers towards its capital programme. The Council has therefore been working on the adoption of a CIL for West Berkshire, with the current timetable allowing for adoption by 1st April 2014. A report setting out proposals for the adoption and implementation of CIL will be taken to a meeting of Full Council in March 2014. It should be noted that the level of funding from this source is likely to be lower than has been received through the S106 regime in recent years (approximately £5 million per year since 2004/05).

Capital Receipts

- 2.9.10 By maximising the capital receipts which are available to fund capital expenditure, the revenue cost of borrowing to fund the capital programme can be kept to a minimum. It is therefore important for the Asset Management group to monitor and review the use of the Council's assets, in particular land and buildings, to consider whether they continue to offer good value for money for operational purposes, or whether they should be considered for future development or for disposal.
- 2.9.11 If the decision is taken to offer an asset for sale, the Asset Management and Capital Strategy Groups will consider the potential use of the capital receipt before any recommendations are made to allocate receipts to fund any new capital schemes or the increases in costs to existing schemes.

2.10 Minimum Revenue Provision Statement

- 2.10.1 Statutory guidance on Local Authority capital spending requires the Council to set a policy for its Minimum Revenue Provision (MRP) for the repayment of debt to fund capital expenditure. The policy must be approved by Full Council each year. The guidance offers four options for calculation of MRP, of which West Berkshire applies Option 3, the Asset Life Method. This method is the equivalent of charging to revenue each year the full cost of interest and principle repayments on annuity loans which are taken out over the life of the asset to be funded.
- 2.10.2 This is achieved by undertaking any new prudential borrowing on an annuity basis with the length of loan linked to the life of the asset. We also make an annual provision for the future payment of the Council's outstanding maturity loans, which were all inherited from the former Berkshire County Council. This provision is equivalent to the annual repayments which would be made if these loans were refinanced on an annuity basis. The amount of revenue provision to fund the capital programme, allowed for in the MTFS, is arrived at on this basis.

3. FUNDING OF THE PROPOSED CAPITAL PROGRAMME 2012-2017

- 3.1 The size of the Capital Programme is determined by the amount which the Council can afford to borrow together with other sources of capital funding, including capital receipts, government grants and developers' contributions.
- 3.2 The draft Capital Programme for the five year period 2014/15 to 2018/19 is summarised in appendix 1. This shows the amounts proposed to be funded from Council funds (including prudential borrowing and capital receipts), Section 106/CIL contributions and other external funds (mainly government grants).

Estimated Capital Receipts Available to Fund the Capital Programme

- 3.3 The exact amount of capital receipts which will be available to help fund the capital programme will not be known until final decisions have been taken about the disposal of surplus assets and sale prices have been agreed. However, based on estimated value of the assets currently expected to be disposed of, we estimate that there will approximately £4 million capital receipts available to contribute towards the cost of the Council funded capital programme in the period 2014-2019.
- 3.4 It has been assumed that some or all of the proceeds of the following properties will be available to fund the overall capital programme:
- Taceham House
 - The Control Tower
 - Pound Lane Depot
 - Land adjacent to the Phoenix Centre
- 3.5 If capital receipts are used to offset the need to borrow over a long period e.g. 40 years, as for building improvements, there would be a greater total saving over the whole repayment period, than if they are used to offset borrowing over a shorter term. However using capital receipts to offset borrowing over a shorter period (e.g. five to ten years) will produce the highest level of saving in annual borrowing cost as a percentage of capital spend in the short term. In order to make capital spending plans affordable over the next five years, the strategy for financing the proposed capital programme therefore assumes that capital receipts will be used mainly to offset the need to borrow to fund assets with a useful life of five or ten years.
- 3.6 If the actual level of capital receipts is significantly lower than the amount assumed, e.g. if the Council decides to not to dispose of some assets which are currently earmarked for disposal, or not to sell them at their full market value, then the planned level of spending in the later years of the programme will have to be reviewed.

The Cost of Borrowing to Fund the Capital Programme

- 3.7 The annual increase in the revenue cost of borrowing, which would be required to fund the initially proposed five year capital programme, is shown in Table 1 (below):

Table 1 –Annual Cost of Borrowing to Fund Approved Level of Programme 2014-2019						
	2014/15 £000	2015/16 £000	2016/17 £000	2017/18 £000	2017/18 £000	5 year Total £000
Annual Increase in cost of borrowing	510	607	500	500	500	2,617

- 3.8 This differs from the assumptions in 2013-18 Capital Strategy, which anticipated an average annual increase in the cost of borrowing of £510,000 each year, or £2,550 over five years. This is because of the proposal to front fund approximately £1.2 million investment in highways in 2014/15 of which £270,000 is proposed to be funded by capital receipts, with the remaining £1 million to be met from savings in the Highways capital maintenance programme over 10 years.
- 3.9 These figures are based on the current level of PWLB interest rates. Rates are not now expected to increase significantly over the next two years, although rates do fluctuate slightly depending on the level of demand for government gilts. In mid January 2014, rates were slightly higher than was assumed when the 2013-2018 capital programme was approved e.g. 1.8% for annuity loans over five years and 4.3% over 40 years, as compared with 1.3% and 3.8% in January 2013. (These rates include the 0.2% “certainty” discount currently being offered to those local authorities, including West Berkshire, which have shared their medium term capital spending and borrowing plans with HM Treasury). However, in estimating future capital financing costs, it has been assumed that PWLB interest rates will increase by around 0.5% each year in 2016/17 and 2017/18 (i.e. by 1% in total).

External Funding – Government Grants

- 3.10 The externally funded element of the proposed programme set out in Appendix 1 mainly consists of government grants. The main elements of capital grant funding are for Highways, Education, Adult Social Care and Disabled Facilities Grants.

- 3.11 The Highways grant for integrated transport schemes and capital maintenance has already been confirmed for 2014/15 at £4,550,000. This figure includes the increase in the highways maintenance capital grant for 2014/15, which was announced in the 2012 Autumn Statement. The Highways maintenance capital grant for 2015/16 to 2018/19 is currently assumed to remain at the level originally allocated for 2014/15 of £3,126,000. £2,164,000 additional grant funding has also been awarded from the Department for Transport's Pinchpoint Fund in 2013/14 and 2014/15 for widening of the A4 at Calcot. The 2014/15 to 2016/17 programmes also include flood defence schemes which are expected to be funded by grant funding from the Department for Food and Rural Affairs (DEFRA) and transport grants from the Local Transport Body.
- 3.12 Community capacity grants (to promote and improve personalisation, reform and efficiency of adult social care) have been awarded from 2012/13 to 2014/15. The Disabled Facilities Grant for 2014/15 has also been confirmed at £661,000, a small increase (in line with inflation) on its 2013/14 level.
- 3.13 For Education, provisional allocations of basic need grant for 2014/15 to 2016/17 of £7.1 million and £7.5 million respectively have now been received. These allocations are significantly higher than for the 2012 to 2014 and are more in line with the increase in demand for primary school places from September 2012 onwards. Basic need grants from 2017/19 onwards are not yet known.
- 3.14 Bids were also submitted in the spring of 2013 for Targeted Basic Need Grant (for new primary school places) and the Demographic Growth Capital Fund (DGCF - for the expansion of sixth form facilities). These bids were successful in obtaining £2.4 million additional grant for specific schemes. £645,000 of the DGCF grant was awarded to Trinity School and will be paid directly to the school, so is not included in the Council capital programme. The balance of these grants not expected to be spent by the end of March 2013 is included the new programme, mainly in 2014/15.
- 3.15 A new capital grant of £366,000 has also been awarded in 2014/15 to help meet the capital costs of the requirement for universal free school meals for reception and key stage 1 pupils.
- 3.16 The Education capital maintenance grants for 2014/15 has been confirmed at £2.3 million. Maintenance grants from 2015/16 onwards have also been estimated £2.3 million per year.

Table 2: Actual and Estimated Capital Grant Allocations 2012/13 to 2016/17					
	2012/13 £000	2013/14 £000	2014/15 £000	2015/16 £000	2016/17 £000
Highways:				<i>Est.</i>	<i>Est.</i>
Integrated Transport Grant	784	784	1,103	1,103	1,103
Highways Capital Maintenance	3,420	3,918	3,447	3,126	3,126
Pinchpoint Fund	0	800	1,364	0	0
			<i>Est.</i>	<i>Est.</i>	<i>Est.</i>
DEFRA funding for flood defence	0	974	1,622	1,055	2,118
Local Transport Body	0	0	0	1,480	929
Total for Highways	4,204	6,476	7,536	6,764	7,276
Care Commissioning Housing and Safeguarding:				<i>Est.</i>	<i>Est.</i>
Disabled Facilities Grant	648	648	661	661	661
Adult Social Care:					
Community Capacity Grant	258	269	275	0	0
Education:					
Basic need	765	1,330	1,330	7,122	7,478
Universal Infant free school meals	0	0	366	0	0
Targeted Basic Need	0	121	1,935	0	0
Demographic Growth Capital Fund for Brookfields School	0	364	0	0	0
				<i>Est.</i>	<i>Est.</i>
Capital Maintenance	2,831	2,483	2,309	2,300	2,300
Total non devolved Education Grants	3,596	4,298	5,940	9,422	9,778

Section 106 Developers Contributions/Community Infrastructure Levy (CIL)

- 3.17 The proposed programme includes £7.6 million to be funded from section 106 developers' contributions and/or CIL for Education and Highways schemes. Most of the S106 contributions which are included in the funding for the proposed programme from 2013/14 to 2015/16 for Highways and Education have already been formally agreed with and/or received from developers.

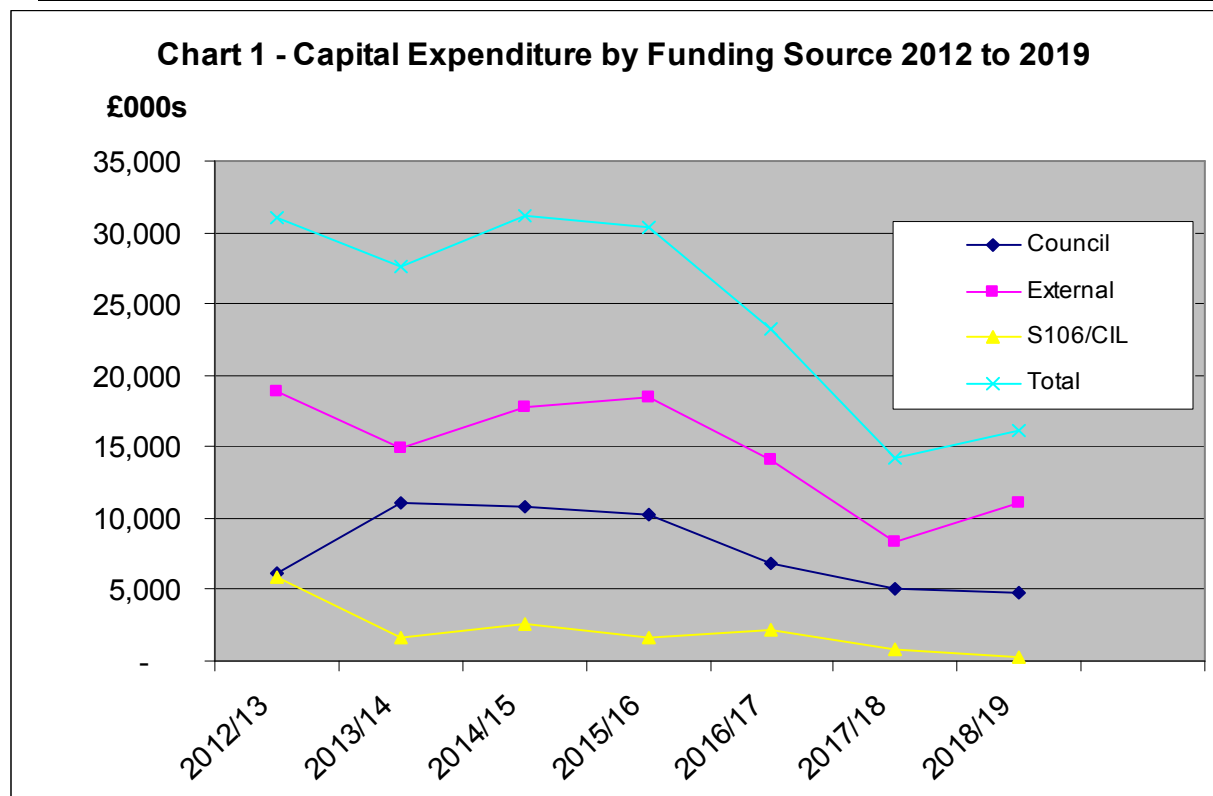
- 3.18 From April 2015, the current Section 106 framework will, to a large extent, be replaced by the Community Infrastructure Levy (CIL - see also paragraphs 2.9.6-2.9.9 above). The likely level of income from the CIL is not yet known and it is currently thought possible that the new framework may result in lower levels of capital contributions than the current S106 regime.

Total Forecast Capital Spending 2014 to 2019

- 3.19 Total planned capital expenditure for the five years of the capital programme for 2014 to 2019 (as shown in Appendix 1) is £115.2 million. This figure consists of £37.9 million from Council resources, £7.7 million from S106 contributions and/or CIL and £69.6 million from other external funding sources, mainly government grants. Annual expenditure for the period of the programme is summarised in table 3 and illustrated in chart 1 (below) in comparison with forecast expenditure for 2013/14 and actual expenditure in 2012/13.

Table 3: Capital Expenditure by Funding Source 2012 to 2019

	2012/13 Actual £000	2013/14 Planned £000	2014/15 Planned £000	2015/16 Planned £000	2016/17 Planned £000	2017/18 Planned £000	2018/19 Planned £000
Borrowing	4,410	9,134	10,471	6,617	6,865	5,071	4,785
Capital Receipts	1,781	1,741	350	3,700	0	0	0
Total Council Funds	6,191	11,060	10,821	10,317	6,865	5,071	4,785
External	18,847	14,855	17,797	18,414	14,120	8,291	11,021
S106/CIL	5,943	1,703	2,616	1,655	2,227	879	277
Total	30,981	27,433	31,234	30,386	23,212	14,241	16,083



4. CAPITAL PROGRAMME 2012/13 TO 2016/17

- 4.1 The proposed capital programme for 2014/15 to 2018/19 is summarised in Appendix 1 and Appendix 2 gives a more detailed breakdown of the programme. In both appendices the capital expenditure for each year is broken down into the elements which are funded from Council funding (mainly from borrowing), external funding sources (mainly government grants) and Section 106 developers' contributions.
- 4.2 The main elements of the proposed programme for each service grouping are also summarised below.

4.3 Resources

ICT

- 4.3.1 The currently proposed level of investment in Council ICT systems in the proposed programme for 2014 to 2019 is approximately £632,000 per year on average over five years, or £3,162,000 in total. This has been increased slightly from the level of the 2013 to 2018 programme (of £486,000 per year), by extending the time period over which some hardware is funded, and by making use of revenue savings as a result of capital investment wherever possible.
- 4.3.2 The ICT Programme Board has reviewed its priorities and identified a range of additional projects which are likely to be required to enable the most efficient running of the Council's systems and services for the next five years. The proposed programme provides sufficient funding for the most critical and urgent schemes and invest to save schemes, but there is still a shortfall of £1.2 million to fund all the important and strategic (priorities 3 and 2) items identified by ICT Strategy Board.
- 4.3.3 It should also be noted that the proposed ICT programme only allows for maintenance and improvement of systems which support the Council's existing services and ways of working. It does not allow for any significant transformation of Council services to achieve major service improvements or efficiency savings e.g. through the development of more web-enabled service delivery. Any future plans for transformation of Council Services will therefore need to take into account the additional cost of ICT based solutions which will be necessary to implement the changes.
- 4.3.4 The ICT Programme Board will continue to review its priorities in the context of a longer term ICT strategy and will work in conjunction with the Capital Strategy Group over the coming year to propose ways in which the most important projects can be funded from within available resources.
- 4.3.5 The programme also includes £700,000 for the Superfast Broadband project (listed under Corporate Projects in appendices 1 and 2).

Members Bids and Community Planning

4.3.6 The capital programme for the resources directorate also includes £78,000 per year on average for the members bids programme, managed with the Finance Service. The Strategic Support programme consists of £97,000 per year on average to support community oriented projects including the implementation of Parish Plans, improvements to rural services, the shopmobility scheme in Newbury and the development visions for Newbury and the east of the district.

4.4 Environment

Highways

4.4.1 The largest element of the Environment programme consists of Highways and Transport improvements. The 2014/15 Highways Capital Programme is funded at approximately £11.7 million comprising the following sources:

- Council funded capital - £2.2 million (this includes £1.2 million additional funding for lifecycle investment in the A4);
- LTP (DfT) Grant funding - £4.6 million (including £300k – 2nd year of the 2012 Autumn Statement funding);
- Defra Grant in Aid Flood Defence funding - £1.6 million (subject to successful bids);
- A4 Calcot Pinch Point funding - £1.4 million;
- S106 developer contributions - £2.0 million.

4.4.2 In line with Central Government guidance the main focus of the programme centres on maintenance of the highways infrastructure. £2.2 million of Council funding and £3.5 million of the DfT grant funding is to be spent on Maintenance. Of this approximately 85% will be spent on surface and structural reconditioning, with the remaining funds spent maintaining other key highway assets (structures, drainage, traffic signals, street lighting upgrades, signs and road markings etc).

4.4.3 A number of key Transport Improvements will be funded from S106 developer contributions and from the £1m Integrated Transport element of the DfT Grant. These include a continuation of the roll-out of Real Time Passenger Information at bus stops, on street parking and demand management improvements in Newbury along with other essential themes including network management improvements, road safety, and public transport, walking and cycling improvements.

- 4.4.4 2014/15 will see further progress in delivering flood alleviation measures across the District. 2013/14 will see the successful delivery of a number of key flood defence schemes including the Newbury Flood Alleviation Scheme, the Cold Ash retention pond phase 1 and property level protection to 40 residences in Oak End Way, Padworth. Building upon this success the service is looking to secure funding to deliver Tull Way and Cold Ash Phase 2 retention ponds as part of the Thatcham Surface Water Management Plan, Boxford Flood Alleviation Scheme and Lambourn Surface Water Management Plan, along with funding for a number of studies across the District.

Planning and Countryside

- 4.4.5 The Planning and Countryside programme consists of an average of £122,000 per year investment in the maintenance and improvement of rights of way, public conveniences and children's play areas.

Culture and Environmental Protection

- 4.4.6 The programme for Culture and Environmental Protection includes £200,000 to complete the restoration and redevelopment of the Newbury Museum. Over the five year period of the programme, £50,000 per year of Council funding is also planned to be invested in the ongoing maintenance of Shaw House (in line with the conditions of Heritage Lottery Funding for the building) and an average of £164,000 per year on maintenance and modernisation of Leisure Centres. The current programme does not allow for the completion of the permanent car park for Shaw House at an estimated cost of £220,000.
- 4.4.7 The programme also includes £234,000 for improvements to the energy efficiency and carbon footprint of Council Buildings. This is funded through revenue savings achieved through energy efficiency schemes which have been implemented in the last three years.

4.5 Communities

Education

- 4.5.1 Capital investment within the Education programme remains predominantly focussed on delivering suitable and sufficient places to meet primary basic need pressures, urgent capital maintenance and health and safety needs across the school estate. In the first three years of the programme this accounts for approximately 80% of the capital investment in schools.

- 4.5.2 Numbers of pupils coming into reception classes remains consistently high across West Berkshire, with further significant increases forecast for Newbury and Hungerford. This will continue to place significant pressure on the 2014/15 programme and beyond, in order for the Council to meet its statutory obligation to provide a school place for every eligible child in West Berkshire who wants one. The aim of the proposed programme is to deliver of sufficient pupil places to meet the forecast growth in demand up to academic year 2017/18. However it is expected that schools will be running at close to 100% capacity by 2017/18.
- 4.5.3 Newbury is forecast to see the most significant levels of primary basic need over the next 5 years. Work is underway to develop solutions to meet this basic need pressure and £7.7m has been allocated from the 2-year 2015/16 and 2016/17 basic need allocation to deliver an additional 420 places. The ongoing and regular review of forecast data will provide increasing clarity on any medium to long term pressures in Newbury.
- 4.5.4 Levels of urgent capital maintenance need do not appear to be reducing. The programme has been running for some time on an annual capital investment of approximately £2.3m per year. It is anticipated that this level will need to continue for the duration of the current programme. The proposed programme is based on the assumption that government grant for capital maintenance will also remain at this level.
- 4.5.5 A significant project in the programme that supports both primary basic need and improved education outcomes is the proposed capital investment in John O'Gaunt school. This project will deliver additional primary places for Hungerford and also provide capital investment in the current building stock at the school to address condition and suitability issues.
- 4.5.6 Towards the latter part of the programme there is pre-project preparation and design work to address the secondary basic need pressures, which are likely to be a significant feature of the latter stages of the current and future programmes.

Corporate Buildings

- 4.5.7 The Corporate Buildings programme consists of approximately £950,000 per year for essential maintenance of other Council buildings, including and fire safety measures, plus approximately £709,000 per year for the salary cost of staff delivering building related programmes for all services (including the Education programme). This level of investment is expected to be able to meet the Council's highest priorities for building maintenance and safety over the next seven years.,

Children's and Youth Services

- 4.5.8 The programme for Children's and Youth Services allow for £20,000 per year for adaptations to the homes of foster carers to facilitate care of looked after children.

Adult Social Care

- 4.5.9 The adult social care programme for 2014/15 includes £238,000 from Community Capacity Grant awarded by the Department of Health mainly in 2011/12 to improve the personalisation and efficiency of the service. These schemes, which include Telecare, pre-payment cards and aids and adaptations pre-payment client self-assessment and supported living are part of a three year efficiency programme started in 2012/13. A further £780,000 Community Capacity Grant is available from the 2012/13, 2013/14 and 2014/15 allocations. The Adult Social Care Efficiency Board is in the process of developing new capital projects to utilise these monies and the first of the resulting schemes are likely to commence in the second half of 2014/15.
- 4.5.10 The programme also provides £85,000 per year for occupational health equipment.

Care Commissioning, Safeguarding and Housing

- 4.5.11 Approximately £1.4 million per year is provided for home repairs and adaptations to help elderly and disabled people maintain independent living in their own homes. This is needed to fund the mandatory Disabled Facilities Grant (DFG) programme and includes approximately £650,000 per year from government grant with the remainder matched from Council resources.
- 4.5.12 The programme also provides for grants to help older, disabled and other vulnerable people on low incomes maintain their homes in a fit state, which are administered by an external consortium. It also includes funding to maintain the Council's temporary accommodation units fit for purpose.
- 4.5.13 In addition, in 2014/15 and 2015/16 it is proposed to invest £990,000 in a development of 73 affordable housing units by Thames Valley Housing Calcot. This scheme is to be funded from capital receipts and S106 funds for affordable housing.

4.6 Capital Salaries

- 4.6.1 The programmes for Education, Corporate Buildings and Highways include a significant element for the cost of staff required to deliver the capital programme. The Countryside and Housing Programme each also allow for the cost of one post to help manage the programme. The total estimated cost of capital funded salaries in 2014/15 is £1.4 million.

- 4.6.2 Staffing levels required to deliver the capital programme are reviewed annually to take account of the size of the programme. For example, following a review of the structure of the Property Services team, the cost of property capital salaries is expected to be £93,000 lower in 2014/15 than in 2013/14 to take account of the decreasing level of capital building schemes going forward. The level of capital funded salaries, particularly for Education and Highways will continue to be reviewed over the next five years, with a view to achieving further savings where possible, while maintaining an appropriate level of resource to deliver the agreed programme.

West Berkshire Capital Programme: 2014/15 to 2018/19

	2014/2015				2015/2016				2016/2017				2017/2018				2018/19				TOTAL - All Years			
	Council	External	s.106/ CIL	Total	Council	External	s.106/ CIL	Total	Council	External	s.106/ CIL	Total	Council	External	s.106/ CIL	Total	Council	External	s.106/ CIL	Total	Council	External	s.106/ CIL	Total
Chief Executive																								
ICT	698,000	-	-	698,000	624,000	-	-	624,000	570,000	-	-	570,000	815,000	-	-	815,000	455,000	-	-	455,000	3,162,000	-	-	3,162,000
Finance	80,000	-	-	80,000	80,000	-	-	80,000	80,000	-	-	80,000	80,000	-	-	80,000	70,000	-	-	70,000	390,000	-	-	390,000
Strategic Support	117,450	-	-	117,450	106,000	-	-	106,000	106,000	-	-	106,000	106,000	-	-	106,000	94,000	-	-	94,000	529,450	-	-	529,450
Total Chief Executive	895,450	-	-	895,450	810,000	-	-	810,000	756,000	-	-	756,000	1,001,000	-	-	1,001,000	619,000	-	-	619,000	4,081,450	-	-	4,081,450
Environment																								
Highways & Transport	2,207,098	7,536,000	1,964,520	11,707,618	1,040,968	6,764,000	1,078,352	8,883,320	1,031,968	7,276,500	454,668	8,763,136	1,028,968	4,159,000	270,260	5,458,228	1,197,968	4,159,000	276,910	5,633,878	6,506,970	29,894,500	4,044,710	40,446,180
Planning & Countryside	125,000	-	-	125,000	125,000	-	-	125,000	125,000	-	-	125,000	125,000	-	-	125,000	118,149	-	-	118,149	618,149	-	-	618,149
Cultural Services	570,477	122,585	-	693,062	212,712	-	-	212,712	178,853	-	-	178,853	259,405	-	-	259,405	259,405	-	-	259,405	1,480,852	122,585	-	1,603,437
Total Environment	2,902,575	7,658,585	1,964,520	12,525,680	1,378,680	6,764,000	1,078,352	9,221,032	1,335,821	7,276,500	454,668	9,066,989	1,413,373	4,159,000	270,260	5,842,633	1,575,522	4,159,000	276,910	6,011,432	8,605,971	30,017,085	4,044,710	42,667,766
Communities																								
Education	4,790,496	9,239,662	651,265	14,681,423	4,469,643	10,208,629	437,062	15,115,334	2,507,763	6,182,460	1,772,224	10,462,447	383,685	3,470,909	609,160	4,463,754	310,255	6,200,570	-	6,510,825	12,461,842	35,302,230	3,469,711	51,233,783
Corporate Buildings	1,159,000	-	-	1,159,000	1,335,650	-	-	1,335,650	1,342,878	-	-	1,342,878	1,350,038	-	-	1,350,038	1,357,341	-	-	1,357,341	6,544,907	-	-	6,544,907
Children's & Youth Services	20,000	-	-	20,000	20,000	-	-	20,000	20,000	-	-	20,000	20,000	-	-	20,000	20,000	-	-	20,000	100,000	-	-	100,000
Adult Social Care	85,500	237,821	-	323,321	85,500	780,420	-	865,920	85,500	-	-	85,500	85,500	-	-	85,500	85,500	-	-	85,500	427,500	1,018,241	-	1,445,741
Commissioning, Housing & Safeguarding	792,500	661,000	-	1,453,500	1,642,500	661,000	140,000	2,443,500	792,500	661,000	-	1,453,500	792,500	661,000	-	1,453,500	792,500	661,000	-	1,453,500	4,812,500	3,305,000	140,000	8,257,500
Total Communities	6,847,496	10,138,483	651,265	17,637,244	7,553,293	11,650,049	577,062	19,780,404	4,748,641	6,843,460	1,772,224	13,364,325	2,631,723	4,131,909	609,160	7,372,792	2,565,596	6,861,570	-	9,427,166	24,346,749	39,625,471	3,609,711	67,581,931
Corporate Schemes	175,000	-	-	175,000	575,000	-	-	575,000	25,000	-	-	25,000	25,000	-	-	25,000	25,000	-	-	25,000	825,000	-	-	825,000
Total	10,820,521	17,797,068	2,615,785	31,233,374	10,316,973	18,414,049	1,655,414	30,386,436	6,865,462	14,119,960	2,226,892	23,212,314	5,071,096	8,290,909	879,420	14,241,425	4,785,118	11,020,570	276,910	16,082,598	37,859,170	69,642,556	7,654,421	115,156,147

Prior ity	Cost Centre	Project Title	Description of Project	2014/15				2015/16				2016/17				2017/18				2018/19				All Years			
				Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External	Dev Contr (s.106) Funds	Total				
	ICT																										
5	New	Server Windows Licensing	Upgrade Windows Server Licences to 2008 R2 (Costs are largely resource to do the work!) Then start on Server 2012 upgrades in 2017/18.	75,000			75,000	40,000			40,000	20,000			20,000	50,000			50,000			0	185,000	0	0	185,000	
5	New	BACs / Cheques System	Replacement of the existing system which goes end of life in June 2014.	12,000			12,000				0				0				0			0	12,000	0	0	12,000	
4	87110	Corp It Replacement	Re-provision of WBC ICT systems and equipment on an ongoing basis spikes to provide major rebuilds of servers etc.	360,000			360,000	360,000			360,000	360,000			360,000	360,000			360,000			360,000	1,800,000	0	0	1,800,000	
4	87277	Application Firewall replacement	Refresh of Application Firewall system which will be nearing end of life	0			0				0				0				0			0	0	0	0	0	
4	87282	PSN Accreditation Maintenance	Essential security enhancement to maintain compliance with Government Connect requirements.	10,000			10,000	10,000			10,000	10,000			10,000	10,000			10,000			10,000	50,000	0	0	50,000	
4	New	GIS Infrastructure	Funding for the maintenance and development of the Council's GIS infrastructure whern the current balance sheet fund has been depleted.	40,000			40,000	40,000			40,000	40,000			40,000	40,000			40,000			40,000	200,000	0	0	200,000	
4	New	Citrix AppV & PVS Upgrade	Upgrade Citrix AppV/PVS Infrastructure				0				0				0	75,000			75,000			0	75,000	0	0	75,000	
4	New	Citrix Desktop Compatibility	Upgrade Citrix Desktop to Windows 7				0				0				0				0			0	0	0	0	0	
4	New	Citrix Infrastructure Upgrade - Access Gateways	Replace / Renew Netcare Access Gateways				0	0			0	75,000			75,000	0			0	40,000			40,000	115,000	0	0	115,000
4	New	Procenter Upgrade and VOIP Integration	Hardware/software upgrade. To include remote agent working (virtual contact centre)				0				0				0				0			0	0	0	0	0	
4	New	Upgrade Backup Infrastructure	Upgrade / Replace Backup associated hardware	50,000			50,000	5,000			5,000	5,000			5,000	5,000			5,000			5,000	70,000	0	0	70,000	
4	New	VPN Firewall Replacements	Replace Juniper VPN Firewall concentrators				0	75,000			75,000	0			0				0			0	75,000	0	0	75,000	
4	New	Replacement ICT Helpdesk System	Current version out of date and unsupported. New system could improve efficiency of department	0			0	0			0	0			0	0			0	0		0	0	0	0	0	
4	New	Perimeter Firewalls	Replacement of current perimeter firewalls which will be unsupported from Q2 2016				0				0	60,000			60,000				0			0	60,000	0	0	60,000	
4	New	Corporate SAN	Existing Hitachi SAN is now end of product life. Risk of 'end of support' from 2016? Need to expand fast storage soon to accommodate new Database configuration and EV requirements	40,000			40,000				0				0	275,000			275,000			0	315,000	0	0	315,000	
Invest to save		Franking Mavhine Purchase - Invest to Save	Purchase Franking Machine instead of leasing	0			0	15,000			15,000				0				0			0	15,000	0	0	15,000	
Invest to save		Procurement of corporate MFDs	Procurement of new corporate MFDs with inbuilt card readers which will release the current revenue line item for Rental saving approx £90k p.a.	111,000			111,000	79,000			79,000				0				0			0	190,000	0	0	190,000	
				698,000	0	0	698,000	624,000	0	0	624,000	570,000	0	0	570,000	815,000	0	0	815,000	455,000	0	0	455,000	3,162,000	0	0	3,162,000
Finance																											
	87610	Member Bids		80,000			80,000	80,000			80,000	80,000			80,000	80,000			80,000	70,000			70,000	390,000	0	0	390,000
				80,000	0	0	80,000	80,000	0	0	80,000	80,000	0	0	80,000	80,000	0	0	80,000	70,000	0	0	70,000	390,000	0	0	390,000
Strategic Support																											
	87072	Shop Mobility	Provides electric wheelchairs for use by people with mobility problems visiting Newbury town centre	6,000			6,000	6,000			6,000	6,000			6,000	6,000			6,000	6,000			6,000	30,000	0	0	30,000
	87750	LRIE	Regeneration of London Road Industrial Estate	40,700			40,700				0				0				0			0	40,700	0	0	40,700	
	87751	Market Street	Redevelopment of Market Street (Grainger) Self Financing				0				0				0				0			0	0	0	0	0	
	87752	The Wharf	Redevelopment of Wharf Area	5,750			5,750				0				0				0			0	5,750	0	0	5,750	
	87621	Newbury Vision	To support the rdevelopment of Newbury Town Centre	0			0	35,000			35,000	35,000			35,000	35,000			35,000	35,000			35,000	140,000	0	0	140,000
	87621	East of Area vision	To support the rdevelopment of the east of West Berkshire	10,000			10,000	10,000			10,000	10,000			10,000	10,000			10,000	10,000			10,000	50,000	0	0	50,000
	New	Community Planning	Matched funding to support local community schemes	55,000			55,000	55,000			55,000	55,000			55,000	55,000			55,000	43,000			43,000	263,000	0	0	263,000
				117,450	0	0	117,450	106,000	0	0	106,000	106,000	0	0	106,000	106,000	0	0	106,000	94,000	0	0	94,000	529,450	0	0	529,450
Highways & Transport																											
	CAPITALISED MAINTENANCE																										
		Patching	Annual Programme	632,256	13,170	0	645,426	632,256	17,502	0	649,758	632,256	9,022	0	641,278	632,256	9,022	0	641,278	553,756	9,022	0	562,778	3,082,780	57,738	0	3,140,518

Prior ity	Cost Centre	Project Title	Description of Project	2014/15				2015/16				2016/17				2017/18				2018/19				All Years					
				Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External	Dev Contr (s.106) Funds	Total						
		Surface Treatment	Annual Programme	800,712	60,000		860,712	800,712	60,000		860,712	800,712	60,000		860,712	800,712	60,000		860,712	722,212	60,000		782,212	3,925,060	300,000	0	4,225,060		
		Savings to pay for post snow repairs		-348,000			-348,000	-348,000			-348,000	-348,000			-348,000	-348,000			-348,000				0	-1,392,000	0	0	0	-1,392,000	
		Lifecylce investment in A4		1,160,130			1,160,130				0				0					0				0	1,160,130	0	0	0	1,160,130
		Savings to pay for lifecycle investment in A4	Annual Programme	-38,000			-38,000	-44,000	0		-44,000	-53,000			-53,000	-56,000			-56,000	-78,000				-78,000	-269,000	0	0	-269,000	
		HIGHWAYS IMPROVEMENTS																											
		Highway Maintenance																											
		2014/15 Schemes	Annual Programme		2,225,590		2,225,590		0		0				0					0		0		2,225,590	0	0	2,225,590		
		Autumn Statement	Additional Maintenance Funding		321,000		321,000				0				0					0		0		321,000	0	0	321,000		
		2015/16 Schemes	Annual Programme				0		2,243,650		2,243,650				0					0		0		2,243,650	0	0	2,243,650		
		2016/17 Schemes	Annual Programme				0			0	0		2,201,926	0	2,201,926					0		0		2,201,926	0	0	2,201,926		
		2017/18 Schemes	Annual Programme				0				0				0		2,210,948	0	2,210,948		0	0	0	0	2,210,948	0	0	2,210,948	
		2018/19 Schemes	Annual Programme															2,210,948		2,210,948		0	2,210,948	0	0	2,210,948			
		Bridge Works																											
		Boundary Road Bridge Widening				280,000	280,000																0	0	280,000	280,000			
		Essential Maintenance			350,000		350,000		400,000		400,000		400,000		400,000		400,000		400,000		400,000		400,000	0	1,950,000	0	0	1,950,000	
		Preventative Maintenance			100,000		100,000		100,000		100,000		100,000		100,000		100,000		100,000		100,000		100,000	0	500,000	0	0	500,000	
		Land Drainage and Flooding																											
		Land Drainage Works	Annual Programme		200,000		200,000		200,000		200,000		200,000		200,000		200,000		200,000		200,000		200,000	0	1,000,000	0	0	1,000,000	
							0				0				0					0		0		0	0	0	0	0	
		Drainage and Flood Defence 2014/15					0				0				0					0		0		0	0	0	0	0	
		Thornford Road to Ford	Drainage repairs		55,000		55,000				0				0					0		0		55,000	0	0	55,000		
		Brightwalton Halt	SW drainage replacement		75,000		75,000				0				0					0		0		75,000	0	0	75,000		
		2015/16					0				0				0					0		0		0	0	0	0	0	
		B4009 Aldworth	SW drainage replacement				0		55,000		55,000		55,000		0					0		0		55,000	0	0	55,000		
		Leckhamstead	Shop Lane SW drainage				0		75,000		75,000				0					0		0		75,000	0	0	75,000		
		2016/17					0				0		150,000		150,000					0		0		150,000	0	0	150,000		
		2017/18					0				0				0		150,000		150,000		150,000		150,000	0	300,000	0	0	300,000	
		EA Funded Projects																											
		Thatcham Surface Water Management Plan																											
		Cold Ash Hill Retention Pond phase 1	Subject to DEFRA funding		30,000		30,000				0				0					0		0		30,000	0	0	30,000		
		Cold Ash Hill Retention Pond phase 2			680,000																		0	680,000	0	0	680,000		
		Tull Way Retention Pond			500,000				25,000														0	525,000	0	0	525,000		
		Dunstan Park Flood Alleviation	Subject to DEFRA funding		25,000		25,000		800,000		800,000				0					0		0		825,000	0	0	825,000		
		Dunstan Green Flood Alleviation	Subject to DEFRA funding		50,000				20,000				1,650,000		1,650,000								0	1,720,000	0	0	1,720,000		
		Local Flood Risk Management Strategy Schemes																											
		Boxford FAS	Subject to DEFRA funding		68,000		68,000		5,000		5,000		467,500		467,500								0	540,500	0	0	540,500		
		Stratfield Mortimer Flood Alleviation Study	Subject to DEFRA funding		30,000		30,000		0		0				0					0		0		30,000	0	0	30,000		
		Woolhampton Surface Water Mngmt	Subject to DEFRA funding		40,000		40,000		0		0				0					0		0		40,000	0	0	40,000		
		Waller Drive Flood Alleviation Study	Subject to DEFRA funding		14,000		14,000		155,000		155,000				0					0		0		169,000	0	0	169,000		
		Lambourn SWMP	Subject to DEFRA funding		120,000		120,000				0				0					0		0		120,000	0	0	120,000		
		Grazeley Green	Subject to DEFRA funding		10,000		10,000		50,000		50,000				0					0		0		60,000	0	0	60,000		
		Community Safety																											
		Street Lighting																											
		Replacement of high energy lanterns with energy efficient LED's.	New & Replacement lighting		100,000		100,000		100,000		100,000		100,000		100,000		100,000		100,000		100,000		100,000	0	500,000	0	0	500,000	
		Upgrading Parking Equipment	Parking equipment		190,000		190,000				0				0					0		0		190,000	0	0	190,000		
		On Street Parking Charging	Parking equipment			50,000	50,000				0				0					0		0		0	50,000	0	0	50,000	
		School Safety Improvements	Annual Programme		75,000		75,000		75,000		75,000		75,000		75,000		75,000		75,000		75,000		75,000	0	375,000	0	0	375,000	
		Footways																											

Prior ity	Cost Centre	Project Title	Description of Project	2014/15				2015/16				2016/17				2017/18				2018/19				All Years								
				Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External	Dev Contr (s.106) Funds	Total					
Department of Transport		Improved Footways	Annual Programme		50,000		50,000		70,000		70,000		70,000		70,000		70,000		70,000		70,000		70,000		0	330,000	0	330,000				
		A340 Aldermaston Rail approach widening	Annual Programme			100,000	100,000				0				0					0				0		0	0	100,000	100,000			
		Paices Hill footway investigation	S106 funded			20,000	20,000				0				0					0				0		0	0	20,000	20,000			
		Cycleways																														
		New / Improved Cycleways	Annual Programme		50,000		50,000		70,000		70,000		70,000		70,000		70,000		70,000		70,000		70,000		70,000		0	330,000	0	330,000		
		Hermitage to Hampstead Norreys	Potentially grant funded foot/cycle link			50,000	50,000					0				0					0				0		0	0	50,000	50,000		
		Works Arising from Studies																														
		Newbury Movement																														
		St Johns Roundabout (assessment)	Air quality & traffic assessment			500,000	500,000				500,000	500,000				0					0				0		0	0	1,000,000	1,000,000		
		East of Newbury Study works	Works arising from study group			100,000	100,000					0				0					0				0		0	0	100,000	100,000		
		Parish S106 Improvements																														
		Hungerford S106 investigations	S106 investigation/studies			10,000	10,000				40,000	40,000				0					0				0		0	0	50,000	50,000		
		Thatcham Town Centre Improvements	S106 investigation/studies			20,000	20,000					0				0					0				0		0	0	20,000	20,000		
		Safety and Accident Reduction Works																														
		Accident Reduction Works	Annual programme			50,000		50,000		75,000		75,000		75,000		75,000		75,000		75,000		75,000		75,000		75,000		0	350,000	0	350,000	
		Speed Limit Reviews	Annual programme			20,000		20,000		30,000		30,000		30,000		30,000		30,000		30,000		30,000		30,000		30,000		0	140,000	0	140,000	
		Network Signing	Annual programme			20,000		20,000		30,000		30,000		30,000		30,000		30,000		30,000		30,000		30,000		30,000		0	140,000	0	140,000	
		Traffic Signal Upgrades	Annual programme			25,000	25,000	50,000		50,000		50,000		50,000		50,000		50,000		50,000		50,000		50,000		50,000		0	225,000	25,000	250,000	
		Network Management Improvements																														
		Kings Road Link, Newbury.	Design, assessment and construction.			0	50,000	50,000		1,500,000	250,000	1,750,000		1,000,000	200,000	1,200,000					0				0		0	0	2,500,000	500,000	3,000,000	
		A4 Calcot Widening	Pinchpoint funding from DfT			1,364,000	385,000	1,749,000		50,000		50,000				0					0				0		0	0	1,414,000	385,000	1,799,000	
		Falcon Gyratory MOVA investigation	S106 Boundary Hall				20,000	20,000				0														0		0	0	20,000	20,000	
		Thatcham signals comms and Mova upgrade	S106 funded				30,000	30,000				0														0		0	0	30,000	30,000	
		Network Rail Access for all Programme																														
		Midgham	Partnership work with First Great Western				10,000	10,000				0				0					0				0		0	0	0	10,000	10,000	
		Travel Plans																														
		Travel Plans (Transport Planning)	Annual programme			10,000	5,000	15,000		10,000	5,000	15,000		10,000	5,000	15,000		10,000	5,000	15,000		10,000	5,000	15,000		10,000	5,000	15,000	0	50,000	25,000	75,000
		Assessment and Evaluations																														
		Future Project Assessment & Evaluations	Assessment and feasibility of works to support bids for grant, S106, CIL, LDF and LTP3.			50,000		50,000		50,000		50,000		50,000		50,000		50,000		50,000		50,000		50,000		50,000		0	250,000	0	250,000	
								0				0				0					0				0		0		0	0	0	
		Public Transport						0				0				0					0				0		0		0	0	0	
		Public Transport Infrastructure	RTPI + Infrastructure			0	70,000	70,000		0	70,000	70,000		0	70,000	70,000		0	70,000	70,000		0	70,000	70,000		0	0	0	0	350,000	350,000	
	Newbury Thatcham RTPI	RTPI + Infrastructure				35,000	35,000				0				0					0				0		0	0	0	35,000	35,000		
	Tilehurst & Purley RTPI	RTPI + Infrastructure					0			10,000	10,000				0					0				0		0	0	0	10,000	10,000		
							0				0				0					0				0		0						
	Salaries						0				0				0					0				0		0						
	Highways & Transport	Annual Salaries for Projects Team - part funded by s.106			440,240	204,520	644,760		447,848	203,352	651,200		478,052	179,668	657,720		469,030	195,260	664,290		469,030	201,910	670,940		0	2,304,200	984,710	3,288,910				
							0				0				0					0				0		0	0	0	0	0		
				2,207,098	7,536,000	1,964,520	10,477,618	1,040,968	6,764,000	1,078,352	8,838,320	1,031,968	7,276,500	454,668	8,763,136	1,028,968	4,159,000	270,260	5,458,228	1,197,968	4,159,000	276,910	5,633,878	6,506,970	29,894,500	4,044,710	40,446,180					

Planning & Countryside																												
	81220	The Ridgeway National Trail	To maintain the trail at the standard required by Natural England	9,200				9,200				9,200				9,200				10,000				10,000	46,800	0	0	46,800
	81240	Walking the way to health	Improve the health of West Berkshire residents through regular exercise by walking. Increased bid to provide for project management.	6,000				6,000				6,000				6,000				6,500				6,500	30,500	0	0	30,500
	81150	Recreational walking routes	To improve selected pedestrian rights of way in order to increase their recreational value	14,000				14,000				14,000				14,000				14,740				14,740	70,740	0	0	70,740

Detailed Capital Programme 2014/15 to 2018/19																								Appendix 2					
Prior ity	Cost Centre	Project Title	Description of Project	2014/15				2015/16				2016/17				2017/18				2018/19				All Years					
				Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External	Dev Contr (s.106) Funds	Total		
	81241	Rights of way volunteer scheme	To undertake rights of way maintenance work by the use of volunteers	2,500			2,500	2,500			2,500	2,500			2,500	2,500	2,500			2,500	2,500			2,500	12,500	0	0	12,500	
	81242	Improvements to pedestrian routes	Improve the condition of pedestrian routes	9,000			9,000	9,000			9,000	9,000			9,000	9,000	9,000			9,800	9,800			9,800	45,800	0	0	45,800	
	81243	Disabled access to the countryside	Improve selected rights of way in order to increase their usability and recreational value for less able users.	6,830			6,830	6,830			6,830	6,830			6,830	6,830	6,830			7,500	7,500			7,500	34,820	0	0	34,820	
	81244	Bridleway/cycling improvements	To improve selected rideable and cycleable rights of way in order to increase their recreational and/or utilitarian value	9,150			9,150	9,150			9,150	9,150			9,150	9,150	9,150			10,000	10,000			10,000	46,600	0	0	46,600	
	81246	Recreational cycle routes	To improve selected cycleable rights of way in order to increase their recreational and/or utilitarian value.	14,000			14,000	14,000			14,000	14,000			14,000	14,000	14,000			1,000	1,000			1,000	57,000	0	0	57,000	
	81247	Rural signing	Maintenance & improvement of direction signage on rural rights of way	9,100			9,100	9,100			9,100	9,100			9,100	9,100	9,100			9,950	9,950			9,950	46,350	0	0	46,350	
	81249	Countryside Capital salaries	To manage the capital projects the Countryside Service is responsible for under the Local Transport Plan	23,340			23,340	23,340			23,340	23,340			23,340	23,340	23,340			24,279	24,279			24,279	117,639	0	0	117,639	
	83059	Repairs to Public Conveniences	Upgrade and major repair of all public convenience facilities in order to ensure they are safe and in good condition	6,880			6,880	6,880			6,880	6,880			6,880	6,880	6,880			6,880	6,880			6,880	34,400	0	0	34,400	
	85116	Playground Improvement	To refurbish existing children's' play areas that are now reaching the end of their recommended life span to ensure their compliance with relevant modern safety standards	15,000			15,000	15,000			15,000	15,000			15,000	15,000	15,000			15,000	15,000			15,000	75,000	0	0	75,000	
				125,000	0	0	125,000	125,000	0	0	125,000	125,000	0	0	125,000	125,000	125,000	0	0	0	0	118,149	0	0	118,149	618,149	0	0	618,149
Culture and Environmental Protection																													
	85134	Shawhouse Mansion Mtce	Maintenance Programme as advised by Consultants and under terms of HLF grant (25 year duration)	50,000			50,000	50,000			50,000	50,000			50,000	50,000	50,000			50,000	50,000			50,000	250,000	0	0	250,000	
	85143	Museum Redevelopment	To redevelop the museum on Newbury Wharf - provisional Council allocation subject to review pending HLF Grant application decision	78,415	122,585		201,000				0				0					0	78,415	122,585	0	0	201,000				
	New	Museum lifetime maintenance						25,000			25,000	25,000			25,000	25,000	25,000			25,000	25,000			25,000	100,000	0	0	100,000	
	85188	Leisure Centre Compliance and Modernisation	Capital Investment in Leisure Provision - required to maintain existing sites as EoA new site currently removed.	190,000			190,000	88,000			88,000	65,000			65,000	100,000			100,000	100,000			100,000	543,000	0	0	543,000		
	85192	Northcroft Pool Changing Rooms Refurbishment					0				0				0					0	0	0	0	0	0	0	0	0	
	85180	Essential Capital Investment in Leisure Core Sites	Capital Investment in Leisure Provision as contractually agreed as part of Parkwood contract.	18,262			18,262	49,712			49,712	38,853			38,853	84,405			84,405	84,405			84,405	275,637	0	0	275,637		
	83050	London Road Tip Bracknell	West Berkshire's share of removal of generating unit, gas plant and oil tanks and replacement of flare stack as per joint arrangement				0				0				0					0	0	0	0	0	0	0	0	0	
	83103	Energy Efficiency Programme	Schemes to improve energy efficiency and reduce carbon emissions in Council buildings, funded from revenue savings from carbon management schemes implemented from 2011/12 to 2013/14	233,800			233,800				0				0					0	0			0	233,800	0	0	233,800	
				570,477	122,585	0	693,062	212,712	0	0	212,712	178,853	0	0	178,853	259,405	0	0	259,405	259,405	0	0	259,405	1,480,852	122,585	0	1,603,437		
Education (Excluding Corporate Buildings)																													
1.0	82103	Education Capital Salaries	Property Team Capital Salaries	298,735	0	11,520	310,255	310,255	0	0	310,255	310,255	0	0	310,255	310,255	310,255	0	0	310,255	310,255	0	0	310,255	1,539,755	0	11,520	1,551,275	
1.0	87131	Education Capital Maintenance Programme	Rolling maintenance programme formulated for each service using the current condition survey data.	0	2,335,032	0	2,335,032	0	2,296,396	0	2,296,396	0	2,307,765	0	2,307,765	0	2,296,019	0	2,296,019	0	2,300,000	0	2,300,000	0	11,535,212	0	11,535,212		
1.1	82231	Theale Primary School	Expansion of accommodation to meet impact from additional numbers of pupils in catchment (Basic Need) for 2-year blip	0	1,000	0	1,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1,000	0	1,000	
1.1	82236	Burghfield St Mary's Primary School	To address insufficient number of primary places in area – Burghfield/Mortimer (basic need)	0	20,000	0	20,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20,000	0	20,000	

Detailed Capital Programme 2014/15 to 2018/19

Appendix 2

Prior ity	Cost Centre	Project Title	Description of Project	2014/15				2015/16				2016/17				2017/18				2018/19				All Years					
				Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External	Dev Contr (s.106) Funds	Total		
1.1	82257	Long Lane Primary School	Remodelling a poorly designed school layout to address condition and suitability issues.	0	13,000	0	13,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	13,000	0	13,000	0	13,000	0	13,000	
1.1	82269	Kennet School	To provide new and expanded Physical Disability and HI/VI resourced Unit accommodation to reduce costly out-of-area placements. See cost centre 82255.	20,555	0	0	20,555	0	0	0	0	0	0	0	0	0	0	0	0	0	20,555	0	0	20,555	0	20,555	0	20,555	
1.1	82270	The Downs School - Science Block	New science block to expand and improve insufficient and inadequate science accommodation.	54,369	0	0	54,369	0	0	0	0	0	0	0	0	0	0	0	0	0	54,369	0	0	54,369	0	54,369	0	54,369	
1.1	82272	John Rankin Infant and Junior Schools - Basic Need	Expansion of the schools to meet the primary basic need pressures.	1,207,583	0	23,275	1,230,858	0	36,393	0	36,393	0	0	0	0	0	0	0	0	0	1,207,583	36,393	23,275	1,267,251	0	1,267,251	0	1,267,251	
1.1	82275	Hungerford Primary - Basic Need	Expansion of the school from 2FE to 2.5FE to meet local primary basic need.	2,750	6,750	0	9,500	0	0	0	0	0	0	0	0	0	0	0	0	0	2,750	6,750	0	9,500	0	9,500	0	9,500	
1.1	82276	Basildon School - Basic Need	Expansion of accommodation to address basic need and significantly undersized classroom.	3,500	6,000	0	9,500	0	0	0	0	0	0	0	0	0	0	0	0	0	3,500	6,000	0	9,500	0	9,500	0	9,500	
1.1	New Project	Universal Infant Free School Meals			365,895		365,895								0					0	0	365,895	0	365,895	0	365,895	0	365,895	
1.2	82224	Little Heath School	To address unsuitable, undersized accommodation for sixth form numbers	1,189,091	1,215,635	175,274	2,580,000	208,988	306,941	0	515,929	0	75,000	0	75,000	0	0	0	0	0	1,398,079	1,597,576	175,274	3,170,929	0	3,170,929	0	3,170,929	
1.2	82268	Spurcroft Primary School	Expansion of Spurcroft Primary school from 1.5FE to 2.5FE to address insufficient primary places for catchment area numbers (basic need)	0	1,478,228	0	1,478,228	0	37,500	0	37,500	0	0	0	0	0	0	0	0	0	0	1,515,728	0	1,515,728	0	1,515,728	0	1,515,728	
1.2	82273	Francis Baily - Basic Need	Expansion of yr2 accommodation to address basic need and significant suitability issues.	185,388	0	0	185,388	4,800	0	0	4,800	0	0	0	0	0	0	0	0	0	190,188	0	0	190,188	0	190,188	0	190,188	
1.2	82281	Targeted Basic Need Bid for Castle Special School	Expansion of Castle school to address insufficient places for anticipated pupil numbers (Basic Need)	0	617,072	8,027	625,099	0	0	13,375	13,375	0	0	0	0	0	0	0	0	0	0	617,072	21,402	638,474	0	638,474	0	638,474	
1.2	82289	DGCF Bid for Brookfields School Post-16	Expansion of 6th Form Accommodation to provide suitable and sufficient places for an expanding 6th form population.	0	635,373	0	635,373	0	14,000	0	14,000	0	0	0	0	0	0	0	0	0	0	649,373	0	649,373	0	649,373	0	649,373	
1.2	New Project	Hungerford Primary - Basic Need (Phase 2)		117,300			117,300	2,700			2,700			0					0		120,000	0	0	120,000	0	120,000	0	120,000	
1.3	82238	The Willows Primary School (Phase 3)	The expansion of accommodation to meet the impact from the proposed Racecourse housing development.	0	226,860	274,700	501,560	612,323	1,257,597	136,940	2,006,860		620,760	609,160	1,229,920		46,560	609,160	655,720		15,940	0	15,940		612,323	2,167,717	1,629,960	4,410,000	
1.3	82274	The Winchcombe School - Basic Need	Expansion of the school from 1.5FE to 2FE to meet local primary basic need.	56,731	717,394	0	774,125	0	24,375	0	24,375	0	0	0	0	0	0	0	0	0	56,731	741,769	0	798,500	0	798,500	0	798,500	
1.3	82277	Theale Primary School - Basic Need	Expansion of the school from 1.0FE to 1.5FE to meet local primary basic need.	0	834,490	0	834,490	0	1,597,390	172,120	1,769,510	0	46,575	0	46,575	0	0	0	0	0	0	2,478,455	172,120	2,650,575	0	2,650,575	0	2,650,575	
1.3	82280	Falkland Primary - Basic Need	To undertake the necessary accommodation works to enable the school to take up to 30 additional pupils as a 1-year bulge from September 2013.	0	40,000	0	40,000	0	38,038	0	38,038	0	0	0	0	0	0	0	0	0	0	78,038	0	78,038	0	78,038	0	78,038	
1.3	82285	Additional Primary Places in Newbury	Accommodation solution(s) to significant primary basic need across Newbury.	50,000	0	0	50,000	2,000,000	438,038	0	2,438,038	2,070,408	1,821,200	0	3,891,608	0	800,000	0	800,000	0	0	4,120,408	3,059,238	0	7,179,646	0	7,179,646	0	7,179,646
1.3	82286	Park House - Basic Need	Explore options to address additional pupil numbers from Racecourse development and Sandford Park development (basic need)	0	0	0	0	0	0	114,627	114,627	0	0	1,163,064	1,163,064	0	0	0	0	0	0	0	1,277,691	1,277,691	0	1,277,691	0	1,277,691	
1.3	82287	Calcot Junior Basic Need	Expansion of accommodation to address local basic need.	0	15,986	0	15,986	0	334,014	0	334,014	0	7,440	0	7,440	0	0	0	0	0	0	357,440	0	357,440	0	357,440	0	357,440	

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Prior ity	Cost Centre	Project Title	Description of Project	2014/15				2015/16				2016/17				2017/18				2018/19				All Years					
				Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External	Dev Contr (s.106) Funds	Total						
1.3	82288	Secondary School Development - John o'Gaunt	To refurbish a proportion of the existing accommodation to address a lack of capital investment over the years and to support the school with the work they're doing to make John o'Gaunt the school of choice.	0	120,910	0	120,910	687,030	750,000	0	1,437,030	0	1,133,630	0	1,133,630	58,430	0	0	58,430	0	0	0	745,460	2,004,540	0	2,750,000			
1.3	New Project	Additional Places in Compton - Primary Basic Need.		32,540			32,540		907,150		907,150		160,090		160,090		23,870			23,870			0	32,540	1,091,110	0	1,123,650		
1.3	New Project	Additional Places in Downland - Secondary Basic Need					0				0	32,000			32,000		136,500			136,500		1,048,690		1,048,690	32,000	1,185,190	0	1,217,190	
1.3	New Project	Additional Places in Thatcham - Secondary Basic Need					0				0	32,000			32,000		167,960			167,960		2,835,940		2,835,940	32,000	3,003,900	0	3,035,900	
2.1	82284	Purley Infant School - Extension of Age Range	Financial contribution to the conversion of Purley Infant school to a 105 place primary school	190,000	0	0	190,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	190,000	0	0	190,000			
2.2	82283	Reintegration Service at Riverside - Accommodation Solution	Short-term accommodation solution for the reintegration service at Riverside.	550,000	270,927	0	820,927	0	640,000	0	640,000	0	10,000	0	10,000	0	0	0	0	0	0	0	550,000	920,927	0	1,470,927			
2.4	82237	Lambourn Primary School	Replace and rationalise current poor condition and unsuitable accommodation	816,954	150,037	50,887	1,017,878	21,875	0	0	21,875	0	0	0	0	0	0	0	0	0	0	838,829	150,037	50,887	1,039,753				
3.1		Additional ASD Resourced Provision - Primary	Provision of an additional primary ASD resource.	0	0	25,827	25,827	30,000	315,797	0	345,797	7,500	0	0	7,500	0	0	0	0	0	0	37,500	315,797	25,827	379,124				
3.1		Additional ASD Resourced Provision - Secondary	Provision of an additional secondary ASD resource	0	0	25,828	25,828	486,672	0		486,672	10,600	0	0	10,600	0	0	0	0	0	0	497,272	0	25,828	523,100				
3.2	82271	Kennet School - acoustics	Rolling programme of acoustic improvements to teaching accommodation to provide a more appropriate environment for Hearing Impaired pupils, and therefore to assist in the reduction of HI pupils having to be placed in external provision.	15,000	0	0	15,000	15,000	0	0	15,000	15,000	0	0	15,000	15,000	0	0	0	15,000	0	0	0	60,000	0	0	60,000		
3.3		Brookfields Special School	Accommodation Master Plan	0	0	0	0	30,000	0	0	30,000	0	0	0	0	0	0	0	0	0	0	30,000	0	0	30,000				
3.3		Castle Special School	Accommodation Master Plan			0	0	30,000	0	0	30,000	0	0	0	0	0	0	0	0	0	0	30,000	0	0	30,000				
3.4	82240	Kennet Valley Primary School		0	169,073	55,927	225,000	30,000	1,215,000		1,245,000	30,000			30,000					0	60,000	1,384,073	55,927	1,500,000					
				4,790,496	9,239,662	651,265	14,681,423	4,469,643	10,208,629	437,062	15,115,334	2,507,763	6,182,460	1,772,224	10,462,447	383,685	3,470,909	609,160	4,463,754	310,255	6,200,570	0	6,510,825	12,461,842	35,302,230	3,469,711	51,233,783		
Corporate Buildings																													
	87103	Council PMP Budget (Excluding Schools)	Annual maintenance provision - will be allocated to individual services in year using Condition Survey data.	400,000			400,000	400,000			400,000	400,000			400,000	400,000	400,000				400,000	2,000,000	0	0	2,000,000				
	87115	Cap Sal Property	Capitation Costs of Property Project Managers	399,000			399,000	405,650			405,650	412,878			412,878	420,038				420,038	427,341				2,064,907	0	0	2,064,907	
	87119	Cond/Asb/Meas Surveys		40,000			40,000	40,000			40,000	40,000			40,000	40,000				40,000	40,000				200,000	0	0	200,000	
	87126	Access Works/Disabled		20,000			20,000	20,000			20,000	20,000			20,000	20,000				20,000	20,000				100,000	0	0	100,000	
	87129	Asbestos - PMP		20,000			20,000	20,000			20,000	20,000			20,000	20,000				20,000	20,000				100,000	0	0	100,000	
	87190	Fire Risk Remedial Works	Actions required from Fire Risk Assessments	280,000			280,000	450,000			450,000	450,000			450,000	450,000				450,000	450,000				2,080,000	0	0	2,080,000	
				1,159,000	0	0	1,159,000	1,335,650	0	0	1,335,650	1,342,878	0	0	1,342,878	1,350,038	0	0	1,350,038	1,357,341	0	0	1,357,341	6,544,907	0	0	6,544,907		
Children's and Youth Services																													
	86013	Building work to foster homes		20,000			20,000	20,000				20,000			20,000	20,000				20,000	20,000				100,000	0	0	100,000	
				20,000	0	0	20,000	20,000	0	0	20,000	20,000	0	0	20,000	20,000	0	0	0	20,000	20,000	0	0	0	20,000	100,000	0	0	100,000
Adult Social Care																													
	86030	Prepayment Cards			30,000		30,000				0				0					0			0	30,000	0	0	30,000		
	86031	Telecare			65,000		65,000				0				0					0		0	65,000	0	0	65,000			
	86032	Aids and Adaptations			75,000		75,000				0				0					0		0	75,000	0	0	75,000			
	86037	Supported Living			67,821		67,821				0				0					0		0	67,821	0	0	67,821			
	New	New schemes to be funded from 2012/13 to 2014/15 Community Capacity Grants					0		780,420		780,420			0					0		0	0				780,420			
	86008	O/T Equipment	Annual provision for essential aids & equipment for vulnerable people.	85,500			85,500	85,500			85,500	85,500			85,500	85,500				85,500	85,500				427,500	0	0	427,500	
				85,500	237,821	0	323,321	85,500	780,420	0	865,920	85,500	0	0	85,500	85,500	0	0	0	85,500	85,500	0	0	0	427,500	1,018,241	0	1,445,741	
Commissioning Housing and Safeguardin																													
	80001	Home Repair and Discretionary Renovation Grants	Grants for emergency home repairs for older/vulnerable people	50,000			50,000	50,000			50,000	50,000			50,000	50,000				50,000	50,000				250,000	0	0	250,000	

Prior ity	Cost Centre	Project Title	Description of Project	2014/15				2015/16				2016/17				2017/18				2018/19				All Years				
				Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External Funds (excl s.106)	Dev Contr (s.106) Funds	Total	Council	External	Dev Contr (s.106) Funds	Total	
	80003	Disabled Facilities Grants	Mandatory grant for disabled adaptations, to enable local residents to live independently in their own homes.	725,000	661,000		1,386,000	725,000	661,000		1,386,000	725,000	661,000		1,386,000	725,000	661,000		1,386,000	725,000	661,000		1,386,000	3,625,000	3,305,000	0	6,930,000	
		Redevelopment of Horncastle Ford Site from cap receipts						850,000		140,000		0			0										850,000	0	140,000	990,000
	86020	Temp Accn		17,500			17,500	17,500			17,500	17,500			17,500	17,500			17,500	17,500			17,500	17,500	87,500	0	0	87,500
				792,500	661,000	0	1,453,500	1,642,500	661,000	140,000	2,443,500	792,500	661,000	0	1,453,500	792,500	661,000	0	1,453,500	792,500	661,000	0	1,453,500	4,812,500	3,305,000	140,000	8,257,500	
	Corporate Schemes																											
	87289	Superfast Broadband		150,000			150,000	550,000							0									700,000	0	0	700,000	
	87620	Coporate Allocation		25,000			25,000	25,000			25,000	25,000			25,000	25,000			25,000	25,000				125,000	0	0	125,000	
				175,000	0	0	175,000	575,000	0	0	575,000	25,000	0	0	25,000	25,000	0	0	25,000	25,000	0	0	25,000	825,000	0	0	825,000	
	Grand Total of All Service Areas			10,820,521	17,797,068	2,615,785	30,003,374	10,316,973	18,414,049	1,655,414	30,341,436	6,865,462	14,119,960	2,226,892	23,212,314	5,071,096	8,290,909	879,420	14,241,425	4,785,118	11,020,570	276,910	16,082,598	37,859,170	69,642,556	7,654,421	115,156,147	

West Berkshire Council's Corporate Property Asset Management Plan 2014/15

Adventure Dolphin, Pangbourne



Thatcham Nature Discovery Centre



The Castle Post 16 School

Hungerford Library

West Berkshire Council's Corporate Property Asset Management Plan 2014/15

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Corporate Asset Management Plan 2014/15

1 Introduction

- 1.1 This Asset Management Plan is a document which sets out the principles and actions needed to deliver the most effective use, and the best value, from the Council's tangible assets. It is intended to be a high level document covering a number of the Council's strategies and we have set the plan out under these headings:

- Existing arrangements
- Asset Strategy
- Progress
- Review and action plan

- 1.2 The Corporate Asset Management Plan supports the Council's year Council Strategy for 2013 to 2017. The Council Strategy takes into account the changing financial conditions and legislative framework and has as its themes caring for and protecting the vulnerable, promoting a vibrant district, improving education and lastly protecting the environment.

- 1.3 Other plans which have asset management planning implications include:

- The Medium Term Financial Strategy
- The Housing Strategy,
- Supporting People Strategy,
- Waste Strategy,
- The Visions for Newbury, Thatcham and the East of the Area
- The Capital Strategy and
- Individual service plans.

1.5 Property Asset Management Arrangements

- 1.5.1 Responsibility for management of the Council's properties is split between service areas, the Property Team (in Education Services) and the Asset Team (in Finance). Generally the service departments are responsible for the day to day management of the assets currently used to perform their respective functions – e.g. libraries, care homes and leisure centres. The Assets Team is responsible for the leased properties and empty properties. The Property Team is responsible for the management of the Council's administrative office buildings. Repair, maintenance and building projects for all properties are also routed through the Property Team as are the refurbishment and rebuilding schemes for Education.
- 1.5.2 The arrangements for the management of all assets are steered by the Capital Strategy Group, which is a cross service group of officers and members, to oversee property and capital matters. Matters specifically relating to property assets are considered by the Asset Management Group which is a sub group of the Capital Strategy Group.

1.5.3 Although the Services are responsible for making changes to the property they occupy, the decision for property matters such as capital expenditure, sales, leases, property sharing and purchase of new property are corporate led and Services need to submit a business case to the Asset Management Group which has the following principal functions:-

- Prioritising and allocating expenditure on maintenance in accordance with condition survey information plus other criteria to be established
- Consideration of the total accommodation needs of all services
- Reviewing the justification for the Council holding properties on the basis of strategic importance, suitability, condition and cost
- Consideration of proposals to acquire, lease and dispose of properties
- Consideration of other property issues involving expenditure outside the annual budget by way of a business case submitted by the occupying Service.

1.5.4 The Asset Management Group has an input into the planned maintenance programme for the following financial year. The planned maintenance programme for each service area is generated annually from a database and other sources that hold information on the condition of assets. The available funds are allocated as a proportion of priority 1 repairs as a total of the whole. The priority 1 repairs are identified in the condition surveys which are updated on a rolling basis. The programme is therefore based on the needs of the property and will be interlaced with any routine requirements due in the next 5 years, e.g. electrical testing and statutory tests.

1.6 Framework for Review of Current Property Portfolio

1.6.1 The Council has acquired properties over time in two ways. Firstly, the Council has acquired or renovated buildings in line with its strategic direction, e.g. the purchase of Turnhams Green and West Street House and the disposal of other buildings. Secondly, assets have been acquired in a piecemeal way, sometimes as a result of local government re-organisation or by way of developer contributions as part of the planning process. This means that the properties do not always meet our current business needs.

1.6.4 The Asset Management Group has therefore established a framework for reviewing the existing property portfolio. The aim of this framework is to base decisions on future use or disposal of assets on the importance of each property to the delivery of the Council's strategic priorities. It also aims to prioritise maintenance resources on the basis of operational efficiency. The framework also places the onus on Heads of Service to keep the Asset Management Group informed of any actual proposed change of use of the properties which are the responsibility of their service area. The framework for review is set out in more detail in Section 4 of this document.

2 Property Asset Strategy

- 2.1 The reason the Council owns land and buildings is to support service delivery either directly through the provision of accommodation for frontline services, such as schools, libraries, car parks and open space, indirectly through support service functions housed in the administrative offices or to generate income through rent or capital receipts.
- 2.2 There are several demands on the Council's land and buildings which can often be conflicting. For example the Council is expected to reduce the size of its estate in order to raise maximum capital receipts and reduce expenditure, whilst at the same time transferring assets at less than market value to partners and the local community in order to achieve local objectives. Therefore, decisions will need to be made on a case by case basis in order to fulfil the most pressing objective at the time.
- 2.3 The strategic aims and objectives for management of the Council's property assets are to:
- Treat property as a valuable resource and ensure that the value of the assets is protected, by optimising rental and capital return and effective expenditure control to ensure that value for money is obtained.
 - Ensure efficient, effective and sustainable use of land and buildings.
 - Use property assets to contribute to the process of service improvement, with the creation of new ideas and working practices to help solve service issues.
 - Ensure that the Council complies with statutory obligations pertaining to property.
 - Rationalise the use of land and buildings and establish criteria for retaining, disposing of and acquiring property.
 - Utilise property in support of the Council Strategy.
 - Support the Capital Programme through targeted asset disposal.
 - Pursue partnership working and co-location opportunities.
 - Enable full public access to the Council's building and services.
- 2.4 The Council's properties can be broadly split into three categories being operational, non-operational and vacant. The following paragraphs describe how these strategic aims and objectives can be applied to each category.

2.5 Operational Portfolio Strategy

- 2.5.1 Operational property is occupied by or on behalf of the Council for the direct delivery of its services, for example Council offices and community schools. Outsourced functions such as sports centres, waste collection and some community care buildings are occupied by organisations providing services on Council's behalf but are still classified as operational property.



Turnhams Green offices

- 2.5.2 The strategic aims for the Council's operational property are:
- To support service delivery.
 - To provide fit for purpose buildings.
 - To minimise cost.
 - To have a lean portfolio with the minimum number of properties required to maintain service provision.
 - To exploit sharing opportunities with other public sector organisations.
 - To consider opportunities for urban or rural regeneration using Council property as a catalyst.
- 2.5.3 We aim to implement the strategy by:
- Reviewing the use and cost of the Council's buildings.
 - Reducing building running costs, for example, by the use of the lowest energy tariffs, targeting planned maintenance in order to reduce the cost of reactive maintenance and the appeal of rating assessments.
 - Continuing with condition surveys to monitor the state of the Council's property.
 - Promoting and actively seeking opportunities to share buildings and facilities with partner organisations.
 - Disposing of surplus properties where appropriate.
 - Acquiring properties if the need cannot be met by property already owned.
 - Capital expenditure on buildings to provide fit for purpose buildings where it is cost effective to do so.
 - The use of option appraisal in decision making.
 - Implementing the Newbury, Thatcham and East of Area Visions.

2.6 Non-operational Portfolio Strategy

- 2.6.1 Non-operational property is not used to meet service needs, and is therefore either let to third parties or is surplus to requirements. The Council's investment property includes the London Road Industrial Estate in Newbury and the Kennet Enterprise Centre, Hungerford.



Kennet Enterprise Centre

- 2.6.2 The strategic aims for non-operational property are:

- To extract maximum income.
- To review the cost effectiveness of the portfolio.
- To support use by the third sector where a benefit to the community will be achieved.
- To consider opportunities for regeneration using Council property as a catalyst.

- 2.6.3 We aim to implement the strategy by:

- Collection of rent and pursuit debtors in a timely manner.
- Implementing rental increases under the lease agreements.
- Taking the opportunities as they arise to extract value from changes in lease terms.
- Re-letting of vacant properties as soon as practicable.
- Further consideration of the options available for the regeneration of the London Road Industrial Estate.
- Property review and challenge.
- Disposals or alternative uses for under performing properties.

2.7 Strategy for Vacant Properties

- 2.7.1 The Council will seek to minimise vacant and non-productive property within our portfolio and will consider options for other uses, either an alternative use by another service or partner organisation or a sale or lease to a third party.
- 2.7.2 In times of low market value it may not always be in the Council's best interests to put a surplus property straight to market. Where appropriate, consideration will be given to temporary uses or leaving a property unused, until market conditions improve.

2.8 Disposals and Acquisitions

- 2.8.1 If a service has a new or changed accommodation need for which no existing Council property is suitable, the Council will need to acquire new property. However, property acquisition will only be considered where it addresses a corporate objective.
- 2.8.2 The Council's strategic aims for disposal and acquisition of property are:

- To seek a lean portfolio with the minimum number of properties required to maintain service provision;
- To obtain the best price for properties which are surplus to requirements;
- Where appropriate, to use our property to support regeneration projects and/or the supply of affordable or special needs housing.
- To acquire properties which are fit for purpose and represent value for money for the Council.

2.8.3 The Council aims to implement the strategy and deliver the priorities by:

- Reviewing all properties to assess suitability, service need and value for money
- Identifying properties which are surplus to the Council's requirements
- The preparation and implementation of a disposal programme of surplus assets. The current programme is shown in Table 1.
- Use option appraisal to assist in decision making.
- Disposing of property at best value unless there is an overriding community benefit, in particular the provision of affordable housing and special needs accommodation for vulnerable people.
- Consideration of the options available for the London Road Industrial Estate regeneration and other Newbury Vision projects.

2.9 Community Asset Transfer

2.9.1 As a general rule when the Council lets or sells properties to third parties it will be at market prices. However, in line with the Government's Localism agenda, organisations working in the voluntary sector on a 'not for profit' basis, consideration will be given to allowing such organisations to occupy Council property at a discount. The organisation will be expected to demonstrate that it is providing a community service to local residents, which helps to support one of the key strategic objectives for the Council. Properties occupied under this concession will be monitored to ensure that the original objectives are still being met.

2.9.2 Requests for community asset transfers will be considered on a case by case basis by the Asset Management Group. A process for dealing with these requests is set out in Appendix 1.

3 Progress

3.1 Recent achievements

3.1.1 Recent achievements in line with the Asset Management Plan's strategic aims are:-

- Expressions of interest were sought for London Road Industrial Estate, the shortlisted parties have presented their schemes for consideration and a recommendation is due shortly.
- HMRC has taken desk space in the Market Street Offices
- Successful marketing of the former depot in Pound Lane and the former Control Tower at Greenham Common. Both properties are currently under offer. The Control Tower was sold under the remit of the Community Right to Bid provisions and a community based offer was successful.

3.2 Partnership working

3.2.1 West Berkshire Council has a good record of sharing its properties with other organisations, where this offers service benefits and/or value for money improvements. Some examples of working in partnership and property sharing initiatives are as follows:

- Children's Centres. Services directed at families with young children are provided by multi-agency team in buildings provided by the Council in 10 locations across the district.
- Youth Offending Team – a multi-agency team operating from a single building provided by WBC
- Chieveley depot – a highways maintenance depot shared on a long standing arrangement between the Highways agency and West Berkshire Council.
- Sharing space in our libraries with the Parish Councils of Mortimer and Hungerford.
- The Community Mental Health Team is a joint service with the NHS operating from Hillcroft House, a property provided by the Berkshire Healthcare NHS Foundation Trust.

3.2.2 Other examples of partnership working which do not involve property sharing but do involve asset transfer and significant involvement from the Council to move forward projects for the benefit of the local community are:

- Working with registered social landlords to provide new extra care housing for elderly people at Alice Bye House, Thatcham and at The Priory Hungerford.
- Working with the Council's registered social landlord partners to identify strategic sites for affordable housing.

3.2.3 The Assets team and service areas, through the Asset Management Group, will continue to pursue further opportunities for property based partnerships

3.3 Data Collection

3.3.1 Performance measurement is the mechanism by which audit, review and improvement are achieved. An essential element in measuring performance is the availability of reliable and readily accessible information. Property Services has a database which can record the core information about the Council's properties – for example, its address, size, legal status and leasehold

information where appropriate. Collection of condition data for the Council's properties is important to providing a basis for expenditure on maintenance based on need. The condition data is reviewed and updated on a rolling basis. The provision of a web based system is being implemented and should provide all stakeholders with easy access to property related data.

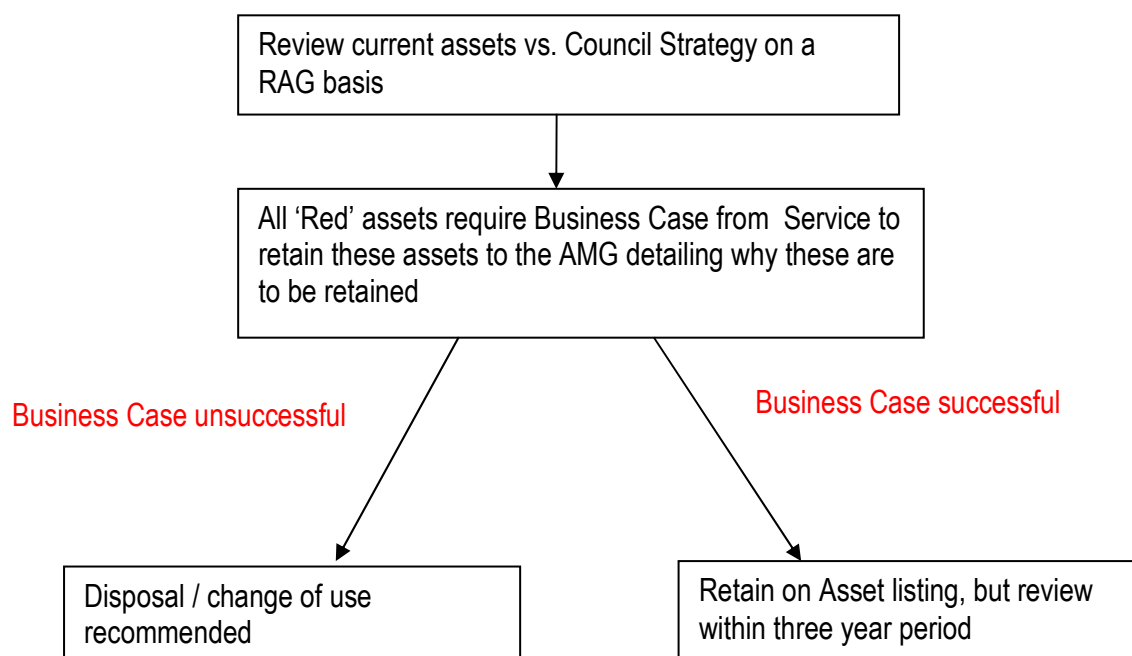
3.4 Factors Affecting Progress

- 3.4.1 The current economic climate has had an effect on the aims and aspirations of our asset management plan largely due to the restrained financial circumstances which means there is less money available for property improvement or acquisition. Coupled with this is the decline in market value for properties which might be sold resulting in lower capital receipts. Consequently, the capital monies available need to be targeted at properties where expenditure would enable the building to meet service demand or comply with statutory requirements. The squeeze on public finances means that all opportunities for extracting value or reducing cost for the Council's portfolio need to be pursued.
- 3.4.2 Recent government initiatives which affect our property include the Localism Bill and Academy Schools. The Localism Bill encourages Councils, amongst other things, to transfer its community buildings to the voluntary sector. West Berkshire Council does not have a large number of community buildings within its ownership and the ones we do have are already let to not for profit organisations. However, where a building becomes available which could be used by the third sector then consideration will be given to offering it to the third sector, particularly where a community need is already identified, for example the Riverside Community Centre.
- 3.4.3 A set of guidelines has been prepared to assist in the identification and allocation of Council owned properties under a community asset transfer and this is included in Appendix 1.
- 3.4.4 The Localism Bill also gives certain groups the opportunity to nominate properties within the district as assets of community value and once the nomination is approved the asset cannot be sold until the local community groups have been given an opportunity to bid for it. These provisions apply to properties owned privately and those owned by the Council. If any of our buildings are listed then there may be a delay in achieving a capital or rental receipt.
- 3.4.5 The opportunity for schools to transfer to academy status has already been taken up by six secondary schools and two primary schools with another in progress. This means that the buildings effectively move out of our property portfolio, although the Council remains responsible for ensuring that these schools have sufficient capacity to meet demand for school places across the district. This change in responsibilities will affect future planning for school buildings.

4 Property Review

- 4.1 In order to achieve the aim of a fit for purpose portfolio the properties will need to be reviewed. We can do this either as part of service review or by way of an asset challenge survey. Following the reviews the most likely options will be whether the properties should be:
- retained and existing use continued or intensified,
 - in need of investment, including expenditure on maintenance or improvement,
 - sold, including a transfer to a community organisation,
 - retained and used pending future development opportunity,
 - considered for co-location for more than one Council Service or shared with other public sector partners,
 - in the case of investment properties, opportunities for lease restructuring.
- 4.2 Several reviews have taken place at Service level which have a bearing on property needs and show that there is a potential to realign or disinvest of property in order to meet changing requirements, for example some of the day centres. Reviews in Youth Services have identified that some of the services and buildings they are run from could be transferred to other providers, such as the Riverside Community Centre. There are some parts of the Council's portfolio which do not reflect corporate need, based on location, suitability or condition, (for a block of flats formerly used for the temporary accommodation for homeless families,) and other properties where more efficient use of the buildings is possible (for example the corporate offices).
- 4.3 The following framework for future asset reviews has been developed by the Asset Management Group.
- 4.4 The Asset Management Group will classify each property as Red, Amber or Green from the point of view of:
- Strategic Importance – i.e. the extent to which they support the delivery of the Council Strategy
 - Operational Efficiency
- Each property is the responsibility of a designated a Head of Service.
- 4.5. The Asset Management Group will review the list of assets annually by asking the responsible Heads of Service to inform the group of any actual or planned change in use and/or status, i.e. Services will be responsible for reporting when assets become surplus to requirements, but the Asset Management Group will regularly monitor the status of all the Council's assets.
- 4.6 The Service responsible for any assets designated "Red" in terms of strategic importance should prepare a business case to justify why the asset should be retained by the service if they feel it should not be disposed of, for review by the Asset Management Group.
- 4.7 If the business case is successful, this should be noted on the asset listing and the status of the asset should be reviewed again within a three year period.

- 4.8 If the business case is not approved, the Asset Management Group will normally recommend to Corporate Board, Management Board and Executive the sale of the property on the open market unless a case is made either:
- i. To transfer it to another service where it is needed to help deliver one of the Council's key strategic priorities e.g. to replace an inefficient/unsuitable asset with a more efficient and/or suitable one;
- or:
- ii. To transfer it to another organisation who will help to support one of the Council's key strategic priorities (the asset may in some circumstances be offered below market value, if the service benefit is held to outweigh the potential capital receipt);
- 4.9 Investment in maintenance and/or replacement of assets will be targeted at Assets which are Green for strategic importance but Amber or Red in terms of operational efficiency.
- 4.10 Flowchart for property reviews



- 4.11 The "red" assets reviewed so far are the Council's smallholdings, Kennet Enterprise Centre and the private day nurseries. In all cases the Asset Management Group agreed to retain them for strategic and/or income generating purposes.

Draft Community Asset Transfer Policy

1.0 What is Community Asset Transfer?

1.1 Community Asset Transfer is the transfer of the Council's land and buildings to community and voluntary organisations at less than best consideration, normally on a leasehold arrangement.

1.2 The policy will apply when either:

- A community or other voluntary organisation approaches the Council to request the use of a Council property asset.
- The Council identifies an asset as being surplus to its requirements and is considering how best to dispose of it.

2.0 Purpose of the Policy

2.1 The Council has a disposal policy which is contained in the Asset Management Plan and the general presumption is that disposals will be on the open market for best price. Reference is made in the Asset Management Plan about disposals to not for profit organisations. This community and asset transfer policy is to give fuller guidance on how to achieve that.

2.2 The purpose of the policy is to set out a framework to show how West Berkshire Council will consider requests from the community and voluntary sector to use the Council's land and buildings. It also sets out

the information that is required from the community and voluntary sector and the expectations for the transfer fulfilling the Council's strategic objectives and to empower local communities.

3.0 National Policy Context.

3.1 National Government has, for some time, encouraged local authorities to involve local people in the direct running of their communities and has produced legislation, such as the Local Government Public Involvement Act 2007 and the Localism Act 2011, to create strong communities and deliver better public services through a rebalancing of the relationship between local people and public bodies.

3.2 The Localism Act has introduced the concept of the Community Right to Bid. This process allows relevant bodies (e.g. Parish Councils and Community Groups) to ask for assets of community value to be listed. This effectively means that the asset cannot be sold until the relevant body has been given a chance to confirm that they wish to bid for the asset. If so they must also be given sufficient time to submit their bid. A separate process has been introduced to manage this requirement, although the properties and applicants involved are likely to be similar to those affected by the Community Asset Transfer Policy.

3.3 The Quirk Review undertaken in 2007 set out the benefits to local groups by the management or

	ownership of public property assets which, in turn leads to stronger communities. The Quirk review recognised that the voluntary and community groups would need assistance to understand the risks and rewards of community asset transfer.	ongoing revenue costs are not incurred.
4.0	Local Context and Links to Council Strategies	
4.1	Working in partnership with the local voluntary sector should help the Council to achieve some of its own objectives such as those in the Council Strategy including to reshape the way cultural, countryside and other services are delivered, with significantly greater involvement from local communities, the voluntary sector and parish councils and seek to transfer assets and services where these can clearly be delivered more effectively..	
5.0	Criteria for community asset requests	
5.1	When considering requests for a community asset transfer the Council must bear in mind the following in relation to the affected property: • The need to raise capital receipts. • The loss of any income or opportunity costs. • Requirements for the property for direct service delivery by the Council. • The benefits to all parties by transferring the property. • That, where the property is needed to deliver a service, additional	5.2 <i>The Property</i> • The property must be owned by the Council, either freehold or leasehold and be legally capable of being transferred. • It must be surplus to operational requirements. • The transfer of the property has been approved by the Asset Management Group. • The transfer will deliver a strategic or operational benefit to the Council. 5.3 <i>The Use</i> • The use will support the Council's strategic priorities set out in the Council Strategy. • The property will be used for the benefit of the local community to enable local people to have access to services or facilities that meet their local needs. • The use will be inclusive of a wide and diverse range of people. • The use will deliver a demonstrable social, economic or environmental benefit to the local community. • The use is not already provided in the locality. • The use to be environmentally sustainable and Disability Discrimination Act compliant. 5.4 <i>The Applicant</i> • Interested organisations must be community led with strong local links. • Be properly constituted and be capable of being a legal entity. • Not for profit. • Be financially viable.

	• Have good governance through open and accountable processes. • Have the skills and capacity to deliver the service and manage the property. • Have a well prepared business case. • Have a track record of delivering similar projects.	community or voluntary organisation for a particular property. In the latter case the property may be operational so consultation will be required with the service to see if the property could be released from operational use.
5.5	<i>Basis of transfer of property</i>	6.2 Valuation undertaken bearing in mind that the transfer may be at less than best consideration.
	• Transfers will be on a leasehold basis. This makes it easier to limit the use for community benefit. • Freehold will only be considered if the applicant pays full market value. • The applicant will be responsible for all management of the property including health and safety matters and all required surveys. • The use is to be for community benefit and the organisation is to provide continuing evidence of a community benefit on a periodic basis. • If planning consent is required then the applicant must obtain this. • The applicant will be expected to meet all the running, maintenance and repair costs of the property. • Collaboration and sharing of the property with other community or voluntary groups will be encouraged. • The Council may be prepared to take back the property in cases where the transfer has been unsuccessful.	6.3 Expressions of interest invited from suitable groups.
		6.4 Expressions of interest appraised by Asset Management Group to include the relevant portfolio holder and recommendation to be made to Management Board.
		6.5 Short listed groups requested to submit a business case for the transfer.
		6.6 Business cases appraised by the Asset Management Group and relevant portfolio holder along with the option of an open market disposal. The assessment matrix shown later can be used to assist in the decision making process.
		6.7 Decision recommended to Executive if outside the delegation of the Head of Legal Services.
		6.8 Terms agreed with successful applicant and lease completed.
6.0	The Community Asset Transfer Process	6.9 The timescale for applications will vary depending upon the complexity of the proposal, the number of applicants, the route it needs to take through the Council's governance structure and for the completion of the lease. However, applicants
6.1	A property asset is identified, either by WBC as being surplus to requirements or by a request by a	

should be aware that the process could take 12 months.

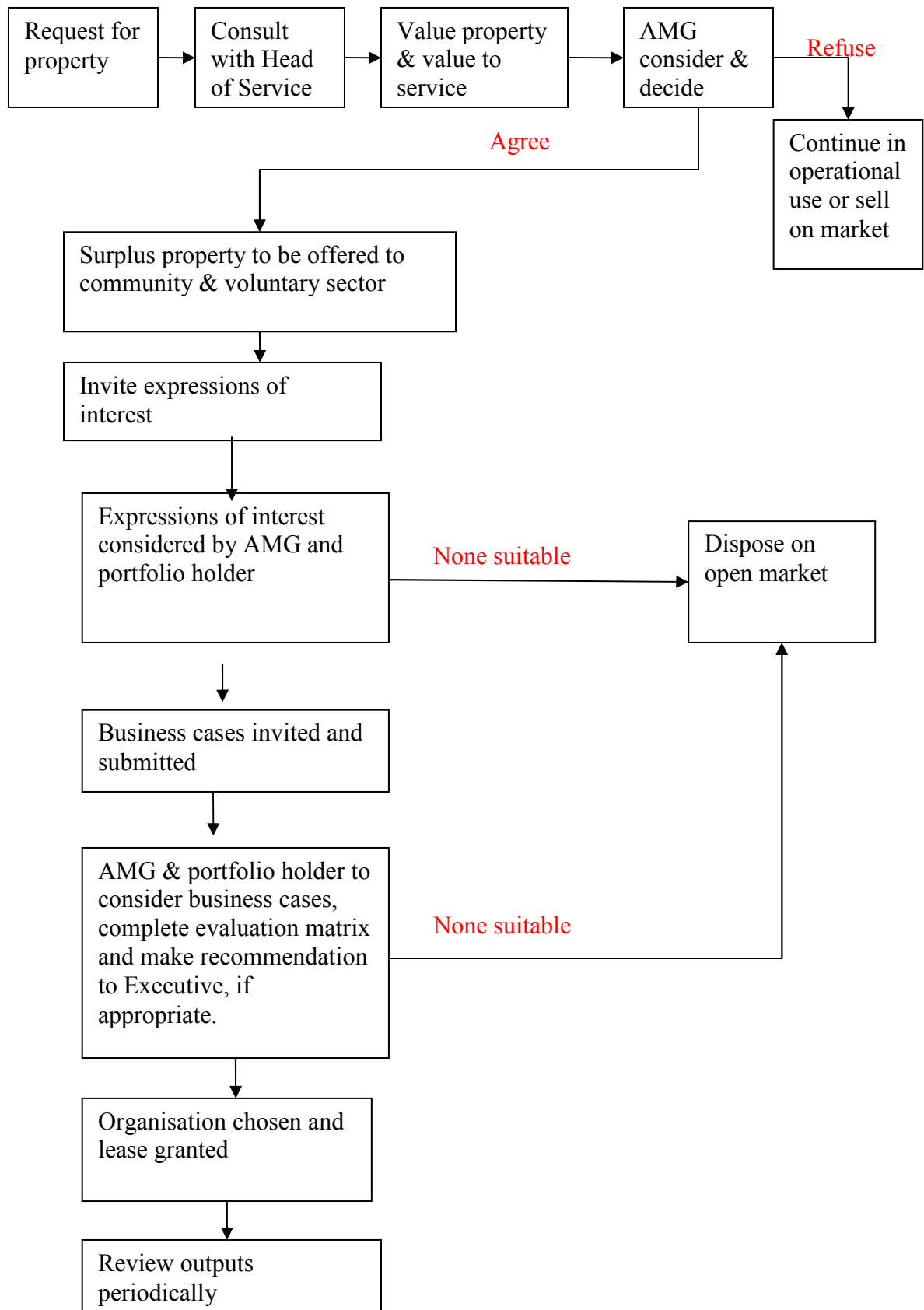
7.0 Business Case Requirements

- 7.1 It is likely that potential applicants for community asset transfer will have limited financial and property management experience so it is important that a robust business case is submitted. The business case can be in any format but should contain the following information and evidence:
- Proposed use and maintenance of the property.
 - Details of the local needs that will be met by the proposal and how the benefits will be measured and reported on an annual basis.
 - Details of any new jobs that might be created.
 - Evidence of local consultation and that there is a demand and local support for the scheme.
 - How the scheme fits in with the Council's strategic objectives.
 - Evidence of the ability, skills and capacity of the organisation to run the proposed service, including governance details.
 - Evidence of the scheme complying with equal opportunity, sustainability and health and safety requirements.
 - Financial details of the organisation and how the scheme will be funded, at the outset and going forward.
 - Project plan to show likely timescales to set up and fund the scheme.
 - A risk assessment and contingency plan in the case that the scheme is not successful.

8.0 Risks in Community Asset Transfer

- 8.1 There is an element of risk in a community asset transfer and the potential risks are listed below. These will need to be considered in conjunction with any application.
- Organisation does not have the capacity or skills to take over the property and provide the service, or loses these at a later date.
 - Reliance on key personnel either within the organisation or at the Council, lack of succession planning.
 - Organisation cannot fund the proposed scheme either at the outset or at some time in the future.
 - Property is not used for community purposes or taken over by a minority interest.
 - Transfer contravenes State Aid or procurement regulations.
 - Confusion over roles and responsibilities between the Council and the organisation.
 - Objectives of the organisation are unclear and not aligned to Council objectives.
 - Scheme is not value for money.
 - Potential liability for Council if the scheme fails.
- 8.2 These risks can be reduced by the provision of clear legal documentation and a summary of expectations by each party at the outset.

Process Flow Chart



COMMUNITY ASSET TRANSFER ASSESSMENT MATRIX

PROPERTY ADDRESS 	CURRENT USE: OPEN MARKET VALUE:
NAME OF APPLICANT/COMMUNITY GROUP: 	PROPOSED USE:

1.0 FINANCIAL CONSIDERATIONS	Score 10	Comments on reasons for score
1.1 Capital receipt or rental offered <i>(compare to market value)</i>		
1.2 Capital costs secured <i>(higher score the greater the percentage)</i>		
1.3 Estimated revenue savings to WBC: <i>(include building and maintenance costs)</i>		
	SUB-TOTAL: /30	
2.0 VIABILITY OF BUSINESS PLAN	Score 10	
2.1 Evidence of projected revenue stream for next 5 years		

2.2 Reliance on revenue grant aid <i>(lower score the greater the reliance)</i>		
2.3 Financial covenant strength of applicant		
2.4 Track record of applicant		
	SUB-TOTAL:	
	/40	
3.0 CONTRIBUTION TO COUNCIL'S STRATEGY <i>(proposal should contribute to at least one)</i>	Score 10	
3.1 Caring for and protecting the vulnerable		
3.2 Promoting a vibrant district		
3.3 Improving education		
3.4 Protecting the environment		
	SUB TOTAL	
	/40	
4.0 CONTRIBUTION TO LOCAL NEEDS	Score 10	
4.1 Which groups will benefit? <i>(e.g. young people, disabled, older people, sports users, unemployed)</i>		
4.2 Involvement of volunteers <i>(What will they do and how sustainable is their use?)</i>		

4.3 Number of jobs created (if applicable)		
4.4 Is joint use with other agencies proposed?		
	SUB TOTAL /40	
GRAND TOTAL	/150	

SUMMARY AND CONCLUDING COMMENTS

Equality Impact Assessment

Name of item being assessed:	Capital Strategy and Programme 2014/15 to 2018/19
Version and release date of item (if applicable):	Executive 13-2-14
Owner of item being assessed:	Gabrielle Esplin
Name of assessor:	Gabrielle Esplin
Date of assessment:	4-2-14

1. What are the main aims of the item? (What does the item try to achieve?)

To allocate resources for capital investment in the Council's assets to enable the Council Strategy 2013-17 to be implemented within available resources in line with the Medium Term Financial Strategy 2014-18;

2. What are the results of your research?

Note which groups may be affected by the item. Consider how they may be affected and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

Group Affected	What might be the effect?	Information to support this
Older People and people with disabilities	The capital strategy allocates resources to maintain and improve services to these groups in line with the overarching Council Strategy.	See paragraphs 4.5.9 – 4.5.13 of the Capital Strategy 2014-19
People with disabilities	The asset management plan also includes a draft policy giving criteria for transfer of Council properties to community groups. One of the criteria is that the proposed use of the property must be compliant with the Disability Discrimination Act.	See appendix 1 of the Capital Strategy and Programme - Asset Management Plan 2014-19

Further comments relating to the item:

The capital strategy itself does not have any direct equalities impact, but more detailed equalities assessments will be carried out for any new schemes within the capital programme, or potential asset transfers, prior to implementation

3. What actions will be taken to address any negative effects?

Action	Owner	By When	Outcome
Equalities impact of capital schemes in adult social care	Tandra Forster	In line with timetable for implementation	

2014/15 capital programme			
Equalities impact of capital schemes in adult social care 2014/15 capital programme	June Graves	In line with timetable for implementation	
Ensure any requests for community asset transfers take into account the needs of any groups of people likely to be affected.	Gabrielle Esplin	In line with timetable for dealing with community asset transfer requests as they arise.	

4. What was the final outcome and why was this agreed?

(Was the item adjusted, rewritten or unchanged? Refer to page 15 of *Meeting the Equality Duty in Policy and Decision Making* for more information.)

5. What arrangements have you put in place to monitor the impact of this decision?

Post implementation review of major capital schemes to be carried out by Capital Strategy Group; Results of community asset transfer requests to be reviewed by Asset Management Group.

6. What date is the Equality Impact Assessment due for Review?

31st March 2015

Name:

Date:

Agenda Item 18.

Title of Report:	Revenue Budget 2014/15
Report to be considered by:	Council
Date of Meeting:	4 th March 2014
Forward Plan Ref:	C2749

Purpose of Report: To consider and recommend to Council the 2014-15 revenue budget.

Recommended Action: The Council is recommended to resolve as follows:

- (1) That, in accordance with Council Rules of Procedure 4.9 and 4.16 (Appendix L refers), the Council's decision of 12 December 2013 in relation to not transferring funding to Town and Parish Councils under the Council Tax Reduction Scheme be rescinded.
- (2) That it be noted that the following amounts for the year 2014/2015 in accordance with regulations made under Section 31B of the Local Government Finance Act 1992, as amended (by the Localism Act 2011):-
 - (a) 60,599.03 being the amount calculated by the Council, (Item T) in accordance with regulation 31B of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended by the Localism Act 2011), as its council tax base for the year.
 - (b) Part of the Council's area as per Appendix K being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in those parts of its area to which a parish precept relates.
- (3) Calculate that the Council Tax requirement for the Council's own purposes for 2014/15 (excluding Parish precepts) is £76,563,245
- (4) That the following amounts be now calculated by the Council for the year 2014/2015 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992, amended by the Localism Act 2011:-
 - (a) £293,947,818 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2)(a) to (f) of the Act

taking into account all precepts issued to it by parish councils.

- (b) (£213,886,715) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3)(a) to (d) of the Act.
 - (c) £80,061,103 being the amount by which the aggregate at 3(a) above, exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its council tax requirement for the year (Item R).
 - (d) £1,321.16 being the amount at 3(c) above (Item R), all divided by 2(a) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the 'basic amount of its Council Tax for the year (including Parish precepts).
 - (e) £3,497,858.33 being the aggregate amount of all special items (parish precepts) referred to in Section 34(1) of the Act (as per Appendix K).
 - (f) £1,263.44 being the amount at 4(d) above less the result given by dividing the amount at 4(e) above by the amount at 2(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special items relates.
- (5) That it be noted that for the year 2014/2015 Police and Crime Commissioner for Thames Valley & The Royal Berkshire Fire and Rescue Service have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Councils area as indicated in Appendix K.
- (6) That the Council in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the tables in Appendix K as the amounts of Council Tax for 2014/15 for each part of its area and for each of the categories of dwellings.

Reason for decision to be taken:

Formulation of the 2014/15 Budget is a requirement to meet the Council's Statutory duties.

Other options considered: n/a

Key background documentation: Medium Term Financial Strategy 2014-17
Capital Strategy and Programme 2014-19
Council Strategy 2013-17

The proposals will also help achieve the following Council Strategy principles:

- ☒ **CSP6 - Living within our means**
- ☒ **CSP8 - Transforming our services to remain affordable and effective**

Portfolio Member Details

Name & Telephone No.:	Councillor Alan Law - Tel (01491) 873614
E-mail Address:	alaw@westberks.gov.uk
Date Portfolio Member agreed report:	30 January 2014

Contact Officer Details

Name:	Andy Walker
Job Title:	Head of Finance (S151 Officer)
Tel. No.:	01635 519433
E-mail Address:	awalker@westberks.gov.uk

Implications

Policy:	The formulation of the Budget is in accordance with the policies within the Financial framework.
Financial:	These are contained in further detail within the report. The key implication is a Council Tax freeze assumption and a significant reduction to the Council's funding from Central Government. The savings programme for 2014/15 totals £5.6m with additional cost pressures and investment of £1.5m.
Personnel:	These were addressed in a separate report to the December meeting of the Executive.
Legal/Procurement:	Requirement to produce a Revenue Budget under the various Local Government Finance Acts. Key savings proposals included in this report are determined by effective procurement decisions. The savings proposals will be monitored throughout the financial year by Corporate and Management Board.
Property:	None
Risk Management:	A number of budget risks have been identified as part of the budget proposals, and these will be kept under constant review. As part of the 2014/15 financial monitoring, savings proposals will be kept under monthly review to ensure they are delivered. Appendices D and E set out how the impact of increased volatility in Local Government finance will be managed.

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		☐	☒
• Is it a major policy, significantly affecting how functions are delivered?		☐	☒
• Will the policy have a significant impact on how other organisations operate in terms of equality?		☐	☒
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		☐	☒
• Does the policy relate to an area with known inequalities?		☐	☒
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			☐
Not relevant to equality			☒

Is this item subject to call-in?	Yes: ☐	No: ☒
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		☒
Delays in implementation could have serious financial implications for the Council		☐
Delays in implementation could compromise the Council's position		☐
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		☐
Item is Urgent Key Decision		☐
Report is to note only		☐

Executive Summary

1. Introduction

1.1 This report:

- (1) Advises Members of the Council's Formula Grant settlement for 2014/15 received in December 2013
- (2) Outlines the revenue budget for 2014-15, including details regarding additional cost pressures and savings

1.2 This paper should be read in conjunction with the Council's Medium Term Financial Strategy 2014-2017 (MTFS) also on this agenda.

2. Proposals

- 2.1 To set a Council Tax requirement of £76.56m for 2014-15 with a Council Tax freeze for West Berkshire Council, and to approve the revenue budget and appendices.
- 2.2 To set a 2014-15 net revenue budget of £120.88m. This includes additional cost pressures and investment of £1.5m in Council priorities and a savings programme of £5.6m.

3. Equalities Impact Assessment Outcomes

- 3.1 Assessments have been done and are included on the relevant savings items.

4. Conclusion

- 4.1 The Council, like all public bodies, has, and will continue to see, a significant decrease to its funding streams as result of Central Government reducing expenditure over the period of the Comprehensive Spending Review (CSR) 2011-15. The Council has therefore seen a significant decrease to its funding from Central Government as part of this review.
- 4.2 There is greater volatility within the financing of the Council due to Central Government reforms. This combined with the point above, has lead to a continued high level of savings required.
- 4.3 Within the context above, the Council continues to develop and transform its services in line with the Council Strategy and outcomes that this Strategy seeks to deliver.

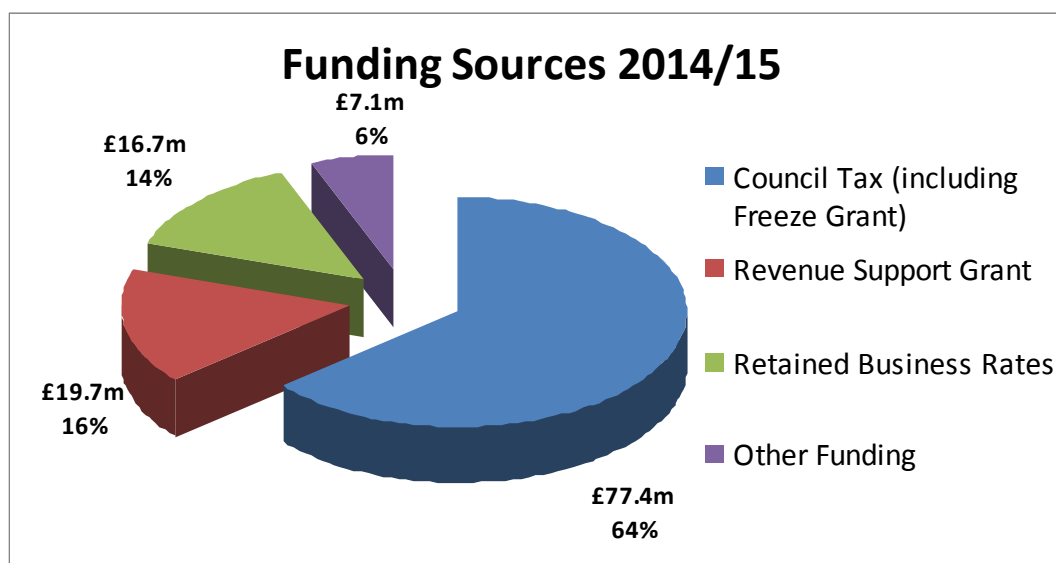
Executive Report

1. Introduction

- 1.1 The purpose of this paper is to propose the Council's revenue budget for 2014/15, to outline the context within which it is set, and to set a Council Tax requirement for 2014/15.
- 1.2 This report highlights that for West Berkshire residents there will be Council Tax freeze in 2014/15.
- 1.3 The Government's 2010 Comprehensive Spending Review (CSR) allocated a tough settlement for local government with large reductions in grant funding. In the period since then, we have put in place a programme to remain within our budget which has delivered savings of around £23m. This programme of controlled expenditure will continue for the period of the Medium Term Financial Strategy, 2014 to 2017.

2. Sources of Funding

The pie chart below shows the funding sources for West Berkshire Council in 2014/15.



Council Tax

- 2.1 West Berkshire Council's main source of funding is from Council Tax, which is collected from local residents based on the value of the property in which they live. The recommendation included within this report is a Council Tax freeze for 2014/15.
- 2.2 The Government has announced funding for a Council Tax freeze, which is equivalent to the income we would have received from a 1% rise. For West Berkshire Council this amounts to £820k in 2014/15. The Government has confirmed that the freeze grant will become part of our baseline funding.
- 2.3 At its meeting on 12 December 2013 the Council resolved not to transfer any funding to Town and Parish Councils under the Council Tax Reduction Scheme.

However, due to an improved financial situation, it is now proposed that the Council operate a sliding scale transfer of funding with a phased reduction over the next three years.

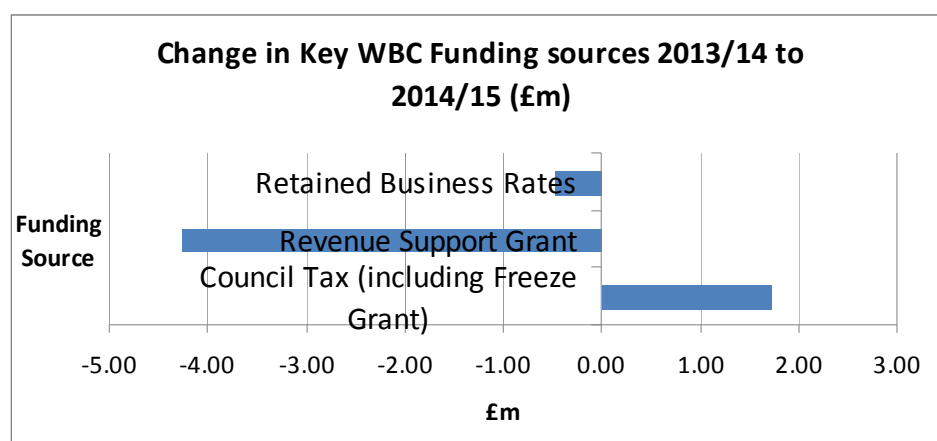
- 2.4 In order to enable this proposal to proceed this Council is required to rescind its previous decision of 12 December 2013 in accordance with Council Rules of Procedure 4.9 and 4.16. A Notice of Motion (signed by the requisite 13 Councillors) has been received and is attached as Appendix L.

Revenue Support Grant (RSG)

- 2.5 Councils receive general grant from Government to support the services provided. There are no restrictions on how this is used, within a council's legal powers. West Berkshire Council will receive Revenue Support Grant of £19.7m in 2014/15. This is a decrease of slightly over £4m from 2013/14. This equates to a loss of £62 per dwelling from last year.

Retained Business Rates

- 2.6 From 2013/14, councils keep a proportion of the income they receive from business rates raised in their area. Half of our business rates have to be paid over to central government. Of the other half, some are retained by West Berkshire Council and some are paid to central government as a tariff.
- 2.7 There has been a slight reduction in the amount West Berkshire Council is expecting to retain from Business Rates compared to last year mainly due to valuation changes. The bar chart below shows the change to the three main funding sources compared to last year.



Other Funding

- 2.8 West Berkshire Council receives a number of specific grants to support its priorities.

Education Services Grant

- 2.9 This is allocated on a per-pupil basis to local authorities according to the number of pupils for whom they are responsible. This has fallen slightly from last year due to loss of pupils to Academy Schools.

Better Care Fund

- 2.10 The Better Care Fund (previously the Integration Transformation Fund) provides funding to be spent locally on health and care with the aim of achieving closer integration and improve outcomes for patients and service users and carers. The fund is also intended to meet the costs from meeting the Care Bill. In 2015-16 the fund will be allocated to local areas where it will be put into pooled budgets under Section 75 joint governance arrangements between CCGs and Councils. A condition of accessing the money is that the CCGs and Councils must jointly agree plans for how the money will be spent, and these plans must meet certain requirements.

New Homes Bonus

- 2.11 This is paid to councils to encourage them to build new homes. This gives councils a grant equivalent to their increase in Council Tax income for a period of six years for each new home. There is additional money if any of these new homes are affordable housing. West Berkshire Council will receive £2.26m from this grant in 2014/15.

3. Planned Expenditure and Savings

Base Budget Growth

- 3.1 This is the budget increase required for the Council to perform exactly the same functions year on year. As part of the budget setting process, the Council builds for salary increases (1% assumption) based on the established number of posts. Budgets are inflated where a contract is in place and is subject to annual inflationary increases of up to 1.5%.

Item	Type	Base Budget Growth	Amount £'000
1	Non-pay inflation	For contracts such as waste PFI (£280k), cleaning, energy and rates (£108k), highways maintenance, fostering allowances	740
2	Pay inflation	1% pay award assumed	495
3	Pension increase	0.5% increase	305
4	Incremental rises	As per WBC's terms and conditions of employment	523
5	Other adjustments	Includes a variety of minor adjustments due to central funding changes, prior year changes etc.	-220
6	NHS funding	Expenditure budget required to support social care	417
	Total		2,260

Super Inflation

- 3.2 This represents the inflation paid on contracts over 1.5% and amounts to £314k. The main amount of super inflation the Council faces is from the waste PFI contract. This contract increase is based on the RPIx measure in January of each year. Full details are given in Appendix A.

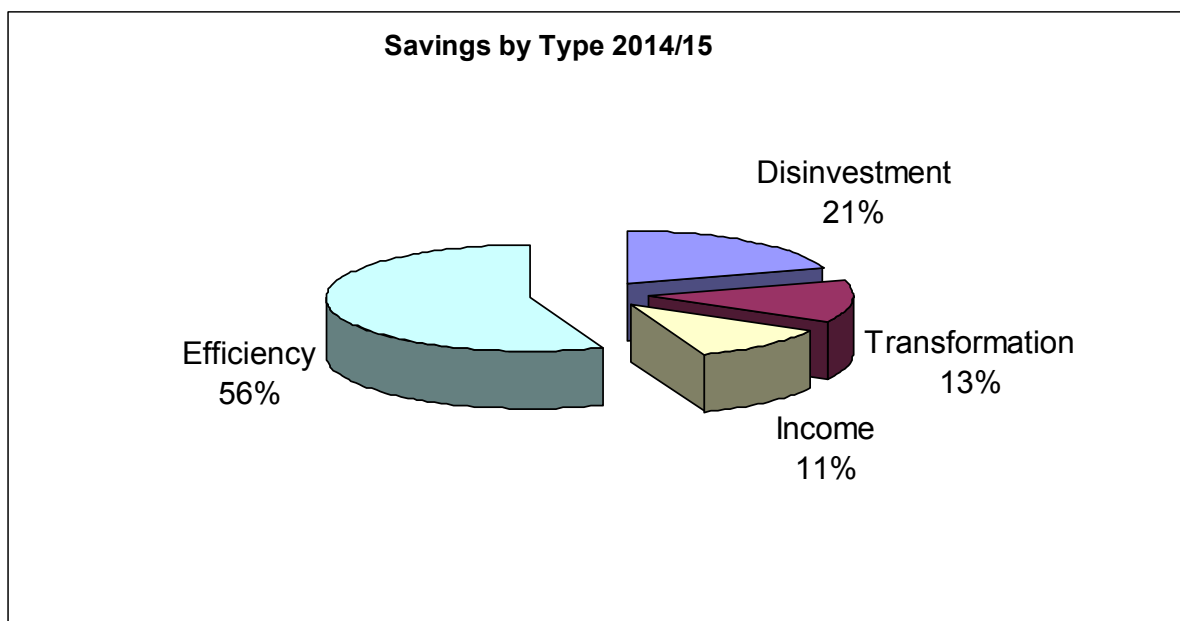
Service Pressures

- 3.3 These are new pressures that require additional budget in 2014-15 which amount to £1.2m. Full details are given in Appendix B.

Savings

- 3.4 Given the scale of the savings requirement for both 2014/15 and 2015/16, we recognise that a number of the proposals being put forward within the revenue budget will be considered 'front line' services that people use and notice. As such, in November 2013 we published a list of those proposed savings relating to both the 2014/15 and the 2015/16 financial years which would likely have a direct impact on users, and sought to elicit from those directly affected and interested what the impact of the proposed saving might be.
- 3.5 The purpose of this exercise was for residents, users or partners to put forward – and for us to ensure we more fully understood – the impact of the savings proposal on those who use them and should they be agreed, to explore ways in which the impact may be mitigated against.
- 3.6 All proposals were posted on our Consultation Finder database on our website, and those affected were contacted directly informing them of the proposals and how to respond. The proposals were emailed to around 900 members of the community panel as well information posted on our Facebook and Twitter accounts. This process generated a great deal of feedback. Individual papers providing an overview of responses received and subsequent recommendations for each of the proposals are provided as Appendix C iii) to this report.
- 3.7 These 'overview and recommendations' papers should be read in conjunction with the more detailed 'summaries of responses' and verbatim responses received in relation to each of the proposals to ensure decision makers have a sufficient overview of the breadth and tenor of the comments received. These have been circulated electronically to all members alongside the agenda pack and published online on our [Consultation Finder](#) database.
- 3.8 The full list of remaining savings proposals are detailed in Appendix C i) and ii). The savings total £5.63m for 2014/15. The chart below shows the 2014/15 savings by type.

3.9 2014/15 Savings by type



Funding Statement

2014/15 Funding Statement	£m	£m
Income		
Council Tax income		76.56
Council Tax Freeze Grant		0.82
Revenue Support Grant		19.69
Retained Business Rates		16.66
Education Services Grant (ESG)		2.52
Better Care Fund		2.21
New Homes Bonus		2.26
Council Tax Collection Fund deficit (-)/ surplus		0.16
Funds available		120.88
Expenditure		
Opening Directorate Budget	115.57	
Base budget growth (pay and non-pay)	2.26	
Super inflation	0.31	
Service pressures	1.20	
Savings identified	-5.63	
Directorate budget requirement		113.71
Levies & capital financing costs		7.45
Net Budget Requirement for Management Accounting (Draft budget book can be found in Members room)		121.16
Use of Medium Term Financial Volatility Reserve		-0.44
CTSS support for Parishes		0.16
Budget requirement		120.88

4. Levies and Capital Financing Costs

- 4.1 This budget includes approximately £7.7 million for principal and interest payments on the long term loans which the Council has taken out to fund its capital programme. This cost is offset by interest earned on the Council's investments estimated at about £0.44 million. The remaining budget also includes levies set by the Environment Agency and the Thames Valley Magistrates Courts Service.

5. Reserves

- 5.1 As part of the financial planning process, the Council will consider the establishment and maintenance of reserves. Reserves are categorised into General Reserves (General Fund and Risk Fund), Working Balances, Earmarked Reserves, Capital Reserves and Unusable Reserves.
- 5.2 The purpose of the General Fund is to act as a fund to be used in emergencies and to protect council taxpayers from any steep rises in future Council Tax if the Council overspends against its budget.
- 5.3 The Council s151 officer (the Head of Finance) recommends that the general reserve is a minimum of 5% of the Council's net budget, which in 2014/15 would be £6.1m. The Council General Fund currently stands at £6.4m which is just above the minimum recommended level.
- 5.4 The General Fund exists to cover a number of risks. These are detailed as per the s151 officer's statement in Appendix E; there are a number of items that have inherent but not specific risks.
- 5.5 If the risks occur, then this would reduce the general reserves, assuming that every other Council budget breaks even. If the Council does not break even in 2013-14 then it will need to establish a mechanism for replenishing reserves in future years.
- 5.6 The Council in 2012/13 created the Risk Fund or Medium Term Financial Volatility Reserve (MTFVR). This reserve exists for a number of risks, primarily resulting from changes to local government finances and the volatility that these present.
- 5.7 The s151 officer has concluded that the MTFVR should be at least 50% of the 'gap' between the predicted Business Rates level and the level at which the Council receives a safety net payment from Government. At present, this total gap is £3m. The MTFVR should therefore be at a minimum of £1.5m to ensure that the Council does not experience a significant pressure going into future financial years from any losses due to appeals and rateable value changes.
- 5.8 The MTFVR will fund the shortfall in retained Business Rates in 2013/14 estimated at circa £0.44m leaving a balance of £1.06m which would be below its recommended minimum level and would raise some additional financial risk in the future. It is the intention to build this reserve back up to the recommended level as part of the Medium Term Financial Strategy.
- 5.9 Further detail on reserves is given in Appendix D

6. Special Expenses

- 6.1 There are four special expenses areas within the District and the special expenses to be levied are detailed below:

Hungerford Footway Lighting	£5,750
Kintbury – St Mary’s Church yard	£500
Shaw – St Mary’s Church yard	£500
Theale – Holy Trinity Church yard	£800
Total	£7,550

- 6.2 The special expenses to be levied for these areas are detailed in Appendices G.

7. Recommendations

- 7.1 To approve the budget report for 2014/15 and the budget proposals contained with the report and appendices.

Appendices

Appendix A – Super Inflation

Appendix B – Unavoidable Service Pressures

Appendix C i) to iii) – Savings proposals 2014-15 and Saving Summary responses to consultation.

Appendix D – Reserves statements

Appendix E – Adequacy of Reserves and robustness of budget estimates

Appendix F – Fees and Charges

Appendix G – Special Expenses

Appendix H – Council Tax Collection Fund

Appendix I - Unison comments

Appendix J – Minutes of the Business Panel information meeting held on 10th February 2014

Appendix K – Council Tax Resolution

Appendix L – Motion relating to Council Tax Reduction Scheme

Consultees

Local Stakeholders: Consulted local business leaders on 10th February 2014 and notes from meeting can be found in Appendix J.

Officers Consulted: Directorate SMTs and Heads of Service.

Trade Union: See Appendix I.

Item	Service Area	Super Inflation 2014-15	Amount £000
1	Communities: Children's Services	Allowances paid to West Berkshire foster carers are up-rated in line with NFCA recommended rates	38
2	Communities: Adult Social Care	Agreed contract inflation to secure ongoing access to beds.	42
3	Environment: Planning & Countryside	A range of Services that require super inflation	8
4	Environment: Culture and Environmental Protection	Waste PFI - based on January RPIx	189
5	Environment: Culture and Environmental Protection	Leisure contract	5
6	Environment: Highways & Transport	Highways maintenance contract	32
	Total		314

Appendix B - Service Pressures: 2014-15

Item	Service Area	Service Pressures 2014-15	Amount £000
1	Communities: Adult Social Care	The estimated additional costs of care for young adults with learning disabilities as they transition from Children's Services to Adult Services. It must be stressed that this investment level shown is purely an estimate at this stage. This investment is required each year as these young people come into Adult Services. The costs of care change and some of the funding sources diminish. The Council would not be able to meet its legal obligations to these vulnerable young people and would face legal challenge if this were not approved.	600
2	Communities: Education	Administrative support for two year old free entitlement provision now funded by Council. Under S251 regulations, this can no longer be charged to the DSG.	45
3	Communities: Education	Educational Psychologist now funded by Council. Under S251 regulations, this can no longer be charged to the DSG.	11
4	Environment: Culture and Environmental Protection	Increase to the tax base for Waste due to additional houses requiring waste collection.	30
5	Environment: Culture and Environmental Protection	Government increase on the cost of Landfill Tax	140
6	Environment: Culture and Environmental Protection	West Berkshire Museum - the budget was reduced whilst the museum was closed for refurbishment. This will re-instate the previous budgets required to run the museum.	70
7	Environment: Planning & Countryside	Income from planning fees has reduced due to a decrease in the number of applications for small residential developments (due to an amendment to the Permitted Development Rights Legislation). The impact of this is reduced fee income with no corresponding reduction in workload.	100
8	Resources: Strategic Support	Increased BT costs associated with CCTV service. If this were not approved, we would be unable to fulfil the contract with RBWM.	6
9	Resources: Strategic Support	Economic Development Officer budget - Newly appointed development officer needs a supplies and services budget in order to promote the service	10
10	Resources: Finance	Insurance premium increases due to an increase in insurance claims plus loss of income due to academy conversions	19
11	Resources: Legal	Reduction in Procurement Buy back income. This service is no longer offered to schools and therefore the income target cannot be met.	12
12	Resources: Legal	Copyright licence - Required for reproduction of copyrighted materials	10
13	Resources: Customer Services	HMRC will move out of the Council Offices in the new financial year and the income target will no longer be achievable	10
14	Resources: Customer Services	Cut in Housing Benefit Admin Grant. 10% efficiency target imposed in the Government circular relating to HB Admin Grant.	75
15	Resources: Human Resources	One off leadership development programme. New development course required for managers, part funded through service budgets.	33
16	Resources: ICT	New Database Analyst post - to improve capacity and resilience in the Database Support Team, reducing the risk of systems failing or becoming out of date. Will also allow important transformational improvements to be made to systems leading to process efficiencies.	31
			1,202

2014-15 savings Proposals

Line Reference	Directorate	Service	Saving Description	Saving Implications	Saving 2014-15 £000
1	Comm	ASC	Continuing Health Care (CHC). Securing NHS funding for service users whose needs are identified as continuing healthcare, rather than social care.	None	400
2	Comm	ASC	Cross Cutting Themes. A range of efficiency savings from staff reorganisatoin and non-pay budgets and the implementation of a Voluntary Sector Prospectus.	None	350
3	Comm	ASC	Client numbers. Anticipated downward trend in client numbers, in line with reductions in previous years and a similar trend nationally.	None	300
4	Comm	CCHS	Charge for supporting people services in line with Adult Social Care Fair Contributions Policy.	Means-tested charging arrangements will be implemented for non statutory long-term supporting people services provided to ASC client groups, aimed at maintaining independent living.	250
5	Comm	ASC	External Residential and Nursing. Further reductions in the average weekly rate paid to external care home providers.	None	250
6	Comm	Chi	Children's Services efficiency review. A staffing, commissioning and efficiency programme	None	250
7	Comm	Ed	Home to School Transport. A combination of ongoing contract efficiencies, SEN travel training and using buses instead of taxis.	None	200
8	Comm	Chi & Ed	A series of one off changes in provision for vulnerable young people - reduced commissioning budget, reduction in duplication between external NEET prevention services and in-house provision, revision of the model of service provision to adolescents.	There are two key areas relating to this proposal: the first is to integrate services supporting vulnerable young people; the second is to work more closely with schools and a range of other services in the provision of targeted careers information, advice, support and guidance provision.	280
9	Comm	Ed	Disabled children - shift from residential to community-based care so that more young people have their needs met in the community via care packages	Improved local provision for young people enabling them to remain with their families.	160

2014-15 savings Proposals

Line Reference	Directorate	Service	Saving Description	Saving Implications	Saving 2014-15 £000
10	Comm	Ed	Raising Participation Partnership - service reductions reflecting the fact that this implementation programme is coming to an end.	None	150
11	Comm	Ed	Early Years quality and training - restructure of team in response to re-focused priorities.	None	116
12	Comm	ASC	External Domiciliary Care Provision - downward pressure on rates and reduced number of hours commissioned.	None	100
13	Comm	ASC	Internal Domiciliary Care - Provider Services. Efficiency savings in extended hours and night wardens service.	None	100
14	Comm	Ed	Children's Centres - reduction in management posts, introduction of charges for some services and transfer of Toy Library to the voluntary sector.	Charging for some services.	50
15	Comm	ASC	Supported living. Review of clients with learning disabilities currently in residential care to identify those whose needs are better met through supported living.	Impact on a client-by-client basis, dependent on needs.	50
16	Comm	Ed	Property Services. Staffing restructure.	None	50
17	Comm	ASC	Extra Care Housing. Opening of Redwood House extra care housing scheme in Hungerford, leading to lower costs.	None	50
18	Comm	Ed	Increased trading with schools generating more income through greater buy-back of existing traded services.	None	50
19	Comm	Ed	CAMHS. Reduction in the value of external CAMHS contract. Development of in-house CAMHS provision.	Young people with mental health needs directed to lower-level services.	40

2014-15 savings Proposals

Line Reference	Directorate	Service	Saving Description	Saving Implications	Saving 2014-15 £000
20	Comm	Ed	Education Welfare Service generating further income from trading with academies.	None	30
21	Comm	ASC	Resource Centre business model. Generating income from greater use of Resource Centre buildings, increased client numbers.	None	25
22	Comm	Chi	Reduce spend in placements budgets - 50% saving; 50% reinvestment in family support	None	25
23	Comm	Ed	Early Years - reduce spend on workforce development	None	25
24	Comm	Ed	SEN therapies & Area Health Authority.	Reduction in budget to current health contract value only.No reduction in the level of therapies purchased	15
25	Comm	Ed	Pre-School Teacher Counselling	Streamlining support for Early Years providers working with children <5 with special educational needs, but is unlikely to be achieved without increasing waiting times for the service.	20
26	Env	CEP	Reductions in cost arising from adjustments to the waste contract.	None	578
27	Env	HT	Reduction in bus subsidies	Where possible savings will be achieved through efficiencies. There are, however likely to be Public Transport bus routes that may be reduced or cut.	100
28	Env	CEP	General efficiency including deletion of vacant posts.	None	90
29	Env	CEP	Increased income from Waste contract	None.	80
30	Env	PAC	Service efficiencies including deletion of vacant posts.	None.	75
31	Env	CEP	Reduction in library service: staffing restructure alongside a reduction in opening times of branch libraries.	Reduced opening hours at most branch libraries.	51
32	Env	CEP	Environmental Health reduction in Cleaner Greener budget	None	50
33	Env	HT	Reduction in road safety education.Campaigns that may be affected include: Drive Start, Ride Start; Powered two wheeler campaigns; Lewis Taylor Puppet Show; Treasure Hunt and Be Safe Be Seen cycle events; Winter and Summer drink drive campaigns.	Reduction in funding may affect the effectiveness of some campaigns.	40
34	Env	PAC	Cut post in Planning Enforcement (Team reduction from 3 to 2 FTE)	Work will be prioritised with lower priority activities not being undertaken. Feedback to Parishes, Members and the public would cease. Additional enforcement demand and complaints likely.	37

2014-15 savings Proposals

Line Reference	Directorate	Service	Saving Description	Saving Implications	Saving 2014-15 £000
35	Env	CEP	Corn Exchange - reduce funding contribution.	A possible reduction to the Corn Exchange programme.	34
36	Env	HT	Deletion of remaining consultancy budget	Reduction in high profile Traffic Management and parking studies	30
37	Env	HT	Street Lighting - replace lamps with energy efficient lamps, stop evening inspections in summer, bulk buying of lanterns	None	30
38	Env	CEP	Leisure Contract - reduced business rates payment	None	30
39	Env	PAC	Reduction in consultancy budget required to deal with large planning applications.	None in current economic climate but budget will be needed if / when planning application numbers increase.	25
40	Env	CEP	Cinema - contribution ends 31 Dec 2014 - part year saving	None	25
41	Env	PAC	Grounds maintenance - reduced specification and contract efficiency, including a reduction from 3 grass cuts to 2 grass cuts per year of road verges in rural areas.	Slower response times to service requests and complaints, reduced strimming and 'blowing' after grass cutting and reduced small area cutting eg around the base of signage. Visibility splays will be prioritised on classified roads.	21
42	Env	HT	Reduced maintenance of signs and road markings	Some signs in low priority locations will remain dirty and/or damaged.	26
43	Env	PAC	Public Conveniences - Seek a contribution from parish councils or close all public conveniences except the Wharf and Pembroke Rd in Newbury	Kintbury, Aldermaston, Hungerford, Thatcham and both Pangbourne PCs may close.	20
44	Env	HT	Increase Sunday parking charge in Newbury to £1.50	May encourage greater use of privately owned car parks.	10
45	Env	HT	Reduced maintenance of safety fences	May result in increase in emergency expenditure and some barriers/fences not being repaired.	10
46	Env	PAC	Kennet and Avon Canal Trust reduction in contribution	None	7
47	Res	PH	Re-badged budgets - see Appendix C ii)	Existing Council service budgets that are delivering Public Health Outcomes and can be funded from Public Health Grant	546
48	Res	Finance	Various efficiency savings from within Finance.	None	52
49	Res	Finance	Restructuring - delete Finance Manager post	Less financial analysis and support for Directorates	47
50	Res	ICT	Additional income from schools' traded activities	None, but reliant on demand from schools and schools having the budget to buy the service	32
51	Res	Customer	Income from marriage and other registration activity continues to increase and there is an expectation that this will continue	None but fee income is linked to demand.	30

2014-15 savings Proposals

Line Reference	Directorate	Service	Saving Description	Saving Implications	Saving 2014-15 £000
52	Res	ICT	Reduction in the use of the postal service with an increased use of digital communication methods.	None, but dependant on postal users continuing to reduce their demand on the service	26
53	Res	HR	Re-grade Social Care Training manager post	None	24
54	Res	Customer	Delete 1FTE Customer Services	None, the enquiries will be channelled through the website. This forms part of the Customer First Programme	19
55	Res	SSU	Removal of some unspent budgets, realignment of duties and responsibilities, together with reduction in the maintenance of an IT system.	None, due to the fact that staff will be asked to work more flexibly thereby creating capacity. There are no external implications	19
56	Res	ICT	Various efficiency savings.	None	18
57	Res	Customer	Additional income from schools' traded services	None but dependant on schools continuing to buy back	15
58	Res	SSU	Realignment of duties within Policy and Scrutiny	None, due to the fact that staff will be asked to work more flexibly thereby creating capacity. There are no external implications	14
59	Res	Finance	Additional income from schools' Accountancy traded activities	None but dependant on schools continuing to buy back	12
60	Res	HR	Additional income from Schools trading	None but dependant on schools continuing to buy back	12
61	Res	ICT	Reduced WAN costs following re-tendering of the contract	May require us to sign up for longer term deals typically 3 years. We may also need to review and 'downgrade' some circuits - this may meet with opposition from the affected Service Areas.	10
62	Res	Chief Exec	Reduce contingency budget	This will reduce the ability of the Council to fund small one off, in year financial requests often in relation to Berkshire wide initiatives agreed at Berkshire CEX/Leader level.	10
63	Res	Finance	Additional income from schools' Assurance traded activities	None but dependant on schools continuing to buy back	9
64	Res	HR	Reduce printing and subscriptions budgets	None	7
65	Res	Legal	A range of small efficiency savings from within the Legal Service	None	4
66	Res	Customer	A range of small efficiency savings across the Customer Services budget.	None - other than removing flexibility in terms of redeployment	4
67	Res	SSU	A range of small efficiency savings from within the Strategic Support Service	None	4
68	Res	Legal	Additional income from schools' traded activities	None but dependant on schools continuing to buy back	4
69	Res	HR	Reduction in car allowance budget following previous reductions in staffing levels	None	3
70	Res	ICT	Procurement savings through negotiation of ICT support contracts.	No impact on frontline delivery unless there is a need to reduce SLAs as part of cost saving renegotiation	3

Total Savings proposals 2014/15

5629

Existing Council service budgets that can be funded by Public Health Grant

Line Ref from Appendix Ci)	Directorate	Service	Item	Implications	Saving 2014-15 £000
47 a	Resources	PH	Contribution to seconded post for CPN/substance misuse worker	Existing Council service budget that is delivering Public Health Outcomes and can be funded from Public Health Grant	40
47 b	Resources	PH	Contribution to Lead Officer - Crime Prevention and Health	ditto	13
47 c	Resources	PH	Domestic Abuse Coordinator	ditto	29
47 d	Resources	PH	0.25FTE Accountant Post	ditto	8
47 e	Resources	PH	Contribution to SSRs	ditto	80
47 f	Resources	PH	Contribution to Relate	ditto	6
47 g	Resources	PH	Contribution to Shopmobility	ditto	12
47 h	Resources	PH	Dementia/Stroke/Autism awareness training	ditto	3
47 i	Communities	PH	The Edge Substance Misuse budget	ditto	121
47 j	Communities	PH	ASC Voluntary Sector commissioning	ditto	200
47 k	Environment	PH	Air Quality monitoring	ditto	14
47 l	Environment	PH	Road Safety Speed Indicator Device service (SID)	ditto	20
Total					546

Revenue Budget: 2014-15

Appendix C iii - Feedback on specific savings proposals

Introduction

Given the scale of the savings requirement for 2014/15–15/16, we recognise that a number of the proposals being put forward within the revenue budget will be considered ‘front line’ services that people use and notice.

As such, we published a list of those proposals which would likely have a direct impact on users and sought to elicit from those directly affected and interested what the impact of the proposed saving might be. The purpose of this exercise was for residents, users or partners to put forward – and for us to ensure we more fully understood – the impact of the savings proposal on those who use them and should they be agreed, to explore ways in which the impact may be mitigated against.

This appendix summarises the feedback on each of the savings proposals where further information was sought.

Approach

There were 18 proposals which were published for comment on the impact in this way and from this individual exercises, eliciting comment and feedback on the implications of the proposals were undertaken.

This ran from November 5th, through to 13th December 2013 (6 weeks in total). As a minimum, details of all the proposals were posted on the Council’s Consultation Finder database with information disseminated to all registered consultees. The proposals were emailed to around 900 members of the community panel as well information posted on our Facebook and Twitter accounts. A press release was issued outlining proposals and directing people to further information and feedback forms which stimulated significant coverage in the local press.

Where relevant, individual service areas also contacted and sought the input of people / organisations directly affected by the proposals. These have been referenced in the individual summary of responses.

Overview of responses received and recommendations

This process generated a great deal of feedback. Individual papers providing an overview of responses received and subsequent recommendations for each of the proposals are provided as part of this appendix.

These ‘overview and recommendations’ papers should be read in conjunction with the more detailed ‘summaries of responses’ and verbatim responses received in relation to each of the proposals to ensure decision makers have a sufficient overview of the breadth and tenor of the comments received. These have been circulated electronically to all members alongside the agenda pack and published online on our Consultation Finder database.

The table below lists each of the proposals in the order which they appear in the revenue budget. For ease of reference, it also provides the conclusions as a result of the feedback and any subsequent recommendations put forward.

Summary of officer conclusions and recommendations as result of feedback on the impact of savings proposals

App Ci) Line Ref:	Proposal	Service area	Initial proposed saving		Officer conclusion	Officer recommendation	Amended proposed saving	
			14/15	15/16			14/15	15/16
4	Charging for Supporting People services	CCH&S	£250k (income)	£200k (income)	In the face to face discussions all recognised it is right that people are asked to make a contribution to services on a means tested basis. The Fair Contributions Policy and process of financial assessment is robust and intended to ensure that the most vulnerable are not unduly disadvantaged by make a contribution towards the cost of their care and support. Charging will only apply to those in receipt of long term services (over 2 years) and therefore will protect those who are likely to be in greatest need receiving short term interventions. The approach of asking those who can pay, to pay, is intended to enable us to retain this level of preventative service in the community rather than reducing the commissioning budget. It also bring supporting people services in line with the charging regime for adult social care.	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	£250k (income)	£200k (income)
8	Integrate of services supporting vulnerable young people and careers information, advice, support and guidance provision.	Children's	£393k (34%)		The feedback includes a strong set of evidence based points about the potential impacts of cuts to early targeted services. These are valid and we acknowledge that the impact of cutting early intervention services has the potential to have negative outcomes for some children and young people. Strong suggestions are put forward for greater integration, more pooling, more collaborative solution-focused thinking and action, particularly with community, voluntary and third sector partners. We will be working to incorporate this thinking in our work as we go forward with a view to ameliorating the impact of these savings.	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	£280k	£113K
9	Community-based care packages for disabled children	Education	£160k (21%)	n/a	It is the Council's policy to make provision for children with SEN and disabilities as locally as possible and to support them to remain living within their own homes wherever possible. In recent years, the range of short breaks services available locally has increased, as has the use of Direct Payments / Personal Budgets, allowing families greater choice and control over how they are supported. As a direct result of this policy, the number of disabled children being placed in residential settings has decreased. It is likely that there will always be a small number of disabled children who require residential placements. It should be possible to further reduce reliance on residential placements by continuing to invest in local services, but it should be noted that the budget for short breaks will need to be protected in order to allow this to happen and also that there will be inevitable pressure on the budget which supports local care packages and Direct Payments if we are to continue to reduce residential placements.	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	£160k	n/a

App Ci) Line Ref:	Proposal	Service area	Initial proposed saving		Officer conclusion	Officer recommendation	Amended proposed saving	
			14/15	15/16			14/15	15/16
14	Children's Centres	Education	£50k (4%)	£105k (8%)	Suggestions and recommendations from the consultation responses are in line with our current approach to make best use of our resources and we will continue to develop in these areas.	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	£50k	£105k
19	CAMHS	Education	£129k (72%)		It was recognised in the feedback that this proposal would potentially affect the poorest and most vulnerable in our communities, at a time where the data show an increase in mental health issues in children and young people. However there is clearly a need to build on the commitment for joint planning and delivery across relevant agencies to try and mitigate against and/or cover the projected funding loss. If funding is found from a different source then the current level of service delivery can continue. Reviews of the delivery options could be undertaken. WBC is committed to developing further Early Intervention Emotional Wellbeing support for children and young people in schools which should reduce the numbers of CAMHS Tier 3 and 4 referrals by tackling some problems earlier. This is not without additional cost and involves a long term commitment to see the results. An alternative proposal would be to maintain the current reduced budget to CAMHS in the next financial year to allow Tier 2 CAMHS services to continue, or to make a small reduction. This would allow more time for Public Health, CCGs, NHS and WBC to work together to form a joint mental health strategy, discuss and agree different funding streams and develop provision in a planned and cost -effective way.	Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken in full in 2014/15. Instead the collaborative working to improve pathways and support across all tiers should be taken forward through further discussion, consultation and service re-design.	£40k	£0
24	Therapy services	Education	£65K (20%)		It was anticipated that this proposal would create anxiety particularly on the part of parents of children with SEN, who have expressed understandable concerns, as have others on their behalf. If this savings proposal is taken forward, our intention would be to seek to minimise its impact by seeking efficiency savings wherever possible, developing robust joint commissioning with health commissioners and reviewing models of service delivery. Opportunities to raise income by charging neighbouring local authorities for therapy services provided for children who attend WBC schools but reside in those authorities are also currently being explored. This was not previously permissible under inter-authority recoupment regulations but now seems to be possible under new SEN funding procedures.	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes.	£15k	£50k
25	PreSchool counselling	Education	£20k (12%)	n/a	Measures have already been put in place to spread the service as effectively as possible and to reduce the waiting list, for example visits to older children on the caseload are less frequent than previously. Suggestions for making better use of resources will all be considered in order to reduce the impact of the saving, but it is	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	£20k	£0

App Ci) Line Ref:	Proposal	Service area	Initial proposed saving		Officer conclusion	Officer recommendation	Amended proposed saving	
			14/15	15/16			14/15	15/16
					unlikely that this saving could be achieved without increasing waiting times for the service.			
27	Public transport subsidies	H&T	£375K (25%)		The exercise has proved valuable in identifying implications of potential changes to routes. These will feed into the conclusions of our review as to how to meet the savings target. However, we recognise the concerns around the impact of savings on voluntary sector transport.	Feedback has brought forward issues to consider in particular in relation to the voluntary and community transport providers. Given the better than anticipated improving local economy, it is recommended that the saving relating to the voluntary and community sector is reduced.	£100k	£185k
31	Libraries	C&EP	£75k (5%)	£100K (6%)	The greatest number of responses was received in relation to Pangbourne, Burghfield Common and Mortimer. Responses make a case for seeking smaller reductions. The suggestion that “mobile stops frequency could be reduced from 3 to 4 weekly” could be considered. The potential for shared service working is being explored.	Feedback has brought forward further issues to consider in relation to the reductions in opening hours. Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken in full in 2014/15. It is therefore recommended that the reduction in hours at Pangbourne Library be amended to 5 hours per week (library open 22 hours per week); at Mortimer Library the reduction in hours be amended to 3 hours per week (library open for 19 hours per week) and at Burghfield Common Library the reduction in hours be amended to 2 hours per week (library open for 19 hours per week)	£51k	£100k
33	Road safety	H&T	£96k (42%)		Feedback put forward some helpful comments regarding education and sponsorship which will be investigated. The feedback reinforced the Council’s view that the remaining road safety resources need to be targeted effectively.	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	£40k	£56k
34	Planning enforcement	P&C	£37k (30%)	n/a	The exercise has not highlighted any impacts that are not already anticipated.	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	£37k	n/a
35	Theatres	C&EP	Corn Exchange: £170k (45%) Watermill: £10k (24%)		Whilst a number of people voiced concern regarding the need for reductions, a number also recognised the need for budget cuts to be made by the council. The scale and timing of the proposed reductions were regarded as a key factor of concern. The option of a longer term culture trust should be explored. The Corn Exchange has submitted a counter proposal of a lower saving profiled over a 5 year period.	Feedback has brought forward further issues to consider in relation to safeguarding the Corn Exchange. Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken in full and that the reduction in funding to the Corn Exchange be re-profiled over a five year period. With regard to the Watermill theatre, feedback has not uncovered any further issues which would prevent the Council from proceeding with this saving. It is recommended to implement this proposal with no changes.	Corn Exchange: £34k	£34k
							Watermill: n/a	£10k
41,42,45	Road and verge maintenance	H&T	£419k (11%)		There was concern from respondents about the impact on road conditions but the responses did not put forward any further evidence of impact, not already envisaged. A number of suggestions were put forward around reducing the frequency of grass cutting which are already being pursued.	Feedback has brought forward further issues in relation to road and verge maintenance. Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken in full in 2014/15. It is therefore recommended that the proposals relating to gully emptying, winter gritting and road maintenance are not progressed at this time.	£57k	£122k
44	Sunday car parking	H&T	£10k	n/a	The vast majority of the 31 responses expressed concern at the	Feedback has brought forward further issues to consider in relation to the increase in car parking charges adversely impacting	£10k	n/a

App Ci) Line Ref:	Proposal	Service area	Initial proposed saving		Officer conclusion	Officer recommendation	Amended proposed saving	
			14/15	15/16			14/15	15/16
	charges		(income)		potential effect of this proposal on town centre trade. Some comments put forward suggested an alternative option to increase the Sunday charge from £1 to £1.50 rather than implementing the full weekday tariff.	on trade in the town. It is therefore recommended that the Sunday charge is increased from £1 to £1.50 rather than implementing the full weekday tariff.	(income)	
43	Public toilets	P&C	£20k (14%)	£50k (34%)	At this stage no viable alternative solutions have been suggested. Beenham Parish Council have confirmed that they will not fund the toilets at Aldermaston Lock so it is recommended that these toilets close. Kintbury Lock and Thatcham Broadway will remain open until 31 March 2015. Further discussions with the respective parish and town councils will be required in the autumn of 2014. Pangbourne and Hungerford are seeking to fund the 3 sites in their areas. If formal agreement cannot however be reached, then it will be recommended that these facilities will close 30 September 2014.	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal as outlined above.	£20k	£50k
N/A	School crossing patrols	Education	n/a	£16k (100%)	The Council needs to ensure that the potential risk of death or injury to a child is mitigated if this proposal is to go ahead. Therefore, it is preferable that school crossing patrollers should continue in place to alleviate the risks. Communities should be encouraged to find alternative sources of funding, thus securing the crossing patrollers and reducing the risks. As the Council is receiving requests for an increasing number of patrollers, the solution of self-funded patrollers where there is demand would ensure that the Council did not receive increasing costs in this area as the number of crossing patrollers increases.	Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken at this time.	£0k	£0k
N/A	Parenting support	Education	n/a	£95k (65%)	West Berkshire currently offers many recognised evidenced based parenting programmes to meet a wide range of needs. However, the Parenting Support Team has trained a high number of staff and as a result the need for a co-ordinating and development function has reduced.	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	n/a	£95k
N/A	Duke of Edinburgh award	C&EP	n/a	£72k (100%)	The initial intention for this proposal was to look for an alternative method of delivery, maintaining the saving for the council. This will continue.	Feedback has not uncovered any further fundamental issues which would prevent the council from proceeding with this saving. It is therefore recommended that the saving remains unchanged and is proceeded with over the next 12-24 months. Alternative methods of delivery will be explored.	n/a	£72k
N/A	Tourism	C&EP	n/a	£60k (100%)	The process has indicated that there is a continuing demand for face to face service provision.	Feedback has brought forward further issues in relation to the TIC. Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken in full. It is recommended that the saving target be reduced to £25k and an attempt be made to find this through contributions from Newbury BID, town and parish councils, local businesses and other potential funding streams.	n/a	£25k
2 Year totals			£2,977k				£2,381k	

Overview of responses and recommendations: Charging People for Supporting People Services		June Graves, Head of Care Commissioning, Housing and Safeguarding	
Proposal:	To introduce a means-tested, charging scheme for people in receipt of long term Supporting People services	Projected income generated:	Total budget: £3.6m 2014/15: £250k 2015/16: £200k
Nos of responses:	11 feedback forms were received; including 3 from organisations and 1 from a councillor. In addition, 11 people attended specific engagement events to find out more about the proposals.		
Key issues raised:	Concerns expressed about the process of establishing the ability to pay and the overall impact the additional cost may bring to already vulnerable people impacted by welfare reforms. Generally anxious that the financial assessment will be used as a blunt instrument that does not take into account all relevant factors, having a particular impact on younger people. Pressure on other services such as A&E, as a consequence of people declining services on the basis of cost and then falling into crisis. Concern that we are moving against the direction of travel in terms of prevention rather than cure and increasing long term costs to community. Overall concern about the impact on the most vulnerable who, it was felt, will be disproportionately targeted in comparison to those who are better off.		
Equality issues:	2 main concerns arise with respect to equalities: - Firstly, that implementation of this proposal may increase the overall level of contribution for individuals already subject to charging and therefore they could consider themselves financially disadvantage. - Secondly, that vulnerable adults may be put off accessing a service on the basis that they may be charged and therefore increasing risk of going into crisis and needing a more intensive / statutory service.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Develop and encourage self-help voluntary groups.	Engagement has already started with new and existing voluntary organisations as part of the Council's new Voluntary Sector Prospectus for preventative services. A key aim is to encourage new entrants as well as build on the good work of existing organisations and therefore the Council is working hard to ensure information about what would be involved and how to apply is circulated as widely as possible.	

NB: This overview and recommendation paper should be read in conjunction with the summary of responses and verbatim responses received in relation to this proposal, circulated electronically to all members alongside the agenda pack and published online on our [Consultation Finder](#) database.

Alternative options for applying the saving in this area:	Suggestion	Council response
	Greater use of reserves to supplement this service	Council balances are held primarily to mitigate against any financial risks. These balances are currently considered to be close to minimum levels. Even if there were opportunities to use balances, it is noted that the savings proposals are ongoing, and this would only bridge the gap in the current year, meaning that the savings would still need to be found in the future.
	Increase Council Tax	The administration is proposing to deliver a council tax freeze for the next 2 years as one of their priorities.
	Reduce management tiers in the Council.	This has been and will continue to be addressed as part of delivering any savings required.
	Reduce subsidies for the arts	This is being dealt with through other savings proposals.
	Pass costs back to landlords and remove any duplication of service delivery in the system	These services sit outside housing management tasks and not attributable to the landlord. Work to remove duplication has already been completed.
Suggestions for how others may help contribute:	West Berkshire Therapy Centre have proposed helping general fitness, well-being, pain relief and mobility for individuals with disabilities, also tackling social isolation – will be making available the necessary resources to cope with the anticipated increase in demand from small local voluntary groups that are likely to come under pressure should the Council implement the cuts as described in through this exercise.	
Officer conclusion as a result of the responses:	In the face to face discussions all recognised it is right that people are asked to make a contribution to services on a means tested basis. The Fair Contributions Policy and process of financial assessment is robust and intended to ensure that the most vulnerable are not unduly disadvantaged by make a contribution towards the cost of their care and support. Charging will only apply to those in receipt of long term services (over 2 years) and therefore will protect those who are likely to be in greatest need receiving short term interventions. The approach of asking those who can pay, to pay, is intended to enable us to retain this level of preventative service in the community rather than reducing the commissioning budget. It also bring supporting people services in line with the charging regime for adult social care.	
Officer recommendation as a result of responses:	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	

NB: This overview and recommendation paper should be read in conjunction with the summary of responses and verbatim responses received in relation to this proposal, circulated electronically to all members alongside the agenda pack and published online on our [Consultation Finder](#) database.

Overview of responses and recommendations: Services to Support Vulnerable Young People		Julia Waldman, Commissioning Strategy and Partnerships Manager, Communities directorate Mark Evans, Head of Children's Services	
Proposal:	There are two key areas relating to this proposal: the first is to integrate services supporting vulnerable young people; the second is to work more closely with schools and a range of other services in the provision of targeted careers information, advice, support and guidance provision.	Proposed reduction in funding:	Total budget: £1.17m Reduce budget by £393k (33%) over 2 years
Nos of responses:	17 responses were received, of which 4 were from organisations and 1 from councillor.		
Key issues raised:	The main concern was around the loss of very specific targeted support and reductions in early intervention work may lead to poorer outcomes for children and young people and increased future costs to the service Concern that these proposals will increase social and rural isolation, which will in turn affect life chances and social mobility. Views were that seeking more collaborative solutions with the voluntary and community sector should be sought and that better measurement of impact could help to identify areas for savings. That the cuts proposed will impact negatively on the other public services (e.g. Police and the Courts). Adviza, as a provider that is very affected by these proposals in terms of levels of reductions, has made the case for greater integration as well as the potential impact on young people of the proposed savings.		
Equality issues:	It is noted that by its nature, this proposal would affect young people who may be considered more vulnerable.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Review external contracts and ensure effective procurement.	This suggestion is being progressed by the council	
	Cut councillors' expenditure.	The scheme of allowances for West Berkshire is one of the lowest in the country. Members are only paid expenses in relation to predominantly mileage which is based on the Inland Revenue mileage rate.	
	Review efficiency of WBC services.	This is being done with further savings being delivered through reduction of back office services.	
	Use some of the Council's reserves to offset savings.	Council balances are held primarily to mitigate against any financial risks. These balances are currently considered to be close to minimum levels. Even if there were opportunities to use balances, it is noted that the savings proposals are ongoing, and this would only bridge the gap in the current year, meaning that the savings would	

NB: This overview and recommendation paper should be read in conjunction with the summary of responses and verbatim responses received in relation to this proposal, circulated electronically to all members alongside the agenda pack and published online on our [Consultation Finder](#) database.

		still need to be found in the future.
	Improve the measurement of effectiveness of early intervention services.	We are working to improve our effectiveness in this area.
Alternative options for applying the saving in this area:	Suggestion	Council response
	Increase Council Tax.	The administration is proposing to deliver a council tax freeze for the next 2 years as one of their priorities.
	Develop more integrated and shared services.	We are doing this in a variety of areas. Much of the work in terms of services for vulnerable young people is aimed at developing more integrated services. We are also in discussion with other local authorities to explore expansion of our shared services.
	Prioritise young people ahead of other council service (e.g. road maintenance).	The budget simulator consultation undertaken in 2010 identified prioritising more people orientated services over those more place-based. As a result of this the revenue budget has been shaped over previous years with this in mind. The council has already absorbed a lot of the savings by cutting back on administration, the number of staff has been reduced by around 200 and the council has changed the way a number of services are provided. Although we will continue to do this, given the scale of savings required moving forward, reduced spending on services people use and will notice can no longer be avoided.
	Reduce duplication and ensure the most effective commissioning practice.	We are doing this and it is central to our business strategy
	Maximise use of other revenue sources (e.g. government grants, private and 3 rd Sector funding)	We are, and will continue to, do this.
Suggestions for how others may help contribute:	A range of suggestions were made these included: Working with schools and the 'City Deal' project to reduce the impact of the savings – we will be trying to do this. Encouraging voluntary sector work in this area by reducing bureaucracy – we are already doing this and will continue to do so. <i>Empowering West Berkshire</i> could promote a conference / workshop to identify the best way to minimise the savings – we would welcome it if EWB or any other relevant body decided to do this.	
Officer conclusion as a result of the	The feedback includes a strong set of evidence based points about the potential impacts of cuts to early targeted services. These are valid and we acknowledge that the impact of cutting early intervention services has the potential to have negative outcomes for some	

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responses:	children and young people. Strong suggestions are put forward for greater integration, more pooling, more collaborative solution-focused thinking and action, particularly with community, voluntary and third sector partners. We will be working to incorporate this thinking in our work as we go forward with a view to ameliorating the impact of these savings.
Officer recommendation as a result of responses:	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes

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Overview of responses and recommendations: Community-Based Care Packages for Disabled Children			Jane Seymour, SEN and Disabled Children Service Manager, Educ
Proposal:	To shift the focus of care and support for disabled children from residential to more community-based care packages	Proposed reduction in funding:	Total budget: £732k 2014/15: £160k (21%) 2015/16: £0k
Nos of responses:	12 responses were received, of which 3 came from organisations - Newbury Town Council, West Berkshire Mencap, Interakt and 1 from a councillor.		
Key issues raised:	Concern expressed about any reduction in services for children with disabilities - increasing the burden on families with disabled children and potentially just shift responsibility to other agencies. Some supported a reduction in the use of residential placements provided that suitable services were available in the community to enable children to continue to be cared for at home. Some concern referenced a lack of capacity in local community services, such as short breaks services, community services being more expensive than residential placements and one queried the safety of children cared for within their local communities, rather than in residential settings. Some respondents, however, felt that it was better for children to remain in their local communities, rather than being in residential placements, but noted that it would be necessary to invest in local services in order to achieve a reduction in residential placements.		
Equality issues:	It is noted that this proposal would affect children with disabilities, who are already vulnerable, and their families.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Increasing the provision made by Castlegate	This could not be done without additional revenue funding.	
	Carrying out an audit of existing short breaks services to identify gaps	It is noted that audits of short breaks provision and requirements of families for particular types of short break services are routinely undertaken on a regular basis.	
Alternative options for applying the saving in this area:	Suggestion	Council response	
	Council Tax should be increased in order to continue to support services such as these.	The administration is proposing to deliver a council tax freeze for the next 2 years as one of their priorities.	
	Council reserves should be used to continue to support services such as these.	Council balances are held primarily to mitigate against any financial risks. These balances are currently considered to be close to minimum levels. Even if there were opportunities to use balances, it	

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		is noted that the savings proposals are ongoing, and this would only bridge the gap in the current year, meaning that the savings would still need to be found in the future.
Suggestions for how others may help contribute:	West Berkshire Mencap stated that they are willing to work with the Council to increase their short breaks provision.	
Officer conclusion as a result of the responses:	It is the Council's policy to make provision for children with SEN and disabilities as locally as possible and to support them to remain living within their own homes wherever possible. In recent years, the range of short breaks services available locally has increased, as has the use of Direct Payments / Personal Budgets, allowing families greater choice and control over how they are supported. As a direct result of this policy, the number of disabled children being placed in residential settings has decreased. It is likely that there will always be a small number of disabled children who require residential placements. It should be possible to further reduce reliance on residential placements by continuing to invest in local services, but it should be noted that the budget for short breaks will need to be protected in order to allow this to happen and also that there will be inevitable pressure on the budget which supports local care packages and Direct Payments if we are to continue to reduce residential placements.	
Officer recommendation as a result of responses:	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	

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Overview of responses and recommendations: Children's Centres			Janet Scott, Adult and Community Learning Service Manager, Educ
Proposal:	To make savings in the budget for Children's Centres by streamlining and integrating some of its functions and introducing charges for some of the services which are provided	Proposed reduction in funding:	Total budget: £1.4m 2014/15: £50k (4%) 2015/16: £105k (8%)
Nos of responses:	57 responses to the consultation were received in total. Within these, 40 were from Children's Centre Users; two from a Nursery School / Children's Centre; two from Head Teachers of Primary schools; 1 from Newbury Town Council and 1 from a district councillor.		
Key issues raised:	Concern around the long term impact of reducing resource in an early intervention / preventative service such as children's centres. The main thrust of comments recognised the contribution children's centres made to the lives of families and a fear that these would be diminished. The importance of providing services to the most vulnerable families was seen as very important as was the need for the services to be available in the towns, villages and isolated communities.		
Equality issues:	There was some concern around the impact on vulnerable families and particularly the value of the centres as a means of networking – as such, the use of centres by particular groups such as new / first time mothers; those without families in the area and families in isolated communities.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	-		
Alternative options for applying the saving in this area:	Suggestion	Council response	
	Investigate the charging for some activities or ask for voluntary contributions. Remove voluntary contributions and introduce mandatory costs for activities Introduce a £10 registration fee	Suggestions for increasing income will be explored alongside a consultation on charging	
	Greater sharing of resources across centres (ie. staff with specialisms, management, staff) or merge some centres to cover larger geographical areas	We are investigating merging Children's Centres and sharing management where the buildings are situated relatively close together. However we recognise this is more difficult when centres service a large rural area. Equally, it is important for staff to form relationships with families and therefore the individual aspect of the Children's Centre work needs to be retained. There are sufficient numbers of staff trained in each programme to support delivery	

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		of different programmes across the area and support for staff with specialist training to deliver programmes beyond their own centre. This proposal will also ensure that groups have at least the minimum number of attendees to support discussion and be cost effective. To note however, merging Children's Centres will not reduce the number of buildings where Children's Centre activities take place. It will better utilise management time where centres are geographically close together.
	Developing the centres as the central hub for all pre-school services (ie integrating health and social care through a central venue)	Good collaborative working practices exist with colleagues in health and Children's Services. Further joint working opportunities will be investigated.
	Opening up the centres for use by other services – eg integrating more with libraries. Offer the venues for hire to community groups.	Children's Centres can be used to support community groups and raise some income. This will be explored.
	Seek donations (ie from ex-service users) of old toys	Toys and equipment in good condition would be welcomed.
	Seek charitable status for centres	The benefits to be explored and if positive then this will be considered.
	Seek sponsorship from local businesses to support centres Centres to support fund raising events	Fundraising ideas, along the lines of a PTA will be explored.
	Use of more volunteers to support the centres Use trainee nursery teachers / assistants in centres	The recruitment of volunteers is ongoing and is supported by a training programme. Many volunteers are lost to the centres because the experience of volunteering has enabled them to find paid employment
	The council generally should not award pay bonuses to senior staff	Our Statutory Pay Policy indicates that the ratio between the highest and lowest paid employees in the council (11:1) is well within national government guidelines (20:1). The council does not operate a bonus scheme. However honoraria payments are paid to staff in exceptional circumstances.
Suggestions for how others may help contribute:	Children's centre buildings are available for use by other organisations that deliver services to young children and their families and make a contribution towards the running costs	

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Officer conclusion as a result of the responses:	Suggestions and recommendations from the consultation responses are in line with our current approach to make best use of our resources and we will continue to develop in these areas.
Officer recommendation as a result of responses:	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes

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Overview of responses and recommendations: Child and Adult Mental Health Services (CAMHS)			Cathy Burnham, Principal Educational Psychologist, Educ
Proposal:	To reduce the council's contribution to the Tier 2 Berkshire Healthcare Foundation Trust's CAMHS service, seeking to re-negotiate cost of the current contract for therapy services , explore other funder options and alternative and more cost effective ways of delivering all the services.	Proposed reduction in funding:	Total budget: £180k Reduce budget by £129k over 2 years
Nos of responses:	12 responses were received (shared with the savings proposal for therapy services) including from parents, a town council, an advisor for Health Watch, a councillor and the head of Berkshire Healthcare Trust.		
Key issues raised:	Concern expressed about services being cut for the most vulnerable. Concern that if unable to secure contributions from the NHS / CCGs then possibility of a reduction to service delivery for the children and young people in the area. Concern that short term savings could lead to a longer-term increase in costs for a number of organisations when young people with unmet mental health needs become adults with even greater mental health needs. Concern that proposals would result in longer delays, with the CAMHS service already under strain due to an increase in demand. However, a level of support for the proposal was expressed, and it was noted that the Health services/NHS should be contributing more to this area.		
Equality issues:	Given the nature of the service, children and young people with severe and long-term mental health difficulties could be adversely and disproportionately affected if these health needs are not addressed through Health funding. Developing young people's mental health provision is a WBC and LSCB priority.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	It was noted that it may be possible to make efficiency savings and streamline services, and perhaps make savings by amalgamating the parenting team and CAMHS.	CAMHS cannot identify any potential efficiency savings. Some of the current contribution pays directly for Tier 2 Primary Mental Health workers. The Parenting Team is currently working with the Children's Centres and is due to move into the Early Support hub. Some Early Intervention Tier1/2 Emotional Wellbeing support to schools will be developed further by the Council's Educational Psychology Service. However, to develop this further would require additional funding. CAMHS referrals have increased greatly, with longer waiting times for vulnerable young people and their families. The aim of developing 'in house' support is to reduce the pressure on CAMHS and ensure an early response to potential mental health issues	

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		through increased awareness and skills in schools.
	Share services across local authorities or with other service providers.	CAMHS already works across Berkshire.
Alternative options for applying the saving in this area:	Suggestion	Council response
	Use of council reserves to support such services	Council balances are held primarily to mitigate against any financial risks. These balances are currently considered to be close to minimum levels. Even if there were opportunities to use balances, it is noted that the savings proposals are ongoing, and this would only bridge the gap in the current year, meaning that the savings would still need to be found in the future.
	Increase council tax to support such services	The administration is proposing to deliver a council tax freeze for the next 2 years as one of their priorities.
Suggestions for how others may help contribute:	There is a willingness and interest amongst representatives of Public Health, Children and Young People's Services, CCGs and the NHS to work together improve pathways to and the support available for mental health support across all tiers. However, the size and suddenness of this current proposal has meant there has not been enough time to consult on these potential developments fully.	
Officer conclusion as a result of the responses:	It was recognised in the feedback that this proposal would potentially affect the poorest and most vulnerable in our communities, at a time where the data show an increase in mental health issues in children and young people. However there is clearly a need to build on the commitment for joint planning and delivery across relevant agencies to try and mitigate against and/or cover the projected funding loss. If funding is found from a different source then the current level of service delivery can continue. Reviews of the delivery options could be undertaken. WBC is committed to developing further Early Intervention Emotional Wellbeing support for children and young people in schools which should reduce the numbers of CAMHS Tier 3 and 4 referrals by tackling some problems earlier. This is not without additional cost and involves a long term commitment to see the results. An alternative proposal would be to maintain the current reduced budget to CAMHS in the next financial year to allow Tier 2 CAMHS services to continue, or to make a small reduction. This would allow more time for Public Health, CCGs, NHS and WBC to work together to form a joint mental health strategy, discuss and agree different funding streams and develop provision in a planned and cost-effective way.	
Officer recommendation as a result of responses:	Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken in full in 2014/15. Instead the collaborative working to improve pathways and support across all tiers should be taken forward through further discussion, consultation and service re-design.	

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Overview of responses and recommendations: Therapy Services			Jane Seymour, SEN and Disabled Children Service Manager, Educ
Proposal:	To renegotiate the current contract for commissioning therapy services from the NHS.	Proposed reduction in funding:	Total budget: £325k Reduce budget by £65k (20%) over 2 years
Nos of responses:	12 responses were received (shared with the savings proposal for CAMHS). However, 3 of these respondents commented on the CAMHS proposals only, leaving 9 respondents who commented on this proposal. Of these 9 responses, 2 were from organisations (Newbury Town Council and Berkshire Healthcare Foundation Trust).		
Key issues raised:	Concerns expressed that a reduced service would be detrimental to children's progress leading to greater difficulties and associated costs later in their lives; Concern that waiting times are too long already and that use of less qualified staff such as speech and language therapy assistants would damage children's progress. Concern regarding the impact on delivery of training for staff in schools which would reduce schools' ability to meet the needs of children with specific difficulties.		
Equality issues:	Given the nature of the service, more vulnerable children would be affected. One comment noted that children with speech, language and communication difficulties are more likely to be from poor socio economic backgrounds.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	-		
Alternative options for applying the saving in this area:	Suggestion	Council response	
	Make greater efficiency savings rather than cutting direct therapy services	It is intended that efficiency savings will be sought in order to mitigate impact on direct service delivery	
	Share services with other councils and service providers Work jointly with health providers and commissioners to agree priorities and alternative service delivery models	Joint commissioning of therapy services with health commissioners is being pursued and could help to rationalise costs.	
	Review systems for identifying children for access to therapy services to ensure that too many children were not gaining access.	We are satisfied that identification systems are robust, but we will be reviewing procedures for discharging children from therapy services.	

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	Use of council reserves to support such services	Council balances are held primarily to mitigate against any financial risks. These balances are currently considered to be close to minimum levels. Even if there were opportunities to use balances, it is noted that the savings proposals are ongoing, and this would only bridge the gap in the current year, meaning that the savings would still need to be found in the future.
	Increase council tax to support such services	The administration is proposing to deliver a council tax freeze for the next 2 years as one of their priorities.
Suggestions for how others may help contribute:	The Berkshire Healthcare Foundation Trust stated that it would be happy to work with the Council to identify how efficiencies can be achieved.	
Officer conclusion as a result of the responses:	It was anticipated that this proposal would create anxiety particularly on the part of parents of children with SEN, who have expressed understandable concerns, as have others on their behalf. If this savings proposal is taken forward, our intention would be to seek to minimise its impact by seeking efficiency savings wherever possible, developing robust joint commissioning with health commissioners and reviewing models of service delivery. Opportunities to raise income by charging neighbouring local authorities for therapy services provided for children who attend WBC schools but reside in those authorities are also currently being explored. This was not previously permissible under inter-authority recoupment regulations but now seems to be possible under new SEN funding procedures.	
Officer recommendation as a result of responses:	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes.	

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Overview of responses and recommendations: PreSchool Teacher Counselling Service		Jane Seymour, SEN and Disabled Children Service Manager, Educ	
Proposal:	To streamline the PreSchool Teacher Counselling Service which supports preschool children with significant special educational needs.	Proposed reduction in funding:	Total budget: £167k Reduce by £20k over 2014/15 and 2015/16 (12%)
Nos of responses:	15 responses were received, of which 3 were from organisations (the Community Paediatric Service, Newbury Town Council and the PreSchool Teacher Counsellor Service) and 1 from a councillor.		
Key issues raised:	There was a recognition that the service provides important practical and emotional help to families at a difficult time in their lives. Concern that there is no equivalent service which promotes the educational development of young children with SEN Early intervention is critical in order to maximise progress and development of children referred to the service who have severe SEN. Delaying intervention will detrimentally affect progress - likely to result in them having greater difficulties in school and later in life. From this, there was concern that the waiting times for this service already too long (on average 9 months from referral), and this proposal would further exacerbate the issue. Recognition that the service has an important role in facilitating access to the support children may require within educational settings, such as 121 support or specialist placements. Recognition that the service provides training and support for staff in pre-school and school settings in meeting the needs of children with SEN and disabilities. Without this support children may not have their needs met appropriately which may result in placement breakdown and could also detrimentally affect the education of other children in the setting.		
Equality issues:	This proposal would impact children with disabilities who are already vulnerable. Some noted the service supports children with Autistic Spectrum Disorder who have difficulty coping with change and who therefore have a particular need for professional support with transitions in to pre-school and from pre-school to school. It was noted that more well off and emotionally resilient parents may be able to compensate for a reduction in service by identifying / funding other sources of help whilst waiting to be seen by a PSTC. Less advantaged parents and their children are less likely to be able to do this and would therefore be disproportionately affected.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Families who were able, could travel to see the PSTC in a setting such as a Children's Centre to reduce staff travelling time	This has some potential and is being investigated.	
	Offer shared sessions for children with similar needs	There may be some scope for this but it would be limited as children with complex disabilities can have very disparate needs. It should also be recognised that whilst the	

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		primary role of the service is to promote the children's educational development, the PSTCs also have an important role in providing emotional and practical support to parents who are coming to terms with their child's diagnosis and the fact that they will have lifelong disabilities. Many parents need to have this support on a one to one basis and may be reluctant to attend group sessions.
	Parents could choose when to use their sessions and might be willing to have fewer sessions when the child is older in exchange for having more sessions early on.	There may be some scope to reduce sessions for older children in order to bring younger children off the waiting list and on to the caseload sooner. This will be explored. Involvement at the stage the child is transitioning to pre school or school is, however, critical.
	Reduce bureaucracy – shorter written reports	The only detailed reports which are written are the initial report and also the report for the statutory assessment / statementing process (if this is required). The initial report needs to be fairly detailed in order to aid the parents' understanding of their child's difficulties, and it is also used by other agencies and professionals. The report for the statutory assessment also needs to be thorough. However, all interim reports are already done as brief notes of visit only, so it is felt that opportunities to minimise report writing have already been taken.
	Charge families a small contribution to use the service, on a means tested basis	This would create an administrative burden which could be equal to the savings / income achieved. Means testing is always problematic as families who come just above the threshold may nevertheless be on low incomes and have difficulty paying. This could result in children being denied the service.
	Explore use of voluntary agencies	There are no known voluntary agencies who would have the capacity, expertise or resources to deliver an equivalent service.
	Greater use of online materials for parents	We are promoting on line training for parents which will certainly help them to support their children's development. However, use of on line materials would not be a substitute for sessions with a PSTC ,as the effectiveness of their use would depend on parents having the educational ability to access and use the materials and the emotional resilience and motivation to do this at a time when they may be very emotionally vulnerable themselves.
Alternative options for applying the saving in this area:	Suggestion	Council response
	Increase Council Tax rather than cutting the service.	The administration is proposing to deliver a council tax freeze for the next 2 years as one of their priorities.

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Suggestions for how others may help contribute:	None were put forward
Officer conclusion as a result of the responses:	Measures have already been put in place to spread the service as effectively as possible and to reduce the waiting list, for example visits to older children on the caseload are less frequent than previously. Suggestions for making better use of resources will all be considered in order to reduce the impact of the saving, but it is unlikely that this saving could be achieved without increasing waiting times for the service.
Officer recommendation as a result of responses:	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes

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Overview of responses and recommendations: Public Transport Subsidies			Mark Edwards, Head of Highways and Transport, H&T
Proposal:	Review of subsidised bus routes and contributions to community transport operators.	Proposed reduction in funding:	Reduce this budget by £375k (25%) over 2 years.
Nos of responses:	97 responses were received, of which 12 were from town / parish councils and a further 6 from organisations.		
Key issues raised:	The main concerns were the threat and fear of travel deprivation and social isolation. The availability of transport in rural areas was believed to underpin the ability of people, especially those without private transport and those who were disabled, to live in such rural locations.		
Equality issues:	Responses highlighted the fear of travel deprivation and social isolation. Comments noted that this proposal would adversely affect those who rely on services delivered by Readibus, the volunteer transport services and local buses. The availability of transport in rural areas was believed to underpin the ability of people, especially those without private transport and those who were disabled, to live in such rural locations.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Reduced frequency of services rather than full withdrawal.	This is being examined as part of the process.	
	The means of delivering services may have to change to reduce costs.	Agreed.	
	Better advertising / marketing for existing services.	This became apparent during meetings held as part of the consultation process, particularly in respect of community transport. However a budget would initially be required.	
	Enhance the bus station in Newbury to make it more appealing.	Some improvements have recently been made but it should be noted that the bus station will be relocated as part of the Market Street redevelopment	
	Create incentives for people to use the buses - loyalty discounts and savings in shops etc.	This would be a matter for local businesses and the transport operators. However, the Council is looking at the 'Reward Your World' concept, to include incentives on bus tickets. Janet Duffield, Economic Development Officer, is the lead on this.	
	Increase the volunteer schemes into the rural areas which have no / poor bus services.	We are discussing this with the relevant voluntary sector organisations.	
	Extend travel training to individuals who may benefit	This is addressed through the work of the Learning Independence For Travel	

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		(LIFT) organisation.
Alternative options for applying the saving in this area:	Suggestion	Council response
	Raise fares to make the services more profitable. However, some noted that higher fares would cause hardship for those on low incomes.	We are looking at the fare structure. However this would also increase payments on concessionary fares reimbursement that Council has to make.
	Some services to be operated commercially (The Vitality 2 evenings and Sunday services).	The late evening and Sunday Vitality 2 journeys will operate commercially from 1 April 2014.
	Change the terms and conditions of the National Off-Peak Bus Pass scheme.	This is not within the power of local authorities and could only be instigated by the Department for Transport.
	Seek private or corporate sponsorship of the services.	This can be done as tenders come up for renewal. In the past it has not proved successful.
	Integrate the Vodafone services into the local bus network	There are legal reasons why this is currently not done.
	Switch to smaller buses in the off peaks (there are logistical reasons why this is not done).	This is a matter for the transport operators.
	Tender out networks of services, not single routes. This may attract more companies to bid for contracts.	We are looking at this. However recent contracts let on a wider network basis are still attracting very little interest from transport operators.
Suggestions for how others may help contribute:	.	
Officer conclusion as a result of the responses:	The exercise has proved valuable in identifying implications of potential changes to routes. These will feed into the conclusions of our review as to how to meet the savings target. However, we recognise the concerns around the impact of savings on voluntary sector transport.	
Officer recommendation as a result of responses:	Feedback has brought forward issues to consider in particular in relation to the voluntary and community transport providers. Given the better than anticipated improving local economy, it is recommended that the saving relating to the voluntary and community sector is reduced.	

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Overview of responses and recommendations: Libraries			Mike Brook, Library Services Manager, C&EP
Proposal:	To reduce funding within the library service through reducing opening hours for libraries across the district, thereby honouring the commitment not to close any libraries.	Proposed reduction in funding:	Total budget: £1.6m 2014/15: £75k (5%) 2015/16: £100k (6%)
Nos of responses:	366 response forms received in total, of which 16 were from organisations.		
Key issues raised:	Clear and evident support for libraries amongst respondents, valuing both the service and the staff that assist the users. Libraries seen by respondents as a cornerstone of the community, they are more than a book lending service, holding a wide range of activities and attracting a diverse audience. Recognition that libraries contribute to education, lifelong learning, literacy and IT literacy and to the preventative agenda. Several referred to the importance of libraries to their local economy. The traditional and growing contribution of volunteers is acknowledged by many. Some feel the balance between paid staff and volunteers is currently about right. Some expressed concern about greater use of volunteers: reliability and expertise. Noted that IT facilities in libraries used by those with low incomes: job seekers, applying for universal credit and social housing. Will likely add further demand in libraries to meet the assisted digital agenda. Also used by silver surfers to catch up on IT skills in the soft learning environment provided by their library. Concern that reduced hours are a step towards closure, and potentially a cynical step to create a spiral of decline to justify closure. Some felt proposed reduced hours in Pangbourne and Burghfield are unfairly savage. Some users at Hungerford and Mortimer said they'd accept this cut but no further cuts to their hours. Some complaints from people in the east, both in library and general terms, that their area doesn't get a fair share of resources, some feeling Newbury is favoured. Some concern that community-run library services would fragment a district-wide service.		
Equality issues:	Some responses referred to the impact on groups such as the elderly and young people and those unable to travel easily There is also reference to the impact on those less computer literate that depend upon more face to face contact.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	If hours are reduced, care needed to spread available hours around to match the needs of as many groups as possible.	This is being done	
	Mobile stops frequency could be reduced from 3 to 4 weekly.	This would be a further variation to the front line service; the service reviews the schedule of stops frequently	
	Encourage more events in libraries to increase footfall, eg art	The service is working to increase additional activities and use of the	

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	exhibits, workshops etc	branch library venues
	Introduce coffee shops in libraries to draw people in	This has been previously trialled but proven not to increase footfall although it could be argued that it improved the visitor experience
Alternative options for applying the saving in this area:	Suggestion	Council response
	Introduce charging for internet use	This is being considered
	Partnership activities – CAB / credit union / health advice	This is being considered
	Cap on management salaries	Our Statutory Pay Policy indicates that the ratio between the highest and lowest paid employees in the council (11:1) is well within national government guidelines (20:1).
	Increase council tax to support services	The administration is proposing to deliver a council tax freeze for the next 2 years as one of their priorities.
Suggestions for how others may help contribute:		
Officer conclusion as a result of the responses:	The greatest number of responses was received in relation to Pangbourne, Burghfield Common and Mortimer. Responses make a case for seeking smaller reductions. The suggestion that “mobile stops frequency could be reduced from 3 to 4 weekly” could be considered. The potential for shared service working is being explored.	
Officer recommendation as a result of responses:	Feedback has brought forward further issues to consider in relation to the reductions in opening hours. Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken in full in 2014/15. It is therefore recommended that the reduction in hours at Pangbourne Library be amended to 5 hours per week (library open 22 hours per week); at Mortimer Library the reduction in hours be amended to 3 hours per week (library open for 19 hours per week) and at Burghfield Common Library the reduction in hours be amended to 2 hours per week (library open for 19 hours per week)	

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Overview of responses and recommendations: Road Safety Expenditure			Mark Edwards, Head of Highways and Transport, H&T		
Proposal:	To reduce spend on road safety campaigns to withdraw from the Safer Roads Partnership and end our contribution for funding of a Road Safety Constable.	Proposed reduction in funding:	<i>Road safety education</i> Total budget: £96k 2014/15: £40k (42%) 2015/16: £0k	<i>Road Safety Constable</i> Total budget: £16k 2014/15: £0k 2015/16: £16k (100%)	<i>Safer Roads Partnership</i> Total budget: £96k 2014/15: £0k 2015/16: £40k (42%)
Nos of responses:	In total, 20 responses were received, of which 3 were from organisations: Newbury Town Council, the Institute of Advanced Motorists and Road Safety Analysis Limited.				
Key issues raised:	Concern that this would have a detrimental impact on road safety. However, a number of responses felt that this would have little impact.				
Equality issues:	The impact on children, pedestrians, young drivers and cyclists were highlighted. It was noted that it was important to educate young people as soon as possible and instil good responsible road safety attitudes.				
Suggestions for mitigating the impact on service users:	Suggestion		Council response		
	Replace hands-on education in schools with e-learning.		There will be no budget available for this but the Council may be able to support schools.		
Alternative options for applying the saving in this area:	Suggestion		Council response		
	Seek sponsorship from pubs, drink manufacturers and taxi firms for events such as drink / drive campaigns.		We understand that the Police will still operate their regular campaigns but the Council will no longer be able to provide support.		
	Parish / town councils and complaining resident associations should fund any investigations		Officers will investigate this on a case by case basis.		
Suggestions for how others may help contribute:	The Institute of Advanced Motorists could assist to improve driver skills, but there would be a cost implication with this.				
Officer conclusion as a result of the responses:	Feedback put forward some helpful comments regarding education and sponsorship which will be investigated. The feedback reinforced the Council’s view that the remaining road safety resources need to be targeted effectively.				
Officer recommendation as a	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore				

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result of responses:	recommended to implement this proposal with no changes

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Overview of responses and recommendations: Planning Enforcement			Gary Lugg, Head of Planning and Countryside, P&C
Proposal:	To reduce the resource in the planning enforcement team from 3, to 2FTE.	Proposed reduction in funding:	Total budget: £120k 2014/15: £37k (30%) 2015/16: £0k
Nos of responses:	20 in total, 4 from town / parish councils		
Key issues raised:	Concern that lead to people flouting planning law. Suggestion that this would lead to delays in planning process, increased disputes and poor quality buildings.		
Equality issues:	None were drawn out from the responses		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Clearer decision notices	Officer experience suggests that the vast majority of action results from developer or builder action not from misinterpretation of approval notices so any improvement here would not have a significant on the level of enforcement resource required.	
	Encouraging local communities to report breaches of planning controls	Local communities including town / parish councils do actively report breaches of planning control although it is also accepted that they do not have the capacity or expertise to investigate and progress enforcement action through the formal enforcement process.	
	Improve the reporting system for notifying the planning authority of breaches	A new public form is to be included on the Council's web site to allow easy notification of breaches of planning enforcement.	
	Take a harder line with offenders to discourage breaches	Increased fines to act as a deterrent is a matter for the courts and not something that the Council can control or influence.	
Alternative options for applying the saving in this area:	Suggestion	Council response	
	Use of fines to recover costs for breaches of planning law	Fees and charges cannot be implemented as Government set planning fees and we have no local discretion in this area.	
	Use of capital reserves	Council balances are held primarily to mitigate against any financial risks. These balances are currently considered to be close to minimum levels. Even if there were opportunities to use balances, it is noted that the savings proposals are ongoing, and this would only bridge the gap in the current year, meaning that the savings would still need to be found in the future.	

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	Increase council tax	The administration is proposing to deliver a council tax freeze for the next 2 years as one of their priorities.
	Provide a more explicit link between resources available for planning applications and enforcement	Planning resources are monitored and adjusted based on the current economic climate. Historically there is no evidence to suggest that Planning Enforcement workload is linked to the number of planning applications received.
Suggestions for how others may help contribute:	Greater use of parish councils to report breaches of planning control Parish councils should be more involved and should contact builders / developers directly should they note an issue	
Officer conclusion as a result of the responses:	The exercise has not highlighted any impacts that are not already anticipated.	
Officer recommendation as a result of responses:	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes	

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Overview of responses and recommendations: Theatres			Chris Jones, Arts and Leisure Manager, C&EP	
Proposal:	To reduce funding for the Corn Exchange and Watermill theatres in Newbury.	Proposed reduction in funding:	<i>Corn Exchange</i> Total budget: £378k 2014/15: £50k (13%) 2015/16: £120k (32%)	<i>Watermill</i> Total budget: £42k 2014/15: £0k 2015/16: £10k (24%)
Nos of responses:	322 response forms received in total, including 17 from organisations. In addition, discussions were held with both the Corn Exchange and Watermill theatres and key strategic funding bodies to look at the wider implications of the proposal.			
Key issues raised:	Given the scope of the reduction proposed to The Corn Exchange, the greater majority of the comments related to this venue. A substantial number of respondents commented on the importance of both venues / organisations to the cultural and visitor economy of wider Newbury and in particular the town centre. Concern over the impact on families who use the venues – many young people have been introduced to careers in the theatre / arts and creative sectors as a result of attending performances or workshops provided through the venues. Concern was raised about the consequence of narrowing the content and volume of programmes (possibly more risk averse less creative selections), reducing the range of stakeholders by limiting choice and further create a spiral of declining opportunity. With regard to the geography of the venues, it was commented that The Corn Exchange is considered by many to provide the only true community resource within the town. Concern about the impact on special elements of the programme, in particular the Relaxed Performance provided at the Corn Exchange which cater specifically to the needs of children on the autism spectrum and their families. Concern about the impact on the non-performance element of the programme: outreach to local schools, cinema, outdoor events, variety and quality of live performance programme, hiring charges for local groups to perform at the Corn Exchange, volunteering opportunities. Concern about the negative impact on the Market Place as a focal point for the night time economy – would revert to a pub/clubbing focus rather than the diverse economy that is developing. Concern about the scale of the proposed reductions, especially to The Corn Exchange.			
Equality issues:	The proposal for reductions in budgets will impact across the board at both venues without specifically prejudicing any specific sector of the community. Several respondents expressed a fear that any subsequent rise in ticket prices may have a detrimental effect on people with limited income.			
Suggestions for	Suggestion	Council response		

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mitigating the impact on service users:	Range of concession priced performances to mitigate impact on people with low/limited income.	This will be a matter for the theatres to consider
Alternative options for applying the saving in this area:	Suggestion	Council response
	Levy on local pubs and restaurants which benefit from additional custom generated by attendees.	This would need to be examined in line with the growth of the BID and perhaps aligned to local commerce through Newbury Vision.
	Rise in ticket price / introduce a £1 levy on tickets	This will be a matter for the theatres to consider
	A reduction in the proposed saving implemented over a longer time scale.	This would need to be examined with a wider range of partners including key strategic arts and grant giving organisations.
	Cutting expenses in other non-arts budget areas to offset the impact of the reduction.	The savings package proposed sees reductions across the whole Council
	Supplement the revenue stream of the venues through broadening the range of events / hires to include non arts activities (small scale sporting events / weddings or regular community group activity hire).	This will be a matter for the theatres to consider
	Reducing the programming at New Greenham Arts to focus on the Corn Exchange.	This will be a matter for the Corn Exchange to consider
	Sponsorship of seats by more 'wealthy' residents or church groups to support subsidy for people with limited income. Sponsorship / investment from local businesses to support the venue(s) or key elements of the programme.	This will be a matter for the theatres to consider
	Transfer ownership of the Corn Exchange to Greenham Common Trust to reduce building and maintenance overheads.	This might form part of any discussion in consideration of a Cultural Trust
	Increase Council tax to offset or minimise the impact of the proposed savings.	The administration is proposing to deliver a council tax freeze for the next 2 years as one of their priorities.
	Increase volunteer roles at both venues where appropriate.	This will be a matter for the theatres to consider
Suggestions for how others may help contribute:	Other than the ideas already highlighted the only key suggestion to alleviate the impact of the proposals was in relation to establishing a Newbury town centre based Culture Trust. This is an option which whilst it might not deliver immediate savings appears to warrant further examination for longer term safe-guarding of the district's cultural and theatre assets.	

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Officer conclusion as a result of the responses:	Whilst a number of people voiced concern regarding the need for reductions, a number also recognised the need for budget cuts to be made by the council. The scale and timing of the proposed reductions were regarded as a key factor of concern. The option of a longer term culture trust should be explored. The Corn Exchange has submitted a counter proposal of a lower saving profiled over a 5 year period.
Officer recommendation as a result of responses:	Feedback has brought forward further issues to consider in relation to safeguarding the Corn Exchange. Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken in full and that the reduction in funding to the Corn Exchange be re-profiled over a five year period. With regard to the Watermill theatre, feedback has not uncovered any further issues which would prevent the Council from proceeding with this saving. It is recommended to implement this proposal with no changes.

Overview of responses and recommendations: Road and Verge Maintenance			Mark Edwards, Head of Highways and Transport, H&T
Proposal:	To reduce various budgets associated with road and verge maintenance.	Proposed reduction in funding:	Reduce expenditure over 2 years in: • <i>Sign and road marking maintenance</i>: £53k (28%) • <i>Crash barrier and guard railing maintenance</i>: £10k (14%) budget is £76k • <i>Gully emptying</i>: £30k (15%) • <i>Winter gritting</i>: £40k (6%) • <i>Roads maintenance</i>: £165k (17%) • <i>Unscheduled highway events</i>: £50k (8%) • <i>Grass cutting maintenance</i>: £71k (7%)
Nos of responses:	43 responses were received, of which 5 were from town / parish councils, 1 from an organisation and 1 from a councillor.		
Key issues raised:	Signs and road markings Concern that would compromise safety. Safety fences/barriers Few comments however noted that the work should be carried out on a risk assessment basis, focusing around schools. Drainage/gully emptying Concern that this was a false economy as the reduced drainage capability would only lead to local flooding and further erosion of road surfaces. Winter gritting Concern that this was a crucial service that should not be reduced due to the likely increase in accidents and impact on access to services including work and school. Highway Maintenance Concern that road conditions would worsen and negatively impact on road safety. Verge maintenance/grass cutting Level of support for this element provided that sight lines are safely maintained. Concern about maintaining safer walking to school routes and in rural areas where no footways are present.		
Equality issues:	Although would impact on all, some concern about the impact on the elderly should footway and verge maintenance be reduced, particularly, on the rural network. However, there are no proposals to reduce footway maintenance.		
Suggestions for	Suggestion	Council response	

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mitigating the impact on service users:	Removed superfluous signs to reduce maintenance costs.	Officers follow DfT guidance concerning sign clutter where resources permit.
	Remove unnecessary guardrails / safety fences where safety was no longer an issue	Officers follow this practice.
	Reductions in road maintenance should focus on little used rural roads and those serving individual properties like farms.	The Council has a responsibility to maintain all public highways but priority is given to well trafficked routes in accordance with the code of practice/national guidelines.
Alternative options for applying the saving in this area:	Suggestion	Council response
	Reduce the frequency of grass cutting even further to fund essential services provided that road safety is not compromised.	The proposal already includes a reduction in the number of rural cuts from 3 to 2. A further reduction would compromise road safety and is not recommended. In urban areas it is considered that any further reduction in standards would be unacceptable.
Suggestions for how others may help contribute:	Parish councils could help identify priority areas for verge grass cutting. Explore voluntary activity.	
Officer conclusion as a result of the responses:	There was concern from respondents about the impact on road conditions but the responses did not put forward any further evidence of impact, not already envisaged. A number of suggestions were put forward around reducing the frequency of grass cutting which are already being pursued.	
Officer recommendation as a result of responses:	Feedback has brought forward further issues in relation to road and verge maintenance. Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken in full in 2014/15. It is therefore recommended that the proposals relating to gully emptying, winter gritting and road maintenance are not progressed at this time.	

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Overview of responses and recommendations: Sunday Parking Charges			Mark Edwards, Head of Highways and Transport, H&T
Proposal:	To introduce the weekday parking tariff on a Sunday to car parks in central Newbury.	Projected income generated:	2014/15: £10k
Nos of responses:	In total 31 responses were received, including 3 from organisations: Newbury Town Council, the West Berkshire Ramblers' Association, Interakt and 2 from councillors.		
Key issues raised:	Concern that the increase in car parking charges would have a detrimental effect on Sunday trading in Newbury town centre. Concern about the impact on events in the town centre run on a Sunday (ie Crafty Raft). Concern that this would result in similar charges being levied in other towns in due course. Concern that would inhibit groups such as the Ramblers' Assoc. who use the car parks as a rendezvous before heading off for the day. Concern that would lead to increased on-street parking just outside of the residents' parking zones		
Equality issues:	Noted that the elderly and disabled will be affected, as will people attending Sunday church services.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Provide free parking for club members on days when there are significant events in the town centre (ie Crafty Raft)	This would be very difficult logistically. There would be a significant increase in resources needed to administer this and revenue would be lost. The Council would receive large number of requests for free parking from clubs and societies.	
Alternative options for applying the saving in this area:	Suggestion	Council response	
	Have a more modest increase in the flat Sunday fee (to say £1.50).	Sunday is just another normal shopping day for many people and the proposed parking tariff reflects that. However this alternative proposal has merit and is perhaps better suited to nature of Newbury.	
	Sunday parking charges should be applied to all other town car parks outside of Newbury.	The numbers in Hungerford, Theale and Pangbourne for Sunday parking are relatively small with very little financial effect.	
	Develop a parking refund scheme with retailers if you spend over a set amount.	This already exists in the Kennet Centre but has not been received enthusiastically more widely by local businesses.	
	Introduce a charging scheme for cyclists using cycle stations across the town centre	The Council does not want to discourage cycling.	
	Reduce parking charges to zero to encourage greater	Who will then pay for all the car park fixed costs? Such a proposal will not encourage turnover or necessarily increase trade for town centre	

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	footfall.	businesses.
	Sell off all council-owned car parks to the private sector to encourage competitive pricing	Council car park charges are competitive and there is no reason to believe that charges would be more competitive if they were privately operated
	Reduce the number of traffic wardens instead	The Council has a duty to provide adequate enforcement under the Traffic Management Act 2004. Civil Enforcement Officers are required to patrol the many towns and villages, including schools, where parking restrictions are in place. Reducing the number of CEOs would not necessarily save any money.
	Increase the charge for issuing resident parking / visitor permits	The residents parking scheme is currently being reviewed.
Suggestions for how others may help contribute:	None provided.	
Officer conclusion as a result of the responses:	The vast majority of the 31 responses expressed concern at the potential effect of this proposal on town centre trade. Some comments put forward suggested an alternative option to increase the Sunday charge from £1 to £1.50 rather than implementing the full weekday tariff.	
Officer recommendation as a result of responses:	Feedback has brought forward further issues to consider in relation to the increase in car parking charges adversely impacting on trade in the town. It is therefore recommended that the Sunday charge is increased from £1 to £1.50 rather than implementing the full weekday tariff.	

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Overview of responses and recommendations: Public Conveniences			Stewart Souden, Grounds Maintenance Manager, P&C
Proposal:	To withdraw funding for public toilets in Kintbury, Aldermaston, Hungerford, Thatcham and Pangbourne and seek alternative funding through parish councils.	Proposed reduction in funding:	Total budget: £146k 2014/15: £20k (14%) 2015/16: £50k (34%)
Nos of responses:	37 response forms received in total. 4 from organisations. The majority of responses related to Pangbourne toilets. In addition a number of meetings were held with town and parish councils.		
Key issues raised:	Concern that the lack of facilities would put people off visiting the localities. Pressure on local businesses to accommodate people – may be unfair if not paying customers. No facilities for people in Kintbury waiting for the train Concern about health issues with people relieving themselves outside		
Equality issues:	Concern that people with medical conditions and disabilities may need the facilities. Discussions with the West Berkshire Disability Alliance however suggested that disabled people would not be more adversely affect than anyone else in the community.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Local businesses could promote the use of their toilet by non-paying customers (and be recompensed as such)	This would be welcomed by the Council but it is for local business to promote the use of their facilities.	
	Convert part of Pangbourne toilet into a coffee shop to cover the cost of its upkeep	This is not considered a viable proposal.	
	Open up use of Adventure Dolphin toilets for public use	This can be explored.	
Alternative options for applying the saving in this area:	Suggestion	Council response	
	Use of car park charges to pay for toilets	This refers to the toilets would require an increase in car park charges to provide a public convenience service that is only used by a limited number of people using the car park.	
	Charge for use of toilets	With the possible exception of Thatcham Broadway, the nature of these small buildings is such that charging systems cannot be installed due to a lack of space. A charging system at Thatcham would only make up a small proportion of the saving to be found if a fee of for example 20p per visit were to be charged.	

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	Reduced opening hours of toilets		This would not help reduce costs significantly. The cost of repair, maintenance and cleaning would still be required.
	Local businesses (food establishments) should be asked to contribute to the upkeep of local toilets		This could be requested but it is unlikely that it will generate the required income to cover the cost of operating the toilets.
	Charge coffee / ice cream sellers for use of car parks		This is being investigated but it is unlikely to recover the cost required to operate the toilets.
	Increase council tax		The administration is proposing to deliver a council tax freeze for the next 2 years as one of their priorities.
Suggestions for how others may help contribute:	Beenham Parish Council	This parish council will not fund the Aldermaston Lock public toilet	
	Thatcham Town Council	There is a legal agreement in place between Thatcham Town Council and West Berkshire Council that means that the site must remain open until 31 March 2015.	
	Kintbury Parish Council	This parish council has decided to fund the Kintbury Lock public toilet until 31 March 2015. It will carry out a consultation at a local level to ascertain whether residents wish to fund this beyond that date.	
	Pangbourne Parish Council	The parish will consider funding this once new Council Tax bands are agreed.	
	Hungerford Town Council	The town council is looking to fund this site.	
Officer conclusion as a result of the responses:	At this stage no viable alternative solutions have been suggested. Beenham Parish Council have confirmed that they will not fund the toilets at Aldermaston Lock so it is recommended that these toilets close. Kintbury Lock and Thatcham Broadway will remain open until 31 March 2015. Further discussions with the respective parish and town councils will be required in the autumn of 2014. Pangbourne and Hungerford are seeking to fund the 3 sites in their areas. If formal agreement cannot however be reached, then it will be recommended that these facilities will close 30 September 2014.		
Officer recommendation as a result of responses:	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal as outlined above.		

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Overview of responses and recommendations: School Crossing Patrols		Caroline Corcoran, Access, Planning, Governance and Trading Manager, Educ	
Proposal:	To cease funding of school crossing patrols and seek funding for these services through schools directly.	Proposed reduction in funding:	Total budget: £16k 2014/15: £0k 2015/16: £16k (100%)
Nos of responses:	45 response forms were received. 6 from organisations: Newbury Town Council, Thatcham Town Council, Stratfield Mortimer Parish Council, Pangbourne Parish Council, Pangbourne School Governing Body, and Mortimer St Johns Infant School governor, and 1 from a councillor. In addition, 2 petitions were received (relating to Fir Tree Lane and Theale schools).		
Key issues raised:	Concern raised about the increased risk of accidents and serious injury or death to children. To note that 3 requests are pending for crossing patrols at additional sites in the district.		
Equality issues:	This proposal will affect every school community who has a school crossing patrol. One comment expressed concern about the impact on children or parents who have a visual disability.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Increased focus on the promotion of road safety Put in traffic calming measures such as pedestrian crossing or traffic lights.	The cost of these measures has not been assessed for a range of sites at this point. However, in general terms, the cost would be c.£40k per pelican or toucan crossing, so this option would be more expensive, and the cost would need to be balanced against the risk.	
Alternative options for applying the saving in this area:	Suggestion	Council response	
	Seek funding from particular school	Under the law, in order to be able to stop traffic, a school crossing patroller must be employed by the Council. The Council already has an arrangement with an independent school for a self-funding option, which works well, and this solution could be rolled out more fully.	
	Seek funding from parish / town council or sponsorship from local business	The Council already has an arrangement for a self-funding option, and this solution could be rolled out more fully. The cost per crossing patrol is c £2,500 p.a., including overheads.	
	Reduce back office functions in order to protect more fully front line services	The council has already absorbed a lot of the savings by cutting back on administration. The number of staff has been reduced by around 200 and we have changed the way some services are provided. Although we will continue to do this, reduced spending on services people use and will notice can no longer be avoided.	

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Suggestions for how others may help contribute:	
Officer conclusion as a result of the responses:	The Council needs to ensure that the potential risk of death or injury to a child is mitigated if this proposal is to go ahead. Therefore, it is preferable that school crossing patrollers should continue in place to alleviate the risks. Communities should be encouraged to find alternative sources of funding, thus securing the crossing patrollers and reducing the risks. As the Council is receiving requests for an increasing number of patrollers, the solution of self-funded patrollers where there is demand would ensure that the Council did not receive increasing costs in this area as the number of crossing patrollers increases.
Officer recommendation as a result of responses:	Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken at this time.

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Overview of responses and recommendations: Parenting Support Team		Janet Scott, Adult and Community Learning Service Manager, Educ	
Proposal:	To reduce the budget for training practitioners to deliver parenting programmes in line with reduced demand and to integrate the service with other related parent support programmes.	Proposed reduction in funding:	Total budget: £145k 2014/15: £0k 2015/16: £95k (65%)
Nos of responses:	8 responses were received for this proposal. There were no organisations listed.		
Key issues raised:	Comments noted the value of this service to both the parents and the children. The greatest concerns were around vulnerable families, those with low incomes and where mental health is a factor. Another concern was around the provision of parenting courses in the future when the ‘pool’ of those currently trained was reduced. It is noted, responses focussed on the delivery of parenting courses rather than the reduction in the team set up to train those delivering the programmes.		
Equality issues:	It is noted that by its nature, this proposal would affect families who may be considered more vulnerable.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Ensure there is a funding reserve to pay for new staff to be trained in the future To engage with the voluntary sector and invest in their training.	Historically the parenting programme delivery has been funded through central government grants. Any further local delivery would be contingent on either new funding sources being available or developing collaborative joint funding models locally. This would still require time and resources to develop these kinds of arrangements. Some workforce development has been resourced jointly with Public Health and Troubled Families Programme funding and there is potential for parenting support to be considered in the future for funding via this route as it relates to wide health and well being agenda.	
Alternative options for applying the saving in this area:	Suggestion	Council response	
	Work with the CCG to commission mental health services for parents and to work closely with the council;	This would need to be raised through the Health and Wellbeing Board. Some initiatives to be jointly funded by the Council and health jointly. There is also a possibility of working with another local authority.	
Suggestions for how others may help	• Pooling resources • Being part of a capacity mapping exercise		

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contribute:	• Being part of further 'think tank' type activity • Paying for parenting programme training at cost • Charging those parents who can pay for parenting programmes
Officer conclusion as a result of the responses:	West Berkshire currently offers many recognised evidenced based parenting programmes to meet a wide range of needs. However, the Parenting Support Team has trained a high number of staff and as a result the need for a co-ordinating and development function has reduced.
Officer recommendation as a result of responses:	Feedback has not uncovered any further issues which would prevent the council from proceeding with this saving. It is therefore recommended to implement this proposal with no changes

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Overview of responses and recommendations: Duke of Edinburgh Award Scheme			Chris Jones, Arts and Leisure Manager, C&EP
Proposal:	To withdraw funding which supports the West Berkshire DoE award scheme	Proposed reduction in funding:	Total budget: £72k 2014/15: £0k 2015/16: £72k (100%)
Nos of responses:	79 in total of which 15 were from organisations		
Key issues raised:	Valued programme, supporting young people to develop social and life skills – preparedness for higher education and potential employment, recognises talents and promotes independence, healthy lifestyle and community / social inclusion. Scheme already supported and supplemented by volunteers. Concern that although other organisations are able to provide the scheme, capacity to deliver would be reduced and young people would have to join these organisations to participate. Recognise economies of scale in terms of training, quality assurance, and consistent support as a result of a central licence holder / provider and concern amongst some organisations that they are not large enough to assume the responsibility, or the cost, of the licence.		
Equality issues:	This is a universal service, so young people generally would be affected. However, particular groups who do currently benefit from the scheme include PRUs, YOT programmes, special needs young people and young people from deprived areas where youth provision has been cut in previous budgets.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
Alternative options for applying the saving in this area:	Suggestion	Council response	
	Reduce / amalgamate the function, rather than cease altogether	Options for alternative deliver will be explored but on the basis of zero cost to WBC	
	Reduce the funding over a nos of years / gradual increase in cost of placements	The Council is looking at increasing income but it is unlikely that this could match the savings target.	
	Run a tiered scheme so participants who are able to contribute, do so	All participants pay. Options for increasing charges based upon the ability to pay are being explored	
	DoE centres paying a sign up fee to WBC as the central licence holder	The Council is looking at increasing income but it is unlikely that this could match the savings target	

NB: This overview and recommendation paper should be read in conjunction with the summary of responses and verbatim responses received in relation to this proposal, circulated electronically to all members alongside the agenda pack and published online on our [Consultation Finder](#) database.

	Close award centres so that schools operate the scheme independently	Alternative hosts are being considered. Schools generally reluctant to run a scheme at this level, generally only cater for their own students.
	Utilise pupil premium funding and / or funding from Children's Services for more disadvantaged pupils	Draw down of Pupil Premium can be looked into. Funding from Children's Services would not generate a saving for the council
	Run jointly with a partner organisation / charity / neighbouring LAs	This would not realise the total saving
	Run the entire service through volunteers	A large number of volunteers deliver the service with WBC's provision. A voluntary group will be at liberty to obtain a licence and run the scheme
	Generate income through making use of existing staff to provide expedition training and management	There is no spare capacity within the team
	Greater sponsorship and grant aid	The Council is looking at increasing income in this and other ways but it is unlikely that this could match the savings target.
Suggestions for how others may help contribute:	Noted that the scheme already supported greatly by volunteers. Some organisations indicated that would be prepared to consider increasing their contributions Some indicated they would be like to be involved in further discussions around the provision of the service Suggested that participating organisations could pool equipment and transport to reduce costs of expeditions – grant licences to inter-schools collaborative groups Seek sponsorship from local businesses – through their training budgets and getting younger staff involved as part of their development plans. Berkshire Youth indicated that would seek to spread the overhead costs by partnering with other areas.	
Officer conclusion as a result of the responses:	The initial intention for this proposal was to look for an alternative method of delivery, maintaining the saving for the council. This will continue.	
Officer recommendation as a result of responses:	Feedback has not uncovered any further fundamental issues which would prevent the council from proceeding with this saving. It is therefore recommended that the saving remains unchanged and is proceeded with over the next 12-24 months. Alternative methods of delivery will be explored.	

NB: This overview and recommendation paper should be read in conjunction with the summary of responses and verbatim responses received in relation to this proposal, circulated electronically to all members alongside the agenda pack and published online on our [Consultation Finder](#) database.

Overview of responses and recommendations: Tourism			Amanda Loaring, Heritage and Tourism Manager, C&EP
Proposal:	To cease funding for the Newbury Tourist Information Office and withdraw technical support for the <i>Visit Newbury</i> official tourism website managed by the Newbury BID.	Proposed reduction in funding:	Total budget: £60k 2014/15: £0k 2015/16: £60k (100%)
Nos of responses:	78 responses were received, 9 of which were from organisations.		
Key issues raised:	Support for the service as a valuable resource in supporting the local economy by encouraging visitors to the area but also as a beneficial resource to the local community. A number noted the use of the internet, but some preferred face-to-face contact.		
Equality issues:	This is a universal cut and the service itself is not intended to target any specific group, however, some respondents noted a greater impact on those not as computer literate, such as the elderly who therefore rely on more face to face contact.		
Suggestions for mitigating the impact on service users:	Suggestion	Council response	
	Improve and encourage greater use of the Visit Newbury website and the TIC transferring to the BID	Discussions with potential hosts of the TIC are in hand. The Visit Newbury Website is currently managed and maintained by the Business Improvement District company (Newbury BID)	
Alternative options for applying the saving in this area:	Suggestion	Council response	
	Move the TIC to a rent-free location	There may be some potential to make savings in that regard but they are unlikely to be significant to meet the target in this savings proposal.	
	Make more use of volunteers alongside paid staff	This would only make a small saving as the staffing levels are already very low. The costs of the venue and materials would not fall.	
Suggestions for how others may help contribute:			
Officer conclusion as a result of the responses:	The process has indicated that there is a continuing demand for face to face service provision.		
Officer recommendation as a	Feedback has brought forward further issues in relation to the TIC. Given the better than anticipated improving local economy, it is recommended that the proposed savings is not taken in full. It is recommended that the saving target be reduced to £25k and an		

NB: This overview and recommendation paper should be read in conjunction with the summary of responses and verbatim responses received in relation to this proposal, circulated electronically to all members alongside the agenda pack and published online on our [Consultation Finder](#) database.

result of responses:	attempt be made to find this through contributions from Newbury BID, town and parish councils, local businesses and other potential funding streams.

NB: This overview and recommendation paper should be read in conjunction with the summary of responses and verbatim responses received in relation to this proposal, circulated electronically to all members alongside the agenda pack and published online on our [Consultation Finder](#) database.

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Appendix D – Reserves Statements

As at the 1.4.2013 the Council's General Fund (i.e. reserves that can be used against any activity) stood as follows:

Table 1 – General Reserves summary – as at April 2013

Item	Amount / £m
General Fund	6.5
Medium Term Financial Volatility Reserve	1.5
total	8.0

There have been a variety of adjustments and these are highlighted below:

Table 2 – Movements to General Reserves

	Amount / £m
As at 1.4.2013 – Total General Reserves	8.0
Utilisation of £120k from reserves for the 2013-14 budget as agreed at Council – March 2013	(0.1)
<i>Estimate at 31.3.2014</i>	<i>7.9</i>
Use of MTFVR in 2014/15 for loss of Business Rates	-0.4
Anticipated general reserves as at 31.3.2015	7.5

Table 3 – General Reserves summary as at 31.3.2015 – prediction February 2014

Item	Amount / £m
General Fund	6.4
Medium Term Financial Volatility Reserve	1.1
total	7.5

Purpose of the General Fund

The purpose of the general fund to act as a fund to be used in emergencies due to an outturn overspend and to protect council taxpayers from any steep rises in future Council Tax if the Council overspends against its budget.

The Council s151 officer (the Head of Finance) recommends that the general reserve totals, as a minimum, 5% of the Council's net revenue expenditure. As at the 1.4.2014, this would be a minimum reserve of £6.1m.

Within the expected General Fund of £6.4m, assuming no over or under spend, as at 31st March 2014, the Council has a number of risks as follows:

- Economy measures and service reductions always contain some degree of uncertainty as to whether their full effects will be achieved.
- The effect of the macro-economy on West Berkshire Council, and subsequent loss of income from Council Tax, from fees and charges, and a decline in house building and the corresponding impact on new house building.
- The impact of significant increases in demand to Council budget areas, specifically in Adult Social Care and Children's Social care; it should be noted that during 2012-13 Adult Social created their own risk fund for known items on the risk register that is maintained; these do not address significant spikes in demand
- The delivery of all savings targets
- Unforeseen events such as the flooding during July 2007
- Risks in relation to litigation.
- Risk of changes from specific grants to the non ring fenced government grants.
- Risks of grants being introduced or removed mid year, requiring authority contributions.
- The need to retain a general contingency to provide for unforeseen circumstances.
- The need to retain reserves for general day to day cash flow needs and avoid unnecessary temporary borrowing
- Risk of reduced income due to deferred income and social care clients' property decreasing in value

If the risks above occur, then this will deplete the general reserves, assuming that every other Council budget breaks even. If the Council does not break even in 2013-14 then it will need to establish a mechanism for replenishing reserves into future years.

Medium Term Financial Volatility Reserve (MTFVR)

The Council should maintain a MTFVR balance of at least 50% of the gap between the expected retained business rates and the safety net payment level from Government. At present, this 'gap' is £1.5m; i.e. the Council expects to receive £1.5m of retained business rate above its baseline, and the safety net begins at 7.5% of the Councils funding support (£1.5m). The reserve is required to cover a forecast net shortfall in the business rates of

circa £440k in 2013/14 with the closing balance expected to be just over £1m. This fund should be replenished to its recommended level as soon as practical.

Adult Social Care Risk Fund

Anticipated to be close to £900k by the end of the 2013-14 financial year. This reserve was created from one-off savings in Adult Social Care to meet known risks within the service. A separate risk register is held for the service. As with all reserves, these are one-off solutions and any on-going pressures will need to be adjusted via the CEL process.

Other reserves

The Council has a variety of other reserves which are earmarked for specific purposes. The significant items are highlighted below

Restructuring Provision

The Council has set aside £269k (worst case scenario) in the specific earmarked reserves to fund the cost of the savings proposals for the 2014-15 budget proposals.

It is anticipated that this reserve will mitigate, as much as possible, the impact of any savings related costs to the Council over the short term and so protect the Council's levels of general reserve to at least the minimum amount recommended by the s151 officer.

Any balance in this reserve at the end of the financial year will be rolled forward to fund any future restructuring costs to the Council.

Waste Management Reserve

A fund set up to help to meet the revenue and capital costs associated with the Council's PFI arrangement for the provision of waste collection and disposal services.

Long term commitments

Funding specifically set aside for capital financing purposes; either funding for future capital schemes or financing costs for future principal payments on maturity loans. These vary according to the progress of capital schemes and the utilisation of s106 monies.

A full list of the Council's reserves are disclosed in the Council's financial statements (2012-13)¹:

<http://www.westberks.gov.uk/index.aspx?articleid=27165>

¹ Please note that these reserves are before any changes from the 2013-14 financial year

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Adequacy of Reserves and Robustness of Budget Estimates – s151 Officer Statement

1. Section 25 of the Local Government Act 2003 requires the Section 151 Officer (Head of Finance) to formally report to Council as part of the tax setting report his view of the robustness of estimates and the adequacy of reserves. The Council is required to take these views into account when setting the Council Tax at its meeting on 4th March 2014.

2 Adequacy of Reserves

- 2.1 This statement focuses upon the unallocated general reserve and excludes schools' budgets and schools' unspent balances, which will be reviewed by the schools funding forum when Governing Bodies have submitted their budgets. The minimum prudent level of reserves that the Council should maintain is a matter of judgement and cannot be judged merely against the current risks facing the Council as these can and will change over time.
- 2.2 The consequences of not keeping a prudent minimum level of reserves can be serious. In the event of a major problem or a series of events, the Council would run a serious risk of a deficit or of being forced to cut spending during the year in a damaging and arbitrary way.
- 2.3 CIPFA (Chartered Institute of Public Finance and Accountancy) have issued a notification from the LAAP (Local Authority Accounting Panel) stating that there should be no imposed limit on the level or nature of balances required to be held by an individual Council (except under section 26 where this has been imposed by ministers). West Berkshire Council policy has consistently kept a prudent minimum level of balances of 5% of net revenue expenditure (NRE); this represents £6.1m for the 2014-15 budget requirement.

It is recommended that general reserve balances be set at a minimum of 5% of net revenue expenditure

3 Robustness of Estimates

3.1 The treatment of inflation and interest rates

The 2014-15 pay award for staff has been estimated at 1% in line with the Government's pay announcements. Non pay related budgets have been inflated at the contractually committed rate of inflation or where services can demonstrate a requirement to do so to maintain service delivery levels. Interest rates for 2014-15 have been assumed at just over 4% for new long term borrowing. Increases to fees and charges have been set in line inflation where appropriate.

3.2 Efficiency saving and productivity gains

The budget contains proposals to deliver nearly £6m of savings. The medium term financial strategy includes a three year savings programme to ensure that future revenue budgets remain in financial balance to ensure the council has adequate resources to deliver its Council Strategy outcomes. The savings programme will also help to ensure that Council Tax increases are kept to as low a level as possible and deliver efficient local

services. The proposals set a far greater level of required savings than in past years and there are inherent risks to the delivery of a balanced budget at the end of the 2014-15 financial year.

3.3 Budget and Financial management

West Berkshire has an excellent record of budget and financial management. The level of under and overspends in recent years is as follows

- 2007/08 £ 196k underspend 0.22% of budget excluding DSG
- 2008/09 £ 351k overspend 0.34% of budget excluding DSG
- 2009/10 £ 5k underspend 0.01% of budget excluding DSG
- 2010/11 £ 580k underspend 0.48% of budget excluding DSG
- 2011/12 £ 491k underspend 0.39% of budget excluding DSG
- 2012/13 £ 620k underspend 0.50% of budget excluding DSG
- 2013/14 £183k underspend as at M9

This level of control is achieved by significant management and policy action to ensure that spending is kept within budgets each year. All relevant reports to the Executive have their financial effects identified and Management Board keeps any emerging budget pressures under review during the year. Monthly reports are received by Corporate Board and quarterly reports to the Executive, and the Overview and Scrutiny Management Commission detail both budgetary and performance indicators. A traffic light system of indicators is used.

The Council has a number of demand led budgets. The Council has historically been able to manage changes to demand to ensure a sound financial standing at the end of the financial year.

3.4 Adequacy of insurance and risk management

Strategic risk management is being embedded throughout the Council to ensure that all risks are identified, ameliorated and managed appropriately. The Council's insurance arrangements are a balance of external insurance premiums and internal funds to self-insure some areas. As well as an internal risk manager the Council also make use of an external consultant to advise on the level of funds required to underpin those risks not externally insured.

3.5 Overall financial standing of the authority

West Berkshire Council now borrows money to support the Council's capital programme. It has calculated its capacity for borrowing within the provisions of the prudential framework and budgeted accordingly. The assumed Council Tax collection rate is 99.6% and this is an achievable if demanding target. Each 1% uncollected amounts to approximately £800k and any surplus or deficit on the collection fund is apportioned between the Council and its major precepting bodies the Royal Berkshire Fire and Rescue Authority, and the Thames Valley Police Authority.

4 Maintaining balances

- 4.1 The balance of the in year budgetary position against the proposed budget will be managed against the general reserve. If budget pressures emerge then it is first for the service to contain, then the directorate and finally a corporate issue. If there is still

Appendix E

a pressure at year end then General Reserves will reduce and will need to be replenished up to a 5% level in future years. This helps ensure that the Council is in a position to maintain its service provision without drastic actions.

- 4.2 If an event occurs that is so serious it depletes the Council reserves to below the limit set, then the Council will take appropriate measures to raise general fund reserves to the recommended level in as soon a timeframe as possible without undermining service provision.

Andy Walker
Head of Finance
January 2014

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Resources Fees & Charges Proposals – 2014/15

1. Introduction

- 1.1 One of the starting points in building the base budget is that fees and charges should increase by a minimum of 2.7%. In reality, however, officers seek to look at every opportunity to maximise income accepting that:
- Fees and charges can have a direct impact on usage and take up of services;
 - In some circumstances the Council is providing services in direct competition to the private sector. Where this is the case, price is likely to have a direct link with demand and it is important that the Council does not 'price itself out of the market';
 - Raising fees and charges can in some instances work against the Council's social inclusion agenda by effectively discriminating against those who are less able to pay;
 - For some services there is a clear expectation that fees and charges will reflect the costs incurred in providing the service. The Council may open itself to legal challenge if the increases it makes cannot be justified.
- 1.2 Within the Resources Directorate the main services and functions to which fees and charges apply are detailed in the specific proposals section below.

2. Specific Proposals

2.1 Registration Services

Registration fees are largely controlled by statute. In 2011 a bench marking exercise took place in order to ensure our charges were commensurate with the other Berkshire authorities.

2.2 Electoral Services

These charges are statutory, set by Government and the Council has no discretion to vary.

2.3 Land Charges

There has been increasing private sector competition in the area of Land Charges in recent years. As a result of this competition the Council has improved its performance. However, it should be noted that any improvement in turnaround times has to be offered to the private sector as well.

From 1st July 2007 a new fee structure was introduced to comply with new legislation, which requires the Council to only recover cost incurred in service delivery. For 2014/15 the fee structure has been reviewed to continue compliance with the cost recovery model. This requires an uplift of 2.7%. In addition, the statutory fee for personal searches has been revoked by HM Government this will result in further increased competition from the private sector, as personal search companies will be able to offer even more competitive pricing.

2.4 **Legal Fees**

It is proposed to increase the Council's Legal charges for third party work to bring the charges in line with other Berkshire Authorities.

Description	Current Fee 2013/14	Proposed Fee 2014/15	Notes
Registration			
Decommissioned room fees:			
Mon-Thu	£100	£110	
Fri	£130	£140	
Sat am	£150	£160	
Sat pm	£210	£220	
Sun	£310	£320	
Ceremonies at approved premises (Mon-Thu)	£330	£340	All increases rounded to the nearest £10
Ceremonies at approved premises (Fri)	£350	£360	
Ceremonies at approved premises (Sat)	£380	£390	
Ceremonies at approved premises (Sun and Bank Holidays)	£440	£450	
Approved Premises Licence (more than one room)	£1900	£1950	
Approved Premises (one room)	£1720	£1770	
Celebratory Services –Baby Naming/Affirmation of vows - Shaw House			
Mon to Fri	£170	£180	
Sat	£200	£210	
Sun	£270	£280	
Celebratory Services – Baby Naming/Affirmation of vows-at Approved Premises			
Mon to Fri	£200	£210	
Sat	£230	£240	
Sun	£290	£300	
Private Citizenship ceremony			Cannot justify increase based on the time involved
Mon to Fri	£100	£100	
Sat	£100	£100	

Description	Current Fee 2013/14	Proposed Fee 2014/15	Notes
Nationality Checking			
Single application	£55	£60	£20 extra charged for Saturday appointments
Joint application	£75	£90	As above
Minor	£20	£25	As above
Elections			
All fees are statutory			No change.
Local Land Charges			
LLC1	£59	£61	
Con29 PT1	£36	£37	
Con29 PT11	£19	£20	
Additional Questions	£36	£37	
Con29 additional parcel	£24	£25	
LLC1 additional parcel	£43	£44	Statutory fee removed
Personal search	£0	£0	
Personal search additional parcel	£0	£0	
Legal			
Hourly charging costs:			
Managers	£123	£130	
Team Leader	£118	£125	
Solicitor	£113	£120	
Legal Executive / Senior Legal Assistant	£103	£110	
Trainee Solicitors		£95 (new)	
This covers salary, employers' costs and other support charges – rent, office space, photocopying, postage, etc.			

Social Care Training

- 2.5 The Government provides funding for care sector training and we use this funding to deliver a comprehensive joint training programme for staff and people working in the private and voluntary care sector. Anyone can access training and charges represent the average costs, for example for a place on a course. The grant funding enables charges to local and accredited social care providers to be subsidised, hence the lower rate fee. Charging is essential to make the funding go further and ensure people book on courses and turn up. We have applied an increase to our charges to recognise increasing costs.

The Department of Health requires Councils to work closely with its partners on joint training and to facilitate improved standards of care through training initiatives; therefore some joint training will have the same charges as the partners involved and will sit outside this charging policy.

	Full Day Funded	Half Day Funded
Adult & Children's Social Care Staff at WBC		
Private, Voluntary & Independent social care providers, partners & accredited organisation & Direct Payments service users	£39.00	£25.70
Anyone else	£70.90	£39
Social Care Trainer Hire to Private, Voluntary & Independent social care providers, partners & accredited organisation	£133.50	No half day rate
Social Care Trainer Hire to anyone else	£336.90	No half day rate
Hire of training room & equipment for Private, Voluntary & Independent social care providers, partners & accredited organisation	£72.90	No half day rate

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Environment Fees and Charges Proposals – 2014/15

1. Introduction

- 1.1 One of the starting points for the base budget for 2014/15 is that fees and charges should increase by 2.7%. In reality, however, officers look for every opportunity to maximise income, accepting that:
- Fees and charges can have a direct impact on usage and take up;
 - In some circumstances the Council is providing services in direct competition to the private sector. Where this is the case, price is likely to have a direct link with demand and it is important that the Council does not price itself out of the market. In some areas benchmarking has taken place to ensure West Berkshire can compete with other authorities.
 - Raising fees and charges can in some instances work against the Council's social inclusion agenda by effectively discriminating against those who are less able to pay;
 - For some services there is a clear expectation that fees and charges will reflect the costs incurred in providing the service; the Council may be subject to legal challenge if increases in fees and charges cannot be justified.
- 1.2 Within the Environment Directorate fees and charges deliver an annual income of approximately £7,152,470 (2013/14 original budget). The majority of the fees and charges increases are in line with the 2.7% guideline in the budget strategy.

2. Specific Proposals

2.1 Planning and Countryside

2.1.1 The original budget for 2013/14 income from fees and charges in Planning and Countryside was £1,892,240. This amount includes the Nature Discovery Centre which has transferred to BBOWT on 6th January 2014. Income is generated from the following areas:

- Hire of sports facilities at Henwick Worthy, Holy Brook and Northcroft – This should be identified so as not to confuse with the Northcroft Leisure centre, the fees/charges for which are retained by the Leisure contractor Parkwood.
- Development Control.
- Building Control.

2.1.2 Development Control

Fees for planning applications are set centrally by the DCLG. Fees for formal advice given and related meetings at the pre-planning application stage (Pre-App) are set by the Council.

2.1.3 Building Control

Legislation requires Building Control charges to be set at a level to recover costs over a three year rolling period and that the service should not be profit making.

2.2 Highways and Transport

2.2.1 The original budget for income from fees and charges for the Highways and Transport service in 2013/14 was £3,865,750. Fees and charges have been reviewed in order to generate additional income wherever possible. Fees and charges are generated from the following four areas:

2.2.2 Car Park Charges

Car Parking charges increased in 2012 and it has been agreed not to increase these in 2014. There are however, a number of proposals to increase the amount of on street parking.

2.2.3 Licence Fees and Other Charges

Fees are charged for a range of services e.g. where Highway Authority approval is required to place items or to work on the public highway. These include vehicular crossings, skips, scaffolds, table and chairs on the highway, inspecting utility operations, temporary or permanent traffic regulation orders.

2.2.4 Highways Development Control Fees

Fees are charged to developers for design checking, supervision and inspection of new roads under construction and off site highway improvements. There is no increase proposed in the supervision fees for 2014.

2.2.5 Charges to Householders for Sewage Treatment

Approximately 150 properties, mainly in rural areas, are connected to small sewage treatment plants. These are the responsibility of West Berkshire Council to maintain, having previously been the ownership of Newbury District Council from when the housing stock was transferred to Sovereign Housing Association. The householders pay a fee to the Council which contributes to the maintenance costs.

2.3 Culture and Public Protection

2.3.1 The original budget for 2013/14 for income from fees and charges for Culture and Public Protection was £1,394,480. Income is generated from the following areas:

2.3.2 Trading Standards

Fees for this service include weights and measures, registration of poisons and licences for petroleum.

2.3.3 Waste Service

Fees include bulky household collection, provision of additional wheelie bins and garden waste collection.

2.3.4 Licensing and Environmental Health

Includes taxis, temporary events, premises, food safety etc

2.3.5 Culture

Cultural Services moved into Environment in April 2012. Fees and charges fall into four main arrears: Leisure, Shaw House admission and hire fees, heritage and tourism services and libraries.

Leisure – The leisure centres are managed by Parkwood Community Leisure. The Council agrees the maximum fee that can be charged for core activities. Increases in Parkwood's prices have no impact on the Council's budget.

Shaw House – For 2014-15 it has been decided to increase admission charges in line with inflation and for the increased charge to start on 1st

April 2014 rather than increasing the charge on 1st February as in previous years.

Heritage – West Berkshire Historic Environment record is used by enquirers for a variety of purposes. The charge is made for commercial enquiries to cover the costs of staff time.

No change in income is being proposed for the use of images from the museum collection as the museum is currently closed.

Libraries – As with last year there is no proposal to increase fines as it is felt this could have a detrimental effect on library use however, it there are plans in place for a daily charge on children's overdue books.. The Service is proposing not to increase the hire fees for computer games because they have not purchased any new games this year and feel that the public will not be willing to pay an increased charge for old games

Description		2013/14 Fee	2014/15 Proposed Fee
Planning and Countryside			
Henwick Worthy Sports Ground:			
Cricket – 1 st Hand Wicket (per match)	Adult	£74.30	76.30
	Junior	£37.10	38.10
Cricket – 2 nd Hand Wicket (used grass)	Adult	£55.60	57.10
	Junior	£27.40	28.10
Cricket – Artificial Wicket	Adult	£50.80	52.20
	Junior	£25.90	26.60
Cricket – 2 nd (Reserve) Artificial Wicket	Adult	£24.70	25.40
	Junior	£25.30	26.00
Football – Grass (per game)	Adult	£57.80	59.40
	Junior	£28.30	29.10
Football - Mini Pitch	Adult	£32.70	33.60
	Junior	£16.30	16.70
Rugby – Grass (per game)	Adult	£57.80	59.40
	Junior	£28.30	29.10
Full Pitch Artificial Grass - peak	30 Mins	£32.20	33.10
	1hr Only	£64.30	66.00
	1hr 30mins (11 a side)	£96.40	99.00
Half Pitch Artificial Grass - peak	30 Mins	£18.00	18.50
	1hr Only (5 a side)	£36.10	37.10
	1hr 30mins	£54.10	55.60
Full Pitch Artificial Grass – off-peak	30 Mins	£14.60	15.00
	1hr Only	£29.30	30.10
	1hr 30mins (11 a side)	£43.90	45.10
Half Pitch Artificial Grass – off-peak	30 Mins	£7.60	7.80
	1hr Only (5 a side)	£15.30	15.70
	1hr 30mins	£22.90	£23.50
Hardcourt Activities:		£0.00	£0.00
Netball (per court per hr)	Adult	£16.90	£17.40
	Junior	£8.60	£8.80
Tennis (per court per hr)	Adult	£5.30	£5.40
	Junior	£2.70	£2.80
Basketball	Adult		
	Junior		
Bike Scrambling (Grassy Mounds)	Adult		
	Junior		
Holybrook Park:			
Football – Grass (per game)	Adult	£48.30	£49.60
	Junior	£22.90	£23.50
Northcroft Recreation Ground:			
Football - Grass (per game)	Adult	£48.30	£49.60
	Junior	£24.00	£24.60
Michaelmas Fair		£3,635.00	£3,733.00
Public Rights of Way			
Search fees		£65.50	£67.30
Path order fees		£1397-£3492	£1,435-£3586
Dog Warden Services:			
Stray Dogs Administration Charge (seizure fee)		£59.10	£60.70
Out of hours seizure Fee		£105.10	£107.90
Kennels per Day (Class A – Fee Discretionary)		£12.90	£13.20
Planning Applications			
Building Regulation Applications			
Demolition Notice		£218.00	£224.00
Property Search Fee		£27.20	£28.00

Description		2013/14 Fee	2014/15 Proposed Fee
Highways and Transport			
Highways Act Charges:			
Vehicular Crossing (S.184)		£96.00	£99.00
Skips on the Highway (S.139)	Initial fee	£36.00	£37.00
	per week	£45.00	£46.00
Scaffold/hoarding on the Highway (S.169/172)	Initial fee	£68.00	£70.00
	per week	£44.00	£45.00
Tables and Chairs on the Highway (based on number of Chairs) (S.115)	1 to 10	£173.00	£178.00
	11 to 26	£288.00	£296.00
	27+	£576.00	£592.00
Storing Materials on the Highways (S.171)	Initial fee	£65.00	£67.00
	per week	£24.00	£25.00
Temporary Excavation in the highway (S.171)		£85.00	£87.00
Cranes, machinery, structure on the highway (S.178)		£125.00	£128.00
Per Necessary inspection		£50.00	£51.00
S142 Licence to Plant in the highway			£100.00
Other Licences and Charges:			
Streetworks licence (S.50 NRSWA)		£205.00	£211.00
Utility Works Inspection (NRSWA/TMA)		£50.00	£51.00
Temporary Traffic Regulation Orders Section 14(1)		£568.00	£583.00
Temporary Traffic Regulation Orders Section 14(2) & Section 21 of PTCA		£61.00	£63.00
Tourist / Direction signs		£436.00	£448.00
Traffic Signs / Signals Equipment damaged by Road Traffic Accident or other event		£364.00	£374.00
Provide temporary bus stop facility for utility company or other 3rd party carrying out streetworks			£100.00
Highway search enquiries		£38.00	£39.00
Provision of recorded injury accident Data		£110.00 + £35.00 per additional block of up to 10 accidents	£110.00 + £35.00 per additional block of up to 10 accidents
Provision of Traffic Data		£102.80	£106.00
		£82.20	£84.00
		£61.70	£63.00
Access Protection Marking		£103.00	£106.00
Sewerage treatment property charge		£317.00	£326.00
Fixed Penalty Charge (Utility Companies) NRSWA/TMA		£120/£80	£120/£80
Events/Promotions on the Public Highway		£100.00 to £1,000.00 per day	£100.00 to £1,000.00 per day
Cycle Training		£40.00	£40.00
Highways Development Control Fees:			
New Road Construction Supervision (S38)		10%	10%
Highways Works Supervision (S278)		10%	10%
Licence to work on highway (S.115E)		£402.00	£413.00
Street naming and numbering		£68.00	£70.00
Production of current statutory undertakers schedule for commercial companies		£50.00	£50.00

Description		2013/14 Fee	2014/15 Proposed Fee
Newbury - Car Park Charges (Mon to Sat inc Bank Holidays)			
Kennet Centre and Northbrook Multi-storey Car Parks			
Up to 1 hour		£1.00	£1.00
Up to 2 hours		£2.20	£2.20
Up to 3 hours		£3.40	£3.40
Up to 4 hours		£4.50	£4.50
Up to 5 hours		£6.50	£6.50
Up to 6 hours		£6.50	£6.50
Up to 7 hours		£8.50	£8.50
Up to 8 hours		£8.50	£8.50
Over 8 hours		£12.00	£12.00
Evening Charge		£1.00	£1.00
Short and Long Stay Car Parks - Pelican Lane, West Street, 8 Bells, Market Street .			
Up to 1 hour		£1.00	£1.00
Up to 2 hours		£2.20	£2.20
Up to 3 hours		£3.40	£3.40
Up to 4 hours		£4.50	£4.50
Up to 6 hours		£6.50	£6.50
Up to 8 hours		£8.50	£8.50
Over 8 hours		£12.00	£12.00
Evening Charge		£1.00	£1.00
Central and Library			
Up to 1 hour		£1.00	£1.00
Up to 2 hours		£2.20	£2.20
Up to 3 hours		£3.40	£3.40
Up to 4 hours		£4.50	£4.50
Up to 5 hours		£6.50	£6.50
Up to 6 hours		£6.50	£6.50
Up to 7 hours		£8.50	£8.50
Up to 8 hours		£8.50	£8.50
Over 8 hours		£12.00	£12.00
Evening Charge		£1.00	£1.00
Short Stay Car Parks – Northcroft Lane and The Wharf			
Up to 1 hour		£1.00	£1.00
Up to 2 hours		£2.20	£2.20
Up to 3 hours		£3.40	£3.40
Up to 4 hours		£4.50	£4.50
Over 4 hours		£14.00	£14.00
Evening Charge		£1.00	£1.00
Bear Lane			
Up to 1 hour		£1.00	£1.00
Up to 2 hours		£2.20	£2.20
Up to 3 hours		£3.40	£3.40
Up to 4 hours		£4.50	£4.50
Over 4 hours		£14.00	£14.00
Evening Charge		£1.00	£1.00
Long Stay Car Parks – Northcroft Lane West, Newbury Football Club and Market Street staff car park (Saturday's only).			
Up to 2 hours		£1.50	£1.50
Up to 4 hours		£3.00	£3.00
Over 4 hours		£5.00	£5.00
Evening Charge (not Northcroft Lane West)		£1.00	£1.00
Goldwell Park			
Up to 4 hours		£1.00	£1.00
Over 4 hours		£2.00	£2.00
No Evening Charge			
Coach Park			
Up to 2 hours		£4.00	£4.00
Over 2 hours		£8.00	£8.00
Evening charge		£1.00	£1.00

Description		2013/14 Fee	2014/15 Proposed Fee
Newbury Car Park Charges (Sunday)			
All car Parks			
Daily charge up to 6.00pm		£1.00	£1.50
Evening charge from 6.00pm		£1.00	£1.00
Newbury on-street Charges (Mon to Sat inc Bank Holidays)			
Northbrook Street (west side) - either side of Albert Road Broadway (east side) - near Clock Tower Cheap Street (west side) Kings Road West Bartholomew Street	30 Mins		Free
	1 hour		£1.00
Newtown Road (north of St John's Road) West Mills	30 Mins		Free
	1 hour		£1.00
	2 hours		£2.00
Pelican Lane (west side)	30 mins		Free
	1 hour		£1.00
	2 hours		£2.20
Newtown Road (south of St John's Road) - west side	2 hours		£1.00
	4 hours		£2.00
	over 4 hours		£3.00
Catherine Road and Link Road	2 hours		£1.00
	4 hours		£2.00
	over 4 hours		£3.80
Station Road (existing)	2 hours	£1.00	£1.00
	4 hours	£2.00	£2.00
	over 4 hours	£3.50	£3.80
Old Bath Road (south side) west of Leys Gardens	2 hours		£0.50
	4 hours		£1.00
	over 4 hours		£1.50
Faraday Road area (including Ampere Road, Fleming Road, Marconi Road and Kelvin Road as well as Faraday Road itself)	30 mins		Free
	2 hours		50p
	4 hours		£1.00
	over 4 hours		£1.50

Description		2013/14 Fee	2014/15 Proposed Fee
Newbury On-Street Charges (Sunday)			
Standard daily charge of £1.00 at all locations where on-street charging applies. The 30 minutes free parking will be retained at all locations where it applies Monday to Saturday as will the 50p charge for up to 2 hours parking at the two locations where it applies (Old Bath Road and Faraday Road area). This charged should have been implemented in 2013/14 but was delayed to take account of consultation responses. Will go ahead in 2014/15 if approved.			£1.00
Newbury Season Ticket Prices:			
Kennet Centre MSCP:			
Per Quarter		£260.00	£260.00
Northbrook MSCP:			
Per Quarter		£270.00	£270.00
Per Annum		£850.00	£850.00
Newbury "General":			
Per Quarter		£270.00	£270.00
Per Annum		£900.00	£900.00

Description		2013/14 Fee	2014/15 Proposed Fee
Out of Newbury Car Park Hourly Rates:			
Hungerford: Church St			
Up to 1 hour		£0.50	£0.50
Up to 2 hours		£0.90	£0.90
Up to 3 Hours		£1.10	£1.10
Up to 4 Hours		£1.20	£1.20
Over 4 hours		£2.40	
Up to 10 hours			£4.00
Over 10 hours			£10.00
Hungerford: Station Road			
Up to 1 hour		£0.50	£0.50
Up to 2 hours		£0.90	£0.90
Up to 3 Hours		£1.10	£1.10
Up to 4 Hours		£1.20	£1.20
Over 4 hours		£2.40	
Up to 10 hours			£4.00
Over 10 hours			£6.00
Hungerford High Street			
Up to 1 hour		£0.50	£0.50
Up to 2 hours		£0.90	£0.90
Over 2 hours		£5.40	
Up to 4 hours			£3.60
Up to 8 hours			£6.00
Over 8 hours			£10.00
Pangbourne Station Road:			
Up to 1 hour		£0.50	£0.50
Up to 2 hours		£0.90	£0.90
Up to 3 hours		£1.10	£1.10
Over 3 hours		£5.40	£5.40
Pangbourne River Meadow			
Up to 1 hour		£0.50	£0.50
Up to 2 hours		£0.90	£0.90
Up to 3 hours		£1.10	£1.10
Up to 4 hours		£1.20	£1.20
Up to 8 hours		£2.40	£2.40
Over 8 hours		£5.40	£5.40
Thatcham Kingsland Centre			
Up to 1 hour		£0.50	£0.50
Up to 2 hours		£0.80	£0.80
Up to 3 hours		£1.00	£1.00
Over 3 hours		£2.40	£2.40
Thatcham Gilbert Court			
Up to 1 hour		Free	Free
Up to 2 hours		£0.50	£0.50
Up to 3 hours		£0.80	£0.80
Over 3 hours		£2.00	£2.00
Thatcham Burdwood Centre			
Up to 2 hours		Free	Free
Up to 3 hours		£0.80	£0.80
Over 3 hours		£2.00	£2.00
Thatcham Station			
Off Peak (arrival after 10.00 am and return by midnight same day and up to 24 hours Saturdays and Sundays)		£1.60	£1.60
Up to 24 Hours Monday to Friday (arrival before 10.00 am)		£3.00	£3.00

Description		2013/14 Fee	2014/15 Proposed Fee
Theale Main			
Up to 2 hours		£0.50	£0.50
Over 2 hours		£0.90	£0.90
Theale West			
Up to 1 hour		£0.40	£0.40
Up to 2 hours		£0.70	£0.70
Over 2 hours		£5.40	£5.40
Out of Newbury Season Tickets			
Hungerford			
Per Quarter		£90.00	£90.00
Annual		£315.00	£315.00
Pangbourne			
Per Quarter		£120.00	£120.00
½ year		£235.00	£235.00
Annual		£370.00	£370.00
Theale - Annual		£130.00	£130.00

Description	2013/14 Fee	2014/15 Proposed Fee
Environmental Protection		
Trading Standards		
Weights and Measures Fees (per hour)	£56.90	£58.40
Explosives Licenses / Registrations		
Poisons:		
Initial Registration	£33.15	£34.00
Re-registration	£18.00	£18.50
Change of Details	£8.36	£8.60
Buy With Confidence / Approved Trader Scheme:		
<10 employees	£114.90	£118.00
10+ employees	£229.90	£236.10
Support with Confidence:		
Individual Supplier / 1-5 employees	£53.80	£55.30
Businesses 5-20 employees	£107.40	£110.30
Businesses >20 employees	£268.60	£275.90
Business Advice Courses	£21.50	£22.10
Business Advice (primary authority)	£36 per hr	£37.00
Petroleum Licensing Fees		
Performing Animals Registration Act 1925 per registration	£36.90	£37.90
Waste Services:		
Special Collection Charges (Bulky Household Collection)		
Normal (within 7 days)	£33.00	£34.00
Within 7 days by appointment outside property	£51.50	£53.00
Within 7 days by appointment inside property	£61.50	£63.00
Provision of wheelie bin	£25.00	£26.00
Collection of garden waste for year (scheduled)	£35.00	£36.00
Removal of fly tipping on private land	P.O.A	
Removal of graffiti up to 2m ² area	£31.00	POA
Food and Nutrition Training:		
Level 2 Award in Nutrition	£71.00	£73.00
Food Hygiene Training:		
CIEH Level 1	£36.00	£37.00
CIEH Level 2	£71.00	£73.00
CIEH Level 3	£304.00	£313.00
Anti-Social Behaviour Act:		
High Hedges Fee (Class A – Fee Discretionary)	£739.00	£760.00

Description		2013/14 Fee	2014/15 Proposed Fee
Licences, Registrations and Similar Consents:			
<i>Licensing Act 2003:</i>			
Premises Licence – “one off” fees set by statute based upon rateable value (RV) of premises (Class B – Statutory Fee)			
Band A – RV up to 4300		£100.00	£100.00
Band B – RV 4300 to 33000		£190.00	£190.00
Band C – RV 33001 to 87000		£315.00	£315.00
Band D – RV 87001 to 125000		£450.00	£450.00
Band E – RV 125001 and above		£635.00	£635.00
<i>Premises Licence – Annual Fee (Class B – Statutory Fee)</i>			
Band A		£70.00	£70.00
Band B		£180.00	£180.00
Band C		£295.00	£295.00
Band D		£320.00	£320.00
Band E		£350.00	£350.00
Personal Licence - (Class B – Statutory Fee)		£37.00	£37.00
Temporary Event Notices (TEN's) - (Class B – Statutory Fee)		£21.00	£21.00
<i>Gambling Licenses</i>			
Casinos (small)	New Application	£7,500.00	£7,500.00
	Annual Fee	£3,750.00	£3,750.00
Bingo Clubs	New Application	£2,625.00	£2,625.00
	Annual Fee	£750.00	£750.00
Betting Premises	New Application	£2,250.00	£2,250.00
	Annual Fee	£450.00	£450.00
Tracks	New Application	£1,875.00	£1,875.00
	Annual Fee	£750.00	£750.00
Family Entertainment Centres	New Application	£1,500.00	£1,500.00
	Annual Fee	£562.00	£562.00
Adult Gaming Centres	New Application	£1,500.00	£1,500.00
	Annual Fee	£750.00	£750.00
Lotteries and Amusements	New Application	£40.00	£40.00
	Annual Fee	£20.00	£20.00
<i>Sex Establishments – (Class A – Fee Discretionary)</i>			
	Cinema	£34 per hr min £3,000 to max £5000	£34 per hr min £3,000 to max £5,000
	Shop	£34 per hr min £3,000 to max £5000	£34 per hr min £3,000 to max £5,000
	Entertainment Venue	£34 per hr min £3,000 to max £5000	£34 per hr min £3,000 to max £5,000
<i>Street Trading Consents – (Class A – Fee Discretionary)</i>			
	Annual Fee	£2,221.00	£1,200.00
	6 month	£1,111.00	£600.00
	Monthly Rate		£100.00
Refund for Street Traders	application withdrawn		£34.00
<i>Skin Piercing Registrations (one off registration) – (Class A – Fee Discretionary)</i>			
Individual		£129.00	£129.00
Premises		£256.00	£256.00
Joint Application		£351.00	£351.00
<i>Animal Licences – (Class A – Fee Discretionary)</i>			
Dog Breeding Establishments		£168.00	£340.00
Animal Boarding Establishments		£441.00	£374.00
Home Breeding			£170.00
Pet Shops		£256.00	£374.00
Dangerous Animal Consent		£599.00	£408.00
Zoo Licenses		£1,892.00	£1,892.00
Riding Establishments (1 to 5 horses)		£292.00	£408.00
Each additional 10 horses or part		£100.00	£103.00
Scrap Metal Dealers	3 Years		£102.00

Description		2013/14 Fee	2014/15 Proposed Fee
Private Water Supplies (Statutory Maximums stated) Hrly Rate £34			
Risk Assessment		£500.00	£500.00
Sampling		£100.00	£100.00
Investigation		£100.00	£100.00
Granting an Authorisation		£100.00	£100.00
Analysis - Regulation 10		£25.00	£25.00
Check Monitoring - Commercial and Public Supplies		£100.00	£100.00
Audit Monitoring - Commercial and Public		£500.00	£500.00
Environmental Protection Act 1991b			
Scheduled Processes - (Class B – Statutory Fee)			
Inspection of Housing Premises for Immigration purposes (Class A – Fee Discretionary)		£293.00	£301.00
House in Multiple Occupation (HMO) Licence NEW		£609.00	£625.00
HMO Licence NEW - assisted application		£812.00	£835.00
HMO Licence RENEWAL		£306.00	£315.00
HMO Licence RENEWAL assisted		£442.00	£454.00
<i>Fees for Information – per hour rate, minimum two hour charge (Class A – Fee Discretionary)</i>			
Environmental Info Individual, Non Commercial		£68.00	£68.00
Commercial and Government		£68.00	£68.00
Civil Actions (Class A – Fee Discretionary)		£68.00	£68.00
Safety Certification and administration		£68.00	£68.00
<i>Taxi Licenses – (Class A – Fee Discretionary)</i>			
Vehicle – New		£157.00	£157.00
Vehicle – Renewal of Licence		£157.00	£157.00
Replacement Plate		£38.00	£38.00
Transfer of Ownership		£105.00	£105.00
Driver – 3 year Licence		£251.00	£251.00
Replacement Badge		£38.00	£38.00
Replacement Licence		£38.00	£38.00
Demand Survey Recharge		£17.00	£17.00
HC Knowledge Test (per test)		£69.00	£69.00
Criminal Records Disclosure		£60.00	£60.00
Change of Address (PH & HC)		£13.00	£13.00
<i>Private Hire Vehicles – (Class A – Fee Discretionary)</i>			
Operator – New and renewal 1-4 vehicles		£176.00	£176.00
Operator – New and renewal 5-9 vehicles		£282.00	£282.00
Operator - New and renewal 9+ vehicles		£439.00	£439.00
Vehicle – New		£148.00	£148.00
Vehicle – Renewal		£148.00	£148.00
Replacement Plate		£38.00	£38.00
Transfer of Ownership		£105.00	£105.00
Driver – 3 year Licence		£251.00	£251.00
Replacement Badge		£38.00	£38.00
Replacement Licence		£38.00	£38.00
PH Knowledge Test (per test)		£69.00	£69.00
Dual Driver Licence		£251.00	£251.00

Description		2013/14 Fee	2014/15 Proposed Fee
Heritage			
Shaw House - Heritage Service Fees and Charges			
Adult		£4.50	£4.60
Child		£2.25	£2.30
(aged 5-16)			
Concession		£3.60	£3.70
(over 60s, not in employment)			
Adult		£4.00	£4.10
(with WB residents card)			
Child		£2.00	£2.10
(with WB residents card)			
Concession		£3.30	£3.40
(with WB residents card)			
Family (2 adults + up to 3 children)		n/a	
Family of 4		£11.00	£11.30
Family of 5		£12.50	£12.80
Family of 6		£14.00	£14.40
Group Visit (15+ adults)		£2.90	£3.00 per person
Group Visit (15+ children)		n/a	
Group Tour (15+ people)		£6.55 per person	£6.75 per person
Season Ticket (2 adults)		£20.00	£21.00
Season Ticket (Family - up to 6 people, 1 of which must be under 16)		£30.00	£31.00
Shaw House - Room Hire Charges - per hour			
West Berkshire Council		£18-£22	
Registered Charity		£19.00 - £28.00	£18.00 - £29.00
Public Sector and Community use		£23.00 - £34.00	£25.00 - £36.00
Commercial use		£30.00 - 45.00	£32.00 - £47.00
West Berkshire - Archaeological Archive Box Fee			
Standard Box (470mm x 270mm x 170mm)		£25.00	£25.00
Half box		£12.50	£12.50
Paper archive box		£8.00	£8.00
Plan/drawing sheet		50p	50p
Archaeology - Historic Environment Record Charges			
A4 computer print out (b/w) HER Data		10p	10p
A4 computer print out (colour) HER data		£1.00	£1.00
A3 computer print out (colour) HER Data		£1.60	£1.60
Research charges - HER enquiries		Hourly rate of £100 exc. VAT with a minimum of £60 exc. VAT for the first half hours	Hourly rate of £100 exc. VAT with a minimum of £60 exc. VAT for the first half hours
Heritage Service - Use of Image Collection			
If supplied for private personal use only the image production fee is payable. Images supplied for publication incur both an image production fee and a reproduction charge.			
Image Production Fee			
Photo Print - up to A6		£5.00	£5.00
Photo Print - up to A5		£10.00	£10.00
Photo Print - up to A4		£15.00	£15.00
Laser Scan - up to A4		£5.00	£5.00
Digital Scan - to CD		£15.00	£15.00
Digital Scan - to CD - Discounted rate for West Berkshire non-profit making organisations		Free	

Description		2013/14 Fee	2014/15 Proposed Fee
Reproduction Charges			
Up to full page, B&W or Colour		£40.00	£40.00
Up to Full Page B&W or Colour - Discounted rate for West Berkshire non-profit making organisations		£15.00 one image; £5.00 for all subsequent images	£15.00 one image; £5.00 for all subsequent images
Cover (front or back)		£75.00	£75.00
Cover (front or back) - Discounted rate		30.00 one image	30.00 one image
Local Publication		£15.00	£15.00
Local Publication - Discounted rate for West Berkshire non-profit making organisations		£15.00 one image; £5.00 for all subsequent images	£15.00 one image; £5.00 for all subsequent images
Academic Publication		£30.00	£30.00
Academic Publication, etc - Discounted rate for West Berkshire non-profit making organisations		£15.00 one image; £5.00 for all subsequent images	£15.00 one image; £5.00 for all subsequent images
Magazine or Newspaper		£40.00	£40.00
Advertising or Brochure		£75.00	£75.00
Exhibition Use		£40.00	£40.00
Exhibition Use - Discounted rate for West Berkshire non-profit making organisations		£30.00 one image £10.00 for all subsequent images	£30.00 one image £10.00 for all subsequent images
Website		£75.00	£75.00
Website - Discounted rate for West Berkshire non-profit making organisations		£30.00 one image £10.00 for all subsequent images	£30.00 one image £10.00 for all subsequent images
Copying and laminating charges			
These charges are common with the library service			
A4 Photocopy b/w		10p	10p
A4 Photocopy colour		£1.00	£1.00
A3 Photocopy b/w		30p	30p
A3 Photocopy - colour		£1.60	£1.60
Tourist Information Centre			
Accommodation Bookings		10% of total stay charge	10% of total stay charge + £2 admin charge
Ticket commission		Ticket commission fee 10%	Ticket commission fee 10%

Description		2013/14 Fee	2014/15 Proposed Fee
Library Fees and Charges			
Request Charges			
In stock items		Free	
Items available in SELMS libraries		£2.00	£3.00
Items obtained from British Library or other non-SELMS authorities		£10.00	£15.00
Notification charge for posted request notices Not applicable to pensioners		£1.00	£1.00
Notification charge for SMS messages		10p	10p
Overdue Charges			
Notification charge for posted request notices Not applicable to pensioners		£1.00	£1.00
Books for children		Free	5P per day
Books for Adults		20P per day	20P per day
Theale Green Students overdue charge		5P per day	5P per day
DVDs, CDs games etc		60p per day	60p per day
Admin fee for debt recovery process		£10.00	£10.00
Printing and Photocopying charges			
A4 B&W		10p	10p
A4 Colour		£1.00	£1.00
A3 B&W		30p	30p
A3 Colour		£1.60	£1.60
Other Charges			
Lost Tickets		£2.50	£2.50
Reference and Research enquiry charges		£3 admin charge plus copying charge if appropriate	£3 admin charge plus copying charge if appropriate. Also £10 per half hour for research where the enquiry takes over 30 minutes
Book group service		£10 per annum	£15 per annum
Vocal Scores		£6 per month per set of 20 scores. (loans in multiples of 20) £8 for sets from outside SE region	£6 per month per set of 20 scores. (loans in multiples of 20) £9 for sets from outside SE region
Orchestral sets from SE region		£12 per month	£12 per month
Orchestral sets from outside the SE region		£15 per month	£18 per month
Play sets from SE region		£5 per month	£6 per month
Play sets from outside SE region		£7 per month	£7 per month

Description		2013/14 Fee	2014/15 Proposed Fee
Hire charges (Residents Card Holders)			
Gold Star (new titles) DVDs		£3 per week	£3 per week
Music CDs		£1 per week	£1 per week
U Cert DVDs		£1 per week	£1.50 per week
Other Cert DVDs		£2 per week	£2 per week
Playstation 3 Games		£2 per week	£2 per week
Xbox 360 games		£2 per week	£2 per week
Wii games		£2 per week	£2 per week
PC Games		£2 per week	£2 per week
Playstation 1 and 2 games		£2 per week	£2 per week
Hire charges (Non Card Holders)			
Gold star (new titles) DVDs		£3.30 per week	£3.30 per week
Music CDs		£1.10 per week	£1.10 per week
U Cert DVDs		£1.10 per week	£1.65 per week
Other Cert DVDs		£2.20 per week	£2.20 per week
Playstation 3 Games		£2.20 per week	£2.20 per week
Xbox 360 games		£2.20 per week	£2.20 per week
Wii games		£2.20 per week	£2.20 per week
PC Games		£2.20 per week	£2.20 per week
Playstation 1 and 2 games		£2.20 per week	£2.20 per week
Leisure Centre Fees and Charges			
		2013	2014
		WBC Card	Non WB Card price
West Berkshire Card - Resident	Free		Free
West Berkshire Card - Non resident	£20.00		£20.00
Swimming			
Adult	£3.40	£3.80	£3.50
Junior	£1.50	£1.85	£2.20
Early Morning Swim			
Adult	£2.60	£2.85	£2.70
Junior	£1.50	£1.65	£1.55
Gym			
Casual User	£6.90	£7.60	£7.00
Casual User Induction	£15.00	£20.00	£15.00
Classes	£5.30	£6.00	£5.40
Activity for Health - GP Referral	£3.00	£3.25	£3.00
Monthly Direct Debit	£30.00	£39.00	£36.00
Hall Hire/Sports			
Full Sports Hall (4 courts) - adult	£41.00	£46.00	£41.00
Full Sports Hall (4 courts) - Junior	£21.50	£24.50	£21.50
Badminton Court - adult	£8.40	£9.45	£8.40
Badminton - Junior	£5.30	£5.90	£5.30
Squash Court - adult	£9.70	£10.80	£10.00
Squash Court - junior	£3.60	£3.90	£3.60
Concession			
Gym	£3.20		£3.20
Swimming/Badminton/Squash/Table Tennis	£1.70		£1.70

Community Services Fees and Charges Proposals – 2014/15

1 Adult Social Care

- 1.1 Councils have the power to charge for certain social care services, and are required to have a charging policy that is demonstrably fair and does not undermine the overall objectives of social care – that is, to promote both independence and social inclusion of service users. It is recognised that the level of fees and charges can have a direct impact on usage and take up, and in some instances work against the Council's social inclusion agenda by effectively discriminating against those who are less able to pay.
- 1.2 The Council's policy is therefore to charge service users an 'affordable' amount, which is uplifted by inflation each year where appropriate. However, where other local authorities, or Health organisations, are purchasing Council services on behalf of their service users, the charges made to these organisations are designed to reflect the actual costs of the service.
- 1.3 West Berkshire Council's Fairer Charging Policy for non residential services, introduced in 2003, states the individual will have one assessed charge for all services. All services will be added together before a service user is financially assessed. This principle is retained in the 2012 revision of this policy, WBC Fairer Contribution Policy.
- 1.4 The guidance allows for a prescribed list of allowances, for example, rent, mortgage, council tax, buildings insurance etc plus disability related costs, for example, community alarm system, extra heating costs that meet an individual's presenting care needs.
- 1.5 These allowances are then deducted from the total income to give an assessable income.
- 1.6 From April 2012 any new or reviewed eligible individual requiring support from Adult Social Care will receive this in the form of a Personal Budget through which they can arrange their support. As of 1st April 2011 individuals have been charged for each day they have booked at a Resource Centre and only in exceptional circumstances will charges be waived for non attendance.
- 1.7 There are generally two types of charges – discretionary and statutory.

Discretionary Charges

- 1.8 The Council has chosen, where appropriate to increase prices by 2.7% in line with current estimations of CPI.
- 1.9 The increase proposed for laundry is 20p bringing the total cost to £7.80.
- 1.10 Community Based Services will be charged at the actual cost of the service, including administration costs.
- 1.11 Meals provided in WBC Resource Centres will be increased by 10p to £4.70.
- 1.12 Outreach workers based at WBC's Resource Centres will increase by 50p to £17.50.
- 1.13 WBC Provider Services offers Footcare service which will rise from £15.50 to £19.00. The first visit from Footcare will provide the necessary equipment and this will increase from £11.30 to £11.50.
- 1.14 WBC provided Day Opportunities will increase by £1.20 to £44.20 per day. Transport provided by WBC to transport service users to Council Resource Centres or West Berkshire MENCAP services will increase by 25p to £8.00.
- 1.15 The charge to other local authorities and Health organisations for place in West Berkshire Resource Centres is increasing by 2.7%. The charge is based on an inflationary uplift. The proposed new charges will be:
- | | |
|---------------------|---------|
| Older People | £ 61.60 |
| Learning Disability | £100.60 |
| Physical Disability | £ 94.00 |
- 1.16 Other Day Centre and Transport will be charged at the actual cost.
- 1.17 The Adult Placement management fee will increase by £2.20 from £81.00 to £83.20.

Statutory Charges

- 1.18 The method of assessing contributions from clients in long-term residential care is covered by CRAG regulations issued by the Department of Health.
- 1.19 The charges to full cost payers in WBC Homes for the Elderly, and to other local authorities who access services run by West Berkshire Council, are

based on current information in respect of cost and the estimated number of clients using the service. The proposed full standard charge for WBC Homes for the Elderly is to remain at £753.00.

1.20 Deputyship Fees are set by the Court of Protection.

Adult Social Care		
Description	Fees 2013/2014	Proposed Fee 2014/2015
Service - All client groups		
Residential care independent sector homes - full cost per week	Actual cost	Actual cost
Laundry Service	£7.60	£7.80
Meals provided in WBC Resource Centres	£4.60	£4.70
WBC Resource Centre outreach workers	£17.00	£17.50
WBC Transport - maximum charge per journey	£7.75	£7.95
WBC Footcare service regular appointment	£15.50	£19.00
WBC Footcare Equipment	£11.30	£11.50
External day activities	Actual cost	Actual cost
WBC Resource Centres - charge to other LA's/PCT's		
- Older People	£60.00	£61.60
- LD	£98.00	£100.60
- PD	£91.50	£94.00
Charges to any organisation using WBC Resource Centres; Greenfields, Hungerford & Phoenix	Actual cost	Actual cost
WBC Resource Centres - charge per day	£43.00	£44.20

Adult Social Care		
Description	Fees 2013/2014	Proposed Fee 2014/2015
Service - Older People		
Residential care WBC Homes - full cost per week	£753.00	£753.00
Residential care WBC Homes - charge the assessed contribution whilst in hospital if bed retained at the home	Assessed charge	Assessed charge
Residential care WBC Homes - charge the assessed contribution from date of admission even if client subsequently decides to leave the home during the review period	Assessed charge from date of admission	Assessed charge from date of admission

Service - Learning Disabilities		
Transporting clients from care homes to resource centres (charge to provider)	Actual cost	Actual cost
Adult Placement - management fee	£81.00	£83.20

Resource Centre - Rental Charges						
	Fees 2013/2014			Proposed Fees 2014/2015		
Room	Daily Rate	Half Day Rate	Hourly Rate	Daily Rate	Half Day Rate	Hourly Rate
Phoenix Resource Centre						
Ground floor woodwork room	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
External car washing facility	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
Ground floor Theatre	From £60.00 to £100.00	From £30.00 to £50.00	From £10.00 to £18.00	From £61.60 to £102.70	From £30.80 to £51.40	From £10.30 to £18.50
First floor Theatre office	£12.00	£6.00	N/a	£12.30	£6.20	N/a
Ground floor frailty and dementia suite	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
Ground floor physical disability suite	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
Ground floor sensory cooking room	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
Ground floor sensory room	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
Ground floor optimusic room	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
Ground floor snackbar and dining room	£60.00	£30.00	£10.00	£61.60	£30.80	£10.30
Ground floor small activity room	£20.00	£10.00	£4.00	£20.50	£10.30	£4.10
Craft activity room	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
First floor computer suite	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
First floor activity / office space - full space	£80.00	£40.00	£14.00	£82.20	£41.10	£14.40
First floor activity / office space - half space	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
First floor activity / office space - medium	£60.00	£30.00	£10.00	£61.60	£30.80	£10.30
Art room	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
First floor large meeting room	£25.00	£12.50	£5.00	£25.70	£12.80	£5.10
First floor small meeting room	£15.00	£7.50	£2.50	£15.40	£7.70	£2.60
Accessible shower facility and personal care rooms	N/a	N/a	£7.50	N/a	N/a	£7.70

Resource Centre - Rental Charges						
	Fees 2013/2014			Proposed Fees 2014/2015		
Room	Daily Rate	Half Day Rate	Hourly Rate	Daily Rate	Half Day Rate	Hourly Rate
Hungerford Resource Centre						
Ground floor main activity room	£80.00	£40.00	£14.00	£82.20	£41.10	£14.40
Ground floor computer suite	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
Ground floor quiet room	£20.00	£10.00	£4.00	£20.50	£10.30	£4.10
Ground floor hairdressing salon	£20.00	£10.00	£4.00	£20.50	£10.30	£4.10
First floor meeting room 1	£40.00	£20.00	£4.00	£41.10	£20.50	£7.20
First floor meeting room 2	£40.00	£20.00	£4.00	£41.10	£20.50	£7.20
Accessible bath facility and personal care rooms	N/a	N/a	£7.50	N/a	N/a	£7.70

Greenfield Resource Centre						
Atrium	£30.00	£15.00	£5.00	£30.80	£15.40	£5.10
Computer suite	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
Frailty and dementia suite	£60.00	£30.00	£10.00	£61.60	£30.80	£10.30
Physical disability suite	£60.00	£30.00	£10.00	£61.60	£30.80	£10.30
Learning disability suite	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
Optimusic / sensory room	£40.00	£20.00	£7.00	£41.10	£20.50	£7.20
Small office	£20.00	£10.00	£4.00	£20.50	£10.30	£4.10
Accessible bath facility and personal care rooms	N/a	N/a	£7.50	N/a	N/a	£7.70

Hourly rate applies for bookings of between 1 and 2 hours, all bookings over this time duration are charged as a half day.

Housing

- 1.21 The rental costs of temporary accommodation, secure tenancies, Do It Yourself Shared Ownership (DIYSO) and Gypsy and Traveller accommodation owned or let by West Berkshire Council, will be increased by 3.7%. This represents the national formula of RPI (as at September) plus 0.5%.
- 1.22 The Council also charge for homeless households placed in Bed and Breakfast accommodation. Households will need to claim Housing Benefit, or will be charged up to the amount Housing Benefit would pay, if they were eligible, in addition households will need to pay the ineligible charges set out in the table below.
- 1.23 In some instances, the Council provides transport to temporary accommodation for households who have no other means of getting to that accommodation. The full cost of providing the transport will be recharged, in full to the client.
- 1.24 The Council provides repairs and maintenance to a small supply of temporary accommodation, including an out-of-hours service. In the event that a tenant or licensee uses the emergency service for a non-emergency repair, or fails to attend an appointment for a contractor to attend to a repair, a charge of £30 will be made to cover the call-out. Where repairs arise as a result of neglect or damage caused by the tenant or licensee, or a member of their household, or a visitor to their home, the full cost of the repair will be recharged to the tenant or licensee.

Care Commissioning, Housing & Safeguarding			
Description	Fees 2013/2014	Proposed Fee 2014/2015	Notes
Service - Housing			
Copy of Housing Needs Assessment	No charge	No charge	Local Authorities do not charge for this
Average rent for temporary accommodation per week	£99.79	£103.48	Rents vary according to the size of the accommodation offered. This shows the average charge per week.
Do It Yourself Ownership rent	3.1% on individual contracts	3.7% on individual contracts	
Bed and Breakfast charging	See table below	See table below	Policy adopted 15/12/11
Transport costs to temporary accommodation	Actual cost	Actual cost	Policy adopted 15/12/11

Ineligible charges for Bed and Breakfast accommodation					
	Fees 2013/2014				Proposed Fees 2014/2015
Household	Heating, lighting & hot water	Breakfast	Total per week	Total per day	
Single person	£15.30	£3.15	£18.45	£2.64	Charges are set by the Department for Work and Pensions and will not be known until February 2014
Couple - no children	£15.30	£6.30	£21.60	£3.09	
Single person + 1 child	£15.30	£6.30	£21.60	£3.09	
Single person + 2 children	£15.30	£9.45	£24.75	£3.54	
Single person + 3 children	£15.30	£12.60	£27.90	£3.99	
Single person + 4 children	£15.30	£15.75	£31.05	£4.44	
Couple + 1 child	£15.30	£9.45	£24.75	£3.54	
Couple + 2 children	£15.30	£12.60	£27.90	£3.99	
Couple + 3 children	£15.30	£15.75	£31.05	£4.44	
Couple + 4 children	£15.30	£18.90	£34.20	£4.89	

2 Young People Services

- 2.1 The Children Service's half of the directorate has two areas of income generation. The majority of income (non buy back) generated relates to Home to School Transport and the Youth Service. An increase to fees and charges has not been applied to the base budget for the Youth Service in 14 -15 due to economic factors impacting on the services ability to generate income in financial years 12-13 and 13-14. Also the Youth Service in line with Council priorities has moved away from universal youth provision toward more targeted work which does not have the capacity to generate significant income.
- 2.2 Fees and charges can have a direct impact on usage and take up.
- 2.3 In some circumstances the Council is providing services in direct competition to the private sector. Where this is the case, price is likely to have a direct link with demand and it is important that the Council does not 'price itself out of the market';
- 2.4 Raising fees and charges can in some instances work against the Council's social inclusion agenda by effectively discriminating against those who are less able to pay;
- 2.5 Some income generating activities are subject to contractual arrangements where the actual levels of charges are set by the contractor, taking into account market factors and the parameters agreed with the Council to meet its social inclusion agenda. In these cases, marginal increases in fees and charges (within Council parameters) are retained by the contractor and therefore do not have a direct impact on council budgets

Youth Service

- 2.6 Youth Officers have set fees and charges across all the centres to ensure compatibility. This includes size of venue and resources available. The fees and charges will remain unchanged due to the economic downturn impacting on demand levels for universal youth services. By keeping costs the same the intention is to generate increased demand.

Youth Services - Youth and Community Services		
Description	Moorside Centre	Waterside Centre
	Proposed Fees 2014-15	Proposed Fees 2014-15
Small Hall / Theatre	£13:25	£13:30
Large Hall / Gymnasium	£18:00	£18:00
Kitchen & coffee Bar	£11:00 + £5:30 for kitchen per booking	£11:00 + £10 per booking for kitchen
Outside Courts/ Play Areas	£19:00 and £29:95 with lights	N/A
Stage / Lighting / Sound Additional Charge dependent upon individual requirements	On application	On application
Facility hire to Commercial Organisations		
Small Hall / Theatre	£19:90	£19:90
Large Hall / Gymnasium	£27:50	£27:50
Kitchen & coffee Bar	£16:60 + £5:30 per booking for kitchen	£16:60 + £10 per booking for kitchen
Outside Courts/ Play Areas	£19:00/with lights £29:95	
Evening Parties/Weddings		
Meeting Room	As for commercial hire	
Small Hall / Theatre	As for commercial hire	
Large Hall / Gymnasium	As for commercial hire	
Kitchen & coffee Bar	As for commercial hire	
Activity programme for Young People		
Annual Youth Club Membership varies according to Nature of Club		
Basic Sessional Charge	£0.60	n/a

Children's Centres

2.7 The Children Centre may enter into hire agreements in order to deliver services to children, young people, families and the local community and in order to generate an income to support the running costs of the Children's centre. Children's centres are non-profit making organisation and as such it is agreed that West Berkshire Children Centres do not charge statutory or voluntary providers for use of the Centres' facilities where they are delivering services for families with children 0-5 years that fall within the remit of Children's Centres.

2.8 Family Groups and contact visits held by Children Services

2.9 Clinics and drop-in's held by Health Professionals

2.10 Services provided by Voluntary Organisations

Children Centres		
Room Hire	Non profit Organisation	Profit Organisation
Burghfield	£8.00	£15.00
South Newbury	£8.00	£15.00
Pangbourne	£8.00	£15.00
Calcot/Theale	£8.00	£15.00
Chieveley & Area	£8.00	£15.00
Tilehurst	£8.00	£15.00
South Thatcham	£8.00	£15.00

Note : contributions are accepted for Stay and Play activities towards refreshments

Children Centres				
North Thatcham				
Hall Hire Charges				
Length of Hire	Cost of Hall Hire	Caretaker Opening Charge	Caretaker Waiting Time Charge	Total
1 Hour	£15.50	£9.08	N/A	£24.58
2 Hours	£31.00	£9.08	£6.06	£46.14
3 Hours	£46.50	£9.08	£9.09	£64.67
4 Hours	£62.00	£9.08	£12.12	£83.20
5 Hours	£77.50	£9.08	£15.15	£101.73
6 Hours	£93.00	£9.08	£18.18	£120.26
7 Hours	£108.50	£9.08	£21.21	£138.79
8 Hours	£124.00	£9.08	£24.24	£157.32

Charges after 6pm Weekdays and on Saturdays; refundable deposit of £50 is required for hiring the hall

Children Centres				
North Thatcham				
Room 3 Hire Charges				
Length of Hire	Cost of Room 3 Hire	Caretaker - Opening Time	Caretaker Waiting Time Charge	Total
1 Hour	£9.00	£9.08	N/A	£18.08
2 Hours	£18.00	£9.08	£6.06	£33.14
3 Hours	£27.00	£9.08	£9.09	£45.17
4 Hours	£36.00	£9.08	£12.12	£57.20
5 Hours	£45.00	£9.08	£15.15	£69.23
6 Hours	£54.00	£9.08	£18.18	£81.26
7 Hours	£63.00	£9.08	£21.21	£93.29
8 Hours	£72.00	£9.08	£24.24	£105.32

Charges after 6pm Weekdays and on Saturdays

Children Centres				
North Thatcham				
Room 6 Hire Charges				
Length of Hire	Cost of Room 6 Hire	Caretaker Opening Charge	Caretaker Waiting Time Charge	Total
1 Hour	£8.00	£9.08	N/A	£17.08
2 Hours	£16.00	£9.08	£6.06	£31.14
3 Hours	£24.00	£9.08	£9.09	£42.17
4 Hours	£32.00	£9.08	£12.12	£53.20
5 Hours	£40.00	£9.08	£15.15	£64.23
6 Hours	£48.00	£9.08	£18.18	£75.26
7 Hours	£56.00	£9.08	£21.21	£86.29
8 Hours	£64.00	£9.08	£24.24	£97.32

Charges after 6pm Weekdays and on Saturdays

Children Centres				
North Thatcham				
Office 3 Hire Charges				
Length of Hire	Cost of Office 3 Hire	Caretaker Opening Time	Caretaker Waiting Time Charge	Total
1 Hour	£7.00	£9.08	N/A	£16.08
2 Hours	£14.00	£9.08	£6.06	£29.14
3 Hours	£21.00	£9.08	£9.09	£39.17
4 Hours	£28.00	£9.08	£12.12	£49.20
5 Hours	£35.00	£9.08	£15.15	£59.23
6 Hours	£42.00	£9.08	£18.18	£69.26
7 Hours	£49.00	£9.08	£21.21	£79.29
8 Hours	£56.00	£9.08	£24.24	£89.32

Charges after 6pm Weekdays and on Saturdays

Education Services – Home to School Transport

2.11 The Fare Paying Scheme for Home to School Transport charges is now a graded based on radial distance, this policy was approved and implemented in financial year 2010-11.

Home to School Transport			
	Fees 2013/2014		Proposed Fees 2014/2015
Current Banding	Per Year	New Banding	Per Year
Band A - Up to 2 Miles	£210	Band A - Up to 2 Miles	£220
Band B - 2 - 6 Miles	£420	Band B - 2 - 6 Miles	£430
Band C - over 6 miles	£785	Band C - over 6 miles	£800

SAINT MARYS CHURCHYARD KINTBURY FUNDING REQUIREMENT FOR 2014/2015

2013/2014	£
Balance B/fwd 1/4/2013	4,478.46
Forecast Expenditure 2013/14	-1,500.00
Council Tax	2,392.00
Balance 31/3/14	<u>5,370.46</u>

2014/2015	
Balance B/fwd 1/4/14	5,370.46
Estimated expenditure 2014/15	-1,400.00
Special Expenses - new wall 10 yr period	-4,451.00
Council Tax	500.00
Balance 31/3/15	<u>19.46</u>

2014/2015 Band D Equivalent Tax	0.42
2014/2015 Tax Base Equivalent Band D properties	1,179.94

NOTES

2013/2014 Band D Equivalent Tax	2.22
2013/2014 Tax Base Equivalent Band D properties	1079.46

APPENDIX G

SAINT MARYS CHURCHYARD SHAW CUM DONNINGTON FUNDING REQUIREMENT FOR 2014/2015

2013/2014	£
Balance B/fwd 1/4/13	331.82
Forecast Expenditure 2013/14	-858.00
Council Tax	1,000.00
Balance 31/3/14	<u>473.82</u>

2014/2015	
Balance B/fwd 1/4/14	473.82
Estimated expenditure 2014/15	-880.00
Council Tax	500.00
Balance 31/3/15	<u>93.82</u>

2014/2015 Band D Equivalent Tax	0.74
2014/2015 Tax Base Equivalent Band D properties	674.41

NOTES

2013/2014 Band D Equivalent Tax	1.52
2013/2014 Tax Base Equivalent Band D properties	660.04

APPENDIX G

HOLY TRINITY, THEALE FUNDING REQUIREMENT FOR 2014/2015

2013/2014	£
Balance B/fwd 1/4/13	238.72
Forecast Expenditure 2013/14	-1,325.00
Council Tax	1,670.00
Balance 31/3/14	<u>583.72</u>

2014/2015	
Balance B/fwd 1/4/14	583.72
Estimated expenditure 2014/15	-1,360.00
Council Tax	800.00
Balance 31/3/15	<u>23.72</u>

2014/2015 Band D Equivalent Tax	0.79
2014/2015 Tax Base Equivalent Band D properties	1,011.63

NOTES	
2013/2014 Band D Equivalent Tax	1.74
2013/2014 Tax Base Equivalent Band D properties	959.48

HUNGERFORD FOOTWAY LIGHTING

FUNDING REQUIREMENT FOR 2014/2015

2013/2014	£
Balance B/fwd 1/4/13	1,421.36
Forecast expenditure 2013/2014	-4,475.00
Council Tax	2,200.00
Balance 31/3/14	<u>-853.64</u>

2014/2015	
Balance B/fwd 1/4/14	-853.64
Estimated expenditure 2014/15	-4,920.00
Council Tax	5,750.00
Balance 31/3/15	<u>-23.64</u>

2014/2015 Band D Equivalent Tax	2.47
2014/2015 Tax Base Equivalent Band D properties	2,327.21

NOTES

2013/2014 Band D Equivalent Tax	0.97
2013/2014 Tax Base Equivalent Band D properties	2,257.54

Appendix Hi): WEST BERKSHIRE COUNCIL

COUNCIL TAX COLLECTION FUND - 2013/2014

Income	£	£
Net Council Tax Debit	101,114,599	
Less Exemptions	-1,607,444	
Council Tax Relief	-7,517,018	
		91,990,137
MOD contribution	430,675	430,675
(estimate based upon current amount received)		
		<u>92,420,812</u>
Expenditure		
West Berkshire Council	-75,660,209	
Police	-9,424,582	
Fire	-3,632,578	
Parishes	-3,360,425	
Special Expenses	-7,262	-92,085,056
		<u>335,756</u>
Surplus		
Provision for w/o or non-collection	-102,777	-102,777
		<u>232,979</u>
Deficit Brought Forward from 12/13		-947,624
Recovery from Precepting Authorities		903,497
Anticipated Collection Fund surplus(+) / deficit (-)		<u><u>188,852</u></u> Surplus

SIGNED : 

DATE: 15th January 2014

Appendix Hii): COLLECTION FUND - 2013/2014

DISTRIBUTION OF ESTIMATED SURPLUS

Estimated Deficit	<u>188,852</u>
West Berkshire Council	162,074
Thames Valley Police	19,328
Royal Berkshire Fire Authority	<u>7,450</u>
	<u>188,852</u>

Comments from UNISON:

UNISON very much regrets that the Council has yet again been forced to make cuts to services and staff redundant. It is our view that the recent response to the flooding emergency by a wide range of public sector agencies shows their immense value to society and that to operate effectively they must be properly funded and resourced, and their staff adequately rewarded, to ensure the public continue to receive the high quality services they both need and demand.

So far as this Authority is concerned UNISON disagrees with the decision not to increase the Council Tax because people have to accept that if they want the level of services and commitment from staff they seem to regard as appropriate it has to be paid for.

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Minutes of a Meeting of: Business Panel information meeting on the 2014-15 budget

held on: 10th February 2014 – 5.30pm

Present: Cllr. Alan Law, Executive Portfolio Member for Finance and Economic Development
Rob Chicken, Federation of Small Businesses
Stephen McKinnon, Owner, Abstract Precision Bodyworks
Richard Deal, Partner, Deal Varney
Sid Shepherd. Prospective new restaurant owner
Steve Painter, Painter PR
David Grant, Director, Reassance/Faraday Property Development
Jeremy Cottam, Chair, Thatcham Chamber of Commerce
Colin Hislop, Business Owner, Thatcham
Mary Hopkins, General Manager, Newbury Showground
Andy Walker, Head of Finance
Bill Blackett, Revenues & Benefits Manager
Janet Duffield, Economic Development Officer
Apologies from Cllr Gordon Lundie, Leader West Berkshire Council

	<u>Action</u>
1. PROPOSED BUDGET 2014-15 Cllr Law gave an outline of the meeting including the processes followed to arrive at the budget. Amendments had been made to the proposals following feedback from the Consultation that was held in November/December 2013. Cllr. Gordon Lundie's "talking head" video was played to the meeting. 2. Cllr. Law introduced the budget for 2014-15 and circulated a high level summary document that outlined the key points: ▪ 0% council tax rise from WBC ▪ A reduced government grant ▪ Funding for Parish and Town Councils ▪ Focus on key priorities:- Maintaining roads and transport infrastructure Investing in Superfast Broadband Improving education through capital investment in schools Protecting vulnerable people Protecting the environment Spending within our means The document also showed some headline figures.	

There then followed some comments and questions from the group:

RC noted that he was very pleased at the rollout of Superfast Broadband.

JC was concerned that cuts to public conveniences could have a detrimental effect on the vibrancy of Thatcham town centre and asked if the decision made on handing them to Thatcham Town Council could be kept under review.

SMcK- asked about the process and percentages for business rate retention and Cllr. Law gave an explanation of this.

MH-asked about proposed investment into education as Newbury Showground run an education programme themselves and wondered if any funding could be accessed. However, the investment referred to in Cllr. Law's opening remarks is for capital expenditure only.

JD suggested that MH send some info. To run a search for external funding sources

JC mentioned the Government's "Digital High Street" programme.

JC to send info. To JD on this scheme

SMcK asked about the planning consent for a logistics company at Greenham Business Park and whether any road improvements would be made to accommodate additional traffic that would be generated

JD to check provisions of S106 and advise SMcK

CH asked a question about waste and the £578k saving next year. Cllr. Law explained that a 25 year PFI contract was signed in 2008 and a number of efficiency saving proposals were being discussed with the supplier to deliver this sum next year.

2) NNDR (Business Rates)

BB gave an overview of 5 new changes that were announced in the Autumn Statement:

- a) The change in rate in the £ has been capped at 2% from April 2014 for all ratepayers.
- b) The annual bill will be able to be paid in 12 monthly instalments rather than the current 10
- c) Small Business Rate Relief (SBRR)-the baseline scheme has been extended to 100% rate relief for 2014/15. Currently the scheme is limited to owners of one property of a certain size/RV but from 1 April 2014, SBRR will also be applied to any second property (based on size/RV) for 12 months to encourage business expansion

- d) Retail Relief is being introduced for certain services and retail with an RV of less than £50k. The relief element will be calculated after any other relief applied, up to a maximum relief of £1000. At the moment this is for 2014/15 and 2015/16. A letter will be sent from WBC to around 900 businesses that may benefit from this and further analysis is being undertaken to see if further businesses may qualify.
- e) Empty Retail Premises-if the property has been empty for over a year and is subsequently let, a 50% rates discount will apply for a year. This is a commitment made by Government but no legislation is yet in place for this.

RD asked if discretionary reliefs would continue and BB said that this will be confirmed at the Council Executive meeting on 13/2/14. RD said that discretionary relief has been well-received and would urge that it is continued.

RC asked about re-evaluation and BB said that this will now take place in 2017.

DG asked about Broadband fibre and business rates and BB directed him to the Valuation Office website for this information.

RC commented that very small businesses feel they are being penalised when they are just over the threshold.

The meeting closed at 7pm

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BUDGET RESOLUTION 2014/15

Appendix Ka

DIRECTORATE	GROSS EXP	GROSS INC	NET EXP
	£	£	£
COMMUNITY SERVICES	175,825,700	108,507,980	67,317,720
ENVIRONMENT	46,068,120	12,425,020	33,643,100
CHIEF EXECUTIVES DIRECTORATE	60,986,060	48,234,980	12,751,080
LEVIES, INTEREST AND USE OF BALANCES	7,570,080	403,850	7,166,230
TOTALS FOR WEST BERKSHIRE COUNCIL	290,449,960	169,571,830	120,878,130

FUNDED BY:

TOTAL CTX FUNDING REQUIRED FOR WEST BERKSHIRE COUNCIL			76,563,245
Other non ring-fenced grants, Collection Fund and reserves total (detailed in the main report)			44,314,885
Total funding			120,878,130

PARISHES	0	0	3,497,858
TOTALS FOR PARISHES	0	0	3,497,858

Appendix Kb

Valuation Bands							

West Berkshire Council

A	B	C	D	E	F	G	H
£842.29	£982.68	£1,123.06	£1,263.44	£1,544.20	£1,824.97	£2,105.73	£2,526.88

Police and Crime Commissioner for Thames Valley

A	B	C	D	E	F	G	H
£107.01	£124.84	£142.68	£160.51	£196.18	£231.85	£267.52	£321.02

Royal Berkshire Fire And Rescue Service

A	B	C	D	E	F	G	H
£40.44	£47.18	£53.92	£60.66	£74.14	£87.62	£101.10	£121.32

Aggregate Of Council Tax Requirements

A	B	C	D	E	F	G	H
£989.74	£1,154.70	£1,319.66	£1,484.61	£1,814.52	£2,144.44	£2,474.35	£2,969.22

Appendix Kc

Council Tax schedule 2014/15		Band A £	BandB £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
West Berkshire Council		£842.29	£982.68	£1,123.06	£1,263.44	£1,544.20	£1,824.97	£2,105.73	£2,526.88
Police and Crime Commissioner for Thames Valley		£107.01	£124.84	£142.68	£160.51	£196.18	£231.85	£267.52	£321.02
Royal Berkshire Fire And Rescue Service		£40.44	£47.18	£53.92	£60.66	£74.14	£87.62	£101.10	£121.32
Parish/town only (a)									
Parish/Town and District (b)									
Total (c)									
Aldermaston	(a)	£18.89	£22.04	£25.19	£28.34	£34.64	£40.94	£47.23	£56.68
	(b)	£861.18	£1,004.72	£1,148.25	£1,291.78	£1,578.84	£1,865.91	£2,152.96	£2,583.56
	(c)	£1,008.63	£1,176.74	£1,344.85	£1,512.95	£1,849.16	£2,185.38	£2,521.58	£3,025.90
Aldworth	(a)	£31.62	£36.89	£42.16	£47.43	£57.97	£68.51	£79.05	£94.86
	(b)	£873.91	£1,019.57	£1,165.22	£1,310.87	£1,602.17	£1,893.48	£2,184.78	£2,621.74
	(c)	£1,021.36	£1,191.59	£1,361.82	£1,532.04	£1,872.49	£2,212.95	£2,553.40	£3,064.08
Ashampstead	(a)	£25.12	£29.31	£33.49	£37.68	£46.05	£54.43	£62.80	£75.36
	(b)	£867.41	£1,011.99	£1,156.55	£1,301.12	£1,590.25	£1,879.40	£2,168.53	£2,602.24
	(c)	£1,014.86	£1,184.01	£1,353.15	£1,522.29	£1,860.57	£2,198.87	£2,537.15	£3,044.58
Basildon	(a)	£19.61	£22.87	£26.14	£29.41	£35.95	£42.48	£49.02	£58.82
	(b)	£861.90	£1,005.55	£1,149.20	£1,292.85	£1,580.15	£1,867.45	£2,154.75	£2,585.70
	(c)	£1,009.35	£1,177.57	£1,345.80	£1,514.02	£1,850.47	£2,186.92	£2,523.37	£3,028.04
Beech Hill	(a)	£30.38	£35.44	£40.51	£45.57	£55.70	£65.82	£75.95	£91.14
	(b)	£872.67	£1,018.12	£1,163.57	£1,309.01	£1,599.90	£1,890.79	£2,181.68	£2,618.02
	(c)	£1,020.12	£1,190.14	£1,360.17	£1,530.18	£1,870.22	£2,210.26	£2,550.30	£3,060.36
Beedon	(a)	£31.07	£36.24	£41.42	£46.60	£56.96	£67.31	£77.67	£93.20
	(b)	£873.36	£1,018.92	£1,164.48	£1,310.04	£1,601.16	£1,892.28	£2,183.40	£2,620.08
	(c)	£1,020.81	£1,190.94	£1,361.08	£1,531.21	£1,871.48	£2,211.75	£2,552.02	£3,062.42
Beenham	(a)	£19.28	£22.49	£25.71	£28.92	£35.35	£41.77	£48.20	£57.84
	(b)	£861.57	£1,005.17	£1,148.77	£1,292.36	£1,579.55	£1,866.74	£2,153.93	£2,584.72
	(c)	£1,009.02	£1,177.19	£1,345.37	£1,513.53	£1,849.87	£2,186.21	£2,522.55	£3,027.06
Boxford	(a)	£20.15	£23.50	£26.86	£30.22	£36.94	£43.65	£50.37	£60.44
	(b)	£862.44	£1,006.18	£1,149.92	£1,293.66	£1,581.14	£1,868.62	£2,156.10	£2,587.32
	(c)	£1,009.89	£1,178.20	£1,346.52	£1,514.83	£1,851.46	£2,188.09	£2,524.72	£3,029.66
Bradfield	(a)	£15.03	£17.54	£20.04	£22.55	£27.56	£32.57	£37.58	£45.10
	(b)	£857.32	£1,000.22	£1,143.10	£1,285.99	£1,571.76	£1,857.54	£2,143.31	£2,571.98
	(c)	£1,004.77	£1,172.24	£1,339.70	£1,507.16	£1,842.08	£2,177.01	£2,511.93	£3,014.32
Brightwalton	(a)	£21.86	£25.50	£29.15	£32.79	£40.08	£47.36	£54.65	£65.58
	(b)	£864.15	£1,008.18	£1,152.21	£1,296.23	£1,584.28	£1,872.33	£2,160.38	£2,592.46
	(c)	£1,011.60	£1,180.20	£1,348.81	£1,517.40	£1,854.60	£2,191.80	£2,529.00	£3,034.80
Brimpton	(a)	£12.62	£14.72	£16.83	£18.93	£23.14	£27.34	£31.55	£37.86
	(b)	£854.91	£997.40	£1,139.89	£1,282.37	£1,567.34	£1,852.31	£2,137.28	£2,564.74
	(c)	£1,002.36	£1,169.42	£1,336.49	£1,503.54	£1,837.66	£2,171.78	£2,505.90	£3,007.08
Bucklebury	(a)	£16.11	£18.80	£21.48	£24.17	£29.54	£34.91	£40.28	£48.34
	(b)	£858.40	£1,001.48	£1,144.54	£1,287.61	£1,573.74	£1,859.88	£2,146.01	£2,575.22
	(c)	£1,005.85	£1,173.50	£1,341.14	£1,508.78	£1,844.06	£2,179.35	£2,514.63	£3,017.56
Burghfield	(a)	£70.37	£82.10	£93.83	£105.56	£129.02	£152.48	£175.93	£211.12
	(b)	£912.66	£1,064.78	£1,216.89	£1,369.00	£1,673.22	£1,977.45	£2,281.66	£2,738.00
	(c)	£1,060.11	£1,236.80	£1,413.49	£1,590.17	£1,943.54	£2,296.92	£2,650.28	£3,180.34
Catmore	(a)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
	(b)	£842.29	£982.68	£1,123.06	£1,263.44	£1,544.20	£1,824.97	£2,105.73	£2,526.88
	(c)	£989.74	£1,154.70	£1,319.66	£1,484.61	£1,814.52	£2,144.44	£2,474.35	£2,969.22
Chaddleworth	(a)	£46.33	£54.06	£61.78	£69.50	£84.94	£100.39	£115.83	£139.00
	(b)	£888.62	£1,036.74	£1,184.84	£1,332.94	£1,629.14	£1,925.36	£2,221.56	£2,665.88
	(c)	£1,036.07	£1,208.76	£1,381.44	£1,554.11	£1,899.46	£2,244.83	£2,590.18	£3,108.22
Chieveley	(a)	£17.87	£20.84	£23.82	£26.80	£32.76	£38.71	£44.67	£53.60
	(b)	£860.16	£1,003.52	£1,146.88	£1,290.24	£1,576.96	£1,863.68	£2,150.40	£2,580.48
	(c)	£1,007.61	£1,175.54	£1,343.48	£1,511.41	£1,847.28	£2,183.15	£2,519.02	£3,022.82
Cold Ash	(a)	£16.15	£18.85	£21.54	£24.23	£29.61	£35.00	£40.38	£48.46
	(b)	£858.44	£1,001.53	£1,144.60	£1,287.67	£1,573.81	£1,859.97	£2,146.11	£2,575.34
	(c)	£1,005.89	£1,173.55	£1,341.20	£1,508.84	£1,844.13	£2,179.44	£2,514.73	£3,017.68
Combe	(a)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
	(b)	£842.29	£982.68	£1,123.06	£1,263.44	£1,544.20	£1,824.97	£2,105.73	£2,526.88
	(c)	£989.74	£1,154.70	£1,319.66	£1,484.61	£1,814.52	£2,144.44	£2,474.35	£2,969.22
Compton	(a)	£29.61	£34.54	£39.48	£44.41	£54.28	£64.15	£74.02	£88.82
	(b)	£871.90	£1,017.22	£1,162.54	£1,307.85	£1,598.48	£1,889.12	£2,179.75	£2,615.70
	(c)	£1,019.35	£1,189.24	£1,359.14	£1,529.02	£1,868.80	£2,208.59	£2,548.37	£3,058.04
East Garston	(a)	£22.61	£26.38	£30.15	£33.92	£41.46	£49.00	£56.53	£67.84
	(b)	£864.90	£1,009.06	£1,153.21	£1,297.36	£1,585.66	£1,873.97	£2,162.26	£2,594.72
	(c)	£1,012.35	£1,181.08	£1,349.81	£1,518.53	£1,855.98	£2,193.44	£2,530.88	£3,037.06
East Ilsley	(a)	£32.75	£38.21	£43.67	£49.13	£60.05	£70.97	£81.88	£98.26
	(b)	£875.04	£1,020.89	£1,166.73	£1,312.57	£1,604.25	£1,895.94	£2,187.61	£2,625.14
	(c)	£1,022.49	£1,192.91	£1,363.33	£1,533.74	£1,874.57	£2,215.41	£2,556.23	£3,067.48
Enborne	(a)	£19.33	£22.56	£25.78	£29.00	£35.44	£41.89	£48.33	£58.00
	(b)	£861.62	£1,005.24	£1,148.84	£1,292.44	£1,579.64	£1,866.86	£2,154.06	£2,584.88
	(c)	£1,009.07	£1,177.26	£1,345.44	£1,513.61	£1,849.96	£2,186.33	£2,522.68	£3,027.22
Englefield	(a)	£14.32	£16.71	£19.09	£21.48	£26.25	£31.03	£35.80	£42.96
	(b)	£856.61	£999.39	£1,142.15	£1,284.92	£1,570.45	£1,856.00	£2,141.53	£2,569.84
	(c)	£1,004.06	£1,171.41	£1,338.75	£1,506.09	£1,840.77	£2,175.47	£2,510.15	£3,012.18

Council Tax schedule 2014/15		Band A £	BandB £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
West Berkshire Council		£842.29	£982.68	£1,123.06	£1,263.44	£1,544.20	£1,824.97	£2,105.73	£2,526.88
Police and Crime Commissioner for Thames Valley		£107.01	£124.84	£142.68	£160.51	£196.18	£231.85	£267.52	£321.02
Royal Berkshire Fire And Rescue Service		£40.44	£47.18	£53.92	£60.66	£74.14	£87.62	£101.10	£121.32
Parish/town only (a)									
Parish/Town and District (b)									
Total (c)									
Farnborough	(a)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
	(b)	£842.29	£982.68	£1,123.06	£1,263.44	£1,544.20	£1,824.97	£2,105.73	£2,526.88
	(c)	£989.74	£1,154.70	£1,319.66	£1,484.61	£1,814.52	£2,144.44	£2,474.35	£2,969.22
Fawley	(a)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
	(b)	£842.29	£982.68	£1,123.06	£1,263.44	£1,544.20	£1,824.97	£2,105.73	£2,526.88
	(c)	£989.74	£1,154.70	£1,319.66	£1,484.61	£1,814.52	£2,144.44	£2,474.35	£2,969.22
Frilsham	(a)	£37.67	£43.94	£50.22	£56.50	£69.06	£81.61	£94.17	£113.00
	(b)	£879.96	£1,026.62	£1,173.28	£1,319.94	£1,613.26	£1,906.58	£2,199.90	£2,639.88
	(c)	£1,027.41	£1,198.64	£1,369.88	£1,541.11	£1,883.58	£2,226.05	£2,568.52	£3,082.22
Great Shefford	(a)	£26.75	£31.21	£35.67	£40.13	£49.05	£57.97	£66.88	£80.26
	(b)	£869.04	£1,013.89	£1,158.73	£1,303.57	£1,593.25	£1,882.94	£2,172.61	£2,607.14
	(c)	£1,016.49	£1,185.91	£1,355.33	£1,524.74	£1,863.57	£2,202.41	£2,541.23	£3,049.48
Greenham	(a)	£24.13	£28.15	£32.17	£36.19	£44.23	£52.27	£60.32	£72.38
	(b)	£866.42	£1,010.83	£1,155.23	£1,299.63	£1,588.43	£1,877.24	£2,166.05	£2,599.26
	(c)	£1,013.87	£1,182.85	£1,351.83	£1,520.80	£1,858.75	£2,196.71	£2,534.67	£3,041.60
Hampstead Norreys	(a)	£16.75	£19.54	£22.33	£25.12	£30.70	£36.28	£41.87	£50.24
	(b)	£859.04	£1,002.22	£1,145.39	£1,288.56	£1,574.90	£1,861.25	£2,147.60	£2,577.12
	(c)	£1,006.49	£1,174.24	£1,341.99	£1,509.73	£1,845.22	£2,180.72	£2,516.22	£3,019.46
Hamstead Marshall	(a)	£15.92	£18.57	£21.23	£23.88	£29.19	£34.49	£39.80	£47.76
	(b)	£858.21	£1,001.25	£1,144.29	£1,287.32	£1,573.39	£1,859.46	£2,145.53	£2,574.64
	(c)	£1,005.66	£1,173.27	£1,340.89	£1,508.49	£1,843.71	£2,178.93	£2,514.15	£3,016.98
Hermitage	(a)	£33.70	£39.32	£44.93	£50.55	£61.78	£73.02	£84.25	£101.10
	(b)	£875.99	£1,022.00	£1,167.99	£1,313.99	£1,605.98	£1,897.99	£2,189.98	£2,627.98
	(c)	£1,023.44	£1,194.02	£1,364.59	£1,535.16	£1,876.30	£2,217.46	£2,558.60	£3,070.32
Holybrook	(a)	£30.91	£36.06	£41.21	£46.36	£56.66	£66.96	£77.27	£92.72
	(b)	£873.20	£1,018.74	£1,164.27	£1,309.80	£1,600.86	£1,891.93	£2,183.00	£2,619.60
	(c)	£1,020.65	£1,190.76	£1,360.87	£1,530.97	£1,871.18	£2,211.40	£2,551.62	£3,061.94
Hungerford	(a)	£60.96	£71.12	£81.28	£91.44	£111.76	£132.08	£152.40	£182.88
	(b)	£904.90	£1,055.72	£1,206.54	£1,357.35	£1,658.98	£1,960.62	£2,262.25	£2,714.70
	(c)	£1,052.35	£1,227.74	£1,403.14	£1,578.52	£1,929.30	£2,280.09	£2,630.87	£3,157.04
Inkpen	(a)	£17.49	£20.41	£23.32	£26.24	£32.07	£37.90	£43.73	£52.48
	(b)	£859.78	£1,003.09	£1,146.38	£1,289.68	£1,576.27	£1,862.87	£2,149.46	£2,579.36
	(c)	£1,007.23	£1,175.11	£1,342.98	£1,510.85	£1,846.59	£2,182.34	£2,518.08	£3,021.70
Kintbury	(a)	£28.25	£32.96	£37.67	£42.38	£51.80	£61.22	£70.63	£84.76
	(b)	£870.82	£1,015.97	£1,161.10	£1,306.24	£1,596.51	£1,886.80	£2,177.06	£2,612.48
	(c)	£1,018.27	£1,187.99	£1,357.70	£1,527.41	£1,866.83	£2,206.27	£2,545.68	£3,054.82
Lambourn	(a)	£41.77	£48.74	£55.70	£62.66	£76.58	£90.51	£104.43	£125.32
	(b)	£884.06	£1,031.42	£1,178.76	£1,326.10	£1,620.78	£1,915.48	£2,210.16	£2,652.20
	(c)	£1,031.51	£1,203.44	£1,375.36	£1,547.27	£1,891.10	£2,234.95	£2,578.78	£3,094.54
Leckhampstead	(a)	£32.35	£37.75	£43.14	£48.53	£59.31	£70.10	£80.88	£97.06
	(b)	£874.64	£1,020.43	£1,166.20	£1,311.97	£1,603.51	£1,895.07	£2,186.61	£2,623.94
	(c)	£1,022.09	£1,192.45	£1,362.80	£1,533.14	£1,873.83	£2,214.54	£2,555.23	£3,066.28
Midgham	(a)	£20.07	£23.41	£26.76	£30.10	£36.79	£43.48	£50.17	£60.20
	(b)	£862.36	£1,006.09	£1,149.82	£1,293.54	£1,580.99	£1,868.45	£2,155.90	£2,587.08
	(c)	£1,009.81	£1,178.11	£1,346.42	£1,514.71	£1,851.31	£2,187.92	£2,524.52	£3,029.42
Newbury	(a)	£50.44	£58.85	£67.25	£75.66	£92.47	£109.29	£126.10	£151.32
	(b)	£892.73	£1,041.53	£1,190.31	£1,339.10	£1,636.67	£1,934.26	£2,231.83	£2,678.20
	(c)	£1,040.18	£1,213.55	£1,386.91	£1,560.27	£1,906.99	£2,253.73	£2,600.45	£3,120.54
Padworth	(a)	£30.31	£35.36	£40.41	£45.46	£55.56	£65.66	£75.77	£90.92
	(b)	£872.60	£1,018.04	£1,163.47	£1,308.90	£1,599.76	£1,890.63	£2,181.50	£2,617.80
	(c)	£1,020.05	£1,190.06	£1,360.07	£1,530.07	£1,870.08	£2,210.10	£2,550.12	£3,060.14
Pangbourne	(a)	£42.16	£49.19	£56.21	£63.24	£77.29	£91.35	£105.40	£126.48
	(b)	£884.45	£1,031.87	£1,179.27	£1,326.68	£1,621.49	£1,916.32	£2,211.13	£2,653.36
	(c)	£1,031.90	£1,203.89	£1,375.87	£1,547.85	£1,891.81	£2,235.79	£2,579.75	£3,095.70
Peasemore	(a)	£14.36	£16.75	£19.15	£21.54	£26.33	£31.11	£35.90	£43.08
	(b)	£856.65	£999.43	£1,142.21	£1,284.98	£1,570.53	£1,856.08	£2,141.63	£2,569.96
	(c)	£1,004.10	£1,171.45	£1,338.81	£1,506.15	£1,840.85	£2,175.55	£2,510.25	£3,012.30
Purley on Thames	(a)	£31.41	£36.64	£41.88	£47.11	£57.58	£68.05	£78.52	£94.22
	(b)	£873.70	£1,019.32	£1,164.94	£1,310.55	£1,601.78	£1,893.02	£2,184.25	£2,621.10
	(c)	£1,021.15	£1,191.34	£1,361.54	£1,531.72	£1,872.10	£2,212.49	£2,552.87	£3,063.44
Shaw-Cum-Donnington	(a)	£35.59	£41.52	£47.45	£53.38	£65.24	£77.10	£88.97	£106.76
	(b)	£878.37	£1,024.78	£1,171.17	£1,317.56	£1,610.34	£1,903.14	£2,195.93	£2,635.12
	(c)	£1,025.82	£1,196.80	£1,367.77	£1,538.73	£1,880.66	£2,222.61	£2,564.55	£3,077.46
Speen	(a)	£26.04	£30.38	£34.72	£39.06	£47.74	£56.42	£65.10	£78.12
	(b)	£868.33	£1,013.06	£1,157.78	£1,302.50	£1,591.94	£1,881.39	£2,170.83	£2,605.00
	(c)	£1,015.78	£1,185.08	£1,354.38	£1,523.67	£1,862.26	£2,200.86	£2,539.45	£3,047.34
Stanford Dingley	(a)	£22.51	£26.26	£30.01	£33.76	£41.26	£48.76	£56.27	£67.52
	(b)	£864.80	£1,008.94	£1,153.07	£1,297.20	£1,585.46	£1,873.73	£2,162.00	£2,594.40
	(c)	£1,012.25	£1,180.96	£1,349.67	£1,518.37	£1,855.78	£2,193.20	£2,530.62	£3,036.74

Council Tax schedule 2014/15		Band A £	BandB £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
West Berkshire Council		£842.29	£982.68	£1,123.06	£1,263.44	£1,544.20	£1,824.97	£2,105.73	£2,526.88
Police and Crime Commissioner for Thames Valley		£107.01	£124.84	£142.68	£160.51	£196.18	£231.85	£267.52	£321.02
Royal Berkshire Fire And Rescue Service		£40.44	£47.18	£53.92	£60.66	£74.14	£87.62	£101.10	£121.32
Parish/town only (a)									
Parish/Town and District (b)									
Total (c)									
Stratfield Mortimer	(a)	£37.96	£44.29	£50.61	£56.94	£69.59	£82.25	£94.90	£113.88
	(b)	£880.25	£1,026.97	£1,173.67	£1,320.38	£1,613.79	£1,907.22	£2,200.63	£2,640.76
	(c)	£1,027.70	£1,198.99	£1,370.27	£1,541.55	£1,884.11	£2,226.69	£2,569.25	£3,083.10
Streatley	(a)	£31.05	£36.23	£41.40	£46.58	£56.93	£67.28	£77.63	£93.16
	(b)	£873.34	£1,018.91	£1,164.46	£1,310.02	£1,601.13	£1,892.25	£2,183.36	£2,620.04
	(c)	£1,020.79	£1,190.93	£1,361.06	£1,531.19	£1,871.45	£2,211.72	£2,551.98	£3,062.38
Sulhamstead	(a)	£18.88	£22.03	£25.17	£28.32	£34.61	£40.91	£47.20	£56.64
	(b)	£861.17	£1,004.71	£1,148.23	£1,291.76	£1,578.81	£1,865.88	£2,152.93	£2,583.52
	(c)	£1,008.62	£1,176.73	£1,344.83	£1,512.93	£1,849.13	£2,185.35	£2,521.55	£3,025.86
Thatcham	(a)	£48.37	£56.43	£64.49	£72.55	£88.67	£104.79	£120.92	£145.10
	(b)	£890.66	£1,039.11	£1,187.55	£1,335.99	£1,632.87	£1,929.76	£2,226.65	£2,671.98
	(c)	£1,038.11	£1,211.13	£1,384.15	£1,557.16	£1,903.19	£2,249.23	£2,595.27	£3,114.32
Theale	(a)	£56.11	£65.47	£74.82	£84.17	£102.87	£121.58	£140.28	£168.34
	(b)	£898.93	£1,048.76	£1,198.58	£1,348.40	£1,648.04	£1,947.69	£2,247.33	£2,696.80
	(c)	£1,046.38	£1,220.78	£1,395.18	£1,569.57	£1,918.36	£2,267.16	£2,615.95	£3,139.14
Tidmarsh with Sulham	(a)	£17.11	£19.97	£22.82	£25.67	£31.37	£37.08	£42.78	£51.34
	(b)	£859.40	£1,002.65	£1,145.88	£1,289.11	£1,575.57	£1,862.05	£2,148.51	£2,578.22
	(c)	£1,006.85	£1,174.67	£1,342.48	£1,510.28	£1,845.89	£2,181.52	£2,517.13	£3,020.56
Tilehurst	(a)	£30.90	£36.05	£41.20	£46.35	£56.65	£66.95	£77.25	£92.70
	(b)	£873.19	£1,018.73	£1,164.26	£1,309.79	£1,600.85	£1,891.92	£2,182.98	£2,619.58
	(c)	£1,020.64	£1,190.75	£1,360.86	£1,530.96	£1,871.17	£2,211.39	£2,551.60	£3,061.92
Ufton Nervet	(a)	£11.23	£13.11	£14.98	£16.85	£20.59	£24.34	£28.08	£33.70
	(b)	£853.52	£995.79	£1,138.04	£1,280.29	£1,564.79	£1,849.31	£2,133.81	£2,560.58
	(c)	£1,000.97	£1,167.81	£1,334.64	£1,501.46	£1,835.11	£2,168.78	£2,502.43	£3,002.92
Wasing	(a)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
	(b)	£842.29	£982.68	£1,123.06	£1,263.44	£1,544.20	£1,824.97	£2,105.73	£2,526.88
	(c)	£989.74	£1,154.70	£1,319.66	£1,484.61	£1,814.52	£2,144.44	£2,474.35	£2,969.22
Welford	(a)	£25.91	£30.23	£34.55	£38.87	£47.51	£56.15	£64.78	£77.74
	(b)	£868.20	£1,012.91	£1,157.61	£1,302.31	£1,591.71	£1,881.12	£2,170.51	£2,604.62
	(c)	£1,015.65	£1,184.93	£1,354.21	£1,523.48	£1,862.03	£2,200.59	£2,539.13	£3,046.96
West Ilsley	(a)	£42.87	£50.01	£57.16	£64.30	£78.59	£92.88	£107.17	£128.60
	(b)	£885.16	£1,032.69	£1,180.22	£1,327.74	£1,622.79	£1,917.85	£2,212.90	£2,655.48
	(c)	£1,032.61	£1,204.71	£1,376.82	£1,548.91	£1,893.11	£2,237.32	£2,581.52	£3,097.82
West Woodhay	(a)	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00	£0.00
	(b)	£842.29	£982.68	£1,123.06	£1,263.44	£1,544.20	£1,824.97	£2,105.73	£2,526.88
	(c)	£989.74	£1,154.70	£1,319.66	£1,484.61	£1,814.52	£2,144.44	£2,474.35	£2,969.22
Winterbourne	(a)	£35.78	£41.74	£47.71	£53.67	£65.60	£77.52	£89.45	£107.34
	(b)	£878.07	£1,024.42	£1,170.77	£1,317.11	£1,609.80	£1,902.49	£2,195.18	£2,634.22
	(c)	£1,025.52	£1,196.44	£1,367.37	£1,538.28	£1,880.12	£2,221.96	£2,563.80	£3,076.56
Wokefield	(a)	£11.38	£13.28	£15.17	£17.07	£20.86	£24.66	£28.45	£34.14
	(b)	£853.67	£995.96	£1,138.23	£1,280.51	£1,565.06	£1,849.63	£2,134.18	£2,561.02
	(c)	£1,001.12	£1,167.98	£1,334.83	£1,501.68	£1,835.38	£2,169.10	£2,502.80	£3,003.36
Woolhampton	(a)	£26.61	£31.04	£35.48	£39.91	£48.78	£57.65	£66.52	£79.82
	(b)	£868.90	£1,013.72	£1,158.54	£1,303.35	£1,592.98	£1,882.62	£2,172.25	£2,606.70
	(c)	£1,016.35	£1,185.74	£1,355.14	£1,524.52	£1,863.30	£2,202.09	£2,540.87	£3,049.04
Yattendon	(a)	£23.41	£27.32	£31.22	£35.12	£42.92	£50.73	£58.53	£70.24
	(b)	£865.70	£1,010.00	£1,154.28	£1,298.56	£1,587.12	£1,875.70	£2,164.26	£2,597.12
	(c)	£1,013.15	£1,182.02	£1,350.88	£1,519.73	£1,857.44	£2,195.17	£2,532.88	£3,039.46

Town & Parish Council Precepts							
Parish	Taxbase 2013	2013/14			2014/15		Council Tax increase/decrease (-)
		Precept 2013	Band D 2013	Taxbase 2014	Precept 2014	Band D 2014	
Aldermaston	424.85	£ 13,000.00	£30.60	443.06	£ 12,557.00	£28.34	-£2.26
Aldworth	126.09	£ 5,500.00	£43.62	126.49	£ 6,000.00	£47.43	£3.81
Ashampstead	179.71	£ 6,602.70	£36.74	177.29	£ 6,680.00	£37.68	£0.94
Basildon	926.79	£ 27,000.00	£29.13	918.13	£ 27,000.00	£29.41	£0.28
Beech Hill	131.48	£ 5,500.00	£41.83	142.65	£ 6,500.00	£45.57	£3.74
Beedon	182.77	£ 6,515.00	£35.65	183.59	£ 8,556.00	£46.60	£10.95
Beenham	484.79	£ 15,000.00	£30.94	489.60	£ 14,160.00	£28.92	-£2.02
Boxford	244.53	£ 7,023.54	£28.72	238.40	£ 7,204.86	£30.22	£1.50
Bradfield	798.75	£ 18,000.00	£22.54	798.15	£ 18,000.00	£22.55	£0.01
Brightwalton	163.16	£ 5,500.00	£33.71	167.74	£ 5,500.00	£32.79	-£0.92
Brimpton	291.31	£ 6,000.00	£20.60	290.50	£ 5,500.00	£18.93	-£1.67
Bucklebury	1,027.88	£ 24,500.00	£23.84	1,034.24	£ 25,000.00	£24.17	£0.33
Burghfield	2,427.60	£ 244,140.47	£100.57	2,415.78	£255,000.00	£105.56	£4.99
Catmore	14.95	£ -	£0.00	14.60	£ -	£0.00	£0.00
Chaddleworth	186.64	£ 10,250.00	£54.92	187.05	£ 13,000.00	£69.50	£14.58
Chieveley	1,118.92	£ 30,000.00	£26.81	1,119.39	£ 30,000.00	£26.80	-£0.01
Cold Ash	1,507.19	£ 40,000.00	£26.54	1,527.05	£ 37,000.00	£24.23	-£2.31
Combe	25.35	£ -	£0.00	25.35	£ -	£0.00	£0.00
Compton	590.45	£ 25,635.00	£43.42	600.25	£ 26,660.00	£44.41	£0.99
East Garston	267.22	£ 9,000.00	£33.68	265.34	£ 9,000.00	£33.92	£0.24
East Ilsley	247.98	£ 11,500.00	£46.37	244.26	£ 12,000.00	£49.13	£2.76
Enborne	357.70	£ 505.14	£1.41	361.97	£ 10,498.00	£29.00	£27.59
Englefield	118.77	£ 2,500.00	£21.05	116.38	£ 2,500.00	£21.48	£0.43
Farnborough	46.32	£ -	£0.00	45.22	£ -	£0.00	£0.00
Fawley	74.49	£ -	£0.00	73.29	£ -	£0.00	£0.00
Frilsham	158.32	£ 7,000.00	£44.21	159.30	£ 9,000.00	£56.50	£12.29
Great Shefford	398.15	£ 17,500.00	£43.95	398.71	£ 16,000.00	£40.13	-£3.82
Greenham	1,464.45	£ 53,000.00	£36.19	1,541.81	£ 55,800.00	£36.19	£0.00
Hampstead Norreys	337.28	£ 8,600.00	£25.50	342.38	£ 8,600.00	£25.12	-£0.38
Hamstead Marshall	144.45	£ 3,400.00	£23.54	142.37	£ 3,400.00	£23.88	£0.34
Hermitage	802.91	£ 42,000.00	£52.31	830.84	£ 42,000.00	£50.55	-£1.76
Holybrook	2,457.91	£ 111,327.00	£45.29	2,460.78	£114,091.47	£46.36	£1.07
Hungerford	2,257.54	£ 177,821.90	£78.77	2,327.21	£212,790.00	£91.44	£12.67
Inkpen	420.37	£ 11,000.00	£26.17	419.16	£ 11,000.00	£26.24	£0.07
Kintbury	1,079.46	£ 42,500.00	£39.37	1,179.94	£ 50,000.00	£42.38	£3.01
Lambourn	1,675.05	£ 103,600.00	£61.85	1,694.63	£106,190.00	£62.66	£0.81
Leckhampstead	163.60	£ 6,500.00	£39.73	164.85	£ 8,000.00	£48.53	£8.80
Midgham	166.25	£ 4,000.00	£24.06	166.12	£ 5,000.00	£30.10	£6.04
Newbury	11,644.11	£ 880,928.00	£75.65	11,819.97	£894,351.00	£75.66	£0.01
Padworth	321.33	£ 12,000.00	£37.34	329.98	£ 15,000.00	£45.46	£8.12
Pangbourne	1,449.72	£ 89,000.00	£61.39	1,450.12	£ 91,700.00	£63.24	£1.85
Peasemore	147.64	£ 3,200.00	£21.67	148.53	£ 3,200.00	£21.54	-£0.13
Purley on Thames	1,868.87	£ 80,280.00	£42.96	1,910.39	£ 90,000.00	£47.11	£4.15
Shaw-Cum-Donnington	660.04	£ 36,000.00	£54.54	674.41	£ 36,000.00	£53.38	-£1.16
Speen	1,028.58	£ 37,426.00	£36.39	1,048.98	£ 40,970.00	£39.06	£2.67
Stanford Dingley	110.94	£ 3,750.00	£33.80	111.08	£ 3,750.00	£33.76	-£0.04
Stratfield Mortimer	1,597.21	£ 85,730.59	£53.68	1,595.09	£ 90,830.00	£56.94	£3.26
Streatley	554.29	£ 26,000.00	£46.91	558.13	£ 26,000.00	£46.58	-£0.33
Sulham (see Tidmarsh)							£0.00
Sulhamstead	522.34	£ 14,000.00	£26.80	530.35	£ 15,020.00	£28.32	£1.52
Thatcham	8,513.62	£ 617,663.00	£72.55	8,539.08	£619,510.00	£72.55	£0.00
Theale	959.48	£ 83,900.00	£87.44	1,011.63	£ 85,150.00	£84.17	-£3.27
Tidmarsh with Sulham	299.62	£ 7,700.00	£25.70	299.96	£ 7,700.00	£25.67	-£0.03
Tilehurst	5,373.25	£ 239,612.00	£44.59	5,387.66	£249,740.00	£46.35	£1.76
Ufton Nervet	130.02	£ 2,200.00	£16.92	130.55	£ 2,200.00	£16.85	-£0.07
Wasing	21.86	£ -	£0.00	22.74	£ -	£0.00	£0.00
Welford	201.29	£ 7,000.00	£34.78	205.84	£ 8,000.00	£38.87	£4.09
West Ilsley	154.51	£ 2,515.00	£16.28	155.52	£ 10,000.00	£64.30	£48.02
West Woodhay	55.80	£ -	£0.00	55.94	£ -	£0.00	£0.00
Winterbourne	90.34	£ 5,000.00	£55.35	93.16	£ 5,000.00	£53.67	-£1.68
Wokefield	130.61	£ 1,500.00	£11.48	131.83	£ 2,250.00	£17.07	£5.59
Woolhampton	385.61	£ 15,300.00	£39.68	383.36	£ 15,300.00	£39.91	£0.23
Yattendon	171.72	£ 7,800.00	£45.42	170.86	£ 6,000.00	£35.12	-£10.30
		£ 3,360,425.34		60,599.03	3,497,858.33		

Special Expenses							
Parish	Taxbase 2013	2013/14			2014/15		Council Tax increase
		Sp Expense 2013	Band D 2013	Taxbase 2014	Sp Expense 2014	Band D 2014	
Hungerford	2,257.91	£ 2,200.00	£0.97	2,327.21	£ 5,750.00	£2.47	£1.50
Kintbury	1,079.46	£ 2,392.00	£2.22	1,179.94	£ 500.00	£0.42	-£1.80
Shaw-Cum-Donnington	660.04	£ 1,000.00	£1.52	674.41	£ 500.00	£0.74	-£0.78
Theale	959.48	£ 1,670.00	£1.74	1,011.63	£ 800.00	£0.79	-£0.95

Council Rules of Procedure - Rule 4.16.1 - Six Months Rule**Motion - Revenue Budget 2014/15****Council Tax Reduction Scheme**

The Council, at its meeting 12 December 2013, considered a report in relation to the Council Tax Reduction Scheme and resolved as follows:

That the Council:

"for the purposes of a Council Tax Support Scheme for 2014/15:

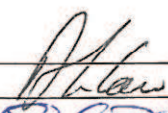
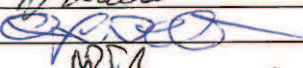
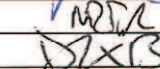
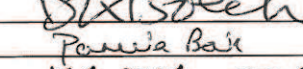
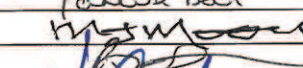
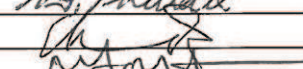
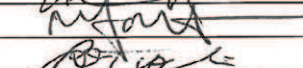
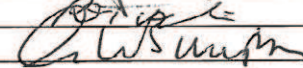
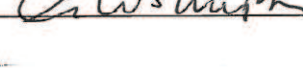
1. The CTS Scheme for 2014/15 should replicate that in place for 2013/14 with the single exception that claimants in the unprotected group will be required to pay a minimum of 10% of their Council Tax liability rather than 8.5% as in 2013/14;
2. An amount of £6.23m be drawn from Revenue Support Grant to contribute towards funding of the Scheme together with £1.23m income generated by earlier changes to Council Tax discounts;
3. That the proposals for addressing variations between estimated and actual costs through the Collection Fund be approved;
4. No transfer of funding will be made to parish and town councils;
5. That the associated risks be noted."

Since taking this decision, it is apparent that the local economy has shown signs of an improvement and as a result of this the Executive, at its meeting on 13 February 2014, recommended that Council consider implementing a local scheme which will see Parishes paid a percentage of the Council Tax Support Grant over the next three years. The scheme would reflect the 18% reduction in Revenue Support Grant to this Council but would see Parishes receiving the following:

75% of the previous grant after the 18% RSG reduction 2014/15

Recommended:

In order to implement this scheme, Council is requested to rescind its previous decision of 12 December 2013.

Councillor	ALAN LAW	
	~~DAVID DOWELL~~	
	MARCUS FRANKS	
	DOMINIC BOECK	
	PAMELA BALE	
	JOE W MOONEY	
	ROGER CROFT	
	HILARY CUS.	
	A. G. LUNDIE	
	Adrian Edwards	
	MIKE JENNISTON	
	JEUAN TUCK	
	CHRIS SIMPSON	

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Agenda Item 19.

Title of Report:	Statutory Pay Policy Statement
Report to be considered by:	Council
Date of Meeting:	4th March 2014
Forward Plan Ref:	C2656

Purpose of Report: To present a Pay Policy Statement to be published from 1st April 2014, for approval.

Recommended Action: To approve the Pay Policy Statement attached at Appendix A.

Reason for decision to be taken:

1. To comply with the requirements of s38 of the Localism Act 2011
2. To comply with the Code of Practice for Local Authorities on Data Transparency in relation to senior salary publication

Other options considered: To produce and publish separate information for each of the statutory requirements above. However, as they are intricately linked it makes sense to publish both together so that the public can see all the information in one place.

Key background documentation:

- The Code of Recommended Practice for Local Authorities on Data Transparency Sept 11(CLG)
- The Localism Act Nov 11, s38-43 (legislation.gov.uk)
- Openness and accountability in local pay: Guidance under section 40 of the Localism Act Feb 2012, and supplementary guidance Feb 2013 (CLG)
- Localism Act: Pay Policy Statement Guidance for Local Authority Chief Executives Nov 11 (JNC for Chief Officers)

The proposals contained in this report will ensure that the Council complies with statute and statutory guidance on openness and transparency.

Portfolio Member Details

Name & Telephone No.:	Councillor Alan Law - Tel (01491) 873614
E-mail Address:	alaw@westberks.gov.uk
Date Portfolio Member agreed report:	

Contact Officer Details

Name:	Jane Milone
Job Title:	HR Manager - Policy, Strategy and Information
Tel. No.:	01635 519238
E-mail Address:	jmilone@westberks.gov.uk

Implications

Policy:	The Council is required to publish a statement of its pay policy. The proposed statement does not involve a change of policy.
Financial:	None.
Personnel:	None
Legal/Procurement:	This statement will ensure that the Council complies with the Localism Act 2011
Property:	None
Risk Management:	None

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		☐	☒
• Is it a major policy, significantly affecting how functions are delivered?		☐	☒
• Will the policy have a significant impact on how other organisations operate in terms of equality?		☐	☒
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		☐	☒
• Does the policy relate to an area with known inequalities?		☐	☒
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			☐
Not relevant to equality			☒

Is this item subject to call-in?	Yes: ☐	No: ☒
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		☒
Delays in implementation could have serious financial implications for the Council		☐
Delays in implementation could compromise the Council's position		☐
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		☐
Item is Urgent Key Decision		☐
Report is to note only		☐

Executive Summary

1. Introduction

- 1.1 This report proposes a draft pay policy statement for publication with effect from 1st April 2014.
- 1.2 The Code of Recommended Practice for Local Authorities on Data Transparency ('the Code') published by the Department for Communities and Local Government includes a requirement to publish a set of data relating to the remuneration and responsibilities of senior officers.
- 1.3 Section 38 of the Localism Act ('the Act') of the Act requires local authorities to publish an annual pay policy statement from 2012.
- 1.4 Although the information required for the Code and the Act is not identical, it is complementary and one helps to understand the other. Publishing the information required under the Code as part of the pay policy statement enables the public to have all the relevant information in one place. The first WBC statement was published in March 2012.

2. Proposals

- 2.1 It is proposed that the Personnel Committee recommends the Pay Policy Statement at appendix A to full Council for approval. This fits within its terms of reference which are to consider matters of personnel policy. Approval for the statement cannot be delegated to a committee.
- 2.2 Upon approval by Council the statement will be published on the Council's website.

3. Equalities Impact Assessment Outcomes

- 3.1 There is no decision to be made, apart from approval for publication, and therefore no Equality Impact Assessment has been undertaken.

4. Conclusion

- 4.1 Publication will enable the Council to comply with s38 of the Localism Act and with the Code of Recommended Practice for Local Authorities on Data Transparency.

Executive Report

1. Introduction

- 1.1 This report proposes a draft pay policy statement for publication with effect from 1st April 2014. Council approved the annual publication of the statement, in principle, on 1st March 2012. This report seeks approval for the 2014 statement.
- 1.2 The Code of Recommended Practice for Local Authorities on Data Transparency ('the Code'), published by the Department for Communities and Local Government in February 2012, includes a requirement to publish a set of data relating to the remuneration and responsibilities of senior officers.
- 1.3 Section 38 of the Localism Act ('the Act') of the Act requires local authorities to publish an annual pay policy statement, starting with 2012/13.
- 1.4 Although the information required for the Code and the Act is not identical, it is complementary and one helps to understand the other. Publishing the information required under the Code as part of the pay policy statement enables the public to have all the relevant pay policy and senior salary information in one place.

2. Localism Act Requirements

- 2.1 S38 of the Localism Act requires the local authority to prepare and publish a pay policy statement for the financial year 2012/13 and each subsequent year. The method of publication is at the discretion of the authority, but it is expected to comply with the principles set out in the Code for data transparency. The statement must be approved by the full Council.
- 2.2 The statement should set out the policies in relation to;
 - (1) Remuneration of its chief officers
 - (2) The remuneration of its lowest paid employees (and our definition and reasons for defining it)
 - (3) The relationship between the remuneration of its chief officers and those who are not chief officers
- 2.3 The definition of chief officers includes the Chief Executive, the Monitoring Officer, the Section 151 Officer, Corporate Directors, as well as those who report directly to any of these post holders. Thus, in West Berkshire Council, this definition would include all Heads of Service.
- 2.4 Chief officer remuneration includes salary, bonuses, performance-related pay, fees or allowances (including as returning officer), benefits in kind, etc. The policy should also state how chief officer salary will be determined on appointment and any arrangements for payments upon leaving office.

3. Transparency Code Requirements

- 3.1 The Code of Recommended Practice for Local Authorities on Data Transparency was published by the Department for Communities and Local Government in September 2011. Alongside the requirement to publish data on aspects of the Council such as spending and financial indicators, procurement, Councillor

allowances and assets, the Council is required to publish details of senior salaries and responsibilities, pay multiples and organisational structure.

3.2 Specifically, we must publish;

- (1) Senior employee salaries, names (with the option for individuals to refuse to consent for their name to be published), job descriptions, responsibilities, budgets and numbers of staff.
- (2) An organisational chart of the staff structure of the local authority including salary bands and details of currently vacant posts.
- (3) The 'pay multiple' – the ratio between the highest paid salary and the median average salary of the whole of the authority's workforce.

3.3 'Senior employee salaries' is defined as all salaries which are above £58,200 and above (irrespective of post), which is the Senior Civil Service minimum pay band. Budgets should include the overall salary cost of staff reporting to each senior employee.

4. Recommendations

- 4.1 It is proposed that, as in 2012 and 2013, a single statement is produced for publication, within the timescales required under the Act, to meet the requirements of both the Code and the Act. .
- 4.2 The statement should be clear in its scope and intent and only contain information that is not otherwise available on the website. The statement should contain links to the other sources of information on the website. Where necessary, numerical data should be made available as recommended under the Code (which recommends that data be published in a machine-readable format and under a licence that allows open re-use).
- 4.3 It is proposed that the Personnel Committee recommends the Pay Policy Statement to full Council for approval. This fits within its terms of reference which are to consider matters of personnel policy. Approval for the statement cannot be delegated to a committee.
- 4.4 A draft Pay Policy Statement 2014 is appended for consideration, which will be published on the Council's website once approved.

Appendices

Appendix 1 - "Pay Policy Statement - April 2014"

Consultees

Local Stakeholders: Heads of Service, Corporate Board

Officers Consulted: As above plus Gemma McNamara, Melanie Ellis

Trade Union: n/a

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Pay Policy Statement – April 2014

Change History

Version	Date	Description	Change ID
1	April 2012	First publication	
2	April 2013	Second publication	
3	April 2014	Third publication	

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1. Purpose

- 1.1 This document covers the requirements to publish information relating to the payment of employees, including those on senior salaries, within the Council under s38 of the Localism Act 2011 and the Code of Recommended Practice for Local Authorities in Data Transparency.
- 1.2 The statement includes information relating to the actual remuneration of senior officers during the last financial year (2013/14) and information on the policies on chief officer pay which will be effective from April 2014.
- 1.3 Full Council has approved the Pay Policy Statement.

2. Definitions used in this document

- 2.1 **Chief Officers**; the holders of the posts of Chief Executive and Corporate Directors; the posts of Monitoring Officer (Head of Legal Services) and Section 151 Officer (Head of Finance); the posts of Head of Service.
 - 2.2 **Senior officers**; the Chief Executive, Corporate Directors, and Heads of Service
 - 2.3 **Senior salary**; annual salary equal to or exceeding £58,200 (the minimum of the Senior Civil Service pay band)
 - 2.4 **Lowest paid employee**; minimum of grade B on WBC pay scales (£12,915 per annum full time (37 hours per week) or 6.69 per hour). Notes on this definition are set out below;
 - 2.4.1 Grade A is no longer used in WBC. Minimum Grade B is equivalent to scale point 7 of the NJC pay scale for Local Government Employees.
 - 2.4.2 *Apprentices aged 16-18, may be paid on the Government's National Minimum Wage.* They have been excluded from this definition on the basis that they are in specific posts created for training purposes.
 - 2.5 **Median salary**; £24,892 (full time equivalent). This is a measure of the 'average' salary for employees in the Council. It is defined as the 'midpoint' salary, such that there is an equal probability of falling above or below it.
 - 2.6 **Mean salary**; £27,541 (full time equivalent). This is an alternative measure of the 'average' salary for employees in the Council. The arithmetic mean is defined as the sum of all the salaries divided by the number of salaries.
- ## 3. Pay Policy from April 2012
- 3.1 Job evaluation – employees below grade N
 - 3.1.1 The Hay (Local Government) job evaluation scheme is used to establish the grade for each post relative to all other jobs within the Council. The Job evaluation procedure is used to evaluate all new jobs and to re-evaluate existing jobs where there have been significant changes.

- 3.1.2 All jobs are assigned to a grade within the West Berkshire Council salary structure on the basis of the job evaluation score. The individual salary scale points are based on the National Joint Council for Local Government Employees (Green Book) salary scale. See Appendix D for details.
- 3.2 Salary structure – employees on Grade N and above
- 3.2.1 Heads of Service are all paid on Grade N. They constitute the second tier of management and may be allocated new responsibilities as required to meet the needs of the Council at this level, within their grade. Heads of Service report to either a Corporate Director or the Chief Executive (Head of Paid Service).
- 3.2.2 Corporate Directors are paid on the Corporate Director grade and the Chief Executive is paid on a specific grade for this post. All three may be allocated new responsibilities as required to meet the needs of the Council within their grade.
- 3.3 Salary on appointment – all employees
- 3.3.1 Appointments will normally be made to the minimum point of the grade. Managers may take into account the previous experience and skills of the employee to offer appointment above the salary minimum for the post.
- 3.4 Incremental progression – Employees below ‘third tier’ of management
- 3.4.1 Each employee progresses through the grade band for the posts by the award of one increment (or spinal column point (SCP)) on 1st April each year until the maximum of the grade band is reached, subject to 6 months service in the grade band (whether that band has been attained by appointment, promotion or regrading).
- 3.4.2 Any existing employee who is appointed to a new post within the Council whose salary, on 1st April, would otherwise be less than one column point in excess of the salary they would have received on that day in their old grade band, will be entitled to an increment on that day even if he/she has not been 6 months in the new post.
- 3.4.3 An increment may be withheld if an employee is subject to formal disciplinary or capability procedures during the year leading up to the 1st April and this decision has been communicated to the employee and recorded as part of those proceedings.
- 3.4.4 An additional increment may be awarded in any one year to an employee, at the discretion of the Head of Service, on the grounds of special merit or ability, provided the maximum of the grade is not exceeded.
- 3.5 Incremental progression – Chief Executive, Corporate Directors, Heads of Service and ‘third tier’ managers

- 3.5.1 Third tier managers (defined as those on Grades L and M, reporting to heads of service) and above can only progress through the increments within the grade if their performance, as assessed at the annual appraisal, is rated as satisfactory, good or excellent.

3.6 Additional payments – all employees

- 3.6.1 Payment for additional hours, undertaking higher responsibilities, non-standard working arrangements, and other exceptional circumstances will be made, where applicable, in accordance with West Berkshire Terms and Conditions of Service - Additional Payments
- 3.6.2 Car allowance payments for new senior managers ceased to be paid from November 2007. Some senior employees who were already in receipt of such allowances continue to receive them on a protected basis whilst in post. Essential car users (defined as those who travel at least 2500 business miles per annum or for whom a car is essential for the performance of the job) receive an allowance in line with NJC rates.
- 3.6.3 The Council does not operate a separate bonus scheme for its Chief Officers, nor does it provide any other benefits or make any other additional payments outside those which are detailed in Appendix B or in the Terms and Conditions of Service referred to above.

4. **Pay ratios in the Council**

- 4.1 It is the Policy of the Council to ensure that the ratio of the salary of the highest paid officer and the lowest paid officer is well below the 20:1 ratio recommended as a maximum in the terms of reference for the 2011 Hutton Review of Fair Pay in the Public Sector.
- 4.2 As at 1st April 2014, pay ratios within the Council stand as follows;
- Highest:lowest = 10.7:1
 - Highest:median = 5.6:1
- 4.3 This is based on the following salary packages;
- Highest paid (maximum CX plus car allowance) = £138,418
 - Lowest paid (minimum grade B) = £12,915
 - Median (average) = £24,892

5. **Review**

- 5.1 This policy will be reviewed at least annually and more frequently if necessary to respond to any changes.
- 5.2 The Personnel Committee is responsible for recommending the policy statement for approval by full Council.

Other Relevant Information

The following information is available on our website;

Discretionary Compensation Payments - Statement of Policy

Sets out how the Council intends to use its discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006

Local Government Pension Scheme Discretions - Statement of Policy

Sets out how the Council intends to use its discretions under the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended).

Re-employment Policy

Sets out the Council's policy on the re-employment of individuals whose previous employment with the Council ended in redundancy, early retirement, or dismissal on the grounds of capability or conduct.

Organisational Structure Chart

Sets out the current senior management structure of the Council

West Berkshire Council - Pay and grading

Information on pay and grading for Council employees

Appendix A - Senior officer salaries; table showing names of post holders and actual pay during 2013/14 financial year

		For the financial year 2013/14							
Name	Job Title	Remuneration				Total Remuneration	Cost		
		salary	car allowance / lease car	Other	honorary		Employer's Pension	Employer's NI	Total Cost
Mr Nicholas Carter	Chief Executive	133418	5000	0	0	138418	20546	16871	175835
Mr John Ashworth	Corporate Director (Environment)	102189	4000	0	0	106189	15737	12424	134350
Ms Rachael Wardell	Corporate Director (Communities)	102189	0	0	0	102189	15737	11881	129807
Mr Ian Pearson	Head of Education & DD Communities	78092	3500	0	7500	88319	13181	10065	112338
Mr David Holling	Head of Legal	78092	3500	0	0	81592	12026	9030	102648
Mr Andrew Walker	Head of Finance	78092	2528	0	0	80620	12026	8548	101194
Mr Kevin Griffin	Head of ICT and Corporate Support	90247	3500	0	6683*	100430	15270	12090	124457
Mr Mark Edwards	Head of Highways & Transport	78092	3500	0	0	81592	12026	9030	102648
Mr Gary Lugg	Head of Planning & Countryside	78092	3500	0	0	81592	12026	9030	101673
Mr Stephen Duffin	Head of ASC Efficiency Programme	78092	3500	0	0	81592	12026	9030	101673
Mr Sean Anderson	Head of Customer Services	78142	3500	0	0	81642	12026	9037	101730
Mr Robert O'Reilly	Head of Human Resources	78092	3500	0	0	81592	12026	9030	101673
Mrs June Graves	Head of Care Commissioning, Housing & Safeguarding	75897	3500	0	0	79397	11688	8727	99812
Mr Andrew Day	Head of Strategic Support	71515	3500	0	0	75015	11013	7713	93741
Mr Stephen Broughton	Head of Culture & Environmental Protection	75897	2144	0	0	78041	11687	8243	97971
Mrs Janice Evans (left 31/12/13)	Head of Adult Social Care	58311	2555	0	0	60867	2020	6438	76324
Mr Mark Evans	Head of Children's Services	71515	1239	0	1100	72754	11013	7810	91577
Ms Lesley Wyman	Head of Public Health and Wellbeing	69337	0	0	0	69337	9442	7084	85863

*honorary for Mr Griffin is in respect of work done in 2012/13 financial year and will not be payable for 2013/14

Appendix B – Senior Officer budget and staffing responsibilities in 2014/15 financial year

Name	Job Title	revenue budget / £m	capital budget / £m	No. staff (excl schools)
Mr Nicholas Carter	Chief Executive	290.73	31.23	1653
Mr John Ashworth	Director of Environmental Services	46.07	12.53	405
Ms Rachael Wardell	Director of Communities	175.83	17.64	901
Mr David Holling	Head of Legal Services	1.18	0	18
Mr Andrew Walker	Head of Finance	11.66	0.08	54
Mr Kevin Griffin	Head of ICT and Corporate Support	3.66	0.70	61
Mr Mark Edwards	Head of Highways & Transport	12.22	11.71	112
Mr Gary Lugg	Head of Planning & Countryside	5.95	0.12	104
Mr Ian Pearson	Head of Education & Deputy Director of Comm.	109.51	15.84	254
Mr Stephen Duffin	Head of ASC Efficiency Programme	0.12	0	2
Mr Sean Anderson	Head of Customer Services	40.93	0	129
Mr Robert O'Reilly	Head of Human Resources	1.52	0	34
Mrs June Graves	Head of Social Care Commissioning & Housing	7.12	1.45	59
Mr Andrew Day	Head of Strategic Support	4.40	0.12	48
Mr Stephen Broughton	Head of Culture and Environmental Protection	27.73	0.69	187
Tandra Forster	Head of Adult Social Care	45.02	0.32	393
Mr Mark Evans	Head of Children's Services	13.77	0.02	189
Ms Lesley Wyman	Head of Public Health and Wellbeing	4.91	0	5

Appendix C - Chief Officer responsibilities; summary job descriptions with for Chief Executive and Corporate Directors

A summary of responsibilities of the Chief Executive and Corporate Directors with effect from 1st April 2013 can be found below.

Details of service management responsibilities for other senior officers can be found on the [Organisational structure](#) pages on the Council's website

Nick Carter - Chief Executive

Job Purpose

- To provide overall direction and leadership to the Council, ensuring that policies are developed and services delivered in accordance with the Council's core values.
- To undertake the statutory responsibilities of Head of Paid Service, responsible for the overall financial strategy and performance of the Council, and for ensuring that it functions within the complex statutory, regulatory framework in accordance with the Local Government and Housing Act 1989.
- To act as principal adviser to the Council, ensuring that elected members receive support to direct the overall operation of the Council and to fulfil their responsibilities as democratically elected representatives of the community.
- To assist elected members in anticipating the needs and aspirations of the community and building a vision for the local area.
- To work with the two Corporate Directors to develop and maintain an effective, high-performing organisation, which minimises costs and reflects political priorities.
- In collaboration with Corporate Board, to ensure that a clear policy planning and performance management framework exists which provides strong co-ordination across all services and the involvement of all relevant stakeholders.
- To explore and develop partnerships with private, public and voluntary organisations to aid integrated, cost-effective service delivery.
- To manage the performance of the two Corporate Directors to ensure the delivery of the Council's objectives.
- To lead and direct the Resources directorate, managing the performance of the Heads of Finance, Legal Services, Strategic Support, Human Resources, ICT and Corporate Services, Public Health and Wellbeing, and Customer Services, to ensure the delivery of best value in accordance with the Council's vision.

Rachael Wardell - Corporate Director for Communities

Job Purpose

- To lead in the development, implementation, monitoring and review of the Council Plan and Medium Term Financial Strategy alongside elected members, the Chief Executive and other Corporate Directors.
- In collaboration with Corporate Board, to ensure that a clear policy planning and performance management framework exists which provides strong co-ordination across all services and the involvement of all relevant stakeholders.
- To work closely with elected members on major corporate and service issues to support them in delivering effective solutions, and to ensure that members are effectively engaged and supported in the work of the Directorate.
- To lead and direct the Communities directorate, managing the performance of the Heads of Children's Services, Education Services, Adult Social Care, ASC Efficiency Programme, and Care Commissioning, Housing and Safeguarding, to ensure the delivery of best value in accordance with the Council's vision.
- To lead, co-ordinate and support effective partnerships of all those interested in children and young people and associated services, whether as looked after children, pupils, students, parents, families, carers, head teachers, governors, leisure, sport or heritage customers, staff, volunteers or employers.
- To advise officers and elected members of the Council on the needs of children and young people and associated services, and a range of service and corporate issues, ensuring that Council plans and strategies are met and the Council is equipped to meet Government requirements and inspection requirements.
- To ensure ongoing development and improvement to the benefit of children, young people and the rest of the community of West Berkshire.
- To take the lead in promoting independence for older people and vulnerable adults and the delivery of efficient and effective adult social care and housing services to the local community.
- To consolidate, build and maintain effective relationships with key partners, service providers, stakeholders and the wider community to improve outcomes for the local community, including securing arrangements for the provision of joint/integrated services where appropriate.
- To promote the development of multi-agency services for the delivery of social care services to adults.
- To act as the Director of Adult Social Services and as Director of Children's Services as required by the Local Authority Social Services Act 1970 (as amended by the Children's Act 2004).

John Ashworth - Corporate Director for Environment

Job Purpose

- To lead in the development, implementation, monitoring and review of the Council Plan and Medium Term Financial Strategy alongside elected members, the Chief Executive and other Corporate Directors.
- In collaboration with Corporate Board, to ensure that a clear policy planning and performance management framework exists which provides strong co-ordination across all services and the involvement of all relevant stakeholders.
- To work closely with elected members on major corporate and service issues to support them in delivering effective solutions, and to ensure that members are effectively engaged and supported in the work of the Directorate.
- To lead and direct the Environment Directorate, managing the performance of the Heads of Highways and Transport, Planning and Countryside, and Culture and Environmental Protection, to ensure the delivery of best value in accordance with the Council's vision.
- To take the lead in delivering a range of environmental services including Highways and Transport, Development Control, Building Control, Planning and Transport Policy, Waste Management and Recycling, Countryside Services, Environmental Health and Trading Standards.
- To oversee the development of a range of key environmental policies including the Local Development Framework, Local Transport Plan and Climate Change Strategy. To take the lead on green issues including the development of partnership working.
- To promote the development of the Council's cultural services and to facilitate the development of cultural services across West Berkshire in collaboration with key partners.
- To consolidate, build and maintain effective relationships with key partners, service providers, stakeholders and the wider community to facilitate high quality services which meet user needs, including secure arrangements for joint provision of services where this will be the most cost-effective means of enhancing service provision.

Appendix D - Pay scales; pay rates for all grades within WBC effective April 2014

grade		Scale point	Annual full time equivalent salary
	B	7	12915
		8	13321
		9	13725
		10	14013
		11	14880
C		12	15189
		13	15598
		14	15882
	D	15	16215
		16	16604
		17	16998
		18	17333
		19	17980
E		20	18638
		21	19317
		22	19817
	F	23	20400
		24	21067
		25	21734
		26	22443
		27	23188
G		28	23945
		29	24892
		30	25727
	H	31	26539
		32	27323
		33	28127
		34	28922
		35	29528
I		36	30311
		37	31160
		38	32072
	J	39	33128
		40	33998

grade		Scale point	Annual full time equivalent salary
K	J	41	34894
		42	35784
		43	36676
		44	37578
		45	38422
	L	46	39351
		47	40254
		48	41148
		49	43272
		50	45428
M	51	47071	
		52	48708
		53	50361
		54	51083
		55	53035
		56	54981
		57	56928
	(Heads of Service) N	61	63489
62		64951	
63		67140	
64		69337	
65		71515	
66		73710	
67		75897	
68		78092	
Corporate Directors		72	90247
		73	92631
		74	95022
		75	97406
		76	99794
		77	102189
	Chief Executive		124818
			127686
			130553
			133418

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Title of Report:	Community Infrastructure Levy - Adoption and Implementation of Charging Schedule
Report to be considered by:	Council
Date of Meeting:	4th March 2014
Forward Plan Ref:	C2587

Purpose of Report:

To:

- (a) Consider the Examiner's report into West Berkshire's Draft Charging Schedule;
- (b) Seek approval for the adoption and implementation of a Community Infrastructure Levy.

Recommended Action:

That the Council Resolves:

1. To accept the Examiner's recommendations and adopt the Charging Schedule as attached at Appendix B;
2. That the Charging Schedule will take effect from 1st April 2015 unless the restrictions on the use of S106 agreements come into force before that date, in which case the Charging Schedule shall take effect from the date that those restrictions come into force;
3. To approve the Regulation 123 List as attached at Appendix C as supporting documentation to the Charging Schedule.

Reason for decision to be taken:

To enable the adoption of a Community Infrastructure Levy (CIL) for West Berkshire

Other options considered:

Not to adopt a CIL

Key background documentation:

C2585 - Report to Special Full Council on 6th June 2013 regarding the Draft Charging Schedule

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- ☒ **CSP1 – Caring for and protecting the vulnerable**
- ☒ **CSP2 – Promoting a vibrant district**
- ☒ **CSP3 – Improving education**
- ☒ **CSP4 – Protecting the environment**

The proposals will also help achieve the following Council Strategy principles:

- ☒ **CSP6 - Living within our means**
- ☒ **CSP7 - Empowering people and communities**
- ☒ **CSP9 - Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy priorities and principles by:
Ensuring the adoption of a Community Infrastructure Levy which will allow the Council to charge a levy on new development.

Portfolio Member Details	
Name & Telephone No.:	Councillor Hilary Cole - Tel (01635) 248542
E-mail Address:	hcole@westberks.gov.uk
Date Portfolio Member agreed report:	31/01/14

Contact Officer Details	
Name:	Caroline Walsh
Job Title:	Developer Contributions Officer
Tel. No.:	01635 503018
E-mail Address:	cwalsh@westberks.gov.uk

Implications

Policy:	The adoption of a Community Infrastructure Levy allows a levy to be charged on development in West Berkshire. The process is detailed in the report
Financial:	To not proceed with the adoption of a CIL levy for West Berkshire would have a significant financial impact as we will not be able to collect developer contributions on a formulaic basis towards infrastructure after 6th April 2015 (as per draft 2014 Amendment Regulations). CIL is likely to lead to a lower level of contributions received compared to S106 contributions and the impact of this change will be taken into account in developing the Council's capital strategy from 2015/16 onwards. The introduction of CIL reduces the number of S106 agreements required as a result of planning applications and the fee income will be affected.
Personnel:	Scheme will be implemented using existing resources
Legal/Procurement:	There is a risk of legal challenge if the Council adopts the Charging Schedule but delays implementation until April 2015.
Property:	N/a
Risk Management:	The CIL Regulations restrict the use of S106 agreements to secure developer contributions from the relevant date which is now proposed will be the 6th April 2015. If CIL is not adopted and implemented by that date there will be limited opportunities to seek contributions towards infrastructure from development.

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		☐	☒
• Is it a major policy, significantly affecting how functions are delivered?		☐	☒
• Will the policy have a significant impact on how other organisations operate in terms of equality?		☐	☒
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		☐	☒
• Does the policy relate to an area with known inequalities?		☐	☒
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			☐
Not relevant to equality			☒

Is this item subject to call-in?	Yes: ☐	No: ☒
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		☒
Delays in implementation could have serious financial implications for the Council		☐
Delays in implementation could compromise the Council's position		☐
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		☐
Item is Urgent Key Decision		☐
Report is to note only		☐

Executive Summary

1. Introduction

- 1.1 The Community Infrastructure Levy (CIL) Regulations 2010 (“the CIL Regulations”) came into force on 6th April 2010 and allow Councils to set a levy which will be charged on all new development resulting in the creation of one dwelling or any development over 100m² (excluding residential annexes and extensions).
- 1.2 Although the CIL Regulations do not require any council to adopt a CIL, the Regulations contain within them a restriction on the use of S106 agreements after the relevant date, which was the 6th April 2014 but draft CIL Regulations published in December 2013 propose that this be delayed until the 6th April 2015. For this reason it is necessary for the Council to adopt and implement a CIL by that date to avoid the loss of financial resources, currently collected using S106, to mitigate the impact of development.
- 1.3 The Council’s Draft CIL Charging Schedule was approved for public consultation and subsequent submission for examination at a meeting of Full Council in June 2013. The Council submitted the Draft Charging Schedule for Examination on 28th August, and the Examination hearing took place on Wednesday 23rd October. The Examiner’s report was received on 8th November 2013 and is attached at Appendix A to this report.
- 1.4 The Examiner has recommended that the Schedule should be approved in its published form with no changes to the rates proposed.

2. Proposals

- 2.1 Members of Full Council are asked to approve the CIL Charging Schedule, and in addition to approve an implementation date of 1st April 2015. This allows the current developer contributions SPD to remain in place for as long as possible before CIL is implemented thus ensuring the continued use of the section 106 regime for as long as possible.
- 2.2 During the period between adoption and implementation, it is proposed that the current SPD for developer contributions be updated so that it continues to be fit for purpose after CIL is implemented. This period will also assist to ensure that all systems and procedures are in place for CIL, and that adequate notice of the new levy is given to developers and the public.

3. Recommendations

- 3.1 The Council is asked to resolve:
 - (1) To accept the Examiners recommendation and adopt the Charging Schedule as attached at Appendix B
 - (2) That the Charging Schedule will take effect from 1st April 2015 unless the restrictions on the use of S106 agreements come into force before that date, in which case the Charging Schedule shall take effect from the date that those restrictions come into force.

- (3) To approve the Regulation 123 list attached at Appendix C as supporting documentation to the Charging Schedule.

4. Equalities Impact Assessment Outcomes

- 4.1 This item is not relevant to equality.

Executive Report

1. Introduction

- 1.1 The purpose of the report is to provide members with an update on the Community Infrastructure Levy for West Berkshire. The report outlines progress made to date, including the outcome of the Public Examination of the Draft Charging Schedule which took place in October 2013. Members are asked to approve the Charging Schedule for Adoption as well as the date that the Charging Schedule will take effect (the implementation date).
- 1.2 For clarification, in December 2013 the Government published Draft CIL (Amendment) Regulations 2014 ("the Amendment Regulations"). The Amendment Regulations are expected to come into force in February 2014.

2. Background to the Levy

- 2.1 The Community Infrastructure Levy is intended as a tool to secure contributions from developers towards improvements and enhancements to infrastructure required as a result of development. The exception to this is the provision of affordable housing within the District, which the Government considers should remain within the S106 regime.
- 2.2 Local authorities can choose whether or not to adopt a CIL Charging Schedule. However the CIL Regulations 2010 (as amended) contain reforms which scale back the use of S106 planning obligations so that they can generally only be used in limited circumstances. The restrictions mean that this Council will no longer be able to collect standardised (tariff style) formulaic contributions (whether or not a CIL is adopted).
- 2.3 The draft CIL (Amendment) Regulations 2014 were published in December 2013. These proposed an amendment to the date when restrictions on the use of S106 planning obligations come into force. The 'cut-off' date is currently the 6th April 2014 but it is proposed that this now be delayed until 6th April 2015.
- 2.4 The level of CIL to be charged can only be set on the basis of evidence based site viability - i.e. what development in the local area can afford to pay. The level of CIL must not inhibit development; otherwise the level of CIL cannot be adopted.
- 2.5 Once adopted, a CIL charge will be levied at a rate per m2 (based on Gross Internal Floorspace) on all new development resulting in the creation of one (or more) dwellings, or any new development of more than 100 m2 of net floorspace (excluding residential annexes and extensions).
- 2.6 CIL will be payable within 60 days of commencement of development, although the Regulations allow for an instalment policy to be adopted alongside the CIL if the authority wishes. The Council's instalment policy is included in the Charging Schedule. The Levy is a charge on the land in the same way as a S106 agreement, and in addition the Regulations contain within them various robust enforcement measures available if payment is not received on time.
- 2.7 There will be no CIL charge for Change of Use applications unless additional floorspace is created, and no charge for the subdivision of existing dwellings. CIL is also not payable on:

- (a) Structures into which people do not normally go;
- (b) Structures which are not buildings (e.g. pylons / turbines);
- (c) Temporary structures;
- (d) All affordable housing;
- (e) Self-build housing (2014 Amendment);
- (f) Residential annexes and extensions (2014 Amendment);
- (g) Development for charitable purposes; and
- (h) Applications for development where no buildings are proposed (e.g. mineral extraction sites).

2.8 The CIL rate, once adopted, is non-negotiable, unlike the current method of securing contributions through a S106 agreement. It will be subject to index linking on an annual basis.

2.9 Members who attended the Member Development Session on CIL on 12th February requested clarification of the further exemption for self build housing, which is included as part of the CIL (Amendment) Regulations 2014. The exemption will apply to any dwellings built by a person (including where it is built following a commission by that person) and occupied by that person as their sole or main residence for a minimum of 3 years after completion. It cannot be rented out, or sold for those three years, or the exemption will be withdrawn and CIL will become payable. Any claim for an exemption must be submitted prior to commencement by the person (not the builder), and a further certificate must be submitted by the person after completion.

3. CIL Examination

3.1 The CIL Examination took place on the morning of 23rd October 2013.

3.2 The Examiner's report was received on 8th November 2013. This is attached at Appendix A.

3.3 The Non Technical Summary of the Examiner's report states:

"This report concludes that the West Berkshire Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area. The Council has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.

I have recommended that the schedule should be approved in its published form.

Following submission the Council has proposed two minor changes for clarification purposes. Firstly the identification of the specific Use Classes within which the type of development listed in the schedule falls, and secondly the inclusion of a reference in paragraph 1.5 to the table of CIL rates. These changes are not required to meet the statutory requirements but nevertheless are supported in the interests of clarity."

4. CIL Charging Schedule

- 4.1 The Charging Schedule is attached to this report at Appendix B and sets out the basis for the CIL charge, the rates adopted, and the instalment policy. It takes into account the two minor changes agreed by the Examiner for clarification purposes.
- 4.2 A number of changes have been made when producing the Charging Schedule, to reflect the fact that it will no longer be 'draft'. For clarity a further document is attached to the report at Appendix D, being a word version of the Draft Charging Schedule showing all changes made to the document.

5. Regulation 123 List

- 5.1 The Regulation 123 List is a key document that supports the Charging Schedule, and is attached at Appendix C. It formed part of the supporting documentation in the Examination of the Draft Charging Schedule. It sets out the infrastructure to be funded from CIL, and details where S106 Agreements requiring developer contributions may still be used. In the case of West Berkshire, the only instances where developer contributions using S106 agreements may be used are for development where infrastructure is required directly and solely as a result of that development. Examples of this infrastructure are shown on the Reg 123 list and currently represent the specific infrastructure projects required as a result of the development planned for Sandleford Park.
- 5.2 In light of the changes proposed in the draft CIL (Amendment) Regulations 2014, further changes are required to the Regulation 123 list. These changes will be made to the document over the coming months, including appropriate local consultation as required in CIL Guidance. Provided the draft CIL (Amendment) Regulations 2014 come into force as anticipated on or before 5th April 2014, this work will be completed prior to the implementation of the Charging Schedule,
- 5.3 This list will also be updated once work on the Site Allocations and Delivery DPD is completed, which will result in further sites being allocated for development in the remaining plan period which may require specific mitigation measures.

6. Delivering Investment from Sustainable Development SPD

- 6.1 In June 2013 the Council adopted its Delivering Investment from Sustainable Development SPD. The SPD sets out the current policy with regard to securing developer contributions to mitigate the impact of development in West Berkshire. The current policy allows the Council to seek contributions from residential developments of one (net) dwelling or more, and from commercial development over varying thresholds. Contributions are agreed during the planning application process and are secured by a S106 Agreement.
- 6.2 West Berkshire Council operates a successful and robust system of seeking section 106 contributions to mitigate the impact of development within the District. This is supported by the formulaic approach set out fully in the SPD. It is considered that this tried and tested system should be utilised for as long as possible.
- 6.3 The current policy must be reviewed so that it continues to provide effective policy once the CIL Charging Schedule is implemented– ie to provide for infrastructure in

appropriate circumstances. The policy must reflect the intentions of the Regulation 123 list described in Part 6 above so that there is no possibility that the Council can 'double dip' – charge any developer twice for the same infrastructure through both mechanisms. Section 106 and CIL must be mutually exclusive. A revised policy will ensure greater clarity of what the Council will seek and the circumstances in which it will seek it for the benefit of all those concerned in the planning process.

6.4 A timetable has been drawn up in order to review the SPD. It allows for a 6 week public consultation period, as well as member approval before and afterwards. It is proposed to bring the revised SPD to the December 2014 meeting of Full Council for adoption.

6.5 Paragraph 87 of the April 2013 CIL Guidance states that "Relevant local policy changes should be implemented at the same time that the charging schedule is introduced, and integrated as soon as practical into the relevant Plan".

7. CIL Charging Schedule Effective Date

7.1 Members are asked to adopt the Charging Schedule as Appendix B, as recommended by the Examiner in his report.

7.2 The date that the Charging Schedule takes effect is the date that the restrictions on the use of S106 agreements come into force, unless this date is later than 6th April 2015 (as per draft CIL (Amendment) Regulations 2014).

7.3 Provided the draft CIL (Amendment) Regulations 2014 come into force as anticipated on or before 5th April 2014, officers recommend that a date of 1st April 2015 is approved for the following reasons;

- (1) It is anticipated that the level of income from CIL will be less than currently received under the S106 regime. It is therefore considered financially prudent to keep the S106 regime in place for as long as possible. However, see the further points made below.
- (2) It is not recommended to implement CIL unless the revised SPD for developer contributions using S106 agreements (once CIL is implemented) is ready to be adopted at the same time.
- (3) The time between adoption and implementation will assist officers in ensuring that the Council has the necessary procedures and processes in place for CIL and that adequate notice of the new levy is given to developers and the public.

7.4 However it must be noted that there are some potential drawbacks with not implementing CIL sooner than 1st April 2015:

- (1) There is some concern that a delay between the adoption of the charging schedule (March 2014) and the implementation (recommended for April 2015) may give rise to a legal challenge. It is considered that there are good grounds for defending any such claim as the Council has reasonable grounds for adopting and implementing in the manner proposed.
- (2) Developers may delay putting in planning applications until after CIL is implemented if they see financial benefit in so doing, which may lead to the possible loss of planning application income.

- (3) The potential risk to the Five Year Land Supply position if developers delay submitting planning applications. If the Council is not able to demonstrate a five year supply of land, policies for the supply of housing are considered out-of-date and applications should be considered in the context of the presumption in favour of sustainable development.
- (4) Finally, it should be noted that the Planning Advisory Service have published a document entitled "CIL Frequently asked questions" which poses the question of whether there is any advantage to early implementing of CIL notwithstanding that the level of income is anticipated to be less than under the S106 regime. It advises consideration of these points: "You will get a CIL from most developments; even small amounts from each will add up" and "Even now, due to the changes to the legislation contained in s122 of the CIL Regulations, a s106 obligation cannot be a reason for granting permission unless the three legal tests are met. There have been cases where tariffs have failed at appeal as they do not comply with these tests."

8. Use of CIL Receipts

- 8.1 The governance – the allocation and spend of CIL will be the subject of a separate report to the Council's Executive by the S151 Officer of the Council in due course. A meeting of the Developer Contributions Sub Group of Capital Group took place on 24th February 2014.

9. Recommendations

- 9.1 The Council is asked to resolve:
 - (1) To accept the Examiners recommendation and adopt the Charging Schedule as attached at Appendix B
 - (2) That the Charging Schedule will take effect from 1st April 2015 unless the restrictions on the use of S106 agreements come into force before that date, in which case the Charging Schedule shall take effect from the date that those restrictions come into force.
 - (3) To approve the Regulation 123 list attached at Appendix C as supporting documentation to the Charging Schedule.

Appendices

Appendix A - Report on the Examination of the Draft CIL Charging Schedule

Appendix B - West Berkshire Council CIL Charging Schedule

Appendix C – West Berkshire Council CIL Regulation 123 List

Appendix D – West Berkshire Council Draft Charging Schedule with tracked changes

Consultees

Local Stakeholders: N/a

Officers Consulted: Sarah Clarke and Liz Patient from Legal Services, Corporate Board

Trade Union: N/a



Report to West Berkshire Council

by David Hogger BA MA MRTPI MCIHT

an Examiner appointed by the Council

Date: 8 November 2013

PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

REPORT ON THE EXAMINATION OF THE DRAFT WEST BERKSHIRE COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE

Charging Schedule submitted for examination on 28 August 2013

Examination hearing held on 23 October 2013

File Ref: PINS/WO340/429/5

Non Technical Summary

This report concludes that the West Berkshire Community Infrastructure Levy Charging Schedule provides an appropriate basis for the collection of the levy in the area. The Council has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.

I have recommended that the schedule should be approved in its published form.

Following submission the Council has proposed two minor changes for clarification purposes. Firstly the identification of the specific Use Classes within which the type of development listed in the schedule falls and secondly the inclusion of a reference in paragraph 1.5 to the table of CIL rates. These changes are not required to meet the statutory requirements but nevertheless are supported in the interests of clarity.

Introduction

1. This report contains my assessment of the West Berkshire Community Infrastructure Levy (CIL) Charging Schedule in terms of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance (the Guidance)¹.
2. To comply with the relevant legislation the local charging authority has to submit what it considers to be a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the area. The basis for the examination, which included a hearing session on 23 October 2013, is the submitted schedule of August 2013, which is effectively the same as the document published for public consultation in June 2013.
3. The Council proposes two charging rates for residential development, one of £75 per sqm in Newbury, Thatcham and the Eastern Urban Area; and one of £125 per sqm in the North Wessex Downs Area of Outstanding Natural Beauty and the East Kennet Valley. For retail uses (A1 to A5), throughout West Berkshire, the rate would be £125. All other uses including business development, hotels, residential institutions and community uses would be nil rated.

Preliminary Matters

4. At the hearing session a participant stated that a copy of a letter dated 3 June 2013 from the Parliamentary Under Secretary of State (Planning) to the Retirement Housing Group had been submitted with their representation.

¹ Community Infrastructure Levy Guidance – DCLG – April 2013

The Council had no record of receipt. The letter was referred to in written evidence and because of the uncertainty regarding its delivery I agreed to accept a hard copy of the letter but provided the Council the opportunity to assess its contents. I have taken the correspondence (and consequent debate) into account but have given the letter only little weight because of its status.

5. Secondly DCLG² published a press release, on 25th October, confirming that it is the intention to lay regulations in Parliament, enabling changes to be made to the CIL guidance (including in relation to self-build) by the end of January 2014. Because of its current status I have afforded little weight to these potential changes, which in any event are unlikely to have significant consequences for the Charging Levy in West Berkshire.

Is the charging schedule supported by background documents containing appropriate available evidence?

Infrastructure planning evidence

6. The West Berkshire Core Strategy (CS) was adopted in July 2012. This sets out the main elements of growth that will need to be supported by further infrastructure in the area. The Infrastructure Delivery Plan³ was updated in March 2013. The Council estimates that the infrastructure funding required would be just over £257 million. Some funding is already earmarked and the shortfall would be over £163 million. This is a significant funding gap for the CIL to help fill.
7. Of this shortfall it is anticipated that the levy could contribute, at maximum, about £42 million⁴ and therefore the proposed charges would make only a modest contribution towards filling the funding gap. The figures clearly demonstrate that there is a need to introduce the CIL.

Economic viability evidence - Residential

8. The Council commissioned a CIL Viability Study (VS) from experienced consultants - the Final Report being dated January 2013. The assessment uses a residual land valuation approach, using reasonable standard assumptions for a range of factors such as building costs (including an allowance in respect of achieving sustainable design in accordance with CS policy CS15), profit levels, an allowance for S106 contributions, land values and fees. The Council's adopted policy on affordable housing provision (CS6) has been taken into account. A number of elements within the VS were challenged, as summarised in the paragraphs below.
9. In terms of existing land values and sales values, a wide range of sources were tapped (including seeking the views of local agents and other interested parties) and the evidence submitted provides an appropriate level of detail.

² Department for Communities and Local Government

³ Ref: CD05/18

⁴ Funding Gap Analysis – paragraph 4.8 of Draft Charging Schedule

Information on sale values was based on the geographical areas identified in the CS, thus enabling the consideration of differential charging rates across West Berkshire. Information regarding build costs was primarily sourced from the RICS Building Cost Information Service. Although these figures do not allow for abnormal costs, these are by their nature site-specific and therefore difficult to apply in a generic fashion. In any event an allowance for 'externals' has been added to the base build costs in order to ensure that the variable nature of site works is recognised. The residential build costs are based on standard rates for Code for Sustainable Homes Level 4 which is currently an appropriate approach to take.

10. In terms of gross to net ratios, the Council confirmed at the hearing that there are no strategic sites (which may be required to accommodate significant areas of public open space, community facilities etc.) which would be liable to the CIL charge. The Council argued that in the current circumstances the consideration of net developable area versus gross site area is not of over-riding importance locally, particularly because the two strategic development sites in the area (Sandleford and Newbury Racecourse) are (or will be) both subject to S106 Agreements. However, this is an issue which would be re-visited during the preparation of the Site Allocations and Delivery DPD (scheduled for adoption in September 2016) and I concur with the suggestion made by the Council at the hearing session that if larger development sites are identified, then the CIL evidence will need to be refreshed.
11. Concern was expressed regarding the assumed profit levels and in particular the 6% level with regard to the provision of affordable housing. However, this form of development affords a lower level of risk to the developer primarily because such development would be managed by a Registered Provider. The 20% profit level for other forms of development appears to be appropriate and realistic.
12. I have considered the evidence that was submitted relating to other issues, for example fees, densities (based on densities set out in CS policy CS4), build costs, sales periods and land values but consider that the Council's approach to these matters has been proportionate and reasonable. It is possible that some of the individual assumptions made by the Council may not apply to each and every site that comes forward but it must be remembered that the VS should be considered as a whole. The important factor is that the assessment is based on reasoned judgements and I am satisfied that this is the case.
13. It is inevitable that as markets change there will be implications for the evidence base, however, it is clear that the charging authority should use data that is available and that it is unlikely to be fully comprehensive or exhaustive. A pragmatic approach must be adopted and the level of precision and detail which has been requested by some respondents would be contrary to the advice which suggests that a broad test of viability should be used and that the evidence should inform the Schedule and that there is no requirement for the proposed rate to exactly mirror the evidence.
14. Turning now to the range of residential scenarios that were assessed, it is evident that they have been based on a combination of historical evidence,

the interpretation of the policies of the CS, the Strategic Housing Land Availability Assessment and the S106 monitoring database. Clearly it is not possible to assess every potential permutation but the Council has considered an appropriate number and range of development scenarios and explored trial charging rates over a range of figures.

15. The main issue related to the lack of a scenario with regard to specialist accommodation for the elderly. It was suggested that the Council should have specifically tested this form of development (which sits within the C3 Use Class) as an independent component of residential development.
16. The Council argues that there is no justification for singling out specialist housing for the retired and that there are other residential uses that arguably could be 'detached' from the generic C3 use, for example student accommodation. The Guidance advises in paragraph 37 that undue complexity should be avoided and that permutations should be limited.
17. It is also suggested by the Council that some higher costs related to this type of accommodation, for example related to build costs, the slower sales rate and the provision of communal floorspace, are balanced by premium sales values, the high density of the development and the reduced amount of external works. From the evidence before me I am satisfied that this is a reasonable balance to take into account.
18. I am, however, mindful that the National Planning Policy Framework requires all objectively assessed housing needs to be met and that the CS does seek to ensure that the housing needs of all sectors (including those with specialist requirements) are met. Nevertheless this has to be balanced against the fact that the Council has only considered three planning applications for this form of development between April 2004 and March 2012. It cannot therefore accurately be described as a fundamental component of overall housing provision or an issue that would threaten the delivery of the CS as a whole. Regulation 14 requires consideration to be given to 'the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area' and that is what the Council has achieved.
19. On that basis I conclude that, in this case, there is currently insufficient justification for identifying specialist accommodation for the elderly as an independent residential element and that the Council's approach is reasonable. This conclusion is strengthened by the fact that there could be difficulties in defining exactly what development would be described as 'specialist accommodation for the elderly' and there is therefore the risk that the Schedule could become unduly complex. I have also taken into account the level of flexibility that already exists in terms of meeting the other requirements of the CS; the proposed instalment payment plan; and the 'netting off' of existing floorspace (which is likely to apply to many town centre brownfield sites) – all of which may well improve the viability of providing specialist accommodation for the elderly.
20. Although not a matter for my determination I noted that the Council did confirm that it does not currently monitor specialist housing market areas but suggested that there is no reason why the matter could not be considered in the future if justified by evidence.

21. The availability of evidence was questioned, particularly in relation to the inclusion in the VS of only one 'Residual Land Value Data Summary' (Appendix IIa). I was told that over 600 residential appraisals were undertaken across 11 scenario types and that the inclusion of only the one summary was intended to demonstrate the structure of the calculations. There is no reason to conclude that the summaries of any of the other appraisals would have identified any differences in approach and therefore I am satisfied that appropriate and proportionate evidence has been submitted in this regard.

Other economic viability evidence

22. Consideration was given in the VS to a number of other land use scenarios including retail, business development, equestrian uses, hotels and care homes and an appropriate range of evidence was collected on these land uses. In terms of retail development the evidence demonstrates that it would be viable with a charge of £125 per sqm. With regard to business development, hotels, care homes and community uses, the evidence indicates that they would be unable to support any meaningful level of CIL and no substantive evidence was submitted to the contrary.

Conclusions on the evidence

23. I am mindful that the Guidance advises that 'a broad test of viability' should be undertaken (para 23) and that charging authorities may 'need to summarise evidence' (para 21). This advice is also reflected in the Harman Report⁵ (page 11) which advises that a proportionate and practical approach is adopted. On that basis I am satisfied that the Draft Charging Schedule is supported by detailed evidence of community infrastructure needs and that the evidence which has been used to inform the Charging Schedule is robust, proportionate and appropriate and in line with the expectations outlined in the Guidance.

Is the charging rate informed by and consistent with the evidence?

CIL rates for residential development

24. The proposed rates of £75 and £125 are based on the evidence in the VS, which I have found to be acceptable. No substantive evidence regarding details of any alternative rates was submitted by representors.

CIL rates for retail development

25. Objections to the £125 levy for retail were submitted but the VS (section 3.4) concludes that the proposed rate would retain viability – indeed it indicates that a higher rate (up to £200 per sqm) could be justified (particularly for larger retail units) but this was not pursued by the Council. It has also been suggested that distinctions should be made between different forms of retail use and between different scales of development. However, no conclusive evidence was submitted to demonstrate that the Council's approach would threaten the delivery of the adopted CS and in any event there is evidence to

⁵ Viability Testing Local Plans – Advice for Planning Practitioners (June 2012)

show that, currently, no new retail space is required in the District⁶.

26. With regard to farm shops, no substantive evidence was submitted to demonstrate that the levy may have viability implications and in any event they may be exempt from CIL (i.e. if less than 100m² net).
27. The fact that other local authorities have imposed a lower charge for retail development cannot be given significant weight because it is likely that different circumstances prevail in other areas.

Conclusions on the relationship between the charging rates and the evidence

28. Although the Council acknowledges that there are variables, for example future market prices, construction costs and land values, which cannot be precisely reflected in the Schedule, it has taken a pragmatic and balanced approach. The charging rates have been informed by and are consistent with the evidence.

Does the evidence demonstrate that the proposed charge rate would not put the overall development of the area at serious risk?

29. The Council's decision to set rates at £75 and £125 per sqm, depending on the use proposed and location, is based on reasonable assumptions about development values and likely costs. The proposed charges will only amount to a small percentage of gross development value.
30. Concern was expressed that the rates are set at the margins of viability and that there would not be a sufficient buffer. However, the evidence indicates that potentially, for some scenarios, the rates could have been set at a higher level⁷ whilst still retaining viability (for example a rate of £200 per sqm may have been justified for proposals for the development of one house and for larger retail developments). I am satisfied that the Council has adequately justified its approach⁸ and that the risk to the overall development of the area is not significant.
31. The Council's proposed rates are based on reasonable assumptions about development values and likely costs. The evidence suggests that, overall, residential and retail development will remain viable across West Berkshire, if the charges are applied.

Other Matters

32. A number of issues were raised that are not strictly within the remit of the Examination. Firstly concerns were expressed relating to the implementation and monitoring of the CIL but the Council confirmed that the delivery of development is monitored annually and that although the opportunity to refresh the CIL charging rates on an annual basis is unlikely to be available, the rates would be reconsidered in conjunction with the forthcoming Site

⁶ West Berkshire Retail Study (CD06/05 and CD06/06) and the VS (CD05/20)

⁷ CD05/21 – Appendices IIa and IIb

⁸ For example see paragraph 1.2.12 of WBC/2

Allocations and Delivery DPD (scheduled for adoption in September 2016).

33. Secondly requests were made for the Council to introduce discretionary relief for exceptional circumstances but the Council has satisfactorily demonstrated that this would not be appropriate in West Berkshire⁹.
34. Thirdly there was some concern expressed regarding the relationship between CIL and S106 Agreements but the Council's 'Statement of S106 Policy and Receipts', together with commentary in the VS (e.g. section 2.10 and paragraph 3.2.10) and the answer to question 3(ii) in WBC/4, all indicate that the Council's approach is appropriate.

Conclusion

35. In setting the CIL charging rate the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in West Berkshire. The Council has tried to be realistic in terms of achieving a reasonable level of income to address an acknowledged gap in infrastructure funding, while ensuring that a range of development remains viable across the area.
36. There were calls for both higher and lower charges but I am satisfied that the Council has achieved a reasonable balance which is broadly consistent with the evidence on economic viability and which would not threaten the delivery of the Core Strategy as a whole.

LEGAL REQUIREMENTS	
National Policy/Guidance	The Charging Schedule complies with national policy/guidance.
2008 Planning Act and 2010 Regulations (as amended 2011)	The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, consistency with the adopted Core Strategy and Infrastructure Delivery Plan and is supported by an adequate financial appraisal.

37. I conclude that the West Berkshire Community Infrastructure Levy Charging Schedule satisfies the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended 2011). I therefore recommend that the Charging Schedule be approved.

David Hogger

Examiner

⁹ See answer to Question 3(v) in WBC/4

Community Infrastructure Levy: Charging Schedule

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2 CIL and its relationship with S106	4
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Community Infrastructure Levy: Charging Schedule

1 Introduction to the Community Infrastructure Levy

1.1 This Community Infrastructure Levy (CIL) Charging Schedule has been adopted by West Berkshire District Council at a meeting of Full Council in March 2014. As a Unitary Authority, the Council is both a Charging Authority and a Collecting Authority.

1.2 The Charging Schedule⁽¹⁾ is issued, approved and published in accordance with Part 11 of the Planning Act 2008⁽²⁾ (as amended by Part 6 of the Localism Act 2011), and the Community Infrastructure Levy Regulations 2010⁽³⁾ (as amended by the CIL (Amendment) Regulations 2011⁽⁴⁾, the CIL (Amendment) Regulations 2012⁽⁵⁾, the CIL (Amendment) Regulations 2013⁽⁶⁾, and the CIL (Amendment) Regulations 2014⁽⁷⁾) ("the Regulations").

1.3 The Charging Schedule takes effect from 1st April 2015.

What is CIL?

1.4 The Community Infrastructure Levy (commonly known as CIL) is a tool intended to secure contributions from developers towards improvements and enhancements to infrastructure required as a result of development. It is intended to supplement other funds to provide new infrastructure in the District - it is not intended to provide the full costs associated with all the infrastructure required.

1.5 The purpose of the levy is to give developers more certainty about costs and to give councils and local communities more flexibility about how infrastructure is funded. The money raised through the levy can be used to fund a range of projects including towards:

- roads and other transport facilities;
- flood defences;
- schools and other educational facilities;
- medical facilities;
- sporting and recreational facilities; and
- open spaces.

How is it calculated and what development is liable?

1.6 CIL will be levied at a rate per m² (based on Gross Internal Floorspace) on new development of more than 100m² of floorspace (net) or when a new dwelling is created (even if it is less than 100m²). Please see the table at paragraph 5.1 for the rates applicable for different types of development.

1.7 There will be no CIL charge for Change of Use applications unless additional floorspace is created and no charge for the subdivision of existing dwellings. In addition CIL is not payable on:

- Structures into which people do not normally go;
- Structures which are not buildings;
- All Affordable Housing (including the element of a mixed development which is provided as affordable housing);

1 West Berkshire District Council's CIL web page: www.westberks.gov.uk/cil

2 Planning Act 2008: http://www.legislation.gov.uk/ukpga/2008/29/pdfs/ukpga_20080029_en.pdf

3 Community Infrastructure Levy Regulations 2010: http://www.legislation.gov.uk/uksi/2010/948/pdfs/uksi_20100948_en.pdf

4 CIL (Amendment) Regulations 2011: http://www.legislation.gov.uk/uksi/2011/987/pdfs/uksi_20110987_en.pdf

5 CIL (Amendment) Regulations 2012: http://www.legislation.gov.uk/uksi/2012/2975/pdfs/uksi_20122975_en.pdf

6 CIL (Amendment) Regulations 2013: http://www.legislation.gov.uk/uksi/2013/982/pdfs/uksi_20130982_en.pdf

7 CIL (Amendment) Regulations 2014: <http://www.legislation.gov.uk/uksi/2014/????>

Community Infrastructure Levy: Charging Schedule

- Temporary buildings;
- Self-build housing;
- Residential annexes and extensions;
- Development for charitable purposes; and
- Applications for development where no buildings are proposed (e.g. mineral extraction sites).

When is it payable?

1.8 As set out in Regulations, CIL is payable within 60 days of commencement of development, although the Regulations allow for an instalment policy to be adopted alongside CIL if the authority wishes. West Berkshire Council's instalment policy is attached as Appendix B to this document.

1.9 The responsibility to pay the levy lies with the owner of the land, unless liability is assumed as set out in Regulations 31 to 39 (as amended), and the amount payable will be calculated in accordance with Regulation 40 (as amended).

2 CIL and its relationship with S106

2.1 With the introduction of a CIL charge, the use of S106 obligations is restricted to site specific impacts, for instance enabling works such as site access, or the provision of facilities and infrastructure directly required as a result of large scale developments, and the provision of affordable housing.

2.2 This position is reflected in our Developer Contributions SPD which has been updated during 2014 and adopted at a meeting of Full Council in December 2014.

2.3 The Council has prepared a Regulation 123 list, setting out the infrastructure intended to be funded from the levy.

3 Discretionary Relief

3.1 West Berkshire Council does not intend to adopt an Exceptional Circumstances policy.

Community Infrastructure Levy: Charging Schedule

4 Evidence Base

4.1 In setting its CIL rates (in accordance with Regulation 14(1) of the Community Infrastructure Regulations 2010), West Berkshire District Council has aimed to strike what appears to the Council to be an appropriate balance between:

- the desirability of funding from CIL (in whole or part) the infrastructure required to support the development of its area; and
- the potential effects of the imposition of CIL on the economic viability of its area.

4.2 In order to set appropriate rates the Council has had regard to:

- The adopted West Berkshire Local Plan Core Strategy (June 2012)⁽⁸⁾.
- The refreshed Infrastructure Delivery Plan (IDP) (March 2013)⁽⁹⁾, which details the infrastructure required to support development in the period of the West Berkshire Local Plan Core Strategy (2006 - 2026).
- The West Berkshire CIL Viability Study (January 2013)⁽¹⁰⁾ prepared for the Council by Dixon Searle LLP.

4.3 These documents are available to download from the Council's website as supporting information used to guide the rates of CIL.

West Berkshire Local Plan Core Strategy

4.4 The Core Strategy was adopted by the Council in July 2012. This document forms part of the West Berkshire District Local Plan. It sets out the long term vision for the District to 2026 and translates this into spatial planning terms, setting out proposals for where development will go and how this development will be built.

4.5 The Core Strategy sets out top level spatial policies on the four areas which make up the District, it sets out a settlement hierarchy and broad housing numbers for each of the spatial areas. It also provides core policies to guide development, including policies on retail, employment, affordable housing, flooding, infrastructure and the historic environment. The Core Strategy identifies two strategic site allocations, one at Newbury Racecourse and one at Sandleford Park, to help deliver the District's housing requirement of 10,500 net additional dwellings over the plan period.

4.6 The Core Strategy provides an overall framework for the more detailed policies and site specific proposals to be contained in other documents of the Local Plan.

Infrastructure Delivery Plan

4.7 The latest update to the Infrastructure Delivery Plan (IDP) took place in February and March 2013. The refresh involved contacting all service units, infrastructure providers, and all Parish and Town Councils. The IDP shows a gross funding requirement in excess of £257 million. Funding already earmarked, or expected to be available totals £93.8 million, leaving a shortfall in funding of £163.5 million. The following table shows the additional housing requirement across West Berkshire's four spatial areas and an estimate of CIL receipts based on delivery in line with the housing requirement at the proposed CIL rates. It shows that CIL receipts will contribute towards the funding requirement, but there will be a substantial shortfall.

8 West Berkshire Core Strategy DPD: <http://www.westberks.gov.uk/index.aspx?articleid=4021>

9 West Berkshire Infrastructure Delivery Plan: <http://www.westberks.gov.uk/dcs>

10 West Berkshire CIL Viability Study: <http://www.westberks.gov.uk/dcs>

Community Infrastructure Levy: Charging Schedule

4.8 Funding Gap Analysis

	A	B	C	D	E	F	G
Spatial Area	Additional Housing Requirement 2014 – 2026 ⁽¹⁾	CIL Rate per m ²	Estimate of Minimum Floorspace created ⁽³⁾ (M ²)	Estimate of Maximum Floorspace created ⁽⁴⁾ (M ²)	Minimum Anticipated CIL Receipt (B x C)	Maximum Anticipated CIL Receipt (B x D)	Net Funding requirement from IDP
Newbury / Thatcham ⁽²⁾	2,200	£75	99,000	275,000	£7.425m	£20.625m	
Eastern Urban Area	690	£75	31,050	86,250	£2,329m	£6.469m	
East Kennet Valley	260	£125	11,700	32,500	£1.462m	£4.062m	
North Wessex Downs AONB	670	£125	30,150	83,750	£3.769m	£10.469m	
TOTALS	3,820		171,900m²	477,500m²	£14.985m	£41.625m	£163.5m

Notes to Table:

1. Additional Housing requirement taken from Infrastructure Delivery Plan Table 2.1 'Anticipated additional housing requirement 2014-2026'
2. Housing Requirement includes 1,000 planned for Sandleford Strategic Site within the plan period
3. Minimum floorspace based on dwelling size of 1bed private flat, taken from DSP viability study Figure 4: Residential Unit Sizes
4. Maximum floorspace based on dwelling size of 4bed private house, taken from DSP viability study Figure 4: Residential Unit Sizes

4.9 Calculation of Shortfall

Net Funding Requirement from Infrastructure Delivery Plan	£163.5 million (Column G)
Shortfall based on Minimum CIL Receipt	£148.5 million (Column G minus Column E)
Shortfall based on Maximum CIL Receipt	£121.9 million (Column G minus Column F)

Community Infrastructure Levy: Charging Schedule

4.10 Given that the likely scale of development in terms of unit size cannot be accurately predicted, the above calculation shows a significant shortfall even if the largest homes are delivered over the plan period.

Viability Study

4.11 The West Berkshire CIL Viability Study was prepared in January 2013 by Dixon Searle LLP. The study investigated the potential scope for CIL charging in West Berkshire. This was done by considering the economic viability of residential and commercial / non-residential scenarios within West Berkshire; taking into account the range of normal costs and obligations associated with development, as would be borne by development schemes alongside the CIL charge. It provided the Council with advice as to the likely viability of seeking developer contributions towards infrastructure provision through the CIL. This included the consideration of viability and the potential charging rate or rates appropriate in the local context as part of a suitable and achievable overall package of planning obligations. The viability study ensures that the rate set is not at the limits of site viability and that delivery of development is not threatened.

Further Supporting Information

4.12 In addition to the documents referred to above, further documents are available from the Council's website as supporting information, all of which can be found at www.westberks.gov.uk/cil

Community Infrastructure Levy: Charging Schedule

5 Charging Schedule

5.1 Based on the findings and outcomes of the West Berkshire CIL Viability Study the following rates of CIL are charged:

		Newbury & Thatcham, and Eastern Urban Area	Area of Outstanding Natural Beauty, and East Kennet Valley
Type of Development	Use Class	CIL Rate per sq.m	CIL Rate per sq.m
Residential (See Notes 1 and 2 below)	C3 & C4	£75	£125
Retail	A1 to A5	£125	£125
Business Development - Offices	B1a to B1c	£0	£0
Business Development - Industrial	B2	£0	£0
Business Development - Warehousing	B8	£0	£0
Hotels	C1	£0	£0
Residential Institutions	C2 & C2a	£0	£0
Community and all Other Uses	-	£0	£0

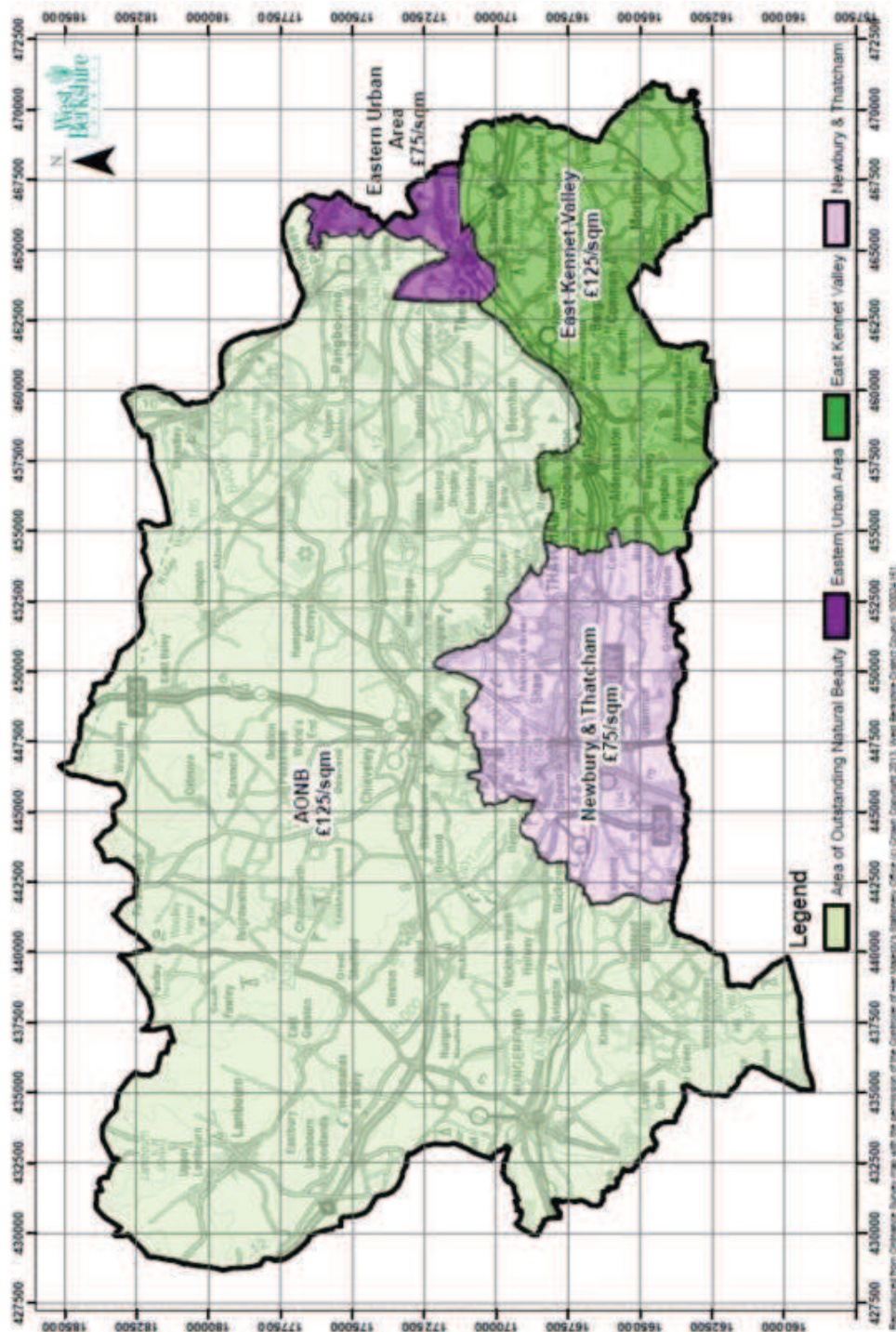
5.2 Notes:

(1) Please see Differential Rate Map at Appendix A. The differential rate map is available on the Council's mapping system. This allows the service units and public to view which rate is chargeable for a particular site.

(2) Detailed Differential Rate Maps for Residential development are available as supporting information at Appendix C.

Community Infrastructure Levy: Charging Schedule

Appendix A: Differential Rate Map



Community Infrastructure Levy: Charging Schedule

Appendix B: Instalment Policy

Level of CIL Payable	Instalment Policy
Where the chargeable amount is less than £15,000	No instalments - the full amount is payable within 60 days of commencement
£15,000 or greater but less than £100,000	50% within 60 days of commencement, and 50% within 180 days of commencement
£100,000 or greater but less than £200,000	35% within 60 days of commencement, 35% within 180 days of commencement, and 30% within 270 days of commencement
£200,000 or greater but less than £1,000,000	25% within 60 days of commencement, 25% within 180 days of commencement, 25% within 270 days of commencement, and 25% within 360 days of commencement
£1,000,000 or greater	25% within 180 days of commencement, 25% within 360 days of commencement, 25% within 540 days of commencement, and 25% within 720 days of commencement

Notes:

B.1 The commencement date is the date given on the commencement notice as advised by the liable party under Regulation 67. The failure to provide such notification in accordance with the Regulations results in the removal of the use of the instalments policy. Full payment would then become due within 60 days of commencement, including payment of the surcharge as detailed in Part 9 of the Regulations.

B.2 This instalment plan is subject to change at any time in accordance with Regulation 69B of the CIL (Amendment) Regulations 2011.

Community Infrastructure Levy: Charging Schedule

Appendix C: Appendix C: Residential Differential Rate Maps

C.1 The following maps show every parish where there are two different residential charging zones:

Map 1 - Beenham Parish

Map 2 -Bucklebury Parish

Map 3 -Cold Ash Parish

Map 4 - Englefield Parish

Map 5 - Hamstead Marshall Parish

Map 6 - Purley-on-Thames Parish

Map 7 - Shaw cum Donnington Parish

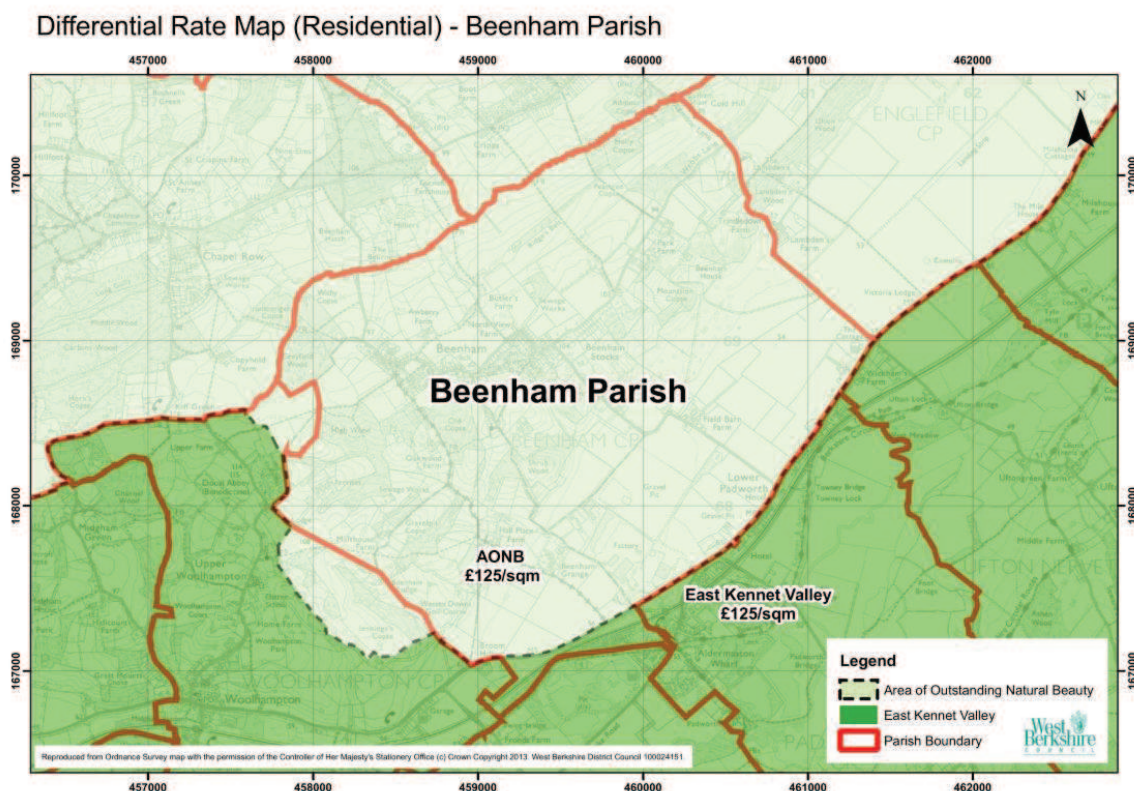
Map 8 - Speen Parish

Map 9 - Theale Parish

Map 10 - Tilehurst Parish

Map 11 - Woolhampton Parish

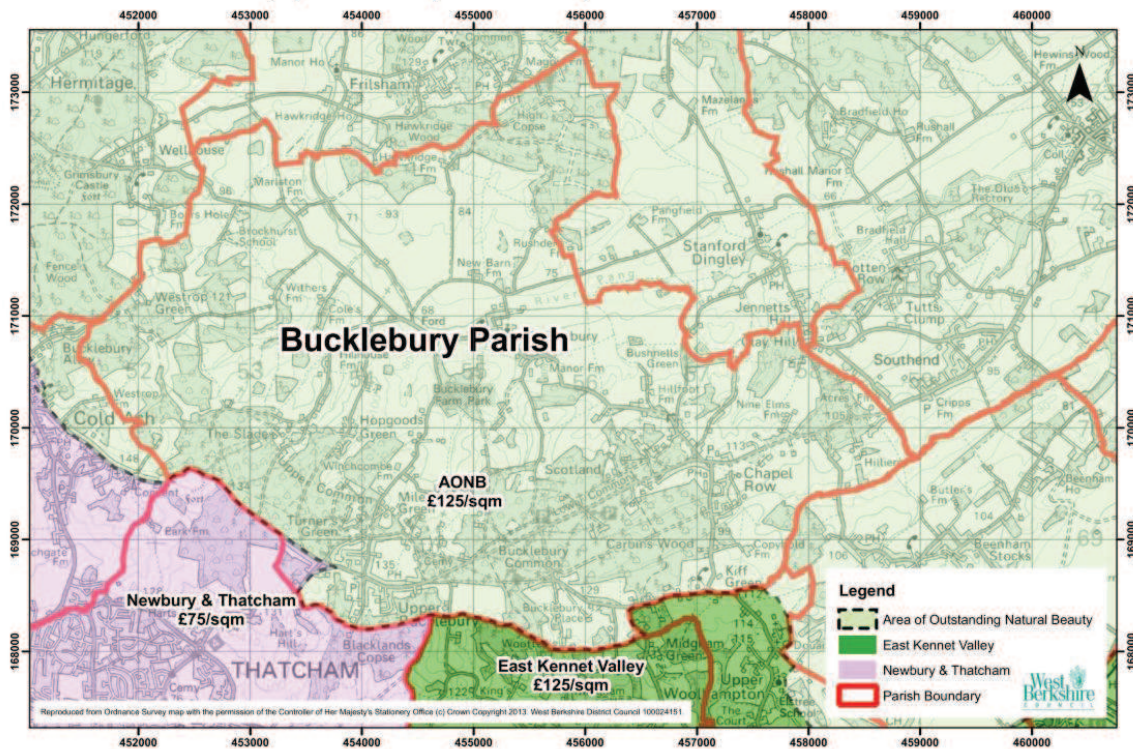
C.2 Please note these maps are available via our website as larger scale pdf documents, which will enable you to view in more detail by using the zoom function.

C.3 Map 1

Community Infrastructure Levy: Charging Schedule

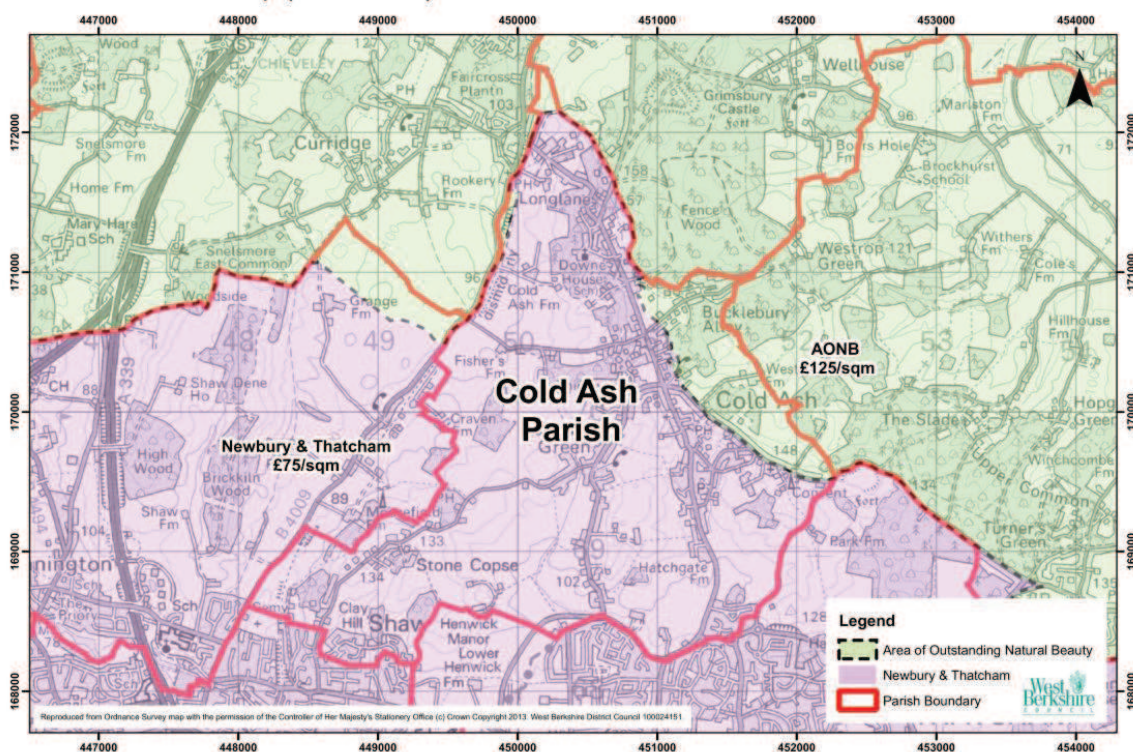
C.4 Map 2

Differential Rate Map (Residential) - Bucklebury Parish



C.5 Map 3

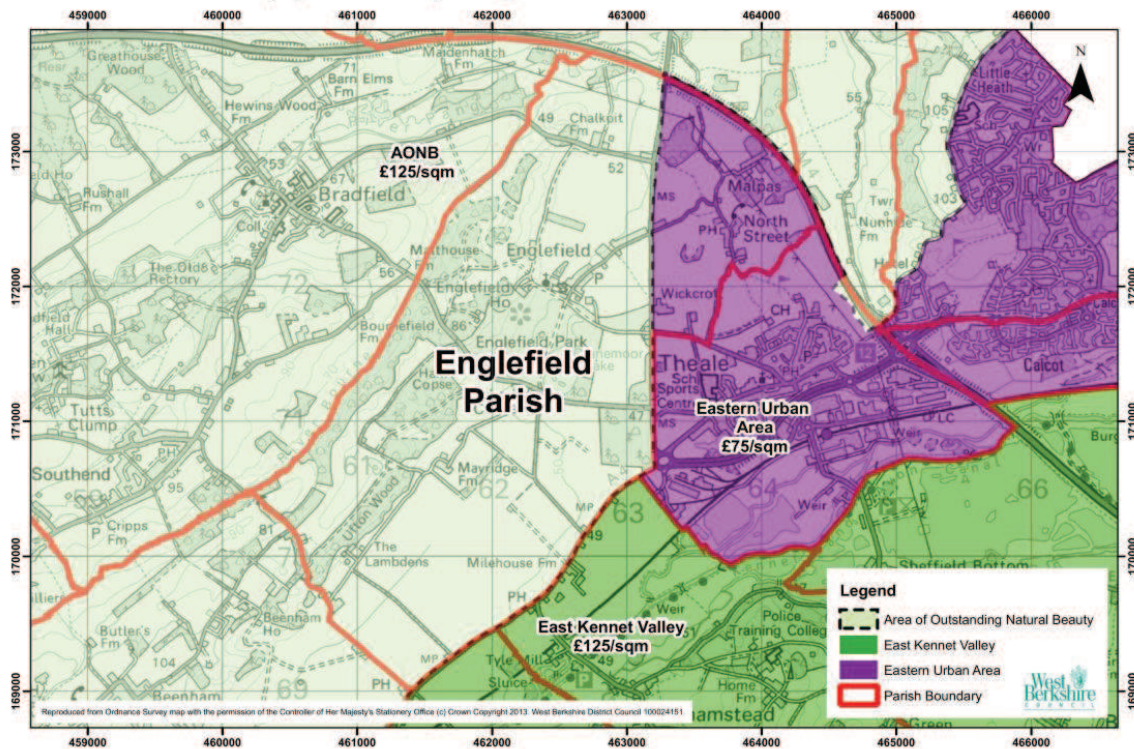
Differential Rate Map (Residential) - Cold Ash Parish



Community Infrastructure Levy: Charging Schedule

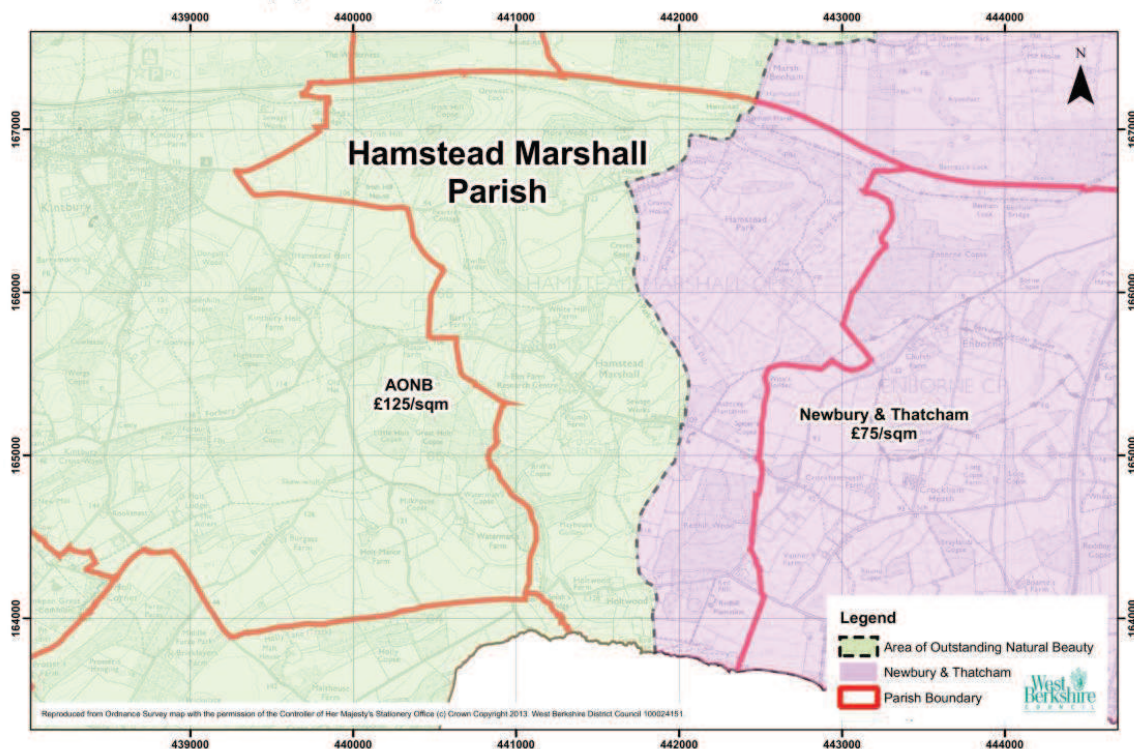
C.6 Map 4

Differential Rate Map (Residential) - Englefield Parish



C.7 Map 5

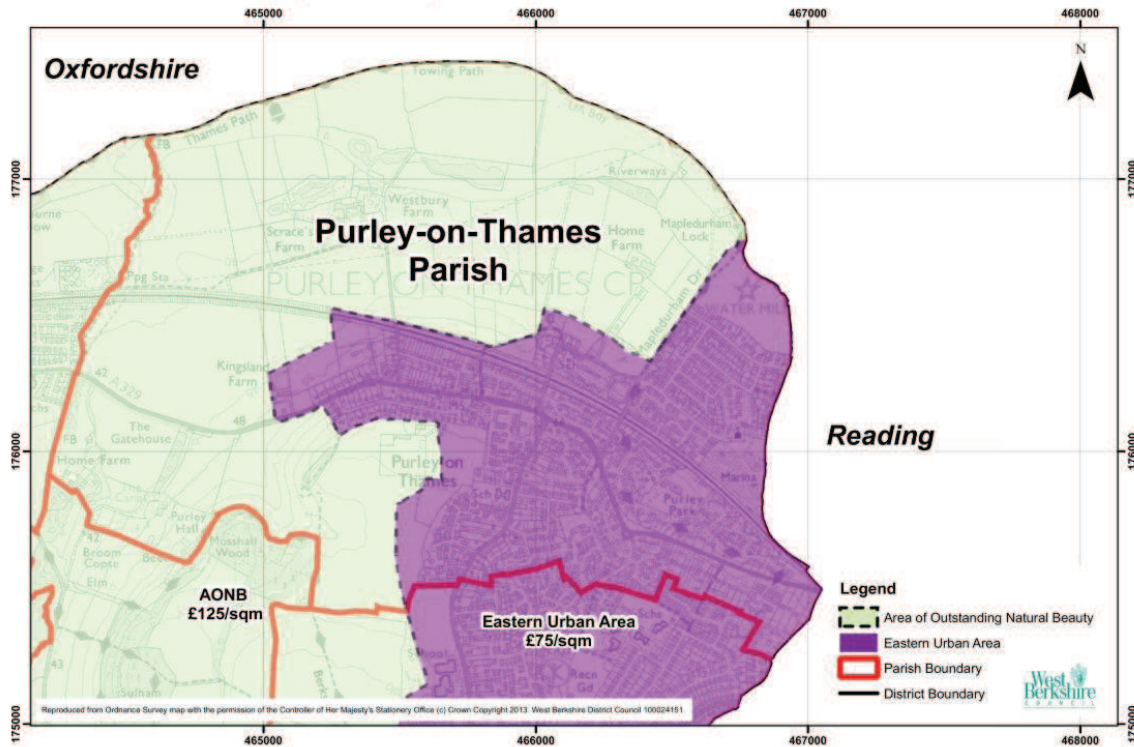
Differential Rate Map (Residential) - Hamstead Marshall Parish



Community Infrastructure Levy: Charging Schedule

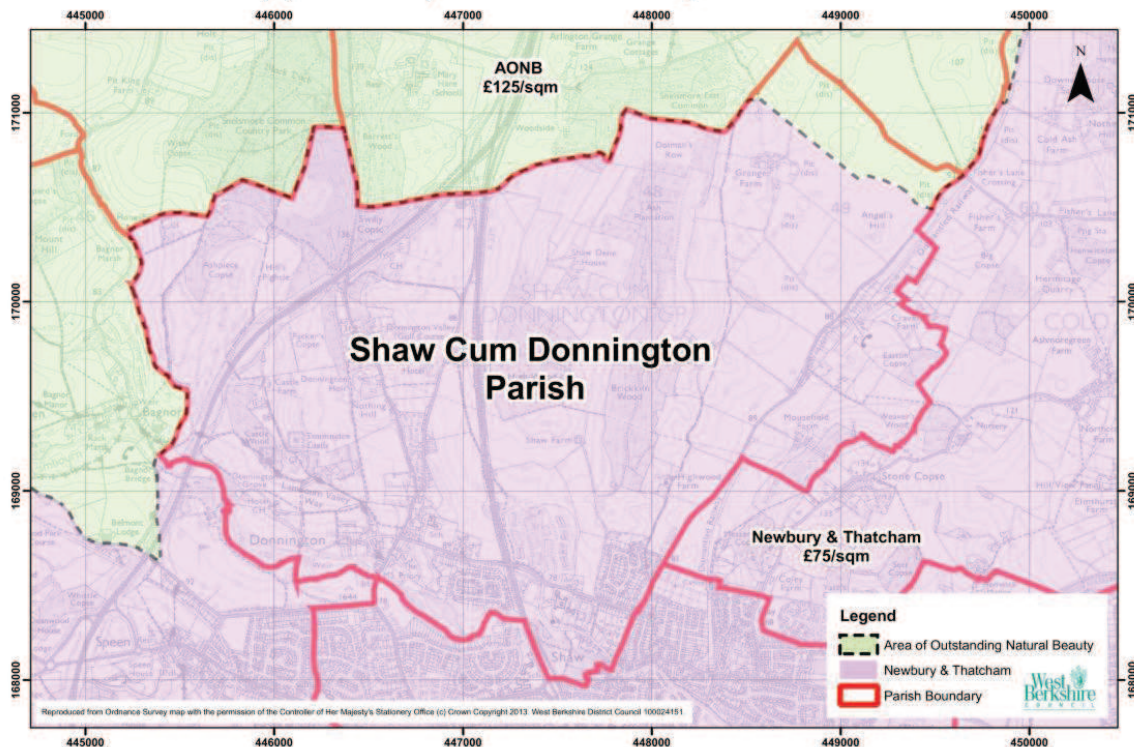
C.8 Map 6

Differential Rate Map (Residential) - Purley-on-Thames Parish



C.9 Map 7

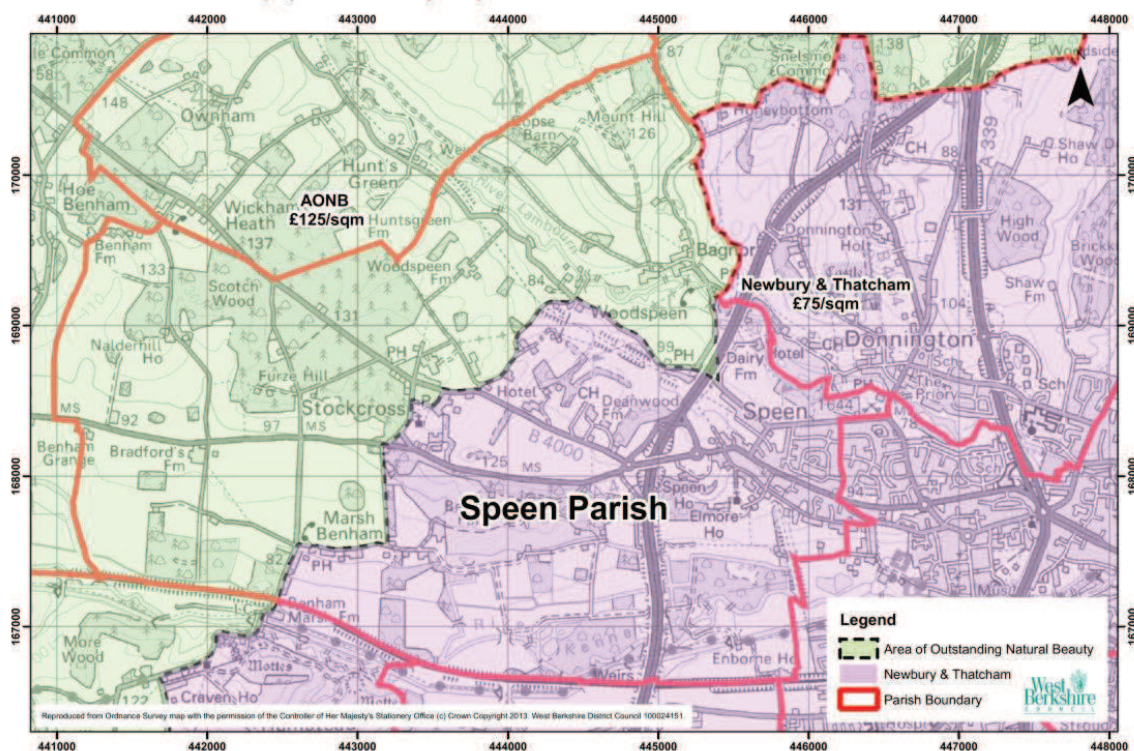
Differential Rate Map (Residential) - Shaw Cum Donnington Parish



Community Infrastructure Levy: Charging Schedule

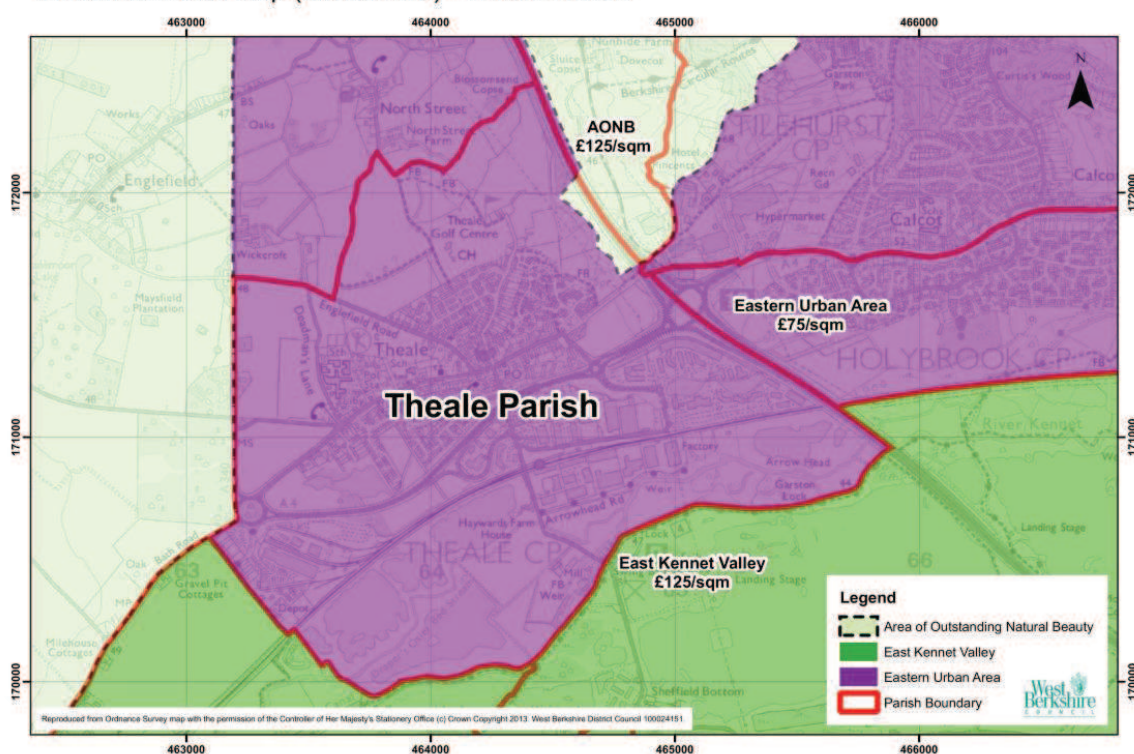
C.10 Map 8

Differential Rate Map (Residential) - Speen Parish



C.11 Map 9

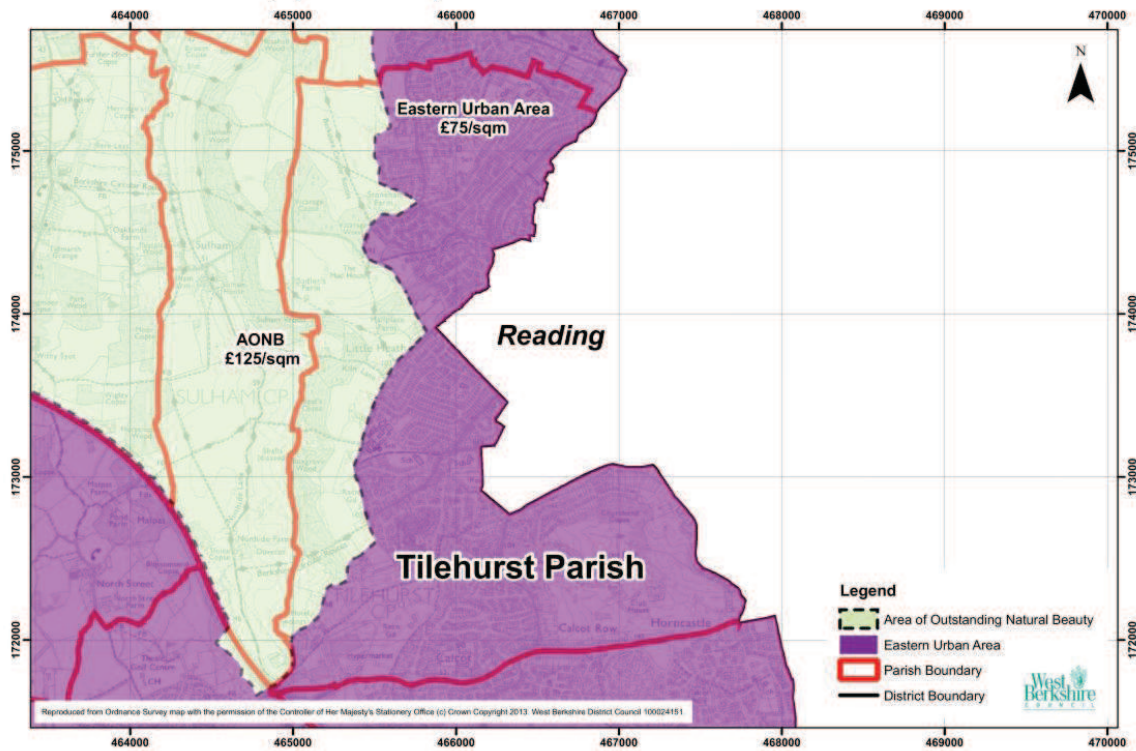
Differential Rate Map (Residential) - Theale Parish



Community Infrastructure Levy: Charging Schedule

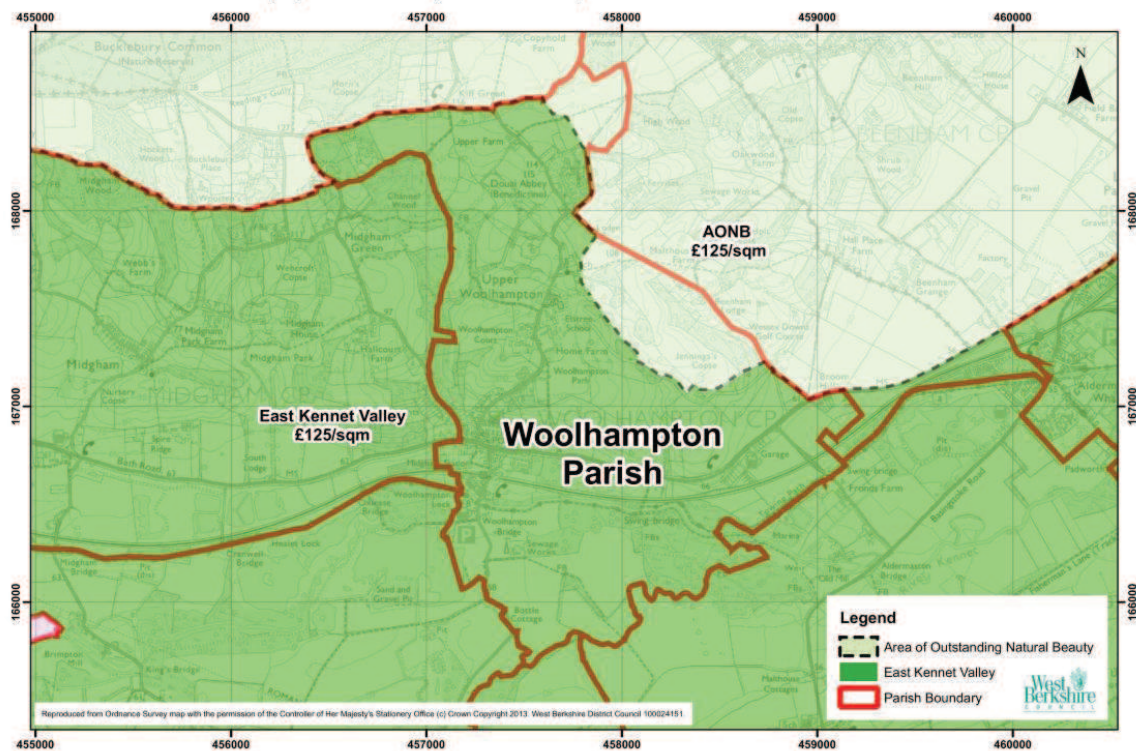
C.12 Map 10

Differential Rate Map (Residential) - Tilehurst Parish



C.13 Map 11

Differential Rate Map (Residential) - Woolhampton Parish



Community Infrastructure Levy: Charging Schedule

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West Berkshire Council Community Infrastructure Levy

Regulation 123 List

1. Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by the Community Infrastructure Levy ("CIL"), to ensure no duplication between the two types of developer contributions.
2. West Berkshire Council's Regulation 123 list is a supporting document for the Charging Schedule being adopted on 4th March 2014, and will take effect on the same date that the Charging Schedule will take effect.
3. Prior to adoption of a CIL, this Council has operated a Developer Contributions SPG and a Developer Contributions SPD seeking contributions on a formulaic basis, making use of standard S106 agreement and obligations. The Developer Contributions SPD has been revised in order that it applies only to specific on site infrastructure or direct mitigation measures required as a result of large scale development. The revised Developer Contributions SPD also takes effect on the same date as the CIL Charging Schedule being adopted on 4th March 2014.
4. The Regulation 123 list contains generic types of infrastructure that may be funded using CIL receipts, with the exception of specific on-site infrastructure or direct mitigation measures required as a direct result of any large scale development, and specifically of the strategic development site known as Sandford Park, in South Newbury.
5. Future updates of the list will take place on an annual basis, and will have regard to (a) updates to the Infrastructure Delivery Plan, (b) the progress of the Council's Site Allocations and Delivery DPD ("the DPD") and (c) changes to the CIL Regulations. In particular, the completion of the DPD will provide information to infrastructure providers regarding site specific infrastructure requirements, and will result in an additional update to this list.
6. The inclusion of a project or type of infrastructure in this list does not signify a commitment from the Council to fund (either in whole or in part) the listed project or type of infrastructure through CIL. The order of the list does not imply any preference or priority.
7. It is anticipated that CIL receipts will be limited in the first year after the Charging Schedule takes effect, given that (a) contributions are not payable until commencement and (b) an instalment policy has been adopted. On this basis it is unlikely that CIL receipts will be spent, they will therefore be banked for future allocation and spend.
8. In accordance with CIL Regulation 59A, this Council will pass 15% of relevant CIL receipts to the Parish or Town Council for that area, capped at £100 per dwelling (plus index linking). If any Parish or Town Council within West Berkshire adopts a neighbourhood development plan, this percentage will be increased to 25%. This will be passed onto the Parish and Town Councils on a 6 monthly basis in accordance with Regulations.

<u>Project or Type of Infrastructure to be funded from CIL Receipts</u>	<u>Exclusions – to be sought through S106 agreements, or alternative statutory provisions</u>
	The delivery of on-site facilities or infrastructure required directly as a result of any large scale development
	The delivery of facilities or infrastructure required off-site but required solely as a result of any large scale development
	The delivery of enabling works such as site access for a development
Highways and Transport, including:	
Bus network	- Bus infrastructure improvements in the vicinity of the Sandleford site (RTPI, Kassel kerbs, shelters etc) - Improved / new service linking Sandleford and Newbury Town Centre - Bus access from Sandleford to Andover Road through Warren Road
Cycling and walking infrastructure	Improved pedestrian / cycle crossing links at Monks Lane, Newtown Road and Andover Road
Rail network	
Road network	- Accesses from the Sandleford development onto adjacent roads - Junction Improvements along the A339 in Newbury at Pinchington Lane - Junction Improvements at Monks Lane / Newtown Road - Junction Improvements at Monks Lane / A343 Andover Road (including pedestrian and cycle improvements) - Junction Improvements at A34 / A343 south
Other public transport	Car Club at Sandleford Park
Education, including:	
Nursery Schools	
Primary and Secondary Education	- Increase in Early Years Provision to meet the requirements of the Sandleford development - Additional Primary Provision to meet the requirements of the Sandleford development - Extensive alterations to Secondary catchment school (Park House School) to meet the requirements of the Sandleford development
Further and Higher Education	
Health, including:	
Health centres /Doctors Surgeries	Extension to current premises at Falkland Practice
Mental Healthcare	

<u>Project or Type of Infrastructure to be funded from CIL Receipts</u>	<u>Exclusions – to be sought through S106 agreements, or alternative statutory provisions</u>
Social Infrastructure, including:	
• Culture and Heritage	
• Social and Community Facilities	
• Sports Centres	
• Supported Accommodation	
Green Infrastructure, including:	
• Allotments and community gardens	
• Amenity greenspace including play areas	• Provision of open space and play facilities for the Sandleford development
• Biodiversity	
• Cemeteries and Churchyards	
• Green corridors	
• Outdoor sports facilities	
• Parks and Gardens	
• River and canal corridors	
Public Services, including:	
• Emergency Services	
• Libraries	
• Waste Management and Disposal	
Utility Services	• (Electric) Offsite 11kv infrastructure in the form of 1 or 2 cable circuits from the St John's Primary Substation to Sandleford site • (Water) Upgrade to waste water infrastructure
Flood Defences	

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1 Introduction to the Community Infrastructure Levy

1.1 This Community Infrastructure Levy (CIL) ~~Draft~~ Charging Schedule has been ~~published~~ adopted by West Berkshire District Council at a meeting of Full Council in March 2014 ~~for consultation in June and July 2013 and subsequent submission, with Examination planned for Autumn 2013~~. As a Unitary Authority, the Council ~~will~~ is both a Charging Authority and a Collecting Authority.

1.2 The ~~Draft~~ Charging Schedule ~~has been approved for publication by a meeting of Full Council on 6th June 2013. It is issued, approved and is~~ published in accordance with Part 11 of the Planning Act (as amended by Part 6 of the Localism Act 2011), and the Community Infrastructure Levy Regulations 2010 (as amended by the CIL (Amendment) Regulations 2011, the CIL (Amendment) Regulations 2012, the CIL (Amendment) Regulations 2013, and the CIL (Amendment) Regulations 2014 ("the Regulations").

1.3 The Charging Schedule takes effect from 1st April 2015.

What is CIL?

1.~~4~~3 The Community Infrastructure Levy (commonly known as CIL) is a tool intended to secure contributions from developers towards improvements and enhancements to infrastructure required as a result of development. It is intended to supplement other funds to provide new infrastructure in the District - it is not intended to provide the full costs associated with all the infrastructure required.

1.~~5~~4 The purpose of the levy is to give developers more certainty about costs and to give councils and local communities more flexibility about how infrastructure is funded. The money raised through the levy can be used to fund a range of projects including towards:

- roads and other transport facilities;
- flood defences;
- schools and other educational facilities;
- medical facilities;
- sporting and recreational facilities; and
- open spaces.

How is it calculated and what development is liable?

1.~~6~~5 CIL will be levied at a rate per m² (based on Gross Internal Floorspace) on new development of more than 100m² of floorspace (net) or when a new dwelling is created (even if it is less than 100m²). Please see the table at paragraph 5.1 for the rates applicable for different types of development.

1.~~7~~6 There will be no CIL charge for Change of Use applications unless additional floorspace is created and no charge for the subdivision of existing dwellings. In addition CIL is not payable on:

- Structures into which people do not normally go;
- Structures which are not buildings;
- All Affordable Housing (including the element of a mixed development which is provided as affordable housing);
- Temporary buildings;
- Self-build housing;
- Residential annexes and extensions;

- Development for charitable purposes; and
- Applications for development where no buildings are proposed (e.g. mineral extraction sites).

When is it payable?

1.~~87~~ As set out in Regulations, CIL is payable within 60 days of commencement of development, although the Regulations allow for an instalment policy to be adopted alongside CIL if the authority wishes. West Berkshire Council ~~'s is proposing an~~ instalment policy ~~which~~ is attached as Appendix B to this document.

1.~~98~~ The responsibility to pay the levy lies with the owner of the land, unless liability is assumed as set out in Regulations 31 to 39 (as amended), and the amount payable will be calculated in accordance with Regulation 40 (as amended).

2 CIL and its relationship with S106

2.1 With the introduction of a CIL charge, the use of S106 obligations ~~will is~~be restricted to site specific impacts, for instance enabling works such as site access (i.e. access roads, or the provision of facilities and infrastructure directly required as a result of on large scale developments, larger sites to serve the new development) and the provision of affordable housing.

2.2 This position is reflected in our Developer Contributions SPD which has been updated during 2014 and adopted at a meeting of Full Council in December 2014.

~~2.2 This Council currently seeks developer contributions on a formulaic basis to mitigate the impact of development, guidance for which is set out in our Developer Contributions SPD, adopted in June 2013. Contributions are requested by service units during the planning application process and the requirements are detailed in a legal agreement under S106 of the Town & Country Planning Act 1990. Contributions received are used by the service units to mitigate the impact of the development on the Council's infrastructure and services.~~

~~2.3 For clarification, it is intended that contributions currently sought on a formulaic basis under S106 will no longer be sought once a CIL charge is adopted, in accordance with Regulation 123. In general this is intended to include contributions towards highways, education, libraries, open spaces, healthcare, waste management and adult social care.~~

~~2.4 The exception to this is intended to be large scale development where facilities and infrastructure are required to be delivered on site, or where impacts are directly related to a particular site, including enabling works such as site access.~~

2.5 The Council has prepared ~~an Initial Draft~~ Regulation 123 list, setting out the infrastructure intended to be funded from the levy. ~~This is intended to provide further background and is still subject to amendment.~~

3 Discretionary Relief

3.1 West Berkshire Council does not intend to adopt an Exceptional Circumstances policy.

4 Evidence Base

4.1 In setting its CIL rates (in accordance with Regulation 14(1) of the Community Infrastructure Regulations 2010), West Berkshire District Council has aimed to strike what appears to the Council to be an appropriate balance between:

- the desirability of funding from CIL (in whole or part) the infrastructure required to support the development of its area; and
- the potential effects of the imposition of CIL on the economic viability of its area.

4.2 In order to set appropriate rates the Council has had regard to:

- The adopted West Berkshire Local Plan Core Strategy (June 2012).
- The refreshed Infrastructure Delivery Plan (IDP) (March 2013), which details the infrastructure required to support development in the period of the West Berkshire Local Plan Core Strategy (2006 - 2026).
- The West Berkshire CIL Viability Study (January 2013) prepared for the Council by Dixon Searle LLP.

4.3 These documents are available to download from the Council's website as supporting information used to guide the ~~proposed~~ rates of CIL.

West Berkshire Local Plan Core Strategy

4.4 The Core Strategy was adopted by the Council in July 2012. This document forms part of the West Berkshire District Local Plan. It sets out the long term vision for the District to 2026 and translates this into spatial planning terms, setting out proposals for where development will go and how this development will be built.

4.5 The Core Strategy sets out top level spatial policies on the four areas which make up the District, it sets out a settlement hierarchy and broad housing numbers for each of the spatial areas. It also provides core policies to guide development, including policies on retail, employment, affordable housing, flooding, infrastructure and the historic environment. The Core Strategy identifies two strategic site allocations, one at Newbury Racecourse and one at Sandford Park, to help deliver the District's housing requirement of 10,500 net additional dwellings over the plan period.

4.6 The Core Strategy provides an overall framework for the more detailed policies and site specific proposals to be contained in other documents of the Local Plan.

Infrastructure Delivery Plan

4.7 The latest update to the Infrastructure Delivery Plan (IDP) took place in February and March 2013. The refresh involved contacting all service units, infrastructure providers, and all Parish and Town Councils. The IDP shows a gross funding requirement in excess of £257 million. Funding already earmarked, or expected to be available totals £93.8 million, leaving a shortfall in funding of £163.5 million. The following table shows the additional housing requirement across West Berkshire's four spatial areas and an estimate of CIL receipts based on delivery in line with the housing requirement at the proposed CIL rates. It shows that CIL receipts will contribute towards the funding requirement, but there will be a substantial shortfall.

4.8 Funding Gap Analysis

	A	B	C	D	E	F	G
Spatial Area	Additional Housing Requirement 2014 – 2026 ⁽¹⁾	CIL Rate per m ²	Estimate of Minimum Floorspace created ⁽³⁾ (M ²)	Estimate of Maximum Floorspace created ⁽⁴⁾ (M ²)	Minimum Anticipated CIL Receipt (B x C)	Maximum Anticipated CIL Receipt (B x D)	Net Funding requirement from IDP
Newbury / Thatcham ⁽²⁾	2,200	£75	99,000	275,000	£7.425m	£20.625m	
Eastern Urban Area	690	£75	31,050	86,250	£2,329m	£6.469m	
East Kennet Valley	260	£125	11,700	32,500	£1.462m	£4.062m	
North Wessex Downs AONB	670	£125	30,150	83,750	£3.769m	£10.469m	
TOTALS	3,820		171,900m²	477,500m²	£14.985m	£41.625m	£163.5m

Notes to Table:

1. Additional Housing requirement taken from Infrastructure Delivery Plan Table 2.1 'Anticipated additional housing requirement 2014-2026'
2. Housing Requirement includes 1,000 planned for Sandleford Strategic Site within the plan period
3. Minimum floorspace based on dwelling size of 1bed private flat, taken from DSP viability study Figure 4: Residential Unit Sizes
4. Maximum floorspace based on dwelling size of 4bed private house, taken from DSP viability study Figure 4: Residential Unit Sizes

4.9 Calculation of Shortfall

Net Funding Requirement from Infrastructure Delivery Plan	£163.5 million (Column G)
Shortfall based on Minimum CIL Receipt	£148.5 million (Column G minus Column E)
Shortfall based on Maximum CIL Receipt	£121.9 million (Column G minus Column F)

4.10 Given that the likely scale of development in terms of unit size cannot be accurately predicted, the above calculation shows a significant shortfall even if the largest homes are delivered over the plan period.

Viability Study

4.11 The West Berkshire CIL Viability Study was prepared in January 2013 by Dixon Searle LLP. The study investigated the potential scope for CIL charging in West Berkshire. This was done by considering the economic viability of residential and commercial / non-residential scenarios within West Berkshire; taking into account the range of normal costs and obligations associated with development, as would be borne by development schemes alongside the CIL charge. It provided the Council with advice as to the likely viability of seeking developer contributions towards infrastructure provision through the CIL. This included the consideration of viability and the potential charging rate or rates appropriate in the local context as part of a suitable and achievable overall package of planning obligations. The viability study ensures that the rate set is not at the limits of site viability and that delivery of development is not threatened.

4.12 In addition to the documents referred to above, further documents are available from the Council's website as supporting information, which can be found at www.westberks.gov.uk/cil

5 ~~Draft~~ Charging Schedule

5.1 Based on the findings and outcomes of the West Berkshire CIL Viability Study the following rates of CIL are ~~proposed~~charged:

		Newbury & Thatcham, and Eastern Urban Area	Area of Outstanding Natural Beauty, and East Kennet Valley
Type of Development	<u>Use Class</u>	CIL Rate per sq.m	CIL Rate per sq.m
Residential (See Notes 1 and 2 below)	<u>C3 & C4</u>	£75	£125
Retail (~~A1 to A5~~)	<u>A1 to A5</u>	£125	£125
Business Development - Offices	<u>B1a to B1c</u>	£0	£0
Business Development - Industrial	<u>B2</u>	£0	£0
Business Development - Warehousing	<u>B8</u>	£0	£0
Hotels	<u>C1</u>	£0	£0
Residential Institutions	<u>C2 & C2a</u>	£0	£0
Community and <u>All</u> Other Uses	<u>-</u>	£0	£0

5.2 Notes:

(1) Please see Differential Rate Map at Appendix A. ~~It is intended, once adopted, that the~~ The differential rate map ~~will is be~~ available on the Council's mapping system. This ~~will allow~~s the service units and public to view which rate is chargeable for a particular site.

(2) Detailed Differential Rate Maps for Residential development are available as supporting information at Appendix C.

~~6 Further Supporting Information~~

~~6.1 In addition to the documents referred to in Section 4, the following documents are available from the Council's website as supporting information to the Draft Charging Schedule:~~

~~Initial Draft Regulation 123 list~~

~~6.2 The Council has prepared an Initial Draft Regulation 123 list, setting out the infrastructure intended to be funded from the levy. This is intended to provide further background information and is still subject to amendment.~~

~~Preliminary Draft Charging Schedule (PDGS)~~

~~6.3 The PDGS was produced in February 2013 and was consulted on between 15th February 2013 and 2nd April 2013, in accordance with Regulation 15.~~

~~PDGS Statement of Consultation~~

~~6.4 The Statement of Consultation for the PDGS shows all the consultation responses received and the Council's consideration of those responses, together with any action taken or amendments made as a result (in accordance with Regulation 15).~~

~~Representations Procedure Statement~~

~~6.5 This document sets out how and when representations can be made on the Draft Charging Schedule, and how people may request to appear at the Examination, and how they can request to be kept informed of the progress of the CIL implementation (in accordance with Regulation 16).~~

~~S106 Financial Statement~~

~~6.6 This document explains the level of S106 receipts received in recent years, and which Council services and infrastructure have benefited from the developer contributions received.~~

~~Report to Full Council June 2013~~

~~6.7 The report which has approved the publication for consultation and submission of the Draft Charging Schedule for Examination in Autumn 2013.~~

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Title of Report:	Amendments to the Constitution - Scheme of Delegation
Report to be considered by:	Council
Date of Meeting:	4 March 2014
Forward Plan Ref:	C2770

Purpose of Report: To review and amend sections of the Scheme of Delegation in light of legislative changes.

Recommended Action: To agree the proposed amendments to the Scheme of Delegation.

Reason for decision to be taken: To ensure that the Council has adjusted the scheme in light of legislative changes

Other options considered: None

Key background documentation: None

The proposals will help achieve the following Council Strategy principles:

- ☒ **CSP7 - Empowering people and communities**
- ☒ **CSP9 - Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy principles by:

Ensuring that the Constitution is up to date

Portfolio Member Details

Name & Telephone No.:	Councillor Gordon Lundie - Tel (01488) 73350
E-mail Address:	glundie@westberks.gov.uk
Date Portfolio Member agreed report:	Councillors Lundie and Beck emailed on the 20.01.14

Contact Officer Details

Name:	Moir Fraser
Job Title:	Democratic and Electoral Services Manager
Tel. No.:	01635 519045
E-mail Address:	mfraser@westberks.gov.uk

Implications

Policy:	Will require changes to the Constitution
Financial:	None – will be undertaken within existing resources.
Personnel:	None
Legal/Procurement:	Will require the Constitution to be updated
Property:	None
Risk Management:	None

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		☐	☒
• Is it a major policy, significantly affecting how functions are delivered?		☐	☒
• Will the policy have a significant impact on how other organisations operate in terms of equality?		☐	☒
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		☐	☒
• Does the policy relate to an area with known inequalities?		☐	☒
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			☐
Not relevant to equality			☒

Is this item subject to call-in?	Yes: ☐	No: ☒
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		☒
Delays in implementation could have serious financial implications for the Council		☐
Delays in implementation could compromise the Council's position		☐
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		☐
Item is Urgent Key Decision		☐
Report is to note only		☐

Executive Summary and Report

1. Introduction

- 1.1 Following an internal audit of the Management of the Constitution in 2010 it was noted that one of the responsibilities of the Finance and Governance Group is to have ownership of the Council's Constitution. The content of the Local Code of Corporate Governance says that there will be an annual review of the operation of the Constitution.
- 1.2 A timetable has been established for the Finance and Governance Group to review individual sections of the Constitution and a number of Officers have been involved in revising specific parts of the Constitution. This report proposes amendments to Part 3 of the Constitution, the Scheme of Delegation.
- 1.3 In addition there is a constitutional requirement for the Leader of the Council to present to the Council a written record of delegations they have made for inclusion in Part 3 of the Constitution.
- 1.4 The Scheme of Delegation summarises which part of the decision-making process (e.g. the Council, Executive, the Area Planning Committees, Licensing Committee/Sub-Committee, the Standards Committee and the Personnel Committee) is responsible for which function. This Scheme also sets out the extent to which the powers and duties of the Council are delegated to Officers.
- 1.5 All Directors and Heads of Service have been asked to advise of any changes they require to the Scheme of Delegation to ensure that the Council's Constitution is as up to date as possible. The report proposes a small number of changes for the Council to consider. These are set out below.
- 1.6 The following key changes have been made to the document by Officers:
 - (1) *Head of Highways and Transport*
 - (a) Paragraph 3.12.2, fifth bullet point – insert the words ‘including de-minimus arrangements’;
 - (b) Paragraph 3.12.3, last bullet point – insert the words ‘and current guidance’;
 - (c) Amend the text in 3.12.7 pertaining to the Land Drainage Act 1991;
 - (d) Amend the text in 3.12.13 in relation to the Flood and water management Act 2010.
 - (e) Insert text in new paragraph 3.12.10 in relation to the Goods Vehicles (Licensing Operators) Act 1985.
 - (2) *Head of Culture and Environmental Protection*
 - (a) Removal of reference to legislation that was no longer relevant or that had been superseded.
 - (3) *Head of Strategic Support*

- (a) Insertion of a paragraph at 3.9.5 delegating authority to the Head of Service to deal with Assets of Community Value.

(4) Head of Legal Services

- (a) Insertion of a paragraph under the heading miscellaneous (3.13.4) which will allow the Monitoring Officer to make minor amendments and corrections to the Constitution;
- (b) Insert a new paragraph 3.13.12 (Localism Act 2011) to align the procedures for dealing with complaints made under the Standards regime with the Scheme of Delegation.

(5) Head of Human Resources

- (a) Amend the final bullet point of paragraph 3.3.3 to take into account the requirements of the Education Act 2002.

- 1.7 The Scheme of Delegation was discussed at the Governance and Audit meeting on the 10 February 2014 and the following additional amendments were proposed:

Item/ Ref	Amendment
Paragraph 3.12.7	Remove 'extra' bullet point
Paragraph 3.12.10	Head of Service should be written with a capital 'H' (twice) and Legal should be written with a capital 'L'
Paragraph 3.13.12	Capital 'L' in the word Localism, Capital 'C' in Councillor and Capital 'D', 'C' and 'T' in District, Town and Council
Paragraph 3.14.5 & 3.14.12	Reference to be made to the Fire 'Service' and not 'Brigade' and 'Authority'.
Paragraph 3.17.6	The paragraph should be headed 'Weight Measurement and Children's Sexual Health'
Paragraph 3.17.9	The word 'children's' to be written with a lower case 'c'

2. Proposals

- 2.1 It is proposed that the revised Scheme of Delegation be approved.

3. Equalities Impact Assessment Outcomes

- 3.1 This item is not relevant to equality.

4. Conclusion

- 4.1 The report is a required update to take cognisance of legislative changes.

Appendices

Appendix A – Part 3 of the Constitution (Scheme of Delegation)

Consultees

Local Stakeholders: Not consulted

Officers Consulted: All Heads of Service and Corporate Directors, Finance and Governance Group, Governance and Audit Committee

Trade Union: Not consulted

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Part 3

Scheme of Delegation

Document Control

Document Ref:	WB/P&C/MF/2008-11	Date Created:	May 2007
Version:	10.1	Date Modified:	September 2013
Revision due			
Author:	Moir Fraser – Democratic and Electoral Services Manager		
Owning Service	Strategic Support		

Change History

Version	Date	Description	Change ID
2	June 2008	Updated to incorporate new legislation and to apply the scheme to officers in two services	
2.1	Dec 2008	Paragraph 3.15.1	
3	Dec 2010	Entire document revised to align functions following Senior Management Review and to make amendments in line with changes to legislation	
4	October 2011	Entire document revised	
5	March 2012	Entire document revised to align functions following Senior Management Review and to make amendments in line with changes to legislation. Approved at Council meeting on 1 March 2012.	
6	May 2012	Changes arising from the introduction of the Localism Act	
7	Sept 2012	Added Paragraph 3.14.23	
8	December 2012	Amended Paragraph 3.13.2	
9	July 2013	Added Head of Public Health and Wellbeing (Paragraph 3.17)	
10	September 2013	Typos corrected in 3.8.2 and 3.8.5. Additional paragraph inserted in 3.8.6 and new section 3.8.10 added. Additions made to 3.15.3 and paragraph 3.15.5 amended.	
10.1	November 2013	Local Development Plan renamed Development Plan	



Version	Date	Description	Change ID
<u>11</u>	<u>March 2014</u>	<u>Amendments to under the Head of Legal Services insert provisions pertaining to the Localism Act 2011, and permit the Monitoring officer to make minor amendments to the Constitution. Insert provisions under the Goods vehicles (Licensing of Operators) Act 1985. Changes to paragraphs 3.3.3. (final bullet point), 3.12.2, 3.12.3, 3.12.7, 3.12.14 and 3.15.3</u>	

Any Acts, Rules or Regulations mentioned in the text of this document can be accessed on the Office of Public Sector Information website at:

<http://www.opsi.gov.uk/legislation/uk>

If you require this information in a different format, such as audio tape or in another language, please ask an English speaker to contact Moira Fraser on 01635 519045 who will be able to help.



West Berkshire
C O U N C I L

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3.14.17	The Building Regulations 2010	<u>48</u>	Deleted: 50
3.14.18	The Building (Local Authority Charges) Regulations 1998	<u>48</u>	Deleted: 50
3.14.19	Wildlife Heritage Sites and Regionally Important Geological and Geomorphological Sites	<u>48</u>	Deleted: 50
3.14.20	Party Walls Act 1996	<u>48</u>	Deleted: 51
3.14.21	Planning and Compulsory Purchase Act 2004	<u>49</u>	Deleted: 51
3.14.22	The Building (Local Authority Charges) Regulations 2010 – Scheme of Charges	<u>49</u>	Deleted: 51
3.14.23	The Local Authorities (Functions and Responsibilities) (England) Regulations 2000	<u>49</u>	Deleted: 51
3.15	Head of Culture and Environmental Protection	<u>49</u>	Deleted: 51
3.15.1	Waste Management	<u>49</u>	Deleted: 51

3.15.2	General	~~49~~	Deleted: 51
3.15.3	Exercise of Powers under Legislation	~~49~~	Deleted: 51
3.15.4	Clean Neighbourhoods and Environment Act 2005	~~54~~	Deleted: 56
3.15.5	Authorisation	~~54~~	Deleted: 56
3.15.6	Culture General	~~54~~	Deleted: 56
			Deleted: 57
3.16	Head of Education Services	~~54~~	
3.16.1	General	~~54~~	Deleted: 57
3.16.2	Admissions	~~55~~	Deleted: 57
3.16.3	Attendance at School	~~55~~	Deleted: 58
3.16.4	Special Educational Needs	~~56~~	Deleted: 58
3.16.5	School Term Dates	~~56~~	Deleted: 59
3.16.6	Name of School	~~56~~	Deleted: 59
3.16.7	Curriculum	~~56~~	Deleted: 59
3.16.8	Staffing – in respect of Nursery Schools	~~56~~	Deleted: 59
3.16.9	Staffing – in respect of Primary, Secondary and Special Schools	~~57~~	Deleted: 59
3.16.10	All Educational Establishments	~~57~~	Deleted: 60
3.16.11	Finance	~~57~~	Deleted: 60
3.16.12	Provision of Information Concerning Individual Performance of Pupils	~~58~~	Deleted: 60
3.16.13	Governance	~~58~~	Deleted: 60
3.16.14	Miscellaneous	~~58~~	Deleted: 61
3.16.15	Post 16 Years - Education and Training provision	~~58~~	Deleted: 61
			Deleted: 61
3.17	Head of Public Health and Wellbeing	~~58~~	
3.17.1	General	~~58~~	Deleted: 61
3.17.2	Health of the Population	~~58~~	Deleted: 61
3.17.3	General	~~59~~	Deleted: 61
3.17.4	Dental Health	~~59~~	Deleted: 61
3.17.5	Health of Prisoners	~~59~~	Deleted: 61
3.17.6	Weight Measurement	~~59~~	Deleted: 62
3.17.7	Violent Offenders	~~59~~	Deleted: 62
3.17.8	Health Protection	~~59~~	Deleted: 62
3.17.9	Health Improvement	~~59~~	Deleted: 62
3.17.10	Health Care Public Health	~~59~~	Deleted: 62

3.1 Delegation of Functions

3.1.1 Introduction

This section of the Constitution summarises which part of the decision-making process is responsible for which function. Further detail is set out in paragraph 3.2 (Officer's Scheme of Delegation) of this Constitution.

The aim is to show which functions are the responsibility of the Council, the Area Planning Committees, Licensing Committee/Sub-Committee, the Standards Committee and the Personnel Committee and which are the responsibility of the Executive. This section also clarifies which functions are the responsibilities of the Executive to a specified extent.

The allocation of functions follows the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, and as subsequently amended, referred to in the tables that follow as 'The Function Regulations'.

The information is set out in tabular form as follows:

Table 1 – Responsibility for Local Choice Functions

Table 2 – Council Functions

Table 3 – Licensing Authority Functions

Table 4 – Executive Functions

3.1.2 Table 1- Responsibility for Local Choice Functions

Function	Decision-Making Body	Membership	Delegation of Function
Any function under a local Act other than a function specified or referred to in Regulation 2 or Schedule 1 of the Regulations 2000	Executive	Executive Leader plus 9 other Members	Some highway-related functions under the Berkshire Act 1986 are delegated to the Head of Highways and Transport or other Heads of Service, depending on the function concerned. See Scheme of Delegation
The determination of an appeal against any decision made by or on behalf of the Authority	Council (Appeals Panel)	Dependent on nature of appeal: Home/ School Transport = 3 Members Housing/Council Tax Benefit = 3 Members	These functions will not be further delegated.
The appointment of Review Boards under regulations under Subsection (4) of Section 34 (Determination of Claims and Reviews) of the Social Security Act 1998	Council	All Members	These functions will not be further delegated.

Function	Decision-Making Body	Membership	Delegation of Function
The making of arrangements pursuant to Sub-section (1) of Section 67 of, and Schedule 18 to, the 1998 Act (Appeals against the Exclusion of Pupils)	Council (School Appeals Panel)	3 or 5 independent Members	These functions will not be further delegated.
The making of arrangements pursuant to Section 94(1) and (4) of, and Schedule 24 to, the 1998 Act (Admissions Appeals)	Council (School Appeals Panel)	3 or 5 independent Members	These functions will not be further delegated.
The making of arrangements pursuant to Section 95(2) of, and Schedule 25 to, the 1998 Act (children to whom Section 87 applies: appeals by Governing Bodies)	Council (Appeals Panel)	3 or 5 independent Members	These functions will not be further delegated.
The making of arrangements under Section 20 (Questions on Police Matters at Council meetings) of the Police Act 1996 for enabling questions to be put on the discharge of the functions of a Police Authority	Council	All Members	These functions will not be further delegated.
The making of appointments under paragraphs 2 to 4 (Appointment of Members by Relevant Councils) of Schedule 2 (Police Authorities established under Section 3) to the Police Act 1996	Leader of the Council	All Members	These functions will not be further delegated.
Any function related to contaminated land	Licensing Committee	14 Members	Functions delegated to the Head of Culture and Environmental Protection, in accordance with the Scheme of Delegation
The discharge of any function relating to control of pollution or the management of air quality	Licensing Committee	14 Members	Functions delegated to the Head of Culture and Environmental Protection in accordance with the Scheme of Delegation
The serving of an Abatement Notice in respect of a statutory nuisance	Licensing Committee	14 Members	Functions delegated to the Head of Culture and Environmental Protection in accordance with the Scheme of Delegation

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Function	Decision-Making Body	Membership	Delegation of Function
The passing of a resolution to which Schedule 2 of the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area	Licensing Committee	14 Members	Functions delegated to the Head of Culture and Environmental Protection in accordance with the Scheme of Delegation
The inspection of the Authority's area to detect any statutory nuisance	Licensing Committee	14 Members	Functions delegated to the Head of Culture and Environmental Protection in accordance with the Scheme of Delegation
The investigation of any complaint as to the existence of a statutory nuisance	Licensing Committee	14 Members	Functions delegated to the Head of Culture and Environmental Protection in accordance with the Scheme of Delegation
The obtaining of information under Section 330 of the Town and Country Planning Act 1990	District/Area Planning Committees	12 Members	Functions delegated to the Head of Planning and Countryside in accordance with the Scheme of Delegation
The obtaining of particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976	District/Area Planning Committees	12 Members	Functions delegated to Heads of Service in accordance with the Scheme of Delegation
The making of agreements for the execution of highway works	District/Area Planning Committees	12 Members	Functions delegated to Head of Highways and Transport in accordance with the Scheme of Delegation
The appointment of any individual: a) to any office other than an office in which they are employed by the Authority; b) to any other body than: i) the Authority; ii) a Joint Committee or Sub-Committee of two or more Authorities; or c) to any Committee or Sub-Committee of such a body, and the revocation of any such appointment	Executive (for ~~specified~~ appointments) Individual Decision Scheme (for local appointments)	Executive Leader plus 9 other Members ▼ <u>Leader of the Council</u>	These functions will not be delegated further.

Deleted: major and district-wide appointments

Deleted: Members of the relevant Wards

Function	Decision-Making Body	Membership	Delegation of Function
The making of agreements with other Local Authorities for the placing of staff at the disposal of those other Authorities	Executive	Executive Leader plus 9 other Members	Function delegated to Chief Executive where an emergency situation exists

3.1.3 Table 2 - Responsibility for Council Functions (Schedule 1 of the Functions Regulations)

Functions	Committee	Membership	Delegation of Functions
Functions relating to elections	Council	All Members	Some of these functions are delegated to the Returning Officer as set out in the Scheme of Delegation
Functions relating to the name and status of areas and individuals	Council	All Members	These functions will not be further delegated
Power to make, amend, revoke or re-enact bylaws	Council	All Members	These functions will not be further delegated
Power to promote or approve local or personal Bills	Council	All Members	These functions will not be further delegated
Functions relating to pensions, etc	Council	All Members	These functions will not be delegated further except for requests for the early release of pensions (subject to the financial implications of each request being approved through the Executive decision making process) which are delegated to the Personnel Committee
Miscellaneous functions. Duty to approve Authority's statement of accounts, income and expenditure and balance sheet or record of receipts and payments (as the case may be)	Governance and Audit	7 Members	These functions will not be further delegated
Duty to make arrangements for proper administration of financial affairs, etc.	Council	All Members	Function delegated to Section 151 Officer as set out in the Scheme of Delegation
Power to amend the Council's Constitution	Council	All Members	These functions will not be further delegated – although the Head of Legal

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Functions	Committee	Membership	Delegation of Functions
			<u>Services acting as Monitoring Officer may make minor amendments to the Constitution in order to ensure that legislative provisions are current and any typographical or other errors are corrected</u>
Power to appoint Officers for particular purposes (appointment of 'Proper Officers')	Personnel Committee	5 Members	These functions will not be further delegated
Duty to designate an Officer as the Head of the Authority's Paid Service and to provide staff	Personnel Committee	5 Members	These functions will not be further delegated
Duty to designate an Officer as the Monitoring Officer, and to provide staff	Personnel Committee	5 Members	These functions will not be further delegated
Power to make Standing Orders as to contracts	Council	All Members	Function delegated to the Head of Finance and to the Head of Legal Services as set out in the Scheme of Delegation
Power to make payments or provide other benefits in cases of maladministration, etc.	Council	All Members	This function is delegated to the appropriate Head of Service for payments / benefits up to the value of £2,500
Functions relating to Town and Country Planning and Development Control	District/Area Planning Committees	12 Members	Functions are delegated to the appropriate Area Planning Committee (Eastern and Western). Where their proposed resolutions are deemed by the Development Control Manager to have a significant impact on the implementation of the policies and proposals in the Local Development Plan, these will be referred to the District Planning Committee. Functions delegated to the Head of Planning and Countryside as set out in the Scheme of Delegation. Some functions are

Functions	Committee	Membership	Delegation of Functions
			delegated to the Head of Planning and Countryside in consultation with the Head of Legal Services as set out in the Scheme of Delegation.
Powers relating to the Planning and Compulsory Purchase Act 2004	Area Planning Committees	12 Members	Functions delegated to the Head of Planning and Countryside as set out in the Scheme of Delegation
Licensing and registration functions	Licensing Committee	14 Members	Functions delegated to the Head of Culture and Environmental Protection as set out in the Scheme of Delegation
Power to make closing order in respect of take-away shops	Licensing Committee	14 Members	Functions delegated to the Head of Culture and Environmental Protection as set out in the Scheme of Delegation
Functions relating to health and safety (except those relating to the Council as an employer)	Licensing Committee	14 Members	Functions delegated to the Chief Executive and / or the Head of Culture and Environmental Protection as set out in the Scheme of Delegation
Duty to keep and maintain a register of commons	Area Planning Committees	12 Members	Functions delegated to the Head of Legal Services as set out in the Scheme of Delegation
Duty to keep definitive maps and statement under review	Area Planning Committees	12 Members	Functions delegated to the Head of Planning and Countryside as set out in the Scheme of Delegation
Powers relating to the preservation of important hedgerows	Area Planning Committees	12 Members Members for the relevant Wards	Functions delegated to the Head of Planning and Countryside as set out in the Scheme of Delegation
Functions relating to public rights of way	Individual Decision Scheme	Members for the relevant Wards	Functions delegated to the Head of Planning and Countryside in consultation with Head of Legal Services as set out in the Scheme

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Functions	Committee	Membership	Delegation of Functions
			of Delegation
Powers relating to the preservation of trees	Area Planning Committees	12 Members	Functions delegated to Head of Planning and Countryside as set out in the Scheme of Delegation
Power to appoint staff and to determine the terms and conditions on which they hold office (including procedures for their dismissal)	Council	All Members	Powers to appoint staff at Head of Service level and above delegated to the Personnel Committee by means of an Appointments Panel. Appointments below Head of Service level are delegated to the Chief Executive or the relevant Head of Service
As set out in Article 9 of this Constitution	Standards Committee	6 Councillors (only one of whom may be a Member of the Executive) 2 non-voting co-opted Parish Councillors	These functions will not be further delegated

3.1.4 Table 3 - Summary of Licensing Authority functions in accordance with the Licensing Act 2003 (except where delegated below)

Matter to be dealt with	Full Committee	Sub-Committee	Officers
Application for a Premises Licence (Section 18(3))		If a representation is made	If no representation is made
Application for a Personal Licence (Section 120(7))		If a representation is made	If no representation is made
Application for a Personal Licence with unspent convictions		All cases	
Application for Premises Licence/Club Premises Certificate (Section 18(3) and 72(3))		If a representation is made	If no representation is made
Application for provisional statement (Section 31(3))		If a representation is made	If no representation is made
Application to vary Premises Licence/Club Premises Certificate (Sections 35(3) and		If a representation is made	If no representation is made

Matter to be dealt with	Full Committee	Sub-Committee	Officers
85(3))			
Application to vary designated Personal Licence (Section 39(3))	If Police representation is made	If Police representation is made	All other cases
Request to be removed as a designated Personal Licence holder			All cases
Application for transfer of Premises Licence (Section 44(5))	If Police representation is made	If Police representation is made	All other cases
Application for interim Authorities (Section 48(3))	If Police representation is made	If Police representation is made	All other cases
Application to review Premises Licences/Club Premises Licence (Sections 52(2) or (3) and 88(2) or (3))		All cases	
Decision on whether a complaint is irrelevant, frivolous or vexatious			Officer in consultation with the Chairman and Vice-Chairman of the Licensing Committee or other appropriate appointed Members for this purpose.
Decision to object when Local Authority is a consultee and not the lead Authority			All cases
Determination of a Police representation to a temporary event notice (Section 105(2))		All cases	
Rights of Entry to investigate Licensable activities (Section 179)			Licensing Officers

3.1.5 Table 4 - Summary of Executive Functions

Responsibility	Member-ship	Delegation of Functions	Onward limits on delegations
Executive	Executive Leader plus 9 Members	The formulation, review and monitoring of the Budget and Policy Framework, including consultation with relevant Committees, members of the public and interested parties, and the submission of recommendations for amending the Budget and Policy Framework of the Council	This function will not be delegated

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Responsibility	Member-ship	Delegation of Functions	Onward limits on delegations
Executive	Executive Leader plus 9 Members	The implementation of the approved Budget and Policy Framework, except in relation to those functions set out in Tables 1 and 2 of Part 3 of this Constitution which are shown as the responsibility of the Council or its Committees. This will include the management, control and supervision of : measures to promote the economic, environmental and social wellbeing of the District the development and review of plans and strategies to support the Council's Budget and Policy Framework and statutory responsibilities the Council's own financial and property resources Revenue Services and Benefits administration Support Services Library and Information Services Education Services and the promotion of Lifelong Learning Social Services and Health Environmental Services including planning, countryside, public protection and highway services	Functions will be delegated to the Chief Executive, Corporate Directors and Heads of Service in accordance with the Scheme of Delegation Functions delegated to the Head of Paid Service (Chief Executive in accordance with Scheme of Delegation and in consultation with Members of the Joint Consultative Panel)
Executive	Executive Leader plus 9 Members	Representing the Council and the District to the public, other organisations and agencies, both within the District and at a regional / national level	This function will, in part, be delegated to the Chief Executive under the Scheme of Delegation

3.2 Officers' Scheme of Delegation

3.2.1 Scope of Scheme

This Scheme sets out the extent to which the powers and duties of the Council shall be delegated to Officers. It encompasses both existing legislation and any future re-enactment or addition to it.

Powers designated to a Head of Service under this Scheme of Delegation shall immediately transfer to a successor Head of Service following a transfer of any functions as a result of a restructuring of Council Services.

The Scheme operates under Sections 101 and 151 of the Local Government Act 1972 and all other powers under which the Council exercises its functions.

The Scheme places an obligation on Officers to keep Members properly informed of action arising within the scope of these delegations.

For the purposes of Section 101 of the Local Government Act 1972 the Council may authorise an Officer of the Authority to commission and monitor work for and on behalf of the Council by people who are not Officers of the Authority. Such people will be bound by this Scheme and the obligations contained in it at all times when they are engaged on Council business.

The term “Officer” means any Employee/Manager/Director employed by West Berkshire Council.

3.2.2 Consultation

In exercising delegated powers, Officers shall consult other Officers as appropriate and shall have regard to any advice given. Consultation in areas of financial, legal, personnel and property will be of paramount importance which includes the Council’s strategic partners.

Officers shall liaise closely with the Executive on executive functions and the Chairmen of the Area Planning Committees and District Planning Committee or Chairman of the Licensing Committee on regulatory functions and Group Spokesmen before exercising delegated powers in relation to any matter which is likely to be regarded as politically sensitive or contentious.

Officers shall inform the local Ward Member(s) when they exercise any delegated powers affecting their Ward and when the matter is likely to be regarded as politically sensitive or contentious.

It shall always be open to an Officer to consult the Executive, the Area Planning Committees, the Licensing Committee or the Leader before the exercise of delegated powers; or not to exercise delegated powers but to refer the matter to the Executive, the District Planning Committee the Area Planning Committees or to Council for decision.

3.2.3 Conditions of Delegation

By this Scheme, and subject to the limitations and reservations contained in it:

- (a) Council authorises the Officers identified personally to exercise the powers specified herein; and
- (b) powers delegated to Directors and Heads of Service may be exercised by any other duly authorised Officer on their behalf.

If any case where the Officer given general authorisation to act considers that a new departure in policy is likely to be involved or if the implications are such that they consider, after consulting the Chief Executive, that

reference should be made to Members, the matter shall be referred to the Executive or the **relevant** Area Planning Committee for consideration.

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Exercise of delegated powers by Sub-Committees or Officers does not, by virtue of Section 101(4) Local Government Act 1972, prevent the Executive the Council or its Committees from exercising those functions or powers.

Powers delegated to Heads of Service may be exercised by the appropriate Corporate Director or the Chief Executive.

(Note: Directors and Heads of Service need to ensure that substantial matters dealt with under delegation are recorded.)

3.2.4 Overall Limitations

Matters not Delegated

The Scheme does not delegate to Officers any matter:

- reserved to full Council by Standing Orders;
- reserved to the Executive or a Committee by the Scheme;
- withdrawn from delegation by the Scheme; and
- which may not by law be delegated to an Officer.

General Requirements

Any exercise of delegated powers shall comply with:

- any statutory restrictions;
- Rules of Procedure as contained in the Constitution;
- Policies and Plans approved by full Council, the Executive or the Council's committees; and
- Codes and Protocols.

Exercising Delegated Powers

In exercising delegated powers, Officers shall have regard to any report by the Head of the Paid Service or the Monitoring Officer under Sections 4 and 5 of the Local Government and Housing Act 1989 or Section 66 of the Local Government Act 2000 or of the Officer designated under Section 114 of the Local Government Finance Act 1988.

Financial Powers

Any decision taken under this Scheme must be made within the approved Revenue and Capital Budgets, subject to any discretion allowed by the Financial Rules of Procedure.

Acceptance of quotations and tenders must be in accordance with the Contract Rules of Procedure.

Legal Powers

Officers are authorised to appear, institute proceedings prosecute and defend on behalf of the Council proceedings before a Magistrates' Court, County Court or similar tribunal in the first instance where the matters fall within the remit of their service unit. Officers are not authorised to exercise

any of the powers delegated under this paragraph of any other legal proceedings (such powers being reserved to the Head of Legal Services).

3.3 General Delegation to Corporate Directors/Heads of Service

3.3.1 Equipment

- Purchase of vehicles, plant and equipment for which expenditure has been approved subject to any policy for standardisation.
- Hire of plant as may be necessary for special works subject to inclusion of costs of hire within the approved estimates of the works.
- Disposal of surplus plant equipment and materials.

3.3.2 Legal Matters

- Service of requisitions for information as to ownership of any property under statutory powers.
- Signature of licences, notices etc.
- Authority to apply for planning permission in respect of small projects and minor modifications to projects subject to a report on the action taken being submitted to the Executive.
- To grant, renew, refuse or cancel any authorisation that may be required under the Provisions of the Regulation of Investigatory Powers Act 2000 insofar as it affects their service area. This function may be delegated to third tier Officers but may not be delegated further.

3.3.3 Human Resources

- To agree temporary posts provided costs are contained within service staffing budgets (in accordance with West Berkshire Council's Conditions of Service).
- Employment of consultants to advise on specialist aspects of work within the relevant Service Area
- Advertisement of staff vacancies within establishment (in accordance with the Council's recruitment procedures).
- To fill a post without advertisement (in consultation with the Service Head, Human Resources and appropriate Trade Unions).
- Appointment of staff to posts below second tier.
- Determination of starting point within grade.
- To sign job offers and/or contract of employment for:
 - Corporate Director appointments (by Chief Executive)
 - Heads of Service appointments (by Chief Executive or responsible Corporate Director)
 - Other employee appointments (Corporate Director, Head of Service or Officer delegated by one of these)

- To agree flexible contracts, including job share, homeworking and term-time working (in consultation with Corporate Director, Head of Human Resources and appropriate Trade Unions).
- Confirmation of appointments on completion of probationary period.
- Exercise of the discretion contained within the National Conditions for sick payment entitlements.
- Approval of car purchases and car leases in accordance with West Berkshire Council's Conditions of Service and the Council's relevant policies (in consultation with the Head of Finance).
- Extension of industrial accident pay (in consultation with the Head of Finance).
- Approval of application of West Berkshire Council Service Related Additional Payments Scheme (in consultation with the Head of Human Resources).
- Approval of variations to Council payment schemes (in consultation with the Head of Human Resources and where appropriate with employees representatives).
- To implement the Council's disciplinary and grievance procedures in accordance with West Berkshire Council's Conditions of Service.
- To sign contracts for external employment services within approved budgets (with agreement of Corporate Director or Officer delegated by one of these).
- Authorising attendance of Officers at professional, administrative and educational meetings, conferences and courses.
- To determine new organisation structures below Head of Service level provided that:
 - the changes do not affect more than 5 posts in any one restructuring;
 - there are no resultant redundancies;
 - the change is with the agreement of existing staff; and
 - the change can be contained within service budgets.
- To make ex-gratia payments in respect of claims not exceeding £1,000 in respect of damage or injury resulting from the actions of clients looked after by the District Council both in relation to young people and adults. (See under Head of Strategic Support for ex-gratia payments for maladministration.)
- General organisation of services within policy laid down by Council.
 - To approve compensation and other payments to all current and former employees of the Council (other than employees in maintained schools who are covered by section 37 of the Education Act 2002) by way of a settlement agreement in consultation with the relevant Head of Service to an amount not exceeding £10,000. For amounts over £10,000 to approve compensation in consultation with the relevant Head of Service, Head of Finance and Head of Legal Services.

Deleted: To approve compensation and other payments to all current and former employees of the Council by way of a compromise agreement / COT3 in conjunction with the relevant Head of Service to an amount not exceeding £10,000. For amounts over £10,000 to approve compensation in conjunction with the relevant Head of Service, Head of Finance and Head of Legal Services

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3.3.4 Tenders/Contracts

- General supervision and progressing of contracts.
- Execution of work and invitation for and acceptance of tenders for recurring or non-recurring items provided for in the approved annual revenue estimates and estimates for the General Housing Repairs Fund, except items reserved by the Executive for further approval.
- Acceptance of tenders for demolition works approved by the Executive or Full Council.
- Acceptance, renewal and variation of maintenance contracts for installed equipment within the approved estimates.

3.3.5 Emergencies

If the Council needs to act urgently in any matter including, without limitation, complying with the Major Incident Plan or taking any action under new legislation of powers, the Chief Executive may authorise any action taken or expenditure occurred as necessary. A Corporate Director may act in the place of the Chief Executive where the Chief Executive is unwell, unobtainable or where there is no Chief Executive in post. The Chief Executive, or Corporate Director as appropriate, may delegate responsibility to a Head of Service or other nominated Officer where it is considered appropriate.

3.3.6 Delegation to Specific Directors

(a) Communities

- To give consent to the marriage of a young person in care pursuant to Section 3 of the Marriage Act 1949 as amended by the Family Law Reform Act 1969.
- To exercise the powers of the Council under paragraph 20 of Schedule 2 of the Children Act 1989 in relation to the death of children looked after by local authorities.
- To exercise the functions of the Council under Part VII of the Children Act 1989 in relation to the provision of accommodation by voluntary organisations.
- To approve the registration of children's homes under Part VIII of the Children Act 1989 in accordance with the Children's Homes Regulations 1991.
- To agree Service Level Agreements/Joint Arrangements with other agencies in respect of the provision of joint leisure, cultural and information services
- To respond to and determine responses to recommendations made at any stage of the Social Services statutory complaints processes and other complaints procedures operated within Social Care Services, including application of financial redress, as considered appropriate by the Corporate Director or Head of Service, in consultation with the relevant Portfolio Member, within the framework of the Local Government Ombudsman Good Practice Remedies (March 2003) document, Financial Rules of Procedure, and where necessary, in consultation with the Monitoring Officer.
- To respond to and determine responses to recommendations made at any stage of the Social Services statutory complaints processes and other complaints procedures operated within Social Care Services, including

application of financial redress, as considered appropriate by the Corporate Director or Head of Service, in consultation with the relevant Portfolio Member, within the framework of the Local Government Ombudsman Good Practice Remedies (March 2003), Revised in 2005 document, any relevant guidance from the Department of Health, Financial Rules of Procedure, and where necessary, in consultation with the Monitoring Officer.

- To appoint Officers to act as Approved Mental Health Professionals under the Mental Health Act 2007.
- Caravan Act 1968
- Local Government and Housing Act 1989, Part VIII
- Housing Act 1985
- Housing Act 1996 - Parts VI and VII
- Housing Grants, Construction & Regeneration Act
- Housing Act 1988 – Part II
- Gypsy Sites
- Housing Act 1985:
- Determination of rents of new properties in line with rents of other Council properties.
- All matters pertaining to rent collection and the recovery of arrears.
- Service of Notices to secure possession where there are arrears of rent.
- Service of Notice to Quit on tenants of Council dwellings. The Head of Care Commissioning, Housing and Safeguarding can also undertake this function.
- Allocation of pitches on Council owned caravan sites.
- Applications for emergency housing accommodation from persons threatened with eviction.
- Decisions on all matters relating to the Council's conditions of tenancy in relation to the Council's statutory housing function.
- Assessing current and future need for affordable housing and demand for market housing

(b) Environment

The Corporate Director (Environment) [or in their absence the Head of Culture and Environmental Protection] in consultation with the Section 151 Officer and Monitoring Officer and the Portfolio Holder for Waste matters may make changes to the Integrated Waste Management contract regarding operational matters in order to achieve improvements to the quality and efficiency of the service provided by the Contractor.

Any such decision shall be recorded in writing on an agreed Decision Form signed by all consultees in order to provide a recognised audit trail of all such decisions and to ensure Member consultation.

The financial limits set out in the constitution will provide the basis of any financial assessment of the benefit or otherwise of any

amendment to the operational requirements of the contract and under the above process will require approval by the Section 151 Officer.

The Corporate Director (Environment) retains the option to refer any matter to the Executive having assessed the potential risk to the Council and impact on service provision to the public.

(c) Chief Executive

The Power to approve new and revised HR policies and procedures is delegated to the Chief Executive. The Chief Executive may decide to refer particular HR policies and procedures to the Personnel Committee rather than exercise the delegation.

3.4 Schedule of Proper Officer Appointments

Sect	Function	Exercised by
The following Officers have been appointed Proper Officer for the purposes of the under-mentioned provisions of the Local Government Act 1972:		
83	Witness and receipt of declarations of acceptance of office	The Chief Executive or Head of Legal Services
84	Receipt of declarations of resignation of office	The Chief Executive or Head of Legal Services
86	Declaration of a vacancy	The Chief Executive or Head of Legal Services
88(2)	Convening of meeting of Council to fill a casual vacancy in the office of Chairman	Head of Strategic Support
89(1)(b)	Receipt of notice of casual vacancy from two local government electors	The Chief Executive or Head of Legal Services
151	Officers having responsibility for the administration of the Council's financial matters	Head of Finance or deputy appointed in writing
210(6) & (7)	Charity functions of holders of offices with existing authorities transferred to holders of equivalent office with new authorities or, if there is no such office, to Proper Officers	Head of Legal Services
212(1) & (2)	Proper Officer to act as local registrar for Land Charges Act 1925	Head of Strategic Support
225(1)	Proper Officer for the depositing with the Independent Adjudicator the list of politically restricted posts under Section 2(4) of the Local Government & Housing Act	Chief Executive

Sect	Function	Exercised by
	1989	
225(1)	Deposit of Documents	Head of Legal Services
228(3)	Accounts of 'any Proper Officer' to be open to inspection by any ~~M~~ member of the authority	Head of Finance
229(5)	Certification of photographic copies of documents	Appropriate Director or Head of Service from which the document originates
234	Authentication of all documents on behalf of the Council	Appropriate Director or Head of Service from which the document originates
	Sealing of all documents on behalf of the Council	Head of Legal Services or ~~their~~ deputy authorised in writing.
236(9)	To send copies of byelaws for Parish records	Head of Legal Services
	To receive copies of byelaws and deposit them with public documents of ~~P~~ arish or community	Head of Legal Services
238	Certification of Byelaws	Head of Legal Services
248	Keeping a Roll of Freeman	Head of Strategic Support
Sch. 12 Para 4(2)(b) & 4(3)	Signature of summonses to Council meetings	Head of Strategic Support
	Schedule 12 Receipt of notices regarding Para 4(3) address to which summons to meetings is to be sent	Head of Strategic Support
Sch. 14 Para 25(7)	Certification of resolutions under Para 25 of Schedule 14	Head of Planning and Countryside
Sch. 16 Para 28	Receipt on deposit of lists of protected buildings (Sections 146(6) and (7) of the Town & Country Planning Act 1990	Head of Planning and Countryside
Section 41 - Local Government (Miscellaneous Provisions) Act 1976: Certification of minutes and resolutions		Head of Strategic Support
Representation of the People Act 1983 as follows:		
Section 8 - Registration Officer and the Deputy Registration Officer under Section 8		Chief Executive

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Sect	Function	Exercised by
of the Act		
Section 35 - Returning Officer for elections		Chief Executive
Local Government Act 1972: Section 115(2) - Receipt of money due from Officers		Head of Finance
Section 146 (1) (a) Declarations and certificates with and (b) regards to securities		Head of Finance
To ensure that the Council's policies on Data Protection and Freedom of Information are complied with.		Head of Strategic Support
Any reference to any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or in any Instrument made before 26th October 1972, which, by virtue of any provision of the said Act, is to be construed as a reference to the Proper Officer of the Council.		Chief Executive Corporate Directors
The provisions of Section 191 of the Local Government Act 1972 - Functions with respect of Ordnance Survey		Head of Planning and Countryside
Any reference in any enactment passed before or during the 1971/72 session of Parliament, other than the Local Government Act 1972, or in any Instrument made before 26th October 1972, to the Public Health Inspector of a District or Borough Council which, by virtue of any provision of the said Act, is to be construed as a reference to the Proper Officer of the Council.		Head of Culture and Environmental Protection
For the purpose of: - Marriage Act 1949 - Registration Services Act 1953 - Local Registration Scheme - Provisions relating to new governance of the Registration Services		Head of Legal Services with Superintendent Registrar as deputy
Local Government Act 1972 as amended:		

Sect	Function	Exercised by
Section 100B(2)	Circulation of Reports and Agendas	Head of Strategic Support
Section 100B(7)	Supply of Papers to the Press	
Section 100C(2)	Summaries of Minutes	
Section 100F	Members' Right to Papers	
Section 100d(1)(a) & Section 100D(5)(a)	Compilation of Lists Background Papers and Identification of Background papers.	
Designated Officer as 'Head of Paid Service' under the provisions of the Local Government and Housing Act 1989		Chief Executive
Designated Officer as 'Monitoring Officer' under the provisions of the Local Government and Housing Act 1989		Head of Legal Services or deputy appointed in writing by the Monitoring Officer.
Signing and authorising all property valuations on behalf of the Council		Head of Finance
Carrying out the various statutory duties required under the Weights and Measures Acts 1963 and 1985 and/or any regulations or amendments made there-under on behalf of the Council.		The most senior qualified Trading Standards Officer as approved and appointed by the Head of Culture and Environmental Protection
Nominating representatives for the purpose of the Local Government Pension Scheme (Internal Dispute Resolution Procedure) Regulations 1997.		Head of Finance (Section 151 Officer)
In the event of any Officers appointed as Proper Officer being absent or otherwise unable to act, the following Officers have been authorised to act as Proper Officers in their place:		
For the Chief Executive		Appropriate Corporate Director
For the Head of Legal Services		Team Leaders within Legal Services with relevant knowledge
For the Head of Finance		Appropriate Corporate Director

Sect	Function	Exercised by
Others		Appropriate Corporate Director

3.4.1 Delegations to Heads of Service

The following delegations are granted to the Heads of Service set out in section 3.5 to 3.16 below.

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3.5 Head of Finance

3.5.1 Designation

The Head of Finance will be the Council's designated Section 151 Officer under the Local Government Act 1972.

3.5.2 Responsibility

The Head of Finance provides strategic support on commissioning to the Council.

The Head of Finance provides strategic financial advice to the Council.

3.5.3 Finance General

- Local Government Finance Act 1992 S17 and Local Government Finance Act 1988 Schedule 4A.
- The power to opt to tax certain properties for VAT purposes (in consultation with Head of Legal Services).
- Determination of the appropriate rate of interest which may be charged, under Section 24 of the Health and Social Services and Social Security Adjudications Act 1983, on any sum charged on or secured over an interest in land under Section 22 of the Act (in consultation with the Corporate Director (Communities))
- Decisions to write off arrears in the case of bankruptcies and liquidations once the Council has proved the debt.
- Declaration of the Local Rate of Interest on Mortgage Advances on the basis that all mortgages are treated as if they are advances under the Housing Act 1985 and subject to decisions being reported to the Executive (in consultation with Head of Care Commissioning, Housing and Safeguarding).
- Agreement as to reduction in rateable value.
- Investment of surplus funds.
- Writing off debts as irrecoverable up to an amount not exceeding £5,000 and exceeding £5,000 in cases where the debtor has been declared bankrupt.
- Rating (Disabled Persons) Act 1978: Section 2 - Granting of rebates to institutions.
- To make any necessary changes to the Constitution consequent upon amendments to the European thresholds on Procurement (see Contract Rules of Procedure).

- To accept terms and conditions attached to any Government grants (e.g. s31 grant for Major Schemes)

3.5.4 Loans and Borrowing

- Raising of loans in sterling to meet the capital requirements of the Council for such amounts and on such terms as are considered necessary.
- Borrowing in sterling from banks up to a prescribed limit by way of overdraft.
- Raising and repayment of temporary loans in sterling.

3.5.5 Valuation

- Service on Valuation Officer of Notice of Objection to any proposals for alteration of the Valuation List.
- Making proposals for the alteration of the Valuation List or for the inclusion of particular properties in the Valuation List.

3.5.6 Housing Benefits

- Housing Benefits General Regulations 1987 - Regulations 79 and 81. Council Tax Benefits (General Regulations 69-70).
- Housing Benefit Regulations 11 (Unsuitable Accommodation) 69(8) (Additional Amount of Benefit in Exceptional Cases), 20 (Benefit by Reference to Another Person's Income). Housing Benefits Regulations 61 (3)(4) (Exceptional Hardship Payments).

3.5.7 Local Government Finance Act 1988

- Sections 89, 91, 92, 97 and 98 - Establishment and Maintenance of Funds.
- Section 134 - Consultation with representatives of National Non-Domestic Ratepayers. (Exercised by the Chief Executive).
- Schedule 9 - Notifications to Valuation Officer.
- Section 41 Publication of Draft NNDR list.
- Sections 27, 73 and 77 - Supply of Information to Secretary of State.
- Section 42A compilation and maintenance, in accordance with section 42B, of a rural settlement list

(Note: this relates solely to the provisions for rate relief for certain types of property in rural settlements having populations of less than 3,000)

- Sections 5, 95(1)-(3), 95(5)-(9), 97 and 107 - Statutory Calculations.

3.5.8 Council Tax (Administration and Enforcement) Regulations 1992

All Local Authority powers/duties contained within regulations except those within Sections 25 and 26 (discounts).

3.5.9 Council Tax (Administration and Enforcement) Regulations 1992 and Schedule 4 Local Government Finance Act 1992

- Representing the Council at all proceedings in connection with the collection of Council Tax.

- All Local Authority powers/duties contained within the Regulations.

3.5.10 Council Tax (Situation and Valuation of Dwellings) Regulations 1992

All Local Authority powers/duties contained within the Regulations.

3.5.11 Council Tax (Reductions for Disabilities) Regulations 1992

All Local Authority powers/duties contained within the Regulations.

3.5.12 Local Authorities (Calculation of Council Tax Base) Regulations 1992

- Regulations 3 to 5 - calculation of the amount of a billing authority's council tax base for the purposes of the calculation of its council tax.
- Regulation 6 calculation of a billing authority's council tax base for a part of its area for the purposes of the calculation of its council tax similarly to the way in which the council tax base is to be calculated for the whole of a billing authority's area under regulations 3 to 5.
- Regulation 7 the calculation of the council tax base of the area or part of the area of a billing authority for the purposes of the calculation of a major precepting authority's council tax and the amount payable by a billing authority to a major precepting authority, based on the rules set out in regulations 3 to 6.

(Note: the power to delegate to officers is contained in section 67 of the Local Government Finance Act 1992 as amended by s.84 of the Local Government Act 2003)

3.5.13 Local Government Finance Act 1992 Section 13A

- Reduction of the amount a person is liable to pay by way of council tax including a power to reduce an amount to nil. The power may be exercised in relation to particular cases or by determining a class of case in which liability is to be reduced to an extent provided by the determination.

3.5.14 Matters Relating to Children and Young Persons

- Where requested by the Head of Legal Services, to take joint action to take out letters of administration with or without the will annexed for:
- the estate of parents or any other person where there is a beneficial interest for children or young persons for whom the Council has parental rights under provisions of the Children Act 1989, or any other statutory provision affecting children and young persons;
- the estates of children or young persons who die whilst in the care of the Council;
- and to administer such estates in the manner directed by the appropriate probate registry.

- Jointly with the Head of Legal Services to accept money or other gifts from third parties for and on behalf of children or young persons in care and to hold or convert such money or gifts on their behalf and to their benefit.
- Local Government Act 1972 Schedule 13 Paragraph 5 - Issue of money bills.

3.5.15 Local Government (Miscellaneous Provisions) Act 1976

- Section 30 – to forgo payment of advances of remuneration paid to deceased employees (in consultation with the Head of Legal Services).
- Section 40 – powers and duties relating to register kept of persons entitled to instruments relating to loans to a Local Authority.

3.5.16 Housing Act 1985

- Applications from tenants to carry out external or internal improvements or alterations to Council dwellings, subject to compliance with Building Regulations and Planning requirements.
- Applications ~~from~~ tenants for the erection of garages, sheds, hardstanding etc., subject to conformity with Building Regulations and Planning requirements. Decisions on all matters relating to Council's conditions of tenancy.
- Applications for consent to transfer existing mortgages into joint names of Mortgagor and other members of the Mortgagor's family.
- Authority to write off amounts of up to £50 in respect of rent arrears.
- Implementation of Court Orders for Possession of Council houses. (Head of Legal Services as instructed by Head of Finance)
- Institution of proceedings for possession of mortgaged houses. (Head of Legal Services as instructed by Head of Finance in consultation with Head of Finance). Decision to 'buy back' Council houses under terms of pre-emption clause.

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3.5.17 Property Matters

- Making proposals to the Valuation Office Rating List.
- Agreement to reductions affecting Council-owned property.
- An agreement of compulsory purchase and home loss payment claims up to £15,000.

3.5.18 Insurance

All insurance arrangements and settlement of claims.

3.5.19 Human Resources

Application of market shift to a post within approved establishment in case of difficulties in recruitment.

3.6 Head of Children's Services

3.6.1 General

- Within the provisions of Part III of the Children Act 1989 and the National Health Service and Community Care Act 1990, to arrange for the purchase

and provision of appropriate care services to those persons assessed as having needs that fall within the Council's agreed priorities, subject always to appropriate Contract and Financial regulations, the approved policies and estimates of the Council and the proper identification of appropriate suppliers.

- To grant applications for and impose conditions of registration of child minding and day-care for young people under the Children Act 1989.
- To revise and cancel registration.
- To vary the conditions of registrations.
- To set up arrangements for the hearing of representations and complaints in accordance with Section 26 of the Children Act 1989 and the National Health and Community Care Act 1996.
- To make provision for the accommodation of children in secure accommodation in accordance with Section 25 of the Children Act 1989.
- To approve and sign applications for passports for children and young persons in the care of the Council.
- To arrange for a child in care to live abroad subject to the approval of a Court in accordance with paragraph 19 of Schedule 2 of the Children Act 1989.
- To approve the applications of children and young persons in the care of the Council who wish to join HM Forces.
- To exercise the functions of the Council under Part VI of the Children Act 1989 in relation to the provision of accommodation for children in community homes.
- To arrange interest free loans to foster parents to provide accommodation for children and young people in care by extending their present homes or to purchase larger homes, the amount of the outstanding loan to be reduced by the way of a special allowance for as long as they care for foster children.
- To approve the institution of adoption proceedings by foster parents.
- To set up an adoption panel in accordance with Regulation 56 of the Adoption Agencies Regulations 1983 and to make such decisions and notifications as to the adoption of children as are specified in those regulations.
- To exercise the functions of the Council under Sections 85 and 86 of the Children Act 1989 in relation to the children accommodated by health and education authorities or in residential care homes or mental nursing homes.
- To assess the contributions to be paid towards board and lodging by working children in accordance with the currently agreed formulae, provided that the amount remaining for weekly personal pocket money and clothing allowance should not be less than the amount currently approved under the payment of foster care allowances.
- To waive charges or make additional allowances where the child has exceptional circumstances, such as apprenticeship and heavy travelling expenses.
- To increase the contribution of children in lodgings in appropriate circumstances in order to help to assimilate the heavier cost of lodging after leaving care.

- To approve request for young people in care to reside outside the UK for the purpose of training, work experience or work opportunities.

3.6.2 Support to Children and Families in their Own Home

- To exercise the powers of the Council under Section 7 of the Children Act 1989 to report to the Court on the welfare of children in private proceedings.
- To exercise any functions of the Council relating to Orders with respect to children in family proceedings under Part II of the Children Act 1989.
- To exercise the powers of the Council under Section 16 of the Children Act 1989 to provide advice, assistance and befriending under the terms of a Family Assistance Order.
- To exercise the functions of the Council under Section 17 and Part I of Schedule 2 of the Children Act 1989 to safeguard and promote the welfare of children in need including financial assistance within current budgetary limits.
- To guarantee to housing associations, district councils and private landlords, and to authorise the payment of any rent accruing due from tenants in those cases where the Council has asked the housing associations or private landlord to retain the tenants in their houses whilst efforts are made by Council's Officers to rehabilitate them in cases coming within the provision of Section 17 of the Children Act 1989.
- Approve arrangements for the financial and other support of young people formerly looked after by the Council and by others under Section 24 of the Children Act 1989 within current budgetary limits.
- In accordance with procedures agreed in writing in advance, with the Head of Finance, to vary the assessment scale in respect of financial contribution by a parent or young person to any service provided by the Council under Part III of the child in question. (Note: The assessment scale is never varied but the amount that is paid is covered by the delegated power to waive charges see above).

3.6.3 Child Protection

- To exercise the functions of the Council in relation to the duty to make investigations as necessary to decide whether action should be taken to safeguard or promote the welfare of children in accordance with Section 47 of the Children Act 1989.
- To take such action as is necessary under Section 31 of the Children Act 1989 to bring a child or young person before a Court where there are grounds for bringing care proceedings.
- To present an application to a Court for the variation or discharge of any care order or supervision order in accordance with Section 39 of the Children Act 1989.
- To present an application to a Court for a Child Assessment Order, an Emergency Protection Order or a Recovery Order under Part V of the Children Act 1989.

3.6.4 Accommodation, Care, Fostering and Adoption

- To provide accommodation for children in need in pursuance of the Council's duty under Section 20 to 23 of the Children Act 1989.
- To exercise the functions of the Council to undertake parental responsibility for children who are the subject of Care Orders and to make arrangements for reasonable contact with parents and others in accordance with Sections 33 and 34 of the Children Act 1989.
- To allow children who are the subject of a care order to reside at home in accordance with Section 23 (5) of the Children Act 1989, subject to the Accommodation with Parents Regulations 1991.
- To make contributions towards the maintenance of children placed with a person as a result of a Residence Order in accordance with paragraph 15 of Schedule 1 of the Children Act 1989.
- To approve payment of the legal expenses of applicants for a Residence Order or other Section 8 Orders in respect of children in care to the extent that they are not met by Legal Aid Fund.
- To change the names of children who are the subject of a care order in favour of the Council, subject to the requirements of Section 33 of the Children Act 1989.
- To appoint an independent visitor for a child where appropriate in accordance with paragraph 17 of Schedule 2 of the Children Act 1989.
- To guarantee apprenticeship and similar deeds under paragraph 18 of Schedule 2 of the Children Act 1989.
- To approve the payment of the legal expense of prospective adoptive parents for children who are being placed for adoption by the Council as an Adoption Agency.
- To grant allowances to persons who have adopted children in accordance with Section 57 of the Adoption Act 1976 and regulations which may be issued by the Secretary of State.
- To take in such action as may be necessary to implement the payment of the various foster care allowances for the time being approved by the Council within current budgetary limits, and in consultation with the Head of Finance, to increase the allowances annually in accordance with the scales recommended by the National Foster Care Association.
- To sanction payment of the cost of the initial clothing and equipment required by children looked after by the Council who are placed in boarding schools and other establishments within current budgetary limits.
- To approve applications to go on school expeditions, including expeditions abroad, of children looked after by the Council including expenditure on equipment and pocket money within the current budgetary limits.
- To make payments within limits set by the appropriate Corporate Director from time to time to promote contact between parents and children looked after by the Council in accordance with paragraph 16 of Schedule 2 of the Children Act 1989.

- To exercise the powers of the Council under Part III of Schedule 2 of the Children Act 1989 relating to contributions towards the maintenance of children looked after by local authorities.
- To exercise the powers conferred on the Council under Part IX of the Children Act 1989 in respect of arrangements for the care of privately fostered children.
- To make decisions to exempt persons from the usual fostering limit in accordance with paragraph 4 of Schedule 7 of the Children Act 1989.

3.6.5 Home Care Services: Financial Matters

- In accordance with procedures approved in advance by the Head of Finance to waive the assessment charges for any services to clients in circumstances where it is essential for the family for social and/or medical reasons and to record every case requiring such action in a register to be provided for this purpose.
- In accordance with procedures agreed in writing in advance, with the Head of Finance, to vary or waive the charges for any service provided by the Council under Part III of the Children Act 1989 and Community Care legislation where failure to do so would adversely affect the welfare of the child/ or adult in question.

3.7 Head of Adult Social Care

3.7.1 Residential and Nursing Home Accommodation

To authorise and approve the maintenance costs for the admission of any person to any residential or nursing home accommodation.

3.7.2 Disability

- To authorise the following facilities for any registered disabled person, within the approved budget and within approved policies:
- attendance at a centre providing appropriate development opportunities;
- the provision of special facilities;
- minor alterations and adaptations to premises including the installation of appropriate equipment, the works to be supervised by the appropriate professional staff;
- contribute, where assessed as appropriate, to the cost of adaptations to premises where the client is not eligible for a grant.
- Within the approved policies and estimates of the Council to discharge the duties towards people with disabilities imposed upon the Council by the National Assistance Act 1948, and the Chronically Sick and Disabled persons (Services Consultation and Representation) Act 1986.
- To act as Deputy in all matters in which it is appropriate for the Council to act and in accordance with any Court Orders made by the Court of Protection.
- To accept a guardianship application and to exercise the powers of Guardianship under ss.7-10 of the Mental Health Act 1983.

- To exercise the functions of the nearest relative under the powers contained in the Mental Health Act 2007 in all matters in which it is appropriate for an Officer of the Council so to act.
- To exercise the functions as laid out in the Deprivation of Liberty Safeguards guidance April 2009

3.7.3 Home Care Services: Financial Matters

- In accordance with procedures approved in advance by the Head of Finance to waive the assessment charges for any services to clients in circumstances where it is essential for the family for social and/or medical reasons and to record every case requiring such action in a register to be provided for this purpose.
- In accordance with procedures agreed in writing in advance, with the Head of Finance, to vary or waive the charges for any service provided by the Council under Part III of the Children Act 1989 and Community Care legislation where failure to do so would adversely affect the welfare of the child/ or adult in question.
- Within the provisions of the National Health Service and Community Care Act 1990, to arrange for the purchase and provision of appropriate care services to those persons assessed as having needs that fall within the Council's agreed priorities, subject always to appropriate Contract and Financial regulations, the approved policies and estimates of the Council and the proper identification of appropriate suppliers.

3.7.4 Carers

Within the approved policies and estimates of the Council to discharge the powers and duties towards carers imposed upon the Council by the Carers (Recognition and Services) Act 1995.

3.8 Head of Care Commissioning, Housing and Safeguarding

3.8.1 Housing Act 2004

- To develop and implement strategies to bring empty homes back into use, including the use of empty Dwelling Management Orders
- To make use of planning and housing powers to address poor housing

3.8.2 Housing Grants, Construction & Regeneration Act 1996

- To give grants and loans for the repair / improvement of housing in accordance with national guidance and locally published policies.
- To award mandatory, and where appropriate discretionary, Disabled Facilities Grants for the purpose of aids and adaptations for eligible people, in accordance with national guidance and local published policies.
- To act as a Director of the Flexible Homes Improvement Limited, on behalf of West Berkshire Council, for the purpose of administering loans for the repair / improvement of housing within the Flexible Home Improvement Loans sub-region

3.8.3 Local Government and Housing Act 1989, Part VIII

- To offer grants for the improvement and/or repair of housing.
- To determine applications for Housing Association Grant with regard to the purchase of properties in the second-hand market for occupation by homeless families in accordance with the special homelessness initiative subject to the contribution on any one unit not exceeding £50,000.
- Determination of application for individual DIYSO Housing Association Grant.
- Implementing rent reviews in accordance with valuers' instructions.

3.8.4 Housing Act 1988 – Part I

- Carry out repairs to units of temporary accommodation in accordance with Housing Sub-Committee Minute 39 (03.02.98).
- Action under Section 157 of the Housing Act 1985 re: Repurchase of ex-Council House Stock on Rural Areas.

3.8.5 Gypsy Sites

- To commission professional services in relation to gypsy sites under the Caravan Sites Act 1988.
- To undertake an assessment of the accommodation needs of Gypsies and Travellers residing in or resorting to the district and to prepare a strategy in respect of meeting those needs, in accordance with the Housing Act 2004
- To apply annual increases to charges on gypsy sites in line with the rent increases applied by West Berkshire Council managing the site to its own tenants.

3.8.6 Housing Act 1996 (as amended by the Homelessness Act 2002

To publish an allocations scheme and develop policies to offer choice to applicants in the allocation of housing

To exercise the duties conferred on the Council under Part VII of the Housing Act 1996 in relation to homelessness.

3.8.7 Home Energy and Conservation Act 1995

To promote energy efficient homes including administering grants for energy efficiency

3.8.8 Future Development Sites

The Head of Care Commissioning, Housing and Safeguarding, in consultation with the Head of Planning and Countryside, be given delegated authority to determine the mix of types of affordable housing (that is to say the ratio of shared ownership to rented or a financial contribution instead that is to be varied, based on individual site/community needs) to be provided on future development sites, in line with adopted planning policies, and that this process form part of any pre-application or general application negotiations undertaken as part of the development control function.

The Head of Care Commissioning, Housing and Safeguarding be given delegated authority to determine the level of affordable housing financial contribution in line with current policy.

3.8.9 Sites with Existing Planning Permission

The Head of Care Commissioning, Housing and Safeguarding be authorised to negotiate with developers variations in the mix of types of affordable housing specified in Section 106 Agreements to be provided on specified sites, following consultation with the Head of Legal Services, the Head of Planning and Countryside, and in line with adopted planning policies

3.8.10 Energy Act 2011

To act as a Shareholder Signatory for the Green Deal Community Interest Company on behalf of West Berkshire Council, for the purpose of recruiting and managing approved local contractors, undertaking targeted marketing and carrying out Green Deal Plans and EPC's, receiving government funding to deliver ECO in the District and for hard to treat homes ie solid walls and providing an advice and guidance service for local residents on energy efficiency and Green Deal issues.

3.9 Head of Strategic Support

3.9.1 General

Power under Section 92 of the Local Government Act 2000 to direct the appropriate Corporate Director or Head of Service in consultation with the relevant Portfolio Member, to make ex-gratia payments up to £2,500 or to provide other benefits to remedy complaints, within the framework of the Local Government Ombudsman Good Practice Remedies (March 2003) document, and Financial Rules of Procedure, and where necessary in consultation with the Monitoring Officer.

3.9.2 Local Government Act 1972

- Section 225(1) – to receive and retain documents deposited.
- Schedule 12 Paragraph 4(2)(a) – to publish the time and place, within five clear working days, of the Council meeting.
- Schedule 12 Paragraph 4(2)(b) – to sign the summons to attend the Council meeting
- Schedule 12 Paragraph 4(3) – to receive notices regarding addresses to which summons to meetings are to be sent.
- Schedule 14 Paragraph 25(7) – to certify copies of resolutions for the purposes of legal proceedings.
- Section 248 – to retain a roll of Freeman

3.9.3 Civil Contingencies Act 2004

The Civil Contingencies Act, 2004 provides a single framework for civil protection in the United Kingdom. Part 1 of the Act and supporting regulations and guidance (Emergency Preparedness) establishes a clear set of roles and responsibilities for those involved in emergency

preparation and response at the local level. The Act divides local responders into two categories, imposing a different set of duties on each.

Those in Category 1, are those organisations at the core of the response to most emergencies (e.g. emergency services, local authorities, NHS bodies). Category 1 responders are subject to the full set of civil protection duties. They will be required to:

- Assess the risk of emergencies occurring and use this to inform contingency planning;
- Put in place emergency plans;
- Put in place Business Continuity Management arrangements;
- Put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency;
- Share information with other local responders to enhance co-ordination;
- Co-operate with other local responders to enhance co-ordination and efficiency; and
- Provide advice and assistance to businesses and voluntary organisations about business continuity management (Local Authorities only).

Category 1 and 2 organisations will come together to form Local Resilience Forums (based on Police areas) which will help co-ordination and co-operation between responders at the local level.

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3.9.4 Electoral Matters

Designation of Polling Places (in consultation with Ward Members).

3.9.5 Localism Act 2011 - Part 5 Chapter 3 - Assets of Community Value

To delegate to the Head of Strategic Support the management of the Assets of Community Value provisions (Community Right to Bid) in accordance with Part 5, Chapter 3 of the Localism Act 2011.

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3.10 Head of Customer Services

3.10.1 Registration of Births, Deaths and Marriages

- To grant or refuse applications for the approval of premises under the Marriage Act 1949 (as amended) and the Marriage (Approved Premises) Regulations 1995 and to revoke any approval which has been granted.
- To determine, in consultation with the Head of Finance, and from time to time vary, the fees payable for the granting or refusal of applications for the approval of said premises.

3.11 Head of ICT and Corporate Support

Local Government (Miscellaneous Provisions) Act 1982 - Section 38 – Use of spare capacity of computers of Local Authorities.

3.12 Head of Highways and Transport

3.12.1 Agreements

- To enter into agreements with other public authorities for the provision of services and the recoupment of charges.
- To enter into agreements relating to placing etc of certain apparatus in or under a highway pursuant to the New Roads and Street Works Act 1991.
- To enter into agreements providing for contributions by developers towards the cost of highway improvements, transportation schemes, or other development to be carried out by the Council.

3.12.2 Transport

- West Berkshire Council is a designated body for the issuing of Section 19 Bus Permits in accordance with the Transport Act 1985 and changes introduced by the Local Transport Act 2008
- To make payments towards the provision of cross boundary public transport services which are the subject of service subsidy agreements entered into by adjoining authorities and which serve the District.
- In consultation with the Head of Legal Services to exercise the powers of the Council under Public Passenger Vehicle Act 1981 including the submission of objections to applications for the grant of the operator's licences under Section 14A.
- To exercise the power of the Council under Section 7 of the Transport Act 1985 to request the Traffic Commissioners to make, vary or revoke traffic regulations conditions affecting local services or to hold an inquiry prior to determination of such conditions.
- To enter into public transport service subsidy agreements under the provisions of the Transport Act 1985 where they are exempt from the tendering requirements in that Act, including de-minimus arrangements.
- To lodge holding objections regarding proposals by operators for withdrawals of or alterations to rail services, or the fares and charges therefore, where it is anticipated that extra Council expenditure would result.
- To serve a 42 day Notice of Deregulation provided that such response is made within existing policy.
- To make objections to applications for Vehicle Operators Licences under Sections 12 to 14 of the Goods Vehicles (Licensing of Operators) Act 1995

3.12.3 Miscellaneous

- To agree contributions to regional water authorities' surface water drainage schemes calculated on the proportion of highway "run-off" to that from other areas, including related matters such as contributions towards the cost of cleansing village ponds, and to make payments to any minor drainage scheme of any type where they are satisfied that highways will benefit.
- To extinguish public rights of way (stop up) and dispose of land not exceeding 500sq m no longer required for highway purposes.

- In consultation with the Head of Legal Services to accept dedications of land donated to the Council for highway purposes.
- To approve and protect development and improvement lines.
- To exercise the Council's powers in relation to cycle tracks under the Cycle Track Act 1984.
- To construct and/or light cycle tracks.
- To alter or remove any cycle tracks.
- To settle compensation claims in respect of drainage or sewerage schemes on behalf of the Council (in consultation with Head of Legal Services).
- To take all necessary action to safeguard the interests of the Council in relation to applications by water undertakings for orders or schemes under the legislation operated by such undertakings.
- In the exercise of the functions of the Council as Highway Authority, to advise on the highway aspects of development control.
- To demolish property acquired for road schemes in advance of requirements subject always to due regard to planning considerations or consent as appropriate.
- To arrange for the temporary use of land for the dumping or storing of highways materials or equipment.
- To erect traffic signs and to arrange wayleaves for their erection on private property.
- To adopt streets constructed to specification.
- To plan and carry out highway improvements not requiring planning permission subject to consultation with the appropriate Executive Member and Ward Members. If the purchase of land is necessary then delegated authority (for land up to the value of £300,000) from the Head of Legal Services will be required.
- To fix contributions to private street works and charges apportioned in flank and rear frontages in accordance with the Council's approved policy.
- To apply for planning permission for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992.
- To approve and licence (including charging any appropriate fees for doing so):
 - the placing of structures within highway limits;
 - the laying maintenance and inspection of pipes, cables or other lines over or under highways;
 - the erection of stiles, gates or cattle grids and enforcement and maintenance of stiles and gates under Sections 146 and 147 of the Highways Act 1980;
 - arrangements for motor vehicles and cycle trails;
 - the construction of a building over any part of a highway.
 - the placing of tables and chairs on the public highway.
- To exercise the Council's powers including the giving of formal notices:

- to prohibit horses, cattle or vehicles entering on ornamental gardens within the highway;
- to pipe or culvert and fill up roadside ditches;
- to require the execution of works to prevent soil or refuse from land from falling or being washed on to a street;
- to take action in relation to any obstruction of or damage to or nuisance to the highway or users thereof;
- to exercise the Council's powers and duties under Part III of the New Roads and Street Works Act 1991 (other than the institution of legal proceedings);
- to require the removal of obstructions to sight lines at corners and to remove unauthorised signs on any part of the highway;
- to require the removal, lopping and cutting of trees or hedges overhanging or near to a highway;
- to take action in relation to any obstruction of or damage to or nuisance to the highway or users thereof.
- To carry out:
 - minor temporary repairs in private streets required to remove danger to persons or vehicles;
 - emergency works of any kind whether or not provision has been made in the estimates, where justified in their opinion (and that of the Head of Legal Services), by the scale of the potential legal liability.
- To respond to consultations from the Department for Transport, and others pursuant to Sections 247, 248, 251 and 253 of the Town and Country Planning Act 1990.
- Selection of sites for street seats.
- Approval of requests for street closures or for making orders for the prevention of obstructions in the street during public processions etc in accordance with Section 21 of the Town Police Clauses Act 1847.
- Approval of applications for permission to hold events in Council car parks.
- Approval of requests to waive car parking charges in the period leading up to Christmas.
- To implement highway maintenance and improvement works in accordance with approved budgets and to agreed service standards in accordance with the Highways Act 1980 [and current guidance](#).

3.12.4 Road Traffic Regulations Act 1984

- To exercise powers under Sections 14(1) and 16(a) for works and events (respectively) on the public highway.
- To post temporary notices for traffic management under Section 14(2).
- Where a Committee, the Executive or Council have already approved in principle an experimental traffic order to exercise powers under the Act to advertise that order and subsequently implement it provided no objections are received. Where an order is implemented, the Ward Members will be advised.

- Where a Committee, the Executive or Council have already approved in principle any traffic order (for speed limits, prohibitions of movement, weight limits, etc.) to exercise powers under the Act to advertise that order and subsequently implement it provided no objections are received. Where an order is implemented, the Ward Members will be advised.

3.12.5 Berkshire Act 1986

- Section 4 - to recover expenses reasonably incurred in fencing or lighting a source of danger or obstruction to persons or vehicles using a highway from the owner or other person responsible for the danger or obstruction.
- Section 5 - to specify modifications to plans sections and particulars submitted by a landowner in support of a private street works scheme.
- Section 8 - to affix to any building or structure in or having a frontage to or construction over any road in the District a traffic sign or any apparatus required for illumination forming part of any sign.

3.12.6 Highways Act 1980

- Section 38 - For the construction and dedication of new streets to standards laid down by the Highway Authority.
- Section 41 – To exercise powers in respect of the duty to maintain highways.
- Sections 64 and 69 - Provision of planting within the highway by the Local Authority (in consultation with Head of Planning and Countryside).
- Sections 64 and 96 - To enter into agreements for the maintenance and planting of land within highways limits and to authorise other authorities.
- Section 65 - To exercise the Council's powers under this Section of the Act.
- Section 100 - To exercise powers relating to highway drainage.
- Section 132 - To exercise powers relating to unauthorised markings on highways.
- Section 134 - To grant extensions to the statutory periods of reinstatement of footpaths and bridleways.
- Sections 141 and 142 - Determination of applications for licences to plant on the public highway and removal of unauthorised planting (in consultation with Head of Planning and Countryside).
- Section 144 - To exercise powers relating to the erection or consent to erection of flagpoles, pylons or structures on highways for the purpose of displaying decorations.
- Section 154 - To exercise powers relating to the service of notices requiring the cutting or felling of trees etc. that overhang or are a danger to roads or footpaths.
- Sections 165 and 166 - Serving of Notices in respect of dangerous forecourts and land adjacent to the public highway.
- Section 169 - To exercise powers relating to the control of scaffolding or other structure on or over the highway.

- Section 170 - To exercise powers relating to the control of mixing mortars, cement or other bound materials on the highway.
- Section 171 - To exercise powers relating to the control of deposits of building materials or excavations within the highway.
- In consultation with the Head of Finance to issue licences and fix and collect fees in relation to the following matters governed by the Highways Act 1980:
 - Mixing of Mortar - Section 170;
 - Construction of bridges - Section 176;
 - Placing of rails, beams etc on highways - Section 178;
 - Construction of cellars under streets -Section 179;
 - Control of openings into cellars etc under streets and pavement lights and ventilators - Section 180.
- Section 184 - To exercise powers relating to the service of notices that the Council proposes to construct a vehicle crossing over the footway.
- Section 219 - To exercise powers relating to the service of notices under the Advance Payments Code.
- Section 256 - To enter into agreements to exchange land to straighten or adjust boundaries.

3.12.7 Land Drainage Act 1991

To exercise the Council's powers and duties under the Land Drainage Act 1991 and any secondary legislation made there under and including any amending or updating to this legislation.

3.12.8 Reservoirs Act as Amended by the Flood and Water Management Act 2010

To exercise the Council's powers and duties under the Reservoirs Act 1975 and the Flood and Water Management Act 2010.

3.12.9 Environmental Protection Act 1990

To exercise powers including serving of notices in respect of statutory nuisance relating to drainage.

3.12.10 Goods Vehicles (Licensing of Operators) Act 1985

In consultation with the Head of Legal Services and the Head of Planning and Countryside to submit objections to the Traffic Commissioner on behalf of the Council.

3.12.11 Traffic Management Act 2004

- To act as the Traffic Manager in accordance with the requirements of the Traffic Management Act 2004.
- To exercise powers in relation to road and street works co-ordination and related matters.

Deleted: <#>To exercise powers relating to drainage otherwise than in connection with a main river or the banks of such a river.¶
<#>Section 18 – To exercise powers relating to the drainage of small areas.¶
<#>To exercise powers to require works for maintaining the flow of a watercourse including serving of notices. As amended by the Flood and Water Management Act 2010¶
<#>To grant consent for any works on ordinary water courses.¶

3.12.12 Clean Neighbourhoods and Environment Act 2005

To exercise powers in relation to Part 2 (Section 3-8) of Clean Neighbourhoods and Environment Act 2005.

3.12.13 Other Powers –Consultation Provisions

All consultations on Transport issues (with the exception of those deemed significant and requiring referral to the Executive/Select Committee) be delegated to the Head of Highways and Transport in consultation with the Leader, appropriate Portfolio Holder and Opposition Spokesperson.

3.12.14 Flood and Water Management Act 2010

To exercise the Council's powers and duties under the Flood and Water Management Act 2010 and any secondary legislation made there under and including any amending or updating to this legislation.

Deleted: <#>Section 7 – to act as Lead Local Flood Authority for West Berkshire;¶
<#>Section 9 – to exercise the Council's duty to develop, maintain, apply and monitor a strategy for local flood risk management within West Berkshire;¶
<#>Sections 14 & 15 – to exercise the Council's power to request information in connection with the Authority's flood risk management functions;¶
<#>Section 19 – To exercise the Council's duty to investigate flood incidents, publish the results and notify the relevant risk management authorities.¶
<#>Section 21 – To exercise the Council's duty to maintain a register of structures or features which (in the opinion of the authority) are likely to have a significant effect on a flood risk in its area;¶
<#>Section 30, Schedule 1 – To exercise the Council's power to designate structures and features that affect flooding (in consultation with the Head of Legal Services);¶
<#>Section 32, Schedule 3 :¶
<#>Authority to create a SuDs Approval Body for the determination of Sustainable Drainage applications on new developments;¶
<#>Determination of Sustainable Drainage applications (in consultation with the Head of Planning and Countryside);¶
<#>Charge fees for the approval, inspection and adoption of Sustainable Drainage systems;¶
<#>To exercise the Council's duty to adopt Sustainable Drainage systems as detailed in part 17 of schedule 3.¶

3.13 Head of Legal Services

3.13.1 General

- Institution and defence of any legal proceedings in the name of the Council.
- This role also manages corporate procurement activity and provides advice and support to the Council on procurement and the development and delivery of efficiency programmes.
- Sealing of all documents on behalf of the Council

3.13.2 Local Government Act 1972

- Section 85 - Authority be delegated to the Monitoring Officer to allow the Monitoring Officer to approve applications in writing from absent Councillors in exceptional circumstances (such as serious illness, extended work commitments abroad or extended service in the Forces) subject to consultation with Group Leaders. Any applications for extended absence would be limited to two three month periods only and in the event of disagreement between the Group Leaders, the application would be determined by a Special Meeting of the Governance and Audit Committee.
- Section 229(5) - Certification of photographic copies of documents.
- Section 234(1) and (2) - Authorisation of documents.

3.13.3 Local Government (Miscellaneous Provisions) Act 1976:

Section 29 - Application to High Court for repayment of monies paid into Court under Sub-Sections 76 or 85 Land Clauses Consolidation Act 1945 or Section 9 or Schedules 2 and 3 of the Compulsory Purchase Act 1965.

3.13.4 Miscellaneous

- To take all necessary steps to take out letters of administration with or without the will annexed either alone or jointly with the Head of Finance for:
- the estates of parents or any other person where there is a beneficial interest for children or young persons for whom the Council has parental rights under

provisions of the Children Act 1989, or any other statutory provision affecting children and young persons;

- the estates of children or young persons who die whilst in the care of the Council;
- and to administer such estates in the manner directed by the appropriate probate registry.
- To exercise the Council's powers to be a Trust Corporation.
- To act for all Trading Standards Officers authorised as Inspectors.
- To authorise the issue of official certificates of search of the Council's Land Charges Register.
 - The Head of Legal Services acting as Monitoring Officer may make minor amendments to the Constitution in order to ensure that legislative provisions are current and any typographical or other errors are corrected.

3.13.5 Commons Registration

To exercise the Council's powers and duties in relation to Commons and Towns and Village Greens.

3.13.6 Licences

- Following approval of applications by the Head of Planning and Countryside, to issue waste disposal site licences or management licences (including notices of modification) incorporating suitable conditions.
- To make objections to applications for Vehicle Operator's Licence under Sections 12 to 14 of the Goods Vehicles (Licensing of Operators) Act 1995.

3.13.7 Highways Act 1980

(All powers under this Act to be exercised in consultation with the Head of Highways and Transport and to be exercised also in consultation with the Head of Planning and Countryside where relating to a Public Rights of Way).)

- To enter into Wayleave and Drainage easements
- To enter into public path creation agreements under Section 25 of the Highways Act 1980 except where a capital payment by the Council is involved.
- To enter into agreement under Section 38 of the Highways Act 1980 for the construction and dedication of new streets.
- Under the provisions of Section 135 of the Highways Act 1980 to make Orders to allow for excavation or other engineering operations reasonably necessary for the purpose of agriculture.
- To enter into highway maintenance agreements with adjacent Authorities in the interests of operational efficiency under Section 8 of the Highways Act 1980.

3.13.8 Notices and Orders in relation to Highways and Public Rights of Way

(All powers to be exercised in consultation with the Head of Highways and Transport or the Head of Planning and Countryside in respect of Public Rights of Way.)

- Head of Planning and Countryside to be able to serve Notices, in consultation with the Head of Legal Services
- To exercise the Council's powers including the giving of formal notices:
- to require the removal of obstructions to sight lines at corners and to remove unauthorised signs on any part of the highway;
- to require the removal, lopping and cutting of trees or hedges overhanging or near to a highway;
- to take action in relation to any obstruction of or damage to or nuisance to the highway or users thereof.
- to serve notices in respect of obstructions and other nuisances and to take enforcement action as required.
- To make and confirm orders for the diversion or extinguishment of footpaths or bridleways proposed by the Head of Planning and Countryside.
- To make and confirm orders for the modification of the Definitive Map and Statement under Sections 53, 53B, 55, 57 and 57A Wildlife and Countryside Act 1981 as proposed by the Head of Planning and Countryside.
- To accept in respect of property blighted by approved schemes blight and purchase notices, and to serve counter notices of objections under the town and country planning and land compensation legislation, and to authorise payment on the execution of works to any person who appears to be entitled to the same under the legislation in force from time to time (in consultation with the appropriate Corporate Director or Head of Service)
- To sign, on behalf of the Council, application requests for any direction and for any restriction to access to public open access land or related matters, in accordance with the Countryside and Rights of Way Act 2000.

3.13.9 Berkshire Act 1986

(All powers under this Act to be exercised in consultation with the Head of Highways and Transport).

- Pursuant to Section 7 of the Berkshire Act 1986, to make application to the County Court for an order vesting former highway land in the highway authority.
- Pursuant to Section 9 of the Berkshire Act 1986, to recover from the person responsible the cost of making good damage caused to a grass verge or footway of a highway by any person carrying on building operations or delivering goods to premises in the course of trade.

3.13.10 Road Traffic Regulation Act 1984

- To exercise the Council's powers under the Road Traffic Regulation Act 1984 to restrict or prohibit vehicular and pedestrian movements as necessary to

facilitate the holding of a “relevant event” when it is considered that an order under the Town Police Clauses Act 1847 is inappropriate (in consultation with the Head of Highways and Transport).

- To advertise proposals to make orders for traffic management other than temporary orders under Section 14(1) of the Road Traffic Regulation Act 1984 as substituted by the Road Traffic (Temporary Restrictions) Act 1991 and to subsequently make the orders where no objections to those proposals are received.
- To make temporary orders for traffic management under Section 14(1) of the Road Traffic Regulation Act 1984 as substituted by the Road Traffic (Temporary Restrictions) Act 1991

3.13.11 Town and Country Planning General Development Order 1998

- To exercise the Council's powers under the Town and Country Planning General (Development Management Procedure) England Order 2010, on the instructions of the Head of Planning and Countryside, subject to the conditions below:
- Article 4: the making, service and confirmation of directions restricting permitted development;
- Part 6: Determination whether planning permission is required following notification of agricultural development
- The delegations relating to Stop Notices and Article 4 Directions above shall be exercised subject to the following:
- The action shall be taken after consultation with the Chairman or in their absence the Vice-Chairman of the District Planning Committee and appropriate Ward Members, if available.
- The action taken shall be reported to the next meeting of the appropriate Area Planning Committee.
- In exercising these powers the Officers shall have regard to the urgency of the action which is required.
- Subject to circumstances, the Officers may report the matter to the appropriate Area Planning Committee for decision where it is prudent to do so.
- The creation of charges on property, in appropriate circumstances, in accordance with Section 22 of the Health and Social Services and Social Security Adjudications Act 1983 as amended (in consultation with the Corporate Director, (Communities)).

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3.13.12 Localism Act 2011

The Head of Legal Services acting as Monitoring Officer (or their nominated representative) in consultation with an Independent Person pursuant to the Localism Act 2011 and its associated Regulations shall ensure that an Initial Assessment of any complaint in respect of Councilors' (District, Town or Parish) behavior in relation to the Code of Conduct is determined in accordance with the complaints procedure adopted by the Council.

3.13.13 Property Matters

- Agreements for easements and wayleaves to an unlimited value.
- Agreement for leases and licences up to a value of £100,000 per annum.
- Agreement to purchases and sales of land up to consideration of £300,000.
- Surrenders.
- Lifting of all restrictive covenants up to a value of £300,000.

3.14 Head of Planning and Countryside

3.14.1 Countryside including Rights of Way functions

- Management of Recreation Facilities where these are public open spaces.
- Admission and exclusion of public to recreation facilities and premises (also Head of Cultural Services).
- Letting of recreation facilities and premises (also Head of Cultural Services).
- To carry out powers in relation to The Hedgerow Regulations 1997.
- To grant a licence and associated consents for the annual Michaelmas Fair.
- To exercise powers in relation to the Clean Neighbourhoods and Environment Act 2005.
- To exercise the powers and duties of the Council (in consultation with the Head of Legal Services), in relation to public rights of way, including the making and service of Notices and Orders, under the following primary legislation, and any secondary legislation made thereunder, including amendments or updates to the legislation.

Countryside Act 1968

Countryside and Rights of Way Act 2000

Criminal Damage Act 1971

Environmental Protection Act 1990

Highways Act 1980

Land Drainage Act 1991

Local Government (Miscellaneous Provisions Act) 1976

National Parks and Access to the Countryside Act 1949

Natural Environment and Rural Communities Act 2006

New Roads and Street Works Act 1991

Rights of Way Act 1990

Town and Country Planning Act 1990

Wildlife and Countryside Act 1981

- To enter into maintenance agreements in relation to Public Rights of Way, where appropriate, and in consultation with the Head of Legal Services
- To approve and protect development and improvement lines.

- The exercise (in consultation with the Head of Legal Services), of the common law duty to 'seek, prevent and remove obstructions' (Bagshaw vs Buxton Local Board of Health 1875).

3.14.2 Highways Act 1980 and Town and Country Planning Act 1990

- To enter into agreements and make creation orders, where appropriate, and in consultation with Ward Members, for the creation of new public rights of way
- To extinguish rights of way, where appropriate, and in consultation with Ward Members
- To divert public rights of way, where appropriate, and in agreement with Ward Members.
- To enter into maintenance agreements, where appropriate, and in consultation with Ward Members.

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3.14.3 Agreements relating to Public Rights of Way

- To enter into agreements with other public authorities for the provision of services and the recoupment of charges.
- To enter into agreements relating to placing etc of certain apparatus in or under a highway pursuant to the New Roads and Street Works Act 1991.
- To enter into agreements providing for contributions by developers towards the cost of highway improvements, transportation schemes, or other development to be carried out by the Council.

3.14.4 Miscellaneous relating to Public Rights of Way

- To extinguish public rights of way (stop up) and dispose of land not exceeding 500sq m no longer required for highway purposes.
- In consultation with the Heads of Legal Services and Highways and Transport:
- to accept dedications of land donated to the Council for highway purposes.
- In the exercise of the functions of the Council as Highway Authority, to advise on the highway aspects of development control.
- To arrange for the temporary use of land for the dumping or storing of highways materials or equipment.
- To keep the definitive maps and statement under review
- To plan and carry out highway improvements not requiring planning permission subject to consultation with the appropriate Executive Member and Ward Members.
- To approve and licence (including charging any appropriate fees for doing so):
- the placing of structures within highway limits;
- the erection of stiles, gates or cattle grids and enforcement and maintenance of stiles and gates under Sections 146 and 147 of the Highways Act 1980;
- arrangements for motor vehicles and cycle trails;
- To exercise the Council's powers including the giving of formal notices:

- to pipe or culvert and fill up roadside ditches;
- to take action in relation to any obstruction of or damage to or nuisance to the highway or users thereof;
- to require the removal of obstructions to sight lines at corners and to remove unauthorised signs on any part of the highway;
- to require the removal, lopping and cutting of trees or hedges overhanging or near to a highway;
- to take action in relation to any obstruction of or damage to or nuisance to the highway or users thereof.
- To respond to consultations from the Department of Transport, Environment and the Regions and others pursuant to Sections 247, 248, 251 and 253 of the Town and Country Planning Act 1990.
- To implement highway maintenance and improvement works in accordance with approved budgets and to agreed service standards in accordance with the Highways Act 1980.

3.14.5 Berkshire Act 1986

- Section 32 – To ensure access for the Fire Service in planning applications.
- Section 33 – To ensure the provision of means of escape from fire in certain buildings.
- Section 35 – To ensure adequate fire and safety precautions in public buildings.
- Section 36 – To ensure adequate safety precautions in relation to vehicle parking in buildings.
- Section 37 – To ensure adequate fire precautions in storage buildings over 7,000m³.
- Section 38 – To ensure adequate fire precautions in high buildings.

Deleted: Brigade

3.14.6 Planning

- Subject to the conditions set out below, the determination, granting or refusal of Notifications and Applications for permission, certification approval or consent relating to developments and works.
- Subject to the conditions set out below, the approval or refusal of items reserved or conditioned by any permission, approval or consent.
- Subject to the conditions set out below, the determination of applications for advertisement consent.
- In respect of applications determined by the District Planning Committee or relevant Area Planning Committees and subject to the conditions set out below and consultation with the Ward Members, the acceptance of minor amendments to schemes already permitted, approved or consented to.
- Subject to the conditions set out below, the giving of observations on consultations and enquiries received from service or government departments, local authorities and other bodies relating to minor development. The issue of approvals or the making of formal observations concurring with other local

authorities, Crown bodies or government departments where they accord with Council policy.

- Prior to determination of submitted application, the acceptance of amendments to submitted application for permission approval or consent.

Conditions

The delegations set out above shall be exercised subject to the following:

- The Area Planning Committees shall reserve the authority to determine any type or class of application.
- The Council may modify or revoke the scheme of delegation at any time.
- An application may be referred to the appropriate Area Planning Committee for determination by:
 - the relevant Area Planning Committee Chairman; or
 - a Member for the Ward to which the application relates;
 - a Member for a Ward adjoining the Ward to which the application relates.
- the Head of Planning and Countryside or the Development Control Manager
- Members who wish to 'call-in' an item to be discussed at an Area Planning Committee will be required to complete the agreed proforma which must be submitted either in hard copy by letter or fax or electronic copy via e-mail. The consent of the Chairman of the appropriate Area Planning Committee, or if unavailable, the Vice-Chairman, is required.

(Note: If the Chairman or, if unavailable, the Vice-Chairman, does not give consent then the application will not be referred to a Planning Committee.)

The Officers will refer for determination to the appropriate Area Committee any application, including:

- Where the application is a major one or there are five or more objections and it is submitted by, or on behalf of West Berkshire Council, or where the land in question is owned by the Council if there are five or more objections or if the application is a major one;
- those submitted by or on behalf of a member of staff of Planning,
- those submitted by or on behalf of a West Berkshire Council Member, if there are five or more objections or if the application is a major one;
- those recommended for approval, for which a petition of objection has been received of at least 20 signatories;
- those recommended for approval, for which at least 10 letters of objection have been received;
- those applications not considered prudent by the Development Control Manager to be determined under delegated authority.

Prior to determination of submitted applications, the acceptance of amendments to submitted applications for permission, approval or consent.

3.14.7 Town and Country Planning Act 1990

Subject to the conditions at paragraph 3.14.6 (Planning) above, to exercise the powers and duties of the Council under the Town and Country Planning Act 1990 and any secondary legislation made thereunder, and including any amendments or updates to the legislation, including but not limited to the following powers:

- Determination of applications as to whether Planning Permission is required.
- Response to Purchase Notices.
- The serving and enforcement of Planning Contravention Notices.
- The issuing, service and enforcement of Enforcement Notices including action in default when required.
- The service and enforcement of Stop Notices.
- The service and enforcement of Breach of Condition Notices.
- Injunctions restraining breaches of planning controls.
- The issue of Lawful Use or Development Certificates.
- The making and enforcement of Tree Preservation Orders and the determination of applications for consent in respect of such Orders.
- The service of Notices in relation to untidy land and consequent action to secure compliance.
- Enforcement against breaches of Advertisement Regulations.
- To carry out powers in relation to Part VIII and Part X of the Town and Country Planning Act 1990.

3.14.8 Planning (Listed Buildings and Conservation Areas) Act 1990

Subject to the conditions at paragraph 3.14.6 above (Planning), to exercise the powers and duties of the Council under the Planning (Listed Buildings and Conservation Areas) Act 1990 and any secondary legislation made thereunder, and including any amendments or updates to the legislation, including but not limited to the following powers:

- The service of Building Preservation Notices.
- Enforcement in respect of unauthorised works to listed buildings.
- The issuing and service of Listed Building Enforcement Notices.
- The issuing and service of Urgent Works Notices and execution of works as contained in the Notice.
- Authority to take Direct Action, under the Planning and Compensation Act 1991, to carry out works under an Enforcement Notice.
- To request further information, evidence or plans under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 1995 and Article 4 of the Town and Country Planning (Applications) Regulations 1998, and subsequent amendments, where details submitted with an application are considered inadequate or incomplete.

- The issue of approvals or the making of formal observations concurring with other local authorities, Crown bodies or government departments, where they accord with Council policy.

3.14.9 Other Powers – Technical, Legal and Consultation Provisions

- Authority to sign Decision Notices regarding the granting or refusal of planning permissions, consents or approvals.
- Authority to enter into Legal Agreements to secure planning obligations for the provision of mitigation where unacceptable harm would otherwise result as a consequence of development
- To respond to requests under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment (England and Wales)) Regulations 1999 for a view as to whether an environmental statement is considered necessary in connection with a particular development proposal and to establish the scope of any such assessment.
- To determine whether or not to issue an Article 4 Direction upon notification of a developer's intention to exercise any permission for mineral operations granted by virtue of the Town and Country Planning (General Permitted Development) Order 1995, as amended.
- To express the Council's view on planning applications in respect of former County Matters referred by local authorities outside the District for development which would not prejudice the Council's planning policies.
- All consultations on Planning issues (with the exception of those deemed significant and requiring referral to the Executive/Select Committee) be delegated to the Head of Planning and Countryside in consultation with the Leader, appropriate Portfolio Holder and Opposition Spokesperson.

3.14.10 Minerals

- Consultations on Mineral Safeguarding Areas.
- Complying with the requirements of the Environmental Impact Assessment Regulations 1999:
- Screening Opinions (Part II Section 5)
- Scoping Opinions (Part IV Section 10)
- Provision of information in respect of compilation of Environmental Statements notification of consultees of intention to compile an Environmental Statement and the need to supply information for this purpose. (Part IV Section 12). Also advertising.
- Responding to notifications under the General Permitted Development Order 1995:
- mineral exploration (Part 22, Class B of Schedule 2);
- the removal of material from mineral workings (Part 23, Class B and C of Part 19 of Schedule 2)
- Review of mineral planning applications under the Environment Act 1995:
- deciding the dates by which applications for development must be made;

- determining applications for postponement of the review date.
- Serving aftercare non-compliance notices in relation to permissions for mineral workings and waste disposal sites (in accordance with Schedule 5 of the Town and Country Planning Act 1990 and para. 69 of MPG7).
- Responding to adjoining local authorities on consultations on:
 - minerals and waste disposal consultations;
 - their minerals and waste plans.

3.14.11 Environmental Protection Act 1990 (as amended by Environment Act 1995)

To consider and make representations on proposals referred to the Council by the Environment Agency on the issuing of Waste Management Licences.

3.14.12 The Building Act 1984

- Sections 1, 8 and 16 – Determination of applications for Building Regulation Consent; applications for dispensation from, or relaxation of, Building Regulation requirements.
- Section 10 – Advertisement of proposed dispensation.
- Section 15 – To consult the Fire ~~Service~~ concerning dispensations.
- Section 18 – Building over/close to Thames Water sewers.
- Section 19 – Short-lived materials.
- Section 20 – Unsuitable materials.
- Section 21 – Provision of drainage.
- Section 24 – Fire exits.
- Section 25 – Water supply.
- Section 32 – Lapse of Building Regulations approval.
- Section 33 – Tests for conformity.
- Sections 35 and 36 – Prosecution of offences (and removal of offending work) under the Building Regulations.
- Sections 47-54 – Monitoring of building work supervised by approved inspectors.
- Section 57 – Prosecution of offences by approved inspectors.
- Section 71 – Exits and entrances to public buildings.
- Section 72 – Means of escape from certain high buildings.
- Section 73 – Raising of chimneys.
- Section 74 – Rooms below subsoil water level.
- Section 76 – Defective premises
- Sections 77 and 78 – Notices and action in respect of dangerous buildings and structures.

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- Section 79 – Ruinous and dilapidated buildings and neglected sites.
- Section 80 – The power to prosecute in respect of failure to give notice of intention to demolish
- Section 81 – Notices in respect of demolition.
- Section 95 – Power to enter premises.
- Section 96 – Provisions as to entry.
- Section 107 – Recovery of expenses.
- Fix charges for Building Regulation Fees.

3.14.13 Local Government Miscellaneous Provisions Act 1976

- Section 16 – The serving of Requisition of Information Notices.
- Section 23 and 24 – Authorisation of action and service of Notices to make trees safe and recovery of costs from owner or occupier.
- Section 25 and 26 – Serving of Notices and subsequent action to provide protection to the public from dangerous excavations on private land to which the public has access.

3.14.14 Environmental Protection (Controls on Injurious Substances) Regulations 1993

Sections 5 & 6 – Prohibiting the use of timber containing Pentachlorophenol.

3.14.15 Local Government (Miscellaneous Provisions) Act 1982

- Section 17 – Power of entry.
- Section 29 – Protection of buildings.

3.14.16 Clean Air Act 1993

Section 16 – Height of chimneys.

3.14.17 The Building Regulations 2010

Section 16 – Laying open uninspected work.

3.14.18 The Building (Local Authority Charges) Regulations 1998

Section 3 – Fix charges for Building Regulation fees.

3.14.19 Wildlife Heritage Sites and Regionally Important Geological and Geomorphological Sites

To make decisions on recommendations from the Berkshire Nature Conservation Forum in relation to the designation, re-designation or change to boundaries of Wildlife Heritage Sites and Regionally Important Geological and Geomorphological Sites in accordance with the Planning Policy Guidance Note No.9, in consultation with the Portfolio and Shadow Portfolio Holders.

3.14.20 Party Walls Act 1996

To be the Appointing Officer under the Party Walls Act 1996.

3.14.21 Planning and Compulsory Purchase Act 2004

To exercise the Council's powers and duties under the Planning and Compulsory Purchase Act 2004.

3.14.22 The Building (Local Authority Charges) Regulations 2010 – Scheme of Charges**3.14.23 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000**

To exercise responsibility for accepting or rejecting a request for a local listing unless the proposed listing receives 10 letters of objection or the local Ward Member or adjoining Ward Member requests that the listing be determined by the appropriate Area Planning Committee.

3.15 Head of Culture and Environmental Protection**3.15.1 Waste Management**

The Head of Culture and Environmental Protection shall be authorised to enforce and administer the following primary legislation and any secondary legislation made thereunder and this includes any amendments to or updating of the legislation set out below:

- Anti Social Behaviour Act 2003
- Clean Neighbourhoods and Environment Act 2005
- Control Of Pollution Act 1974
- Control of Pollution (Amendment) Act 1989
- Environment Act 1995
- Environmental Protection Act 1990
- European Communities Act 1972
- Refuse Disposal (Amenity) Act 1978

3.15.2 General

- To grant a licence and associated consents for the annual Michaelmas Fair.
- The day-to-day management of the Council portfolio of land and buildings, including lease renewals, assignments and rent reviews, subject to the concurrence of the appropriate Heads of Service and/or Corporate Director.

3.15.3 Exercise of Powers under Legislation

The Trading Standards Manager shall be authorised to enforce and administer the following primary legislation and any secondary legislation made thereunder and this includes any amendments to or updating of the legislation set out below. This authorisation shall also apply to matters set out in the agreement between West Berkshire District Council by Wokingham Borough Council dated 2nd June 2010:

Administration of Justice Act 1970

~~Agricultural Act 1970~~

Animal Health Act 1981

Deleted: Agriculture (Miscellaneous Provisions) Act 1968

Animal Welfare Act 2006
 Anti Social Behaviour Act 2003
 Cancer Act 1933
 Charities Act 1992
 Children and Young Persons Act 1933
 Children and Young Persons (Protection from Tobacco) Act 1991
 Chiropractors Act 1994
 Clean Air Act 1993
 Clean Neighbourhoods and Environment Act 2005
 Companies Act 2006
 Consumer Credit Act 1974
 Consumer Credit Act 2006
 Consumer Protection Act 1987
 Copyright Designs and Patents Act 1988
 Courts and Legal Services Act 1990
 Criminal Justice Act 1988
 Customs & Excise (Management) Act 1979
 Development of Tourism Act 1969
 Education Reform Act 1988
 Enterprise Act 2002
 Environmental Protection Act 1990
 Estate Agents Act 1979
 European Communities Act 1972
 Explosives Act 1875
 Explosives Act 1923
 Farm and Garden Chemicals Act 1967
 Fireworks Act 1951
 Fireworks Act 2003
 Food and Environment Protection Act 1985
 Food Safety Act 1990
 Forgery and Counterfeiting Act 1981
 Fraud Act 2006
 Hallmarking Act 1973
 Health and Safety at Work etc. Act 1974
 Intoxicating Substances (Supply) Act 1985
 Knives Act 1997

Deleted: Energy Act 1976¶
 Energy Conservation Act 1981¶

Deleted: Fair Trading Act 1973 ¶

Licensing Act 2003

Local Government (Miscellaneous Provisions) Act 1976

Local Government (Miscellaneous Provisions) Act 1982

Malicious Communications Act 1988

Medicines Act 1968

Motor Cycle Noise Act 1987

▼ National Lotteries etc Act 1993

Olympic Symbols etc. (Protection) Act 1995

Osteopaths Act 1993

Performing Animals (Regulation) Act 1925

Petroleum (Consolidation) Act 1928

Petroleum (Transfer of Licences) Act 1936

Poisons Act 1972

Prices Acts 1974

▼ Proceeds of Crime Act 2002*

Protection from Harassment Act 1997

Public Health Act 1936-1984

Regulatory Enforcement and Sanctions Act 2008

Road Traffic Act 1988

Road Traffic Act 1991

Road Traffic (Foreign Vehicles) Act 1972

Road Traffic Regulation Act 1984

Scotch Whisky Act 1982

Solicitors Act 1974

Sunbeds (Regulation) Act 2010

Tattooing of Minors Act 1969

▼ Theft Act 1968

▼ Tobacco Advertising and Promotion Act 2002

Tobacco Products Duty Act 1979

Trade Descriptions Act 1968

Trade Marks Act 1994

Unsolicited Goods and Services Act 1971 and 1975

Vehicles (Crime) Act 2001

Video Recordings Act 1984 and 2010

Violent Crime Reduction Act 2006

Weights and Measures Act 1985

Deleted: Motor Vehicles
(Safety Equipment for Children)
Act 1991¶

Deleted: Property
Misdescriptions Act 1991¶

Deleted: Telecommunications
Act 1984 ¶

Deleted: Theft Act 1978 ¶
Timeshare Act 1992¶

** Note: Financial Investigators are authorised by a body delegated under the Proceeds of Crime Act*

The Environmental Health and Licensing Manager shall be authorised to exercise the powers and duties of the Council under the following primary legislation and any secondary legislation made there under and include any amending or updating the legislation set out below. This authorisation shall also apply to matters set out in the agreement between West Berkshire District Council by Wokingham Borough Council dated 10 January 2012

Environmental Health and Licensing

Animal Boarding Establishments Act 1963

Berkshire Act 1980

Breeding of Dogs Act 1973

Breeding of Dogs Act 1991

Building Act 1984

Caravan Act 1968

Caravan Act 1985

Caravan Sites and Control of Development Act 1960-1985

Chronically Sick and Disabled Persons Act 1970

Cinema Act 1968-1985

Clean Air Acts 1956-1993

Clean Neighbourhoods and Environment Act 2005

Control of Pollution Act 1974

Crime and Disorder Act 1997

Criminal Justice and Public Order Act 1994

Dangerous Dogs Act 1991

Dangerous Wild Animals Act 1976

Disabled Persons Act 1981

Dogs (Fouling of Land) Act 1996

Environment Act 1995

Environmental Protection Act 1990

Factories Act 1961

Food Safety Act 1990

Gambling Act 2005

Guard Dogs Act 1975

Health and Safety at Work etc. Act 1974

Health Act 2006

Home Safety Act 1961

Housing Acts 1957, 1985, 1996, 2004
Housing Grants, Construction and Regeneration Act 1996
Land Compensation Act 1973
Late Night Refreshment Houses Act 1969
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Local Government Acts 1953-1989
Local Government and Housing Act 1989
National Assistance (Amendment) Act 1951
National Assistance Act 1948
Noise Act 1996
Noise and Statutory Nuisance Act 1993
Offices, Shops and Railway Premises Act 1963
Pesticides Act 1996
Pet Animals Act 1951
Pollution, Prevention and Control Act 1999
Prevention of Damage by Pests Act 1949
Private Hire Vehicles (Carriage of Guide Dogs etc.) Act 2002
Public Health (Control of Disease) Act 1984
Public Health Acts 1936, 1961
Radioactive Substances Act 1993
Rag Flock Act 1961
Regulation of Investigatory Powers Act 2000
Riding Establishments Act 1964/1970
Scrap Metal Dealers Act 1964/ 2013
Safety of Sports Grounds Act 1975
Slaughter of Poultry Act 1967
Slaughterhouses Act 1974
Sunday Trading Act 1994
Theatres Act 1968
Town Police Clauses Acts 1847-1889
Transport Act 1980
Water Acts 1945-1989
Water Industries Act 1991
Zoo Licensing Act 1981

3.15.4 Clean Neighbourhoods and Environment Act 2005

To exercise powers in relation to the Clean Neighbourhoods and Environment Act 2005.

3.15.5 Authorisation

The Head of Culture and Environmental Protection shall be authorised:

- to authorise any other Officer to exercise any of the powers granted under this scheme where this is necessary for the exercise of their day to day duties;
- to appoint the Council's Chief Weights and Measures Inspector;
- to act as the Council's Proper Officer for the purposes of any enactment passed before or during the 1971/72 session of Parliament other than the Local Government Act 1972 or in any other instrument made before 26th October 1972, which refers to the post of Public Health Inspector.

The Trading Standards Manager and the Environmental Health and Licensing Manager shall be authorised to:

- to authorise Officers for the purpose of enforcement and administration of the legislation listed;
- to institute legal proceedings or authorise other Officers to institute legal proceedings in respect of those matters set out in 3.15.3

3.15.6 Culture General

- Local Government (Miscellaneous Provisions) Act 1982, Section 41 - Action considered appropriate in relation to property found in buildings or premises administered by Cultural and Environmental Protection Services.
- Letting of recreation facilities and premises (also Head of Planning and Countryside).
- Admission and exclusion of public to recreation facilities and premises (also Head of Planning and Countryside).
- Acquisition of items under Museum acquisition scheme.
- Administer Archive Service on behalf of all six Unitary Authorities in Berkshire.
- To act in conformity with the Public Libraries and Museums Act 1964, as amended, and the Local Government and Housing Act 1989 and the policies of the Council.
- To manage public libraries in conformity with the Public Libraries and Museums Act 1964 (as amended) and the Local Government and Housing Act 1989 and the policies of the Council.

3.16 Head of Education Services

3.16.1 General

The Head of Education Services shall be authorised to exercise the powers and duties of the Council under the following primary legislation and any secondary legislation made there under and including any amending or updating to this legislation:

Education Act 1962

Further Education Act 1985
Education Reform Act 1988
Further and Higher Education Act 1992
Education Act 1996
School Inspections Act 1996
Education Act 1997
School Standards and Framework Act 1998
Special Educational Needs and Disability Act 2001
Education Act 2002
Education Act 2005
Education and Inspections Act 2006
Education and Skills Act 2008
Apprenticeships, Skills, Children and Learning Act 2009

3.16.2 Admissions

- To consult annually with governing bodies about admission arrangements as required by Section 88 of the School Standards and Framework Act 1998.
- To keep Standard Numbers under review and to implement any necessary changes, where these are agreed by the governing body.
- To respond to any proposals from governing bodies to increase Standard Numbers.
- To set admission limits which exceed the Standard Number where this is considered appropriate.
- To administer arrangements for admissions to nursery schools and classes in accordance with policies agreed by the Local Education Authority.
- To administer arrangements for the admission of individual pupils to primary and secondary schools including designated areas and other relevant factors and to present the case on behalf of the Authority to admission appeal panels.

3.16.3 Attendance at School

- To ensure that appropriate transport arrangements are made in accordance with the Authority's policies.
- To authorise home to school transport outside existing policy, in exceptional circumstances.
- To exercise the powers and duties of the Authority in respect of children excluded from school and to make arrangements for the continuing education of pupils who are excluded or otherwise unable to attend school.
- To authorise any proceedings necessary to enforce legal action relating to the non-attendance of pupils at school, or education other than at school.
- To undertake the powers and duties of the Authority under Section 36 of the Children Act 1989 regarding Education Supervision Orders.

- To consult annually on admission arrangements prior to determination as required by Section 88(e) of the SSFA (School Standards and Framework Act) 1998.

3.16.4 Special Educational Needs

- To arrange for children to be assessed in accordance with the requirements of the Education Act 1996 to determine the special educational provision which should be made for them and to maintain and review statements of special educational need in accordance with any regulations concerning these.
- To represent the Authority at statutory appeal tribunals in connection with the assessment of special educational needs.
- To ensure that the requirements of any statutory Codes of Practice, or other regulations are complied with.
- To determine and authorise the payment of boarding awards, grants towards tuition fees and expenses at schools where fees are payable, major and further education awards, maintenance allowances and tuition fees for correspondence courses and requests for the refund of grants in accordance with the policy of the Council.
- To determine applications for assistance towards travelling expenses from further education students over the age of 21 who apply on grounds of hardship within the Council's approved scheme.
- To approve the payment of recoupment charges for pupils and students at out of District establishments.

3.16.5 School Term Dates

In the case of the Local Education Authority (LEA), Voluntary Controlled and Special Schools, including residential schools, to determine school term dates after consultation with the Consultative Panel for Teachers.

3.16.6 Name of School

To approve the name of a school proposed by the governors.

3.16.7 Curriculum

- In accordance with arrangements approved by the Secretary of State under Section 409 of the Education Act 1996, to investigate complaints concerning alleged failures of schools to comply with the LEA's curriculum policy statement and the National Curriculum, including the requirements for religious education and collective worship.
- To determine whether application should be made to the Secretary of State to direct that an LEA-maintained school be authorised to conduct curriculum experiments outside the National Curriculum.
- To provide on behalf of the Authority any information which the Secretary of State may by regulation require.

3.16.8 Staffing – in respect of Nursery Schools

- To advise the Governing Body and/or the Selection Panel as to the shortlisting of candidates for Headship in accordance with the provisions of the Education Act 1996.

- To make arrangements for all other staffing appointments, subject to the provision of the Articles of Government.
- Subject to the Articles of Government and the disciplinary procedures applicable in each specific case, to authorise disciplinary action as appropriate.
- To approve appointments for additional teaching staff and to grant special allowances within the scheme approved by the Council.
- To approve applications for leave of absence for teachers to attend courses exceeding three months.

3.16.9 Staffing – in respect of Primary, Secondary and Special Schools

- To appoint persons elected by Governing Bodies to fill vacant posts in schools, unless the person so recommended does not meet the staff qualification requirements applicable to the appointment.
- In the case of Aided Schools, to exercise any advisory rights relating to the appointment of Headteachers, Deputy Headteachers or other teaching or ancillary staff conferred by agreement or legislation.
- To nominate persons for consideration to fill vacancies in other teaching posts in schools where Governing Bodies have notified their intention to fill those vacancies.
- To appoint persons selected by Governing Bodies as their Clerks.
- To implement decisions of Governing Bodies of schools relating to the determination of potential dismissals and any subsequent appeals against such dismissals which are in the Authority's power to determine.

3.16.10 All Educational Establishments

- To exercise the powers of the Local Education Authority in respect of the Licensed Teacher Scheme.
- To exercise the powers and duties under the Education (School Teacher Appraisal) (England) Regulations 2000.

3.16.11 Finance

- To design and keep under review the Authority's Scheme of Delegation in accordance with the Authority's policies and any statutory requirements.
- To approve loans for any education project within the policy of the Council which provides for loans.
- To determine applications for financial assistance from staff in accordance with any schemes approved by the Council.
- Acceptance of tenders and authority to sign, or authorise the sealing of contracts, for works and/or services for schools funded other than by the Council (or where the funding is in whole or in part passported through the Council).

3.16.12 Provision of Information Concerning Individual Performance of Pupils

- In accordance with Section 537 of the Education Act 1996, to provide performance information as specified.
- In accordance with Section 38 of the Education Act 1997, to provide such information to the Chief Inspector as may be prescribed.

3.16.13 Governance

- Appointment of local education authority governors: in accordance with Section 19 of the Education Act 2002 and relevant regulations to appoint and dismiss local education authority governors.
- Training and support of governors: in accordance with Section 22 of the Education Act 2002, to provide information for governors and necessary training.

3.16.14 Miscellaneous

- To establish, alter or discontinue any LEA maintained school in accordance with the SSFA 1998.
- To approve instruments of Government for all LEA maintained schools in the District in the future and to review or vary such instruments of Government (including nursery schools) as may be required by the Governors or the LEA.
- To consider and determine a complaint (not falling within 3.15.7 above) made against a LEA maintained school following conclusion of the School's complaints procedures.
- To make provision for the day-care of pre-school children and provision for out-of-school and holiday care and activities as appropriate in accordance with the duties and powers of the Council under Section 18 of the Children Act 1989.
- To approve minor amendments to the Council's Code of Conduct regarding the use of Fixed Penalty Notices for school non-attendance.

3.16.15 Post 16 Years - Education and Training provision

To exercise the powers and duties of the Council under the Apprenticeships, Skills, Children and Learning Act 2009 acting in conjunction with the Head of Service (Adult Social Care) and/or the Head of Children's Services as and when appropriate

3.17 Head of Public Health and Wellbeing

3.17.1 General

The Director of Public Health, working through the Head of Public Health and Wellbeing, has delegated authority for those matters which they are required to be responsible for under the National Health Service Act 2006 (as amended by the Health and Social care Act 2012).

3.17.2 Health of the Population

The duty imposed upon the Council to "take such steps as it considers appropriate for improving the health of the people of its area".

3.17.3 General

Any public health functions of the Secretary of State which he requires local authorities to discharge on his/her behalf.

3.17.4 Dental Health

Dental health functions for which the Council has responsibility

3.17.5 Health of Prisoners

The duty to co-operate with the prison service to secure and maintain the health of prisoners.

3.17.6 Weight Measurement and Children's Sexual Health Service

The Council's duties set out in Schedule 1 of the National Health Act 2006, which include medical inspection of pupils, including the weighing and measuring of pupils and the provision of children sexual health services.

Deleted: ,

3.17.7 Violent Offenders

Arrangements for assessing the risks posed by violent and sexual offenders.

3.17.8 Health Protection

To include the provision of screening and immunisation programmes, sexual health services, infectious disease control and emergency planning.

3.17.9 Health Improvement

To include children's public health, adult healthy lifestyles (drug and alcohol misuse, campaigns to prevent cancer and long term conditions, dental public health and local initiatives to reduce deaths as a result of seasonal mortality) and the wider determinants of public health such as housing, planning, and education.

Deleted: C

3.17.10 Health Care Public Health

The provision of specialist public health advice to Clinical Commissioning Groups (CCGs) in the following areas which will be the subject of the "core offer":

- (a) production of the Joint Strategic Needs Assessment;
- (b) reviewing service provision and providing advice to CCGs to reduce health inequalities;
- (c) advising Clinical Commissioning Groups on priorities based on appropriate data; and
- (d) procuring services and advising on the cost effectiveness of interventions.

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Title of Report:	Changes to the Constitution – Part 13 Codes and Protocols
Report to be considered by:	Council
Date of Meeting:	4 March 2014
Forward Plan Ref:	C2771

Purpose of Report:

To review and amend sections of Part 13 (Codes and Protocols) i.e. Appendices A (West Berkshire Code of Conduct for Planning), D (Gifts and Hospitality: A Code of Conduct for Councillors), E (Procedure for Local Determination of Allegation) and G (West Berkshire Code of Conduct for Licensing) in light of legislative changes, policy changes and recent government guidance.

Recommended Action:

1. To agree the amendments and any additional changes required.
2. To agree that the changes will come into effect on the 05 March 2014.

Reason for decision to be taken:

To ensure that the Council has adjusted the scheme in light of legislative and policy changes.

Other options considered:

Not to agree the changes

Key background documentation:

None

The proposals will help achieve the following Council Strategy principles:

- ☒ **CSP7 - Empowering people and communities**
- ☒ **CSP9 - Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy principles by:

Ensuring that the Constitution is up to date

Member Details	
Name & Telephone No.:	Councillor Jeff Beck
E-mail Address:	jbeck@westberks.gov.uk
Date Portfolio Member agreed report:	10 February 2014

Contact Officer Details	
Name:	David Holling/ Andy Walker
Job Title:	Monitoring Officer/ S151 Officer
Tel. No.:	01635 519422/ 01635 519433
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Implications

Policy:	Will require changes to the Constitution
Financial:	None – will be undertaken within existing resources.
Personnel:	None
Legal/Procurement:	Will require the Constitution to be updated
Property:	None
Risk Management:	None

Is this item relevant to equality?	Please tick relevant boxes	Yes	No
Does the policy affect service users, employees or the wider community and:			
• Is it likely to affect people with particular protected characteristics differently?		☐	☒
• Is it a major policy, significantly affecting how functions are delivered?		☐	☒
• Will the policy have a significant impact on how other organisations operate in terms of equality?		☐	☒
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		☐	☒
• Does the policy relate to an area with known inequalities?		☐	☒
Outcome (Where one or more 'Yes' boxes are ticked, the item is relevant to equality)			
Relevant to equality - Complete an EIA available at www.westberks.gov.uk/eia			☐
Not relevant to equality			☒

Is this item subject to call-in?	Yes: ☐	No: ☒
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		☒

Executive Summary and Report

1. Introduction

- 1.1 West Berkshire Council's Code of Conduct for Councillors was adopted by Full Council at its meeting on 10th May 2012 and came into effect from 1st July 2012. A scheduled review of the Code of Conduct and the underpinning processes was undertaken in the second half of 2013 by both the Standards Committee and the Governance and Audit Committee. The ensuing amendments were adopted at the December 2013 Council meeting.
- 1.2 It is therefore now necessary to re-write Appendix E (Procedure for Local Determination of Allegations) to reflect the revised governance arrangements and procedures for dealing with complaints made against District, Town and Parish Councillors.
- 1.3 Following an internal audit of the management of the Constitution in 2010 it was noted that one of the responsibilities of the Finance and Governance Group is to have ownership of the Council's Constitution. The content of the Local Code of Corporate Governance says that there will be an annual review of the operation of the Constitution.
- 1.4 A timetable has been established for the Finance and Governance Group to review individual sections of the Constitution and a number of Officers have been involved in revising specific parts of the Constitution. This report proposes amendments to sections of Part 13 (Codes and Protocols) namely: Appendices A (West Berkshire Code of Conduct for Planning), D (Gifts and Hospitality: A Code of Conduct for Councillors), E (Procedure for Local Determination of Allegations) and G (West Berkshire Code of Conduct for Licensing) in light of legislative changes, policy changes and recent government guidance.
- 1.5 The existing Protocol for Planning (Appendix A) and the Protocol for Dealing with Gifts and Hospitality by Councillors (Appendix D) have had to be substantially re-written and therefore the tracked changes have not been shown.
- 1.6 Appendices D and E were considered by the Standards Committee on the 13 January 2014 and they proposed a few minor amendments to Appendix D. The Standards Committee recommended approval of the two Appendices.
- 1.7 The Governance and Audit Committee considered all the appendices and there recommended amendments are also set out below.

2. Part 13 Codes and Protocol – Appendix A (West Berkshire Code of Conduct for Planning)

- 2.1 The following key changes have been made to the document by Officers:
 - (a) To align this Part of the Constitution with the revisions to the Councillors Code of Conduct (Appendix H to part 13 of the Constitution) and the Officers' Code of Conduct as set out in Part 13 of the Constitution.
 - (b) To amend the Code in light of the Localism Act 2011 and the document issued by the Local Government Association entitled "Probity in Planning".

Two particular areas of the Localism Act are relevant to this Code. Firstly, with regard to pre-determination the Act makes it clear that it is proper for Councillors to play an active part in local discussions and that they should not be liable to legal challenge as a result, provided they maintain an open mind. Secondly, and related to pre-determination, the act introduces a new requirement for developers to consult local communities before submitting planning applications for certain developments. This gives Councillors and local residents a chance to comment when there is still genuine scope to make changes to proposals at both pre-application and post submission stage.

2.2 The following changes were proposed by the Governance and Audit Committee:

Item/ Ref	Amendment
Item Appendix A - Paragraph 15.3	This paragraph did not reflect current practice and should be amended to read 'A site visit is used to assess the impact of the proposed development on any locality.'
Item Appendix A - Paragraph 16.2	Replace the word 'may' with 'must' in the first line.

3. **Part 13 Codes and Protocol – Appendix D (Gifts and Hospitality: A Code of Conduct for Councillors)**

3.1 The following key changes have been made to the document by Officers:

- (a) The document has been substantially re-written with a view to making it easier to read and to ensure it accords with the revised requirements for declaring interests, gifts and hospitality set out in the Localism Act 2011.
- (b) A number of discussions have taken place on the threshold for declaring gifts and hospitality. The Standards Committee have recommended retention of the current £25.00 limit on the basis that Councillors are familiar with this limit.
- (c) The amended protocol takes into consideration changes required following the enactment of the Bribery Act 2010 which came into force on the 01 July 2011 which creates offences of 'bribing another person' or 'being bribed'.
- (d) The revised protocol also gives examples of when it might be appropriate to accept gifts and hospitality.

3.2 The Standards Committee requested that the following additional amendments be made to the document:

- (a) In relation to Rule 1 that required Councillors to seek authorisation from the Monitoring Officer prior to accepting any gifts and hospitality be amended so that it only applied to hospitality.
- (b) the second bullet point under the heading 'gifts which are more likely to be considered acceptable' be extended to include 'training' and 'working meetings'

- (c) a reference to gifts or hospitality received by Councillor's spouses/ partners be included in the introduction.

3.3 The following changes were proposed by the Governance and Audit Committee:

Item/ Ref	Amendment
Item Appendix D	Last paragraph remove the reference to the form
Item Appendix D - Gifts which are most likely to be considered as acceptable	Sentence to start with a capital 'M'

4. Part 13 Codes and Protocol – Appendix E (Procedure for Local Determination of Allegations)

4.1 The appendix had been re-written to take into account the revised arrangements pertaining to the Standards Regime adopted at the 01 July 2012 Council meeting and reviewed at the December 2013 meeting.

4.2 It was noted that the number of complaints received by the Standards Committee remained relatively low and to date no hearings had taken place under the new system. It might therefore be necessary to reconsider the latter stages of the procedure in light of any operational difficulties experienced once a hearing had taken place.

4.3 The following changes were proposed by the Governance and Audit Committee:

Item/ Ref	Amendment
Item Appendix E – Paragraph 1.2	Remove the word 'the' before the 01 July 2012
Item Appendix E – Paragraph 5.3	Insert the word 'member' after 'subject' in the first line
Item Appendix E – Paragraph 6.2	Insert the word 'the' before Director of Public Prosecutions in the first line.
Item Appendix E – Paragraph 8.8	Penultimate line replace the word 'complaint' with 'complainant'
Item Appendix E – Paragraph 11.3 (v)	Insert a bracket after the word appropriate.

5. Part 13 Codes and Protocol – Appendix G (West Berkshire Code of Conduct for Licensing)

5.1 The following key changes have been made to the document by Officers:

- (a) The document has been amended with a view to making it easier to read.
- (b) The document has been amended to reflect the changes that have recently been made to the Code of Conduct for Councillors, the Code of Conduct for Officers and changes to the protocol associated with gifts and hospitality.

- (c) The Localism Act 2011 amended requirements in relation to interests that have to be declared and this has been reflected in the document.
- (d) References to the Standards Board and the old national Code of Conduct have been changed to reflect the current Standards regime.
- (e) The document had been amended to ensure that reference was made to the requirements of the Gambling Act 2005.

5.2 The following changes were proposed by the Governance and Audit Committee:

Item/ Ref	Amendment
Item Appendix G paragraph 4.3	Delete the last it paragraph on page 132 as it has been repeated
Item Appendix G Paragraph 6	Should be headed 'Interests'
Item Appendix G Paragraph 13.3	Should refer to Licensing Policies <u></u>

6. Proposals

- 6.1 It is proposed that the amendments to Part 13 Appendices A, D, E and G of the Council's Constitution be approved.

7. Equalities Impact Assessment Outcomes

- 7.1 This item is not relevant to equality.

8. Conclusion

- 8.1 The report is a required update to take cognisance of legislative and policy changes. For the avoidance of doubt the changes will come into effect on the 05 March 2014.

Appendices

Appendix A – Appendix A - West Berkshire Code of Conduct for Planning
Appendix B – Appendix D – Gifts and Hospitality: A Code of Conduct for Councillors
Appendix C – Appendix E – Procedure for Local Determination of Allegations
Appendix D – Appendix G – West Berkshire Code of conduct for Licensing

Consultees

Local Stakeholders: Standards Committee

Officers Consulted: Andy Day, Sarah Clarke, Moira Fraser, Finance and Governance Group, David Pearson, Derek Carnegie, Gary Rayner, Brian Leahy, Paul Anstey and Corporate Board

Trade Union: Not consulted

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Appendix A

West Berkshire Code of Conduct for Planning **December 2012**

1. Introduction

- 1.1 This Code of Conduct is intended to guide the procedures by which Councillors and Officers of the Council deal with planning matters and to set standards of probity and conduct which the people of West Berkshire can expect of them.
- 1.2 As Planning affects peoples' lives and private interests, it can be very contentious. It is, therefore, important that members of the public understand the system and have confidence in its integrity and transparency, and that Councillors and Officers, involved in the 'planning' process, avoid impropriety or even the suspicion of impropriety.
- 1.3 The role of Councillors on any planning committee involves balancing the needs and interests of individual constituents and the community with the need to maintain an ethic of impartial decision making and compliance with the planning process and adopted policies. A transparent open process is therefore essential.
- 1.4 The role of Officers within the planning process is also vital and is covered in this protocol.
- 1.5 If Councillors need any guidance on any matter under this Code, they should seek it from the Monitoring Officer but it is the Councillor's responsibility to comply with the Code.

2. Relevant Legislation

- 2.1 The conduct of both Officers and Councillors in Local Government needs to be of the highest standing. The Nolan Committee's Third Report investigated standards in public life, and was followed by the Local Government Act 2000 which introduced a structure by which local authorities were to promote high standards of conduct, through a National Code of Conduct for Councillors. In 2013 the Local Government Association provided updated guidance on "Probity in Planning" and the Localism Act 2011 has created a new Standards regime with a more local focus.
- 2.2 This Code has been adapted from national guidelines on probity to take account of the local situation. Two particular areas of the Localism Act are relevant to this Code. Firstly, with regard to pre-determination the Act makes it clear that it is proper for Councillors to play an active part in local discussions and that they should not be liable to legal challenge as a result, provided they maintain an open mind.

- 2.3 Secondly, and related to pre-determination, the act introduces a new requirement for developers to consult local communities before submitting planning applications for certain developments. This gives Councillors and local residents a chance to comment when there is still genuine scope to make changes to proposals at both pre-application and post submission stage.
- 2.4 This Code of Conduct forms part of the Council's Constitution. This Code is available to the public and is on the Council's website. It will supplement the Councillors adopted Code of Conduct (Appendix H to Part 13 of the Constitution).
- 2.5 The governance structures and rules of procedure for the Area and District Planning Committees are set out in Part 7 (Regulatory and Other Committees Rules of Procedure) of the Constitution.

3. Breaches of the Code

- 3.1 A breach of this Code, while not usually amounting to a breach of criminal law, may adversely affect the reputation of the Council and the reputation of an individual Councillor. It could result in a decision being judicially reviewed or result in a complaint to the Local Government Ombudsman, or an allegation of a breach of the Code of Conduct.
- 3.2 Any alleged breach of this Code of Conduct will be investigated locally in accordance with the procedures associated with the Code of Conduct (see Appendix H to Part 13 of the Council's Constitution). It is the responsibility of the Monitoring Officer to investigate the case and prepare a report for the Standards Committee if a breach of the Code of Conduct is alleged to have occurred.
- 3.3 Where any Officer is concerned, in an alleged breach of this Code, this will be investigated in accordance with the Council's disciplinary procedure.

4. Role and Conduct of Councillors and Officers

- 4.1 Councillors and Officers have different, but complementary, roles in the planning process and it is important that an open, respectful and transparent relationship is developed based upon mutual trust and understanding of each other's positions. It is important for the overall standing of the Council that they work as an effective team.
- 4.2 Members of the Planning Committee have different roles to those of other Councillors. Councillors who are members of the Planning Committee determine the more significant and contentious planning applications received by the Council. In doing so these Councillors and nominated substitutes perform a quasi-judicial role and are required to consider all planning proposals against the wider public interest.
- 4.3 When considering planning applications Councillors need to ensure that only material planning considerations are taken into account. In reaching a decision Councillors should ensure they read, consider and take account of the relevant material considerations connected with the application and should not favour any person, group or locality or put themselves in a position where

they may appear to do so. In order to ensure that decisions are taken on planning grounds and are sound it is incumbent on all Planning Committee Members to give full consideration to reports prepared by Officers and familiarise themselves with all relevant national planning guidance (including the National Planning Policy Framework), Development Plan policies and other material considerations well in advance of the consideration of a development proposal at the Planning Committee itself.

- 4.4 Planning Committee Members must take steps to ensure that in their discharge of their Planning Committee duties the distinction between this role and their role as Ward Members is constantly made clear. If Members wish to act in the latter capacity they must make that clear at the outset.
- 4.5 Officers are employed by the Council. Instructions may only be given to Officers by the Council, its Executive or a Committee or by way of delegated powers. Officers involved in the processing and determination of Planning matters must act in accordance with the Officers Code of Conduct (see Part 13 of the Constitution) and with the relevant sections of the Royal Town Planning Institute's Code of Professional Conduct and any other applicable guidance. Officers are required to act impartially at all times in determining applications and providing advice at the Planning Committee. Officers will be expected to conduct themselves in all they say and do in a manner which totally preserves this position of impartiality.
- 4.6 It is not appropriate for Councillors to direct Officers to determine an application in a particular way. A Councillor must not use improperly their position as a Member to confer on, or secure for himself or any other person, an advantage or disadvantage.
- 4.7 Councillors must not favour, or discriminate against, any person, company, group or locality nor put themselves in a position where they appear to do so.

5. Gifts and Hospitality

- 5.1 Both Officers and Councillors must be cautious about accepting gifts and hospitality.
- 5.2 Any Councillors offered any gift or hospitality, in their capacity as Members must treat the offer in accordance with Appendix D (Gifts and Hospitality: A Code of Conduct for Councillors) to Part 13 (Codes and Protocols) of the Constitution. Officers offered any gift or hospitality must treat the offer in accordance with paragraphs 13.5.2 (Gifts & Hospitality – General), 13.5.3 (Rules and Procedure for Gifts and Hospitality) and 13.5.4 (Hospitality) of the Council's Constitution.

6. Interests

- 6.1 A Register of Councillors' interests is maintained by the Council's Monitoring Officer and is available for public inspection and is published on the Council's website.
- 6.2 Written details of Disclosable Pecuniary Interests must be provided to the Monitoring Officer within 28 days of election or appointment to office and any

changes to those interests must also be provided to the Monitoring Officer in writing within 28 days of the member becoming aware of such changes.

- 6.3 Where Councillors have a personal interest they must disclose to that meeting the existence and nature of that interest at the start of the meeting or when the interest becomes apparent. Councillors who have a personal interest in an item are permitted to take part in the discussion and vote on the item.
- 6.4 Where Councillors have a Disclosable Pecuniary Interest (DPI) they may attend a meeting either as a member of the committee and/or as a Ward Member but only for the purposes of making representations, answering questions or giving evidence relating to the business (provided the meeting is one where members of the public are allowed to make representations). They may not propose a motion, vote or take part in the decisions making process of the Committee. They must withdraw from the meeting before the vote is taken and their vacating the room will be noted in the Minutes of the meeting. It is for the individual Councillor to decide what the interest is. They may seek advice from the Monitoring Officer or from Legal Services but it is their decision. If advice is sought it should be sought as early as possible. It is therefore important that agenda are read in good time and that, if possible, advice is sought no later than the day before the meeting. It is better not to raise a query on interests in a public forum. By doing so, public perception may well lead to the conclusion that the interest is a DPI.
- 6.5 Members who have a DPI may, in certain circumstances, apply for a dispensation which would allow them to take part in discussions and vote on an item, The procedure for applying for and the granting of dispensations is set out in Appendix 2 to Appendix H (the Code of Conduct) to Part 13 (Codes and Protocols) of the Council's Constitution.
- 6.6 Ward Members who have an interest (personal or DPI) in an item should ask for that interest to be recorded on the planning file. This is especially important where Ward Members seek permission to call the item to Committee.

7. Pre-Disposition or Pre-Determination

- 7.1 Members of the Planning Committee need to ensure that they do not fetter their ability to participate in the decision making process on an application by making up their mind or clearly indicating that they have made up their mind on how they will vote prior to the consideration of the application by the Committee.
- 7.2 The Planning Committee should, when considering an application, take into account all views that are expressed in such a way that they are openly heard and fairly considered in a balanced way before the Committee reach a decision.
- 7.3 Members of the Planning Committee can have a predisposition to an initial view, where the Councillor is clear they are still willing to listen to all the material considerations presented at the Planning Committee before deciding on how to exercise their vote on behalf of the community.

- 7.4 A Councillor that has fettered their discretion and then takes part in the decision making process will put the Council at risk of a finding of maladministration and of legal proceedings on the grounds of there being a risk of bias or predetermination or a failure to not take into account all of the factors enabling the application to be considered on its merits.
- 7.5 The Localism Act 2011 (Section 25) provides that a Councillor who has expressed a preference for a particular outcome of an application as it proceeds to determination, will **not** be taken to have had a closed mind when making the decision just because they have previously done or said anything to indicate their view in respect of the matter. However, in order to use this provision, it is important that a fair minded observer would consider that the Councillor was open to changing their mind in the light of different or additional information, advice or evidence presented.
- 7.6 It will be evident that the appropriate action is not clear cut and will depend on the circumstances of a particular case and application. Planning Committee members need to avoid bias and predetermination and take account of the general public's (and the Ombudsman's) expectation that a planning application will be processed and determined in an open and fair manner. To do this, Councillors taking the decision on an application must take account of all the evidence presented before arriving at a decision, and should avoid committing themselves one way or another before hearing all the arguments.
- 7.7 A situation can arise when a Member of the Planning Committee represents a Ward within which a contentious application is lodged. If, prior to the matter being considered by the Planning Committee, that Councillor decides to make a public statement, and either supports or opposes the application, it will be difficult for that Councillor to be seen to subsequently determine the application transparently, openly and fairly. Accordingly, the Councillor should make an open declaration, in relation to their position and not vote on the determination of the application at Planning Committee.
- 7.8 The open declaration should be noted in the Planning Committee minutes. The Councillor will also be required to vacate their seat within the Planning Committee and to sit within the public gallery for the duration of the consideration of the item, and where they have exercised their right to speak as a Ward member, they can address the Planning Committee at the appropriate time in accordance with the Ward Member speaking arrangements (see paragraph 7.13 (Planning Applications)).
- 7.9 Ultimately it is the responsibility of the individual Councillor to ensure that, as a result of their stance in regard to a particular matter the Planning Committee is not compromised and it is also for them to strike the balance that may need to be made between ward and other interests and the requirements of the Planning Committee.

8. The Role of the Executive Member

- 8.1 Members of the Executive (also known as Portfolio Holders) may be on Planning Committees and may have an interest in an application because of their role on the Executive.
- 8.2 There may be occasions where the Council is sponsoring a development and an Executive Member may be seen as the chief advocate on the Executive.
- 8.3 In such circumstances the appropriate approach is that the Executive Member may argue for (or against) the development in the planning meeting during the debate but may not vote on the relevant application. It is recommended that the Executive Member advise the committee at the outset of the meeting of their position in respect of voting on the particular item.

9. Lobbying

- 9.1 It is recognised that lobbying is a normal and perfectly legitimate element of the process of considering planning applications. If a Councillor, who is not on the Planning Committee to determine an application, wishes to support a particular viewpoint then that Councillor has a right to appear at the relevant Planning Committee and seek permission to address the meeting provided that they have registered to speak in accordance with paragraph 7.13.2 (Notifying Head of Service).
- 9.2 It is, however, important that Councillors protect their impartiality and integrity in planning matters. Planning Committee Members will not breach the Code by listening to or receiving viewpoints from residents or other interested parties provided that they make it clear that they are keeping an open mind. However expressing an intention to vote one way or another before a Planning Committee meeting would prejudice impartiality and potentially open the Council to challenge.

10. Ward Members

- 10.1 Ward Members have a central role in helping to represent the views of local people and other stakeholders at both pre-application and planning application stage. Ward Members bring strong community leadership, extensive local knowledge and an up to date understanding of current issues.
- 10.2 Planning Officers have to act impartially at all times, but will provide support and advice to Ward Members on planning matters in order for them to play this community leadership role. This will include the involvement of Ward Members in negotiations on planning obligations in appropriate circumstances.
- 10.3 Planning obligations negotiated under Section 106 of the Town and Country Planning Act, 1990 must be seen to mitigate the effects of development whilst recognising that each must comply with council planning documents, policies and guidance and Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

- 10.4 To be lawful, a planning obligation must meet all of the following statutory tests. It must be:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.

(These apply to both future and existing Section 106 obligations and to CIL payments).

- 10.5 To this end, where the need for a planning obligation is anticipated by a Planning Officer, Ward Members will be consulted at an early stage of the pre-application and planning application process. The views of Ward Members on planning obligations will be sought electronically through weekly lists and shall be considered in any decision taken by the Planning Committee or by an Officer acting under delegated authority.

11. Only One Forum

- 11.1 Members of the District Council may consider applications at Parish level and they form a view **on the basis of evidence available at that time**. At District level they may consider the same application but with additional information and advice from Officers, may well change their mind which indicates they come to that meeting with an 'open mind'.
- 11.2 It is suggested that Councillors who sit at parish or town level indicate to the meeting that while they have a personal interest by way of their membership of the Parish/Town Council as a Councillor, any comments made at the Parish/Town Council Meeting are made in relation to the information before them at that meeting. Councillors are not pre-judging the matter and will want to consider carefully all material likely to be available at district level. When the matter is considered by the District Planning Committee the Councillor will weigh up all the information at that time and consider the matter afresh.

12. Planning Applications by Councillors, Officers or the Council

- 12.1 These can, by their very nature, arouse suspicions of impropriety. It is vital they are handled in a way that ensures there are no grounds for accusations of favouritism.
- 12.2 If it is a Council application it will be treated in the same way as a private developer in accordance with DoE Circular 19/92. This Circular outlines that the same administrative process, including consultation, should be carried out in relation to the Council's own planning applications, and that they should be determined against the same policy background. Decisions must be made strictly on planning merits and without regard to any financial or other gain that may accrue to the Council if the development is permitted. It is important that the Council is seen to be treating such applications on an equal footing with all other applications as well as actually doing so.
- 12.3 If it is a Development Control Officer application another planning team will deal with it. If the application falls within delegated powers and is made by any Officer of the Council, the Corporate Director, not the Head of Service, will exercise the delegated power (in consultation with the Monitoring Officer).

If it is a Councillor application they are entitled to speak to Officers both prior to and at Committee in the same way as any member of the public. They will have a Disclosable Pecuniary Interest and should refer to paragraph 5 above as to the process. However, they shall not seek improperly to influence the decision and shall play no part in the debate itself as a Councillor nor be able to vote. The Council's Monitoring Officer shall be informed of all applications by Councillors and Officers and will register such applications.

- 12.4 All Planning Officer and Councillor applications must go to Committee by virtue of paragraph 3.14.6 (Planning) of the Council's Constitution.

13. Planning Committee Briefings

- 13.1 When considering a request for a briefing, the complexity of the proposal should be considered. Planning Committee briefings should be restricted to more complex proposals.
- 13.2 The Chairman of the Planning Committee must approve any request for a briefing in consultation with the Development Control Manager and the Monitoring Officer, or their representatives.
- 13.3 To avoid any perception of influence it is advisable that any briefing must take place at least three weeks before the meeting of the Planning Committee that will hear the application. Briefings should avoid discussion. The Chairman of the Committee will manage the briefing. Officers will be present to record proceedings.
- 13.4 Consideration should be given to inviting Ward Members, Parish Council representatives and other interested parties.

14. Discussions before Decision is made

- 14.1 Councillors have a role to play in helping consultation between their constituents and developers. Such consultation can be a huge benefit to all parties but can easily be seen as part of a lobbying process by the applicant if care is not taken.
- 14.2 This section covers any discussions taking place before a decision is made not simply prior to the application being submitted. It does not affect discussions between Councillors and Officers nor does it impact on any pre-application planning advice provided by Officers under the adopted policy .
- 14.3 Any discussions should be on the basis that the Council will not be bound and that Councillor's views are personal and provisional.
- 14.4 Planning advice given by Officers should be consistent, based on the Development Plan and material considerations.
- 14.5 The Councillor's role is to feedback responses from the community. If invited to attend pre-committee discussions Councillors should speak first to the Planning Officer handling the application.
- 14.6 If such a meeting is held, a written note should be made of the meeting, particularly if contentious. At least one Officer should attend any such meetings and a follow up letter from the Councillor is advisable summarising the discussion.

- 14.7 If an Officer is unable to attend and the meeting has to go ahead the Councillor should make written notes and forward a copy of these to the Development Control Manager as soon as possible.
- 14.8 Councillors should also note that potentially contentious telephone discussions should also be recorded in writing, preferably immediately after the conversation so recollection is fresh and should be reported to the Monitoring Officer.
- 14.9 Where a meeting concerns a major development, it is preferable that the meeting takes place on Council premises and notes of discussions are made.

15. Site Visits

- 15.1 Consistency on why they are held and how they are held is essential. To ensure site visits are seen as constructive and not as a lobbying device they should be well managed. The Chairman is responsible for ensuring everyone is clear as to the purpose of the visit and their respective roles.
- 15.2 The reasons for a site visit being necessary should be recorded in writing.
- 15.3 A site visit is used to assess the impact of the proposed development on any locality.
- 15.4 Site visits should be by the viewing committee with Officer assistance. If applicants, supporters or objectors are there, the applicants, supporters or objectors are free to make their points but the Chairman must not permit debate (which should take place at Committee) to take place at the site visit. Site visits are to look at the site not to discuss the merits of the application. They are designed to ensure Councillors can make a more informed decision at the Committee meeting.

16. The Committee Meeting Itself

- 16.1 Five-minute slots within each application are allocated as a total for all parties wishing to address committee. This means all applicants, objectors, parish councils and supporters have a total of five minutes, which they may share as they wish. Adjoining parish councils also have an opportunity to speak. Where there is more than one adjoining Parish/Town Council speaking but requiring a fundamentally different outcome of either refusal or approval, the speakers will be allowed five minutes each; where the outcome required is fundamentally the same, the five minutes will be shared by the speakers.
- 16.2 The Chairman of the meeting must extend the time slot if it is considered appropriate by the Committee in view of the large public interest in the matter but this must be by a vote of the Committee agreeing to suspend this provision of the constitution. All groups of speakers will then be permitted equal amounts of time to address the Committee.
- 16.3 The Committee may only ask those speaking for clarification of points raised. They may not ask any other questions nor may they effectively increase the time allowed by asking what would have been said if they had time.
- 16.4 No new information may be produced to Committee on the night (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they must provide such material to Planning Officers at least 5 clear working days before the meeting

(in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

17. Decisions Contrary to Officer Recommendations and/or the Development Plan

- 17.1 The general principle in planning is that where the Development Plan is up to date and relevant, planning applications should be determined in accordance with it unless material considerations indicate otherwise.
- 17.2 All applications must be assessed in accordance with Section 38(6) of the Planning and Compensation Act 2004 and Section 70 of the Town and Country Planning Act 1990 as amended by Section 143 of the Localism Act 2011.
- 17.3 Any application contrary to the Development Plan must be advertised as such. If such an application is to be approved the material considerations leading to this conclusion must be clearly identified.
- 17.4 If the committee decides to approve an application which is contrary to Officer advice Councillors must provide the reasons for the decision and a detailed minute of the reasons must be made. Copies of these minutes will be publicly available. Officers should be able to address committee and explain clearly the implications of the decision. Any decision contrary to the Development Plan in the opinion of the Development Control Manager or his designated nominee may be referred up to the District Planning Committee.

18. The Role of the Chairman

- 18.1 Agenda management is vital to the smooth running of the meetings. The Chairman is key to this. Each Chairman will discuss with the appropriate Strategic Support, Legal and Planning Officer before the committee the items on the agenda and will query, where necessary, matters referred up and site visits called.

19. APPEALS AND INQUIRIES

- 19.1 In the event that planning permission is refused either under delegated powers conferred on the Head of Planning and Countryside or by the Planning Committee, an applicant may exercise their right of appeal. Officers are responsible for preparing the Council's evidence for these appeals, and the vast majority of these are dealt with by written representations involving an exchange of statements. On occasions, specialist Counsel and consultant support is needed to supplement the evidence of Officers.
- 19.2 In the case of an applicant exercising their right to an informal hearing or a Public Inquiry Officers will be responsible for presenting the Council's evidence and attending to present that evidence. Councillors are at liberty to attend in their capacity as Ward Members and may be called to give evidence as a Ward Member. Members of the Planning Committee will not normally be required to attend to present the Council's case.

- 19.3 In the case where the Planning Committee has refused planning permission contrary to Officer's recommendations, Officers will normally prepare and present the evidence in their role as employee of the Local Planning Authority. It will be for the Head of Planning and Countryside to identify the Officers to prepare and present the evidence.
- 19.4 It should not be necessary for Members of the Planning Committee to become involved in preparing and presenting the case at appeal on an overturned decision, because the reasons for refusal and statements on relevant policies put forward by the Councillors in reaching their decision should be sufficient to defend the case. However, there may be some situations where in an inquiry a Councillor involvement as a relevant witness is necessary in order to provide a full and accurate case. In circumstances where the Head of Planning and Countryside considers this to be the case the Member will be expected to attend any Informal Hearing or Public Inquiry in support of the Council's case.
- 19.5 In exceptional circumstances the Head of Planning and Countryside may not be able to prepare the Council's evidence to the hearing or inquiry because the Officer's earlier recommendation on the grounds of refusal is so prejudiced by the earlier advice given. In these circumstances a nominated Member of the Planning Committee together with an externally appointed consultant will need to present the Council's evidence.

20. Complaints

- 20.1 Complainants alleging a breach of this protocol may direct their allegations to the Monitoring Officer.
- 20.2 To investigate complaints fully, record keeping should be complete and accurate.
- 20.3 Decisions taken under delegated powers should be as well documented and recorded as those taken by Councillors at a Planning Committee. Complaints pertaining to delegated decisions will be dealt with under the Council's Corporate Complaints Procedure.
- 20.4 A complaint may be made to the Local Government Ombudsman in the event that a complainant was not satisfied with the result of an investigation under the Council's complaints procedure. This must be made on the appropriate prescribed form and submitted direct to the Local Government Ombudsman.

21. Training

- 21.1 All Members of the Planning Committee (including Substitutes) to receive appropriate training before being able to make formal decisions of the Committee and then to attend subsequent refresher training to remain on the Committee.

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Appendix D

Gifts and Hospitality: A Code of Conduct for Councillors

Introduction

This Guidance is intended to complement the Council's Members' Code of Conduct. It offers guidance to Councillors with regard to best practice and the need to preserve integrity and demonstrate good governance. It has been written to protect both individual Councillors and the Council itself. The intention of the Guidance is to ensure that the Council can demonstrate that no undue influence has been applied or could be said to have been applied by any supplier or anyone else dealing with the Council and its stewardship of public funds.

This protocol sets out Councillors' obligations to declare gifts and hospitality received in their capacity as Members of the Council and to provide guidance on those obligations. A breach of this protocol amounts to a breach of the Council's Code of Conduct and a complaint can be reported to the Monitoring Officer or the Standards Committee and dealt with in accordance with the Members' Complaints Procedure.

Where the spouse/partner of a Councillor is also a recipient of any gifts or hospitality the Councillor must ensure that this is also recorded by the Monitoring Officer in accordance with the agreed procedures.

This Code does not apply to the acceptance of any facilities or hospitality which may be provided to you by the Council.

What are the rules?

1. Prior to accepting **any** hospitality with a value of **£25** or more, a Councillor must seek authorisation from the Monitoring Officer. Only once consent has been given should the Councillor take ownership.
2. You must register *every* individual gift or item of hospitality received that is over £25 in value.
3. Members should be aware of serial givers or repeat offers of hospitality as these may indicate a pattern of behaviour which may result in a breach of the Code of Conduct for Councillors.
4. Your registration of the gift or hospitality must be made *within 28 days of the date you received it* by declaring it to the Member Services Officer(s) (working on behalf of the Monitoring Officer).

5. You must declare the *value (or estimated value)* and details of the gift or hospitality received on the form, as well as whether the donor of the gift has or has had in the past or is likely to have in the future, dealings with the Council.
6. You must declare, if the gift or hospitality has been accepted, the reason for that acceptance.
7. The form must be signed by you *personally (an electronic copy will suffice)*.
8. An invitation that appears over-generous should be declined; it could be seen as an inducement to affect a Council decision.
9. Even if all Members, or a large number of them, received the same gift or were invited to the same event, they must each make *individual* notifications.
10. Failure to comply with these rules is a breach of the Members' Code of Conduct and could lead to a complaint being reported to the Monitoring Officer or the Standards Committee.
11. The press and public have the right to inspect your gift and hospitality declaration forms. The Register is also public via the Council's web site at **XXXX**. (follow link to 'Councillors' page). (You should have this in mind when completing declaration forms, as Officers cannot edit your comments.)

Should I accept gifts and hospitality?

Registering gifts or hospitality received under the Code of Conduct does not automatically mean it is appropriate or sensible to accept them in the first place. The general test of caution is one of common sense. Would the public question the appropriateness of hospitality or gifts received by the Councillor? If you are concerned the acceptance could be misinterpreted you should decline it or declare it.

You must never solicit a gift or hospitality, or accept any gift or hospitality offered as an inducement or which puts you under any obligation. On the other side of the coin, Councillors often do not wish to cause offence by rejecting a gift or offer of hospitality.

Particular care should be taken in relation to gifts and hospitality offered by current or potential contractors for the Council. In certain cases the acceptance of a gift or hospitality from these sources could constitute a criminal offence, even if declared. If there is any suspicion that any offer is intended as an

inducement then the matter should be reported in accordance with established procedures.

The Bribery Act 2010, which came into force on 1 July 2011, creates offences of “bribing another person” (active bribery) and of “being bribed” (passive bribery). The offences consist of “promising, offering or giving” or “requesting, agreeing to receive or accepting an advantage (financial or otherwise)” in circumstances involving the improper performance of a relevant function or activity. In the context of the Council the relevant function or activity means a public activity which a reasonable person would expect to be performed in good faith, impartially or in a particular way by a person performing it in a position of trust. There is a maximum penalty of 10 years imprisonment or an unlimited fine for these offences.

In considering whether to accept gifts or hospitality Members should have regard to the following general principles:

1. Never accept a gift or hospitality as an inducement or reward for anything which you do as a Councillor;
2. Only accept a gift if there is a commensurate benefit to the Council;
3. Never accept a gift or hospitality which might be open to misinterpretation;
4. Never accept a gift or hospitality which puts you under an improper obligation; and
5. Never solicit a gift or hospitality.

Must I register all gifts and hospitality which I receive or am offered?

You must register any gifts or hospitality worth over £25 that you receive in connection with your official duties as a Member. Where the value of any gift or hospitality is under £25 you may wish to declare receiving it. You should register any offer of gift and/or hospitality over £25 which you have declined, since this protects both your position and that of the Council.

Only gifts and hospitality offered to you in your official capacity must be registered. Gifts and hospitality offered to you in your private capacity, of whatever value, should not be registered at all. You do not need to register gifts and hospitality which are not related to your role as a Member. However, you should always consider whether any gifts or hospitality could be seen as being connected with your public role as a Member.

What is the value of the gift/ hospitality?

You may have to estimate how much a gift or some hospitality is worth. The form requires you to give an estimate of the value. It is suggested that you take a common sense approach, and consider how much you reasonably think it would cost a member of the public to buy the gift, or provide the hospitality in question. If as a result you estimate that the value is greater than £25, then you should declare receipt.

Where hospitality is concerned, you can disregard catering on-costs and other overheads, e.g. staff and room hire. If the sandwiches or your meal, including drinks and alcohol, would cost £25 in a comparable establishment providing food of comparable quality, register it.

If you are not certain whether the value is under £25, the safest course is to register it and give an approximate value.

What about gifts of low value?

There is no requirement to declare gifts of a value of less than £25. However, in order to be transparent, if you receive a series of related gifts in connection with your role as a Member which are all under £25, but together total above £25, then you should register them if they are from the same person. If the small gifts received from different persons are connected in some way, it is *good practice* to register them.

How do I register gifts and hospitality I receive?

You must give the Member Services Officer(s) (working on behalf of the Monitoring Officer) written details about the gifts and hospitality you are offered using the standard form for this purpose. The best advice is to get into the habit of registering things as soon as possible, and if in doubt, register receipt. The appropriate form is available on the Council's website or from Strategic Support.

Which organisation do I make declarations to?

As mentioned, anything received in your private capacity is not declarable. However, what is your "*official capacity*"? So far as the Council is concerned it is when you do any of the following -

- a) When acting as a representative of the Council;
- b) At briefing meetings with officers and members of the public;
- c) When corresponding with the authority other than in your private capacity.

How to deal with the issue of when things are received in different capacities or where there are overlapping roles:

Only use the Council's gifts and hospitality registration declaration form for things received in your capacity as a West Berkshire District Councillor, and send it to the Member Services Officer(s) (working on behalf of the Monitoring Officer).

If you receive things in another capacity, i.e. arising from holding another public office, register in accordance with whatever code is in place for that other body. If a particular body does not actually require you to register anything, then you do not need to do anything in respect of the receipt of a gift or hospitality directly attributed to your role within that organisation.

If you cannot decide what capacity you received something in, provided you declare the gift/ hospitality *at least once* with the body that appears to be the most appropriate, you will have fulfilled your duties. The overriding purpose is public transparency.

What happens if I do not register a gift or hospitality?

Failure to notify the Monitoring Officer of the receipt of a gift or hospitality is a breach of this protocol and consequently also a breach of the Code of Conduct. An alleged breach of the Code can be the subject of a complaint to the Monitoring Officer or Standards Committee which could result in the matter becoming the subject of an investigation.

Gifts which are more likely to be considered acceptable

It is up to individual Members to decide whether or not to declare gifts and hospitality

The Council has however agreed that in appropriate circumstances Members may choose to accept gifts and hospitality in the following circumstances:

- Civic hospitality provided by another authority;
- Modest refreshments received in the ordinary course of duties as a Councillor e.g. at formal meetings, training or working meetings or when in contact with constituents;
- Tickets for sporting or cultural events which are sponsored or supported by the Council;
- Small gifts of low intrinsic value i.e. below £25 which are branded with the name of the company or organisation making the gift (e.g. diaries, calendars etc);
- Modest souvenir gifts with a value below £25 from another public body given on the occasion of a visit by or to that body;
- Hospitality received in the course of an external visit or meeting which has been authorised by the Council. In such cases the arrangements should

- be made by officers rather than the Members who will be benefiting and hospitality should be commensurate with the nature of the visit; and
- Other unsolicited gifts where it is impracticable to return them or where refusal would in the circumstances cause offence. In such cases you may wish to pass the gift to the Chairman's Charity.

Receipt of gifts and hospitality of this type is still subject to the requirements of the protocol regarding the notification to the Monitoring Officer of gifts and hospitality of greater than £25 in value. The appropriateness of acceptance should always be considered beforehand. It should also be noted that the mere fact that a gift or hospitality does not have to be notified under the protocol does not necessarily mean that it is appropriate to accept it.

Will the register be open to the public?

Yes, the register is available to the public in the same way as the register of Disclosable Pecuniary Interests is. It is open for inspection and also available on the Council's website.

Regular updates of declarations will be reported to the Standards Committee as part of the quarterly performance monitoring reports.

Further assistance

It is each Member's own individual responsibility to observe this protocol, but the Monitoring Officer will help where possible. If you have any questions at all please contact the Monitoring Officer, Deputy Monitoring Officer(s) or the Democratic and Electoral Services Manager for advice and assistance.

Definitions

"Gift or hospitality" includes:

- (i) the free gift of any goods or services
- (ii) the opportunity to acquire any goods or services at a discount or on terms which are more advantageous than those which are available to the general public.
- (iii) the opportunity to obtain any goods or services which are not available to the general public.
- (iv) the offer of food, drink, accommodation or entertainment, or the opportunity to attend any cultural, sporting or entertainment event.

Reference to the "value" or "cost" of any gift or hospitality are references to the higher of:

- (i) your estimate of the cost to the person or organisation of providing the gift or consideration;
- (ii) the open market price which a member of the public would have to pay for the gift or hospitality, if it were made available commercially to the public, less the case sum, of any contribution which you would be required to make toward that price to the person or organisation providing or offering the gift or hospitality.

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Appendix E

Procedure for Local Determination of Allegations

The Localism Act 2011

1. Introduction

- 1.1 The procedure referred to in this document sets out the process which will be followed in the local determination of allegations of misconduct made against either a District Councillor or Parish/Town Councillor, where West Berkshire Council is the responsible authority. The purpose of the procedure is to ensure that every effort is made to deal with the complaint as smoothly as possible and to ensure that complaints are dealt with in accordance with the relevant legislation and within the agreed timescales. All allegations will be dealt with objectively, fairly and consistently. The Monitoring Officer will also have regard to what is in the public interest and the Council's fiduciary duty to the tax payers.
- 1.2 Arrangements for dealing with complaints against councillors underwent significant changes following the introduction of the Localism Act 2011. West Berkshire Council's new arrangements came into effect on 01 July 2012 and were reviewed in December 2013.
- 1.3 As part of the revised Standards regime all complaints are received by the Monitoring Officer who has delegated authority to take an initial decision on whether a complaint requires investigation, some other form of action, should be referred to the Director of Public Prosecution or the Police or whether no further action is required.
- 1.4 Within this procedure references to the "Monitoring Officer" also refers to their duly appointed representative(s).
- 1.5 Within this procedure references to the "Head of Strategic Support" also refers to their duly appointed representative(s).
- 1.6 The person making the complaint is referred to as the *complainant* and the District/Town or Parish Councillor being complained about is referred to as the *subject member*.

2. Process for Dealing with Complaints – Initial Assessment

- 2.1 A flowchart summarising the procedure that will be followed when a complaint is received is attached at Appendix A to this procedure.
- 2.2 Once the Monitoring Officer has received a formal complaint they need to ensure that it is acknowledged within five working days of receipt.

- 2.3 All complaints must be submitted in writing (electronic submissions are acceptable). The Monitoring Officer also needs to ensure that the complaint complies with the Council's **Assessment Criteria** i.e.
- it is a complaint against one or more named Councillors of the authority or an authority covered by West Berkshire Council as responsible authority;
 - the subject member was in office at the time of the alleged conduct and the relevant Code of Conduct was in force at the time;
 - the complaint, if proven, would be a breach of the Code under which the Councillor was subject at the time of the alleged misconduct.
- 2.4 If the complaint fails one or more of these tests it cannot be investigated as a breach of the Code, and the complainant will be informed that no further action will be taken in respect of the complaint.
- 2.5 A complaint can also be rejected if :
- the complainant fails to provide enough information to base a decision on;
 - the subject member is no longer a Councillor of the authority (although if they are a member of another authority the Monitoring Officer could refer the complaint to that authority);
 - the complaint has been the subject of an investigation or other action relating to the Code of Conduct or the complaint has been the subject of an investigation by other regulatory authorities;
 - the complaint is about something that happened so long ago that there would be little benefit in taking action now;
 - the complaint is too trivial to warrant further action;
 - the complaint appears to be simply malicious, politically motivated or tit-for-tat;
 - the complainant appears to be submitting persistent or prolific complaints.
- 2.6 Following receipt of a complaint that meets the agreed Assessment Criteria the complainant will be asked if there is any additional information they wish to submit and they may also be asked to clarify any issues that they have raised.
- 2.7 A copy of the complaint will also be sent to the subject member (unless the complainant has asked to keep their identity confidential – see Requests for Confidentiality) for written comment. The subject member will also have the opportunity to submit any additional information that they feel will support their submission. This can include written witness statements.
- 2.8 Both the subject member and the complainant can consult one of the Council's Independent Persons directly to seek advice. The Council has therefore appointed two Independent Persons to ensure that a conflict situation does not arise i.e. once they have been consulted the Independent Person will not be involved in the decision making process.

- 2.9 The Monitoring Officer will also collate any additional information (e.g. minutes and agendas of meetings, information on websites, the applicable Code of Conduct, Standing Orders and any other relevant policies, background information including correspondence and witness statements) that will assist the initial assessment process.
- 2.10 An Initial Assessment meeting will take place usually within 20 *clear working days of receipt of the complaint. The Monitoring Officer will consult the Independent Person at this meeting. As this is not a public meeting neither the subject member nor the complainant, nor members of the press or public will have the opportunity to attend or speak at the meeting. In accordance with the Localism Act 2011, following the Initial Assessment the Monitoring Officer (in consultation with the Independent Person) is able to decide on one of the following four outcomes:
- no further action will be taken on the complaint;
 - some form of informal resolution will be sought;
 - the matter will be referred to the Director of Public Prosecution or the Police where it is suspected that some form of criminal conduct has occurred in relation to interests that have not been disclosed;
 - the complaint will be investigated fully by an independent investigator.

*(*clear working days do not include weekends, bank holidays, the date of receipt of the complaint and the day of the meeting)*

- 2.11 The subject member, complainant and if appropriate the Clerk to the relevant Town or Parish Council will be notified of the outcome of the Initial Assessment meeting usually within three clear working days of the meeting taking place. Details of the discussion will be included in an Initial Decision Notice which will be sent to the subject member, the complainant and the relevant Parish or Town Clerk if appropriate.

3. Requests for Confidentiality

- 3.1 In the interests of fairness and in compliance with the rules of natural justice, District, Town and Parish Councillors who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against them.
- 3.2 Complainants do however have the right to request that their identity is not revealed to the subject member and the Monitoring Officer, in consultation with the Independent Person, may grant such requests at their discretion in exceptional circumstances. The Monitoring Officer is unlikely to withhold a complainant's personal details or the details of the complaint unless they consider there to be good reasons to believe that a complainant has justifiable grounds for anonymity/confidentiality.
- 3.3 When considering a request for confidentiality the Monitoring Officer, in consultation with the Independent Person, will consider any such request

alongside the substance of the complaint itself and apply the following criteria:

- the complainant has reasonable grounds for believing that they will be at risk of physical harm from, or that they may be victimised or harassed by the subject member(s) against whom they are submitting the complaint (or from or by a person associated with the subject member(s));
- the complainant is an officer of a relevant authority who fears the consequences as regards their employment if their identity is revealed;
- the complainant works closely with the subject member, and is therefore afraid of the consequences to their employment or of losing their job;
- there is a medical risk to the complainant's health if their identity is revealed and is this supported by medical evidence;
- the complainant has reasonable grounds for the belief that they may receive less favourable treatment from the Council because of the identity and/or seniority of the subject member(s) in terms of any existing Council service provision or any tender/contract that they may have or are about to submit to the Council; or
- other exceptional circumstances?

3.4 When considering a request for confidentiality against these criteria the Monitoring Officer will also:

- balance the request for confidentiality against the substance of the complaint;
- consider whether it is possible to investigate the complaint without making the complainant's identity known to the subject member, given the requirement for a proper investigation.

3.5 If the Monitoring Officer, in consultation with the Independent Person, decides to refuse a request for confidentiality they may decide to offer the complainant the opportunity to withdraw their complaint. When deciding whether to allow a complaint to be withdrawn the Monitoring Officer must consider whether the public interest in proceeding with an investigation outweighs the complainant's wish to have their identity withheld from the subject member.

4. Outcome of Initial Assessment – No Further Action

4.1 If, following the Initial Assessment, the Monitoring Officer, in consultation with the Independent Person, decides that no further action should be taken on a complaint then this will be the end of the matter.

- 4.2 Under the previous regime if the complainant disagreed with this outcome they could appeal to the Review Sub-Committee of the Standards Committee. The Localism Act 2011 does not provide any appeals mechanism. However the decision could be open to Judicial Review by the High Court should they wish to take up this option. The complainant would be advised to seek independent legal advice about taking up this option.

5. Outcome of Initial Assessment – Informal Resolution or Other Action

- 5.1 If, following the Initial Assessment, the Monitoring Officer, in consultation with the Independent Person, decides that other action should be taken on the complaint the nature, format and timescales for this action needs to be articulated in the Initial Assessment Notice.
- 5.2 If other action is determined as appropriate and either party declines to comply, this will be reported to the Monitoring Officer who may decide to treat the facts as a further complaint.
- 5.3 Under the previous regime if the complainant or subject member disagreed with this outcome they could appeal to the First Tier Tribunal of the Standards Board. The Localism Act 2011 does not provide any appeals mechanism. However the decision could be open to Judicial Review by the High Court should they wish to take up this option. The complainant or subject member would be advised to seek independent legal advice about taking up this option

6. Outcome of the Initial Assessment – Referred to the Director of Public Prosecution or the Police

- 6.1 If, following the Initial Assessment, the Monitoring Officer, in consultation with the Independent Person, decides that the matter needs to be referred to the Director of Public Prosecution or the Police both the subject member and the complainant and if appropriate the Town or Parish Clerk will be informed.
- 6.2 The Monitoring Officer will pass to the Police or the Director of Public Prosecutions any relevant evidence relating to the allegations received which disclose behaviour that may constitute a criminal offence, whether under the ethical standards provisions of the Localism Act or otherwise.
- 6.3 If potential criminal offences are identified and the complaint is referred for investigation with a view to prosecution the appropriate procedures of the Police or Council will be followed so as to protect the integrity of the investigation.

7. Outcome of the Initial Assessment – Investigation by Appointed Person

- 7.1 If, following the Initial Assessment, the Monitoring Officer, in consultation with the Independent Person, decides that if the allegations were substantiated

they may constitute a breach of the Code of Conduct of the relevant authority, they can refer the complaint for investigation.

- 7.2 The Monitoring Officer will usually appoint an external independent investigator to undertake an investigation on behalf of the Standards Committee. The Council will notify the complainant and subject member of the details of the investigator who will contact them to arrange an interview with them. In addition the investigator may wish to interview additional witnesses. All information provided to the Standards Committee already will be given to the investigator.
- 7.3 Once the investigation is concluded (preferably within three months of receipt of instruction) the investigator will be required to produce a written report setting out their findings. The Monitoring Officer, subject member, the complainant and the Independent Person(s) will all be provided with an opportunity to comment on the initial report.
- 7.4 The subject member and the complainant will be asked to complete a form articulating any areas of the report they disputed. All comments would need to be received within 10 clear working days* of receipt of the draft report. The complainant will also be given an additional three days to comment on any of the subject member's comments on the draft report.

*(*clear working days do not include weekends, bank holidays, the date of receipt of the complaint and the day of the meeting)*

8. Process for Dealing with Complaints – Advisory Panel

- 8.1 The report, including the comments from the relevant parties, would initially be assessed by the Standards Committee's Advisory Panel. The Panel can refer the report back to the investigator where additional detail or clarity is required. The Monitoring Officer should ensure that the Panel meeting takes place within 20 clear working days* of receipt of the final investigator's report, but must allow the relevant parties adequate time to consider and respond to the report.

*(*clear working days do not include weekends, bank holidays, the date of receipt of the complaint and the day of the meeting)*

- 8.2 **No Evidence of Breach** – Where the investigator has concluded that there was no evidence of a breach of the Code of Conduct the Advisory Panel must consider if it concurs with the investigator's finding(s). If the Panel concurs that no breach has occurred the matter will be considered to be closed and relevant parties will be informed of the outcome within three clear working days* of the meeting. The Advisory Panel meeting is not a public meeting and there will be no requirement to publish any of the findings.

- 8.3 As this meeting is not a public meeting neither the subject member nor the complainant will have the opportunity to attend or speak at the meeting.
- 8.4 The Localism Act does not provide any appeals mechanism. However the decision could be open to Judicial Review by the High Court should the complainant wish to take up this option. The complainant would need to seek independent legal advice about taking up this option.
- 8.5 If the Advisory Panel disagrees with the finding that no breach has occurred they can refer the complaint to the Standards Committee for determination. They should set out any issues they disputed and their recommendation can include an opinion on a suitable sanction should the Standards Committee concur with their opinion.
- 8.6 The relevant parties will be informed of the outcome within three clear working days* of the Advisory Panel meeting.
- 8.7 **Evidence of Breach** – Where the investigator has concluded that there was evidence that a breach of the relevant Code of Conduct had occurred, the Advisory Panel must decide if it concurs with the investigator's finding.
- 8.8 The Advisory Panel must then make a recommendation to the Standards Committee. The recommendation must set out whether or not they concur with the investigator's findings, any issues they disputed and they can include a recommendation setting out their opinion on a suitable sanction if they agree that a breach of the Code of Conduct has occurred. The relevant parties will be informed of the recommendation within three clear working days* of the Advisory Panel meeting. As this meeting is not a public meeting neither the subject member nor the complainant will have the opportunity to attend or speak at the meeting and the findings will not be published.

*(*clear working days do not include weekends, bank holidays, the date of receipt of the complaint and the day of the meeting)*

9. Arranging the Meeting of the Standards Committee

- 9.1 The meeting of the Standards Committee must be held within 15 clear working days* of the Advisory Panel meeting or as soon as practicably possible after the meeting. The Head of Strategic Support shall arrange a time and date for the Standards Committee to meet and consider the matter.
- 9.2 At least 5 clear working days* before the date of the meeting of the Standards Committee, the Head of Strategic Support shall notify the subject member, complainant and any relevant witnesses of the date, time and place of the meeting and the membership of the Standards Committee at which the matter will be considered.

- 9.3 At least 5 clear working days* before the day of the meeting of the Standards Committee, the Head of Strategic Support will send to each member of the Standards Committee, to the subject member and the complainant and to the Monitoring Officer, a copy of the paperwork for the meeting. The paperwork will include the agenda for the meeting of the Committee, a copy of the investigator's report, a copy of any written statement in response to the report which has been received from the subject member, complainant and Independent Person and the recommendation from the Advisory Panel.
- 9.4 The Monitoring Officer may make the provision of any such copy conditional upon an appropriate undertaking of confidentiality until such time as the Head of Strategic Support makes the report available to the press and public or the Standards Committee agree that the press and public shall not be excluded from the meeting.
- 9.5 At the same time the Head of Strategic Support will write to the subject member and complainant and advise them that, at the commencement of the meeting, the Standards Committee will consider whether the press and public should be excluded from the meeting. There will be an assumption that the majority of hearings should take place in public.
- 9.6 All paperwork associated with the Standards Committee meeting will be subject to the Council's Access to Information Procedure Rules (see Part 8 of the Constitution).

*(*clear working days do not include weekends, bank holidays, the date of receipt of the complaint and the day of the meeting)*

10. Procedure at the Meeting

10.1 Attendance of the Subject Member and Complainant

- (i) The subject member and complainant may arrange to be accompanied at the meeting at their own expense by a solicitor, counsel or friend.
- (ii) Where the subject member or complainant opt to be accompanied at the meeting by a solicitor, counsel or friend they must notify the Monitoring Officer of their intention to do so at least three clear working days* before the meeting.
- (iii) If the subject member or complainant are not present at the start of the meeting, the Committee shall adjourn to enable them to attend, unless they are satisfied that there is sufficient reason for their failure to attend, in which case the Committee may resolve to proceed in their absence. Where the Committee proceeds in their absence, the procedure for the meeting shall be adapted as necessary, giving any representative of the subject member or complainant who is present such rights as would otherwise be accorded to them.

10.2 Order of business

The order of business at the meeting shall be as follows:

- (i) elect a person to preside if the Chairman or Vice-Chairman are not present;
- (ii) receive apologies for the inability to attend the meeting;
- (iii) approve the Minutes of the last meeting;
- (iv) receive any Declarations of Interest from Members;
- (v) consideration as to whether to adjourn or to proceed in the absence of the subject member or complainant;
- (vi) introduction of the Committee, Monitoring Officer (or their representative), Independent Person, independent investigator, the legal adviser to the Committee (if appropriate) the clerk, the subject member, complainant and any other witnesses present.
- (vii) any representation from the Monitoring Officer, or his representative and/or the subject member as to reasons why the Committee should exclude the press and public and a determination as to whether to exclude the press and public. Where the Committee decides that it will not exclude press and public, the Clerk shall at this point provide copies of the agenda and reports to any members of the press and public who are present.
- (viii) consideration of the complaints in the order in which they have been received.

10.3 Speaking

- (i) Presentation by the Monitoring Officer or the independent investigator of the investigator's report.
- (ii) Committee's questions to the Monitoring Officer/ independent investigator. (There shall be no cross-examination by the subject member, but the subject member may request the Chairman of the Meeting to direct appropriate questions to the Monitoring Officer).
- (iii) The Monitoring Officer may introduce any witnesses required to substantiate any matter contained in the report that the complainant and subject member have disputed.*
- (iv) Committee's questions to the Monitoring Officer's witnesses. (There shall be no cross-examination by the subject member, but the subject member may request the Chairman of the Meeting to direct appropriate questions to the Witnesses).
- (v) Opportunity for the complainant or their representative to raise any issues in the report which they have disputed in their written submission. (The legal advisor shall ensure that the Committee are aware of any written submissions.)
- (vi) Committee's questions to the complainant. (There shall be no cross-examination by the subject member, they will have the opportunity to raise any issues when they address the Committee)
- (vii) The complainant may introduce any witnesses required to substantiate any matter contained in the report that they have disputed.

- (viii) Committee's questions to the complainant's witnesses. (There shall be no cross-examination by the subject member, they will have the opportunity to raise any issues when they address the Committee)
- (ix) Presentation by the subject member or their representative. They should only raise any issues in the report which they have disputed in their written submission. (The legal advisor shall ensure that the Committee are aware of any written submissions.)
- (x) Committee's questions to the subject member.
- (xi) The subject member may introduce any witnesses required to substantiate any matter contained in the report that they have disputed.
- (xii) Committee's questions to the subject member's witnesses
- (xiii) The Committee may at any time seek legal advice from its legal advisor. Such advice will on all occasions be given in the presence of the subject member (or their representative) and complainant (or their representative).

*(*Where the subject member or complainant seeks to dispute any matter not included in their written statement, the Monitoring Officer or clerk should draw this to the attention of the Committee. The Committee may then decide:*

- (a) not to admit the information but to proceed to a decision on the basis of the information contained in the report;*
- (b) to admit the dispute, but invite the Monitoring Officer to respond or recall any witness as necessary; or*
- (c) to adjourn the meeting to enable the Monitoring Officer to investigate and report on the dispute and/or to arrange for the attendance of appropriate witnesses as to the disputed information.)*

10.4 Making a Decision

- (ix) At the conclusion of the presentation by the last speaker, the Chairman will ask the Monitoring Officer whether there was any matter raised during the course of meeting which was not addressed in the investigator's report or in the information submitted by the complainant or subject member disputing elements of the report. The Monitoring Officer will then have an opportunity to respond to any such new matter, or may request the Committee to adjourn to enable the Monitoring Officer to investigate and report on that new matter and/or to secure the attendance of witnesses as to the new matter;
- (x) If no adjournment is requested, the Committee is then required to come to a decision as to whether the subject member has breached the relevant Code of Conduct. The Committee needs to satisfy themselves that they have sufficient information upon which to take that decision. In the event that they require additional information they may question the Monitoring Officer, the subject member, complainant or any witness present in order to obtain sufficient information to enable the Committee to come to a decision on this issue.

- (xi) The Committee will then adjourn into another room where they will consider in private session whether the subject member has acted in breach of the relevant Code of Conduct. Should they require any additional clarity they will raise matters with those present. Any advice will be sought from the clerk or legal advisor as to process or legislative provisions.
- (xii) At the conclusion of their consideration, the Committee will return and the Chairman will advise the complainant and the subject member of their decision as to whether a breach of the Code of Conduct has occurred, and the reasons for that decision.
- (xiii) If the Committee conclude that the subject member has acted in breach of the Code of Conduct, the Committee will then hear representations from the Monitoring Officer and the subject member as to whether the Committee should take any action against the Councillor and what form any sanction should take. Members of the Committee may ask questions of the Monitoring Officer and the subject member and seek legal advice in order to satisfy themselves that they have the information upon which to take a proper decision.
- (xiv) The Committee will then adjourn into another room where they will consider in private session whether to take any action in respect of the subject member and what form any sanction should take. The sanctions available to the Committee are set out in Appendix A to this procedure. The Committee will then return and the Chairman will advise the subject member of their decision as to whether any action would be taken and what sanctions, if any, would be applied and the reasons for those decisions.
- (xv) The Committee can also consider in open session whether there are any recommendations which the Committee should make to the authority of which the subject member is a member arising from their consideration of the allegation.

*(*clear working days do not include weekends, bank holidays, the date of receipt of the complaint and the day of the meeting)*

11. Reporting of Decision of Standards Committee

- 11.1 As soon as reasonably practicable (usually within three clear working days*) after the Committee has made its determination in respect of an allegation, the Monitoring Officer shall take reasonable steps to give written notice of that determination and the reasons for such determination to the complainant, subject member, the investigator, Independent Person and if appropriate the relevant Parish/ Town Clerk.
- 11.2 Where the Committee determines that there has not been a breach of the Code of Conduct the notice shall:
 - (i) state that the Committee found that the subject member concerned had not failed to comply with the code of conduct of the authority concerned or the code of conduct of any other authority concerned and shall give its reasons for reaching that finding; and

(ii) not be published in summary in one or more local newspapers unless the subject member requests that it is published.

11.3 Where the Committee determines that there has been a failure to comply with the Code of Conduct the notice shall:

- (i) state that the Committee found that the subject member concerned had failed to comply with the Code of Conduct of the authority;
- (ii) specify the details of the failure;
- (iii) give reasons for the decision reached by the Committee; and
- (iv) specify the sanction imposed if any.
- (v) state that the disclosure is for the purpose of criminal proceedings and the information in question was not obtained as a result of personal enquiries of the person subject to the criminal proceedings (if appropriate).

11.4 Where the Committee determines that there has been a failure to comply with the Code of Conduct but no action is required, the notice shall:

- (i) state that the Committee found that the subject member concerned had failed to comply with the Code of Conduct of the authority;
- (ii) specify the details of the failure;
- (iii) give reasons for the decision reached by the Committee.

*(*clear working days do not include weekends, bank holidays, the date of receipt of the complaint and the day of the meeting)*

Appendix G

West Berkshire Code of Conduct for Licensing

March 2014

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1. Introduction

1.1 The role of an elected Member on any Licensing Committee involves balancing the needs of both the community and the interests of individual constituents with those of the licensed trade, whilst making impartial decisions which comply with the Licensing Act 2003 and associated Regulations, the Gambling Act 2005 and associated Regulations and the Council's Licensing Policy.

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1.2 An open and transparent process in the determination of licensing applications is essential. Decisions made on licensing applications can affect livelihoods and the quality of life in the community.

1.3 This Code is intended as a guide to Councillors, Officers and licensing applicants on the standard of behaviour expected throughout the process.

1.4 The Licensing Committee will consist of 14 Members, reflecting the political composition of the Authority and may not appoint Substitutes. The Licensing Committee will appoint as and when necessary a Sub-Committee to determine applications where representations have been received. The Sub-Committee shall comprise three Members drawn from the Membership of the Licensing Committee. A Substitute (who is a Member of the Licensing Committee) will be appointed for each Sub-Committee meeting.

1.5 If Councillors need any guidance on any matter under this Code, they should seek it from the Monitoring Officer but it is the Councillor's responsibility to comply with the Code

2. The Council's Constitution

2.1 This Licensing Code of Conduct forms part of the Council's Constitution. This Code is available to the public and is on the Council's website. The Licensing Code of Conduct has been approved by Council for inclusion in the Constitution.

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2.2 The Licensing Code of Conduct should be read in conjunction with the Council's Code of Conduct.

2.3 The governance structures and rules of procedure for the Licensing Committee is set out in Part 7 (Regulatory and Other Committees Rules of Procedure) of the Constitution.

3. Breaches

3.1 A breach of this Code, will not usually amount to a breach of criminal law but it may adversely affect the reputation of the Council and the reputation of an individual Councillor. It could result in a decision being judicially reviewed or

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result in a complaint to the Local Government Ombudsman, or an allegation of a breach of the Code of Conduct.

3.2 Any alleged breach of this Code will be investigated locally in accordance with the procedures associated with the Code of Conduct (see Appendix H to Part 13 of the Council's Constitution). It is the responsibility of the Monitoring Officer to investigate the case and prepare a report for the Standards Committee if a breach of the Code of Conduct or Licensing Code of Conduct is alleged to have occurred.

3.3 Where an Officer is concerned in an alleged breach of this code this will be investigated in accordance with the Council's corporate complaints or disciplinary procedure.

Deleted: Any alleged breach of this Licensing Code of Conduct will be referred to the Standards Board for England by the Monitoring Officer. ¶
The Standards Board may decide to refer the case to the Council's own Standards Committee to investigate. Where this is done it is the responsibility of the Monitoring Officer to investigate the case and prepare a report for the Standards Committee.¶

4. Role and Conduct of Councillors and Officers

4.1 Councillors and Officers have different, but complementary, roles in the licensing process and it is important that an open, respectful and transparent relationship is developed based upon mutual trust and understanding of each other's positions. It is important for the overall standing of the Council that they work as an effective team.

4.2 Officers are employed by the Council. Instructions may only be given to Officers by the Council, its Executive or a committee or by way of delegated powers. The relationship between Officers and Councillors should be one of mutual trust, understanding and respect. It is not appropriate for Councillors to direct Officers to determine a licensing application in any particular way.

Deleted: Councillors and Officers have different but complementary roles in the Licensing process.¶

4.3 When considering licensing applications Councillors need to ensure that only the licensing objectives (the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm), in the case of the Licensing Act 2003 and (preventing gambling from being a source of crime or disorder being associated with crime or disorder or being used to support crime; ensuring that gambling is conducted in a fair and open way; protecting children and other vulnerable persons from being harmed or exploited by gambling) in the case of the Gambling Act 2005 are taken into account. In reaching a decision Councillors should ensure they read, consider and take account of the relevant material considerations connected with the application and should not favour any person, group or locality or put themselves in a position where they may appear to do so.

5. Gifts and Hospitality

5.1 Both Officers and Councillors must be cautious about accepting gifts and hospitality.

5.2 Any Councillors offered any gift or hospitality, in their capacity as Members must treat the offer in accordance with Appendix D (Gifts and Hospitality: A Code of Conduct for Councillors) to Part 13 (Codes and Protocols) of the Constitution. Officers offered any gift or hospitality must treat the offer in accordance with paragraphs 13.5.2 (Gifts & Hospitality – General), 13.5.3 (Rules and Procedure for Gifts and Hospitality) and 13.5.4 (Hospitality) of the Council's Constitution.

Deleted: A Councillor must not use his position as a Member improperly to confer on, or secure for himself or any other person, an advantage or disadvantage (The Local Authorities (Model Code) Order 2001 as set out in the Council's Code of Conduct).¶
Councillors must not favour, or discriminate against, any person, company, group or locality nor put themselves in a position where they appear to do so. ¶

6. **Interests**

- 6.1 A Register of Councillors' interests is maintained by the Council's Monitoring Officer, is available for public inspection and is published on the Council's website.
- 6.2 Written details of Disclosable Pecuniary Interests (DPI) must be provided to the Monitoring Officer within 28 days of election or appointment to office and any changes to those interests must also be provided to the Monitoring Officer in writing within 28 days of the councillor becoming aware of such changes.
- 6.3 Where Councillors have a personal interest they must disclose to that meeting the existence and nature of that interest at the start of the meeting or when the interest becomes apparent. Councillors who have a personal interest in an item are permitted to take part in the discussion and vote on the item.
- 6.4 Where Councillors have a Disclosable Pecuniary Interest (DPI) they may attend a meeting either as a member of the committee and/or as a Ward Member but only for the purposes of making representations, answering questions or giving evidence relating to the business (provided the meeting is one where members of the public are allowed to make representations). They may not propose a motion, vote or take part in the decisions making process of the Committee. They must withdraw from the meeting before the vote is taken and their vacating the room will be noted in the Minutes of the meeting. It is for the individual Councillor to decide what the interest is. They may seek advice from the Monitoring Officer or from Legal Services but it is their decision. If advice is sought it should be sought as early as possible. It is therefore important that agenda are read in good time and that, if possible, advice is sought no later than the day before the meeting. It is better not to raise a query on interests in a public forum. By doing so, public perception may well lead to the conclusion that the interest is a DPI.
- 6.5 Members who have a DPI may, in certain circumstances, apply for a dispensation which would allow them to take part in discussions and vote on an item, The procedure for applying for and the granting of dispensations is set out in Appendix 2 to Appendix H (the Code of Conduct) to Part 13 (Codes and Protocols) of the Council's Constitution.

7. **The Role of the Executive**

- 7.1 Members of the Executive may be on the Licensing Committee and have interests in an application because of their role on the Executive. There may be occasions where the Council is sponsoring a development and an Executive Member may be seen as the chief advocate on the Executive. In such circumstances the appropriate approach is that the Executive Member should not sit on the Licensing Sub-Committee hearing that application.

8. **Lobbying**

- 8.1 Lobbying is a normal and proper part of the political process. Local concerns need a way of being aired and the most effective and suitable way is through the local elected representatives. However, lobbying can cause the impartiality and integrity of a Councillor to be called into question. Councillors

must take care when being lobbied not to express an opinion that could be interpreted as indicating that they have made up their mind on the issue before they have seen **and heard** all the evidence.

8.2 Comments should be restricted to procedural advice and should always make clear that the decision can only be made after hearing all the relevant evidence and arguments at the **Sub-Committee hearing or the Committee Meeting**.

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8.3 Apart from Ward Members (**see paragraph 9.1**), Councillors should avoid organising support for or against a licensing application. If they do organise such support they will disqualify themselves from sitting on the Licensing Sub-Committee that hears that application.

8.4 Members who sit on more than one relevant authority, and those who are included on membership of campaign or lobby groups, should also consider whether they have **an** interest. For example, if the decision of a Licensing Sub-Committee could have a direct impact on a lobby or campaign group whose primary purpose is to influence public opinion, then it is likely that the Member will have a prejudicial interest.

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9. Ward Members

9.1 If a Licensing Committee Member representing a **Ward** affected by a controversial application goes public in support of a particular outcome (which they may feel they have to do) then the Member may appear at the Sub-Committee meeting hearing the application, and argue their cause. They may not however sit on the Sub-Committee hearing the application.

[Note: No Ward Member will be able to hear any licensing application for premises situated in their ward.]

Care will also be needed where the premises are near ward boundaries where it may be inappropriate for neighbouring Ward Members to be on the Sub-Committee hearing such applications.]

10. Licensing Applications by Councillors, Officers or the Council

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10.1 These can, by their very nature, arouse suspicions of impropriety. It is therefore vital that they are handled in a way that ensures there are no grounds for favouritism.

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10.2 If it is a Council application it will be treated in the same way as any private application.

10.3 If the application is by a Licensing Officer or **a member of** their family, it will be dealt with by the **Team Manager Licensing**. If the application is connected to the **Team Manager Licensing** then it will be dealt with under the direct supervision of the Head of Service. If it falls within delegated powers and relates to any Officer of the Council, the Corporate Director, not the Head of Service will exercise the delegated power (in consultation with the Monitoring Officer).

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10.4 If it is an application by a Councillor, the Councillor is entitled to speak to Officers in the same way as any Member of the public. However, they shall not seek improperly to influence the decision and will clearly not be part of the Licensing Sub-Committee hearing that application. Councillors are advised to

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employ professionals to speak on their behalf at hearings involving their own applications.

10.5 The Council's Monitoring Officer shall be informed of all applications by Councillors and Officers and will register such applications.

11. Discussions before Decision is Made

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11.1 Councillors have a role to play in helping consultation between their constituents and the licensed and gambling trades. Consultation can be a huge benefit to all parties but can easily be seen as part of a lobbying process by the applicant if care is not taken. Since Ward Members will not be able to sit on any Licensing Committee or Licensing Sub-Committee hearing applications for premises in their own Ward, it is anticipated that lobbying would not normally affect those Members hearing any application.

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11.2 If any meeting between applicants and Councillors is held, a written note should be made of any such meeting. At least one Officer should attend such meetings and a follow-up letter is advisable summarising the discussion.
Whenever possible the meetings should take place on Council premises.

11.3 Councillors should also note that potentially contentious telephone discussions should also be recorded in writing, preferably immediately after the conversation, so recollection is fresh and should be reported to the Monitoring Officer.

12. The Licensing Hearing itself

12.1 Ten-minute slots within each application are allocated as a total for all parties wishing to address the Sub-Committee. This means all objectors or supporters have a total of ten minutes per group, which they may share as they wish. Responsible authorities, where they wish to address the Sub-Committee, will also have ten minutes each. The Chairman of the meeting may extend the time slots if it is considered appropriate by the Sub-Committee in view of the large public interest in the matter but this must be by a vote of the Committee agreeing to suspend this provision of the Constitution.

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12.2 At the hearing, a party shall be entitled to:

- give further information (subject to new information being submitted only with the agreement of all parties) and call any witness in support of their application, representations or notice (as applicable);
- question any other party or witness through the Chairman;
- address the Sub-Committee.

12.3 Members of the Sub-Committee may ask any question of any party or witness. However, care should be taken to ensure that questions are relevant to the application and the furtherance of the Licensing Objectives as stated in the Licensing Act 2003 and the Gambling Act 2005 in order to maintain the focus of the proceedings. Any other party may also ask questions but these should be directed through the Chairman and again should relate to the application and the Licensing Objectives. The procedure is not intended to be adversarial.

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12.4 No new documentary evidence may be produced to the Sub-Committee at the meeting unless all parties are agreed this is acceptable (this does not prevent applicants or objectors raising new points verbally). If objectors or applicants wish to introduce new additional material they should provide such material to Licensing Officers at least 5 clear working days before the meeting (in line with the Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002).

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13. Decisions Contrary to the Licensing Policy

13.1 The law requires that decisions will be in accordance with the Council's approved Licensing Policies.

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13.2 If the Sub-Committee decides a matter contrary to the Council's Licensing Policies, then a detailed minute of the reasons must be made and a copy of those reasons placed on the application file. This will be required should an appeal be lodged to the Magistrate's Court.

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14. The Role of the Chairman

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14.1 The role of the Chairman will be key and specific training for this will be provided.

15. Complaints

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15.1 Complainants alleging a breach of this protocol may direct their allegations to the Monitoring Officer.

15.2 To investigate complaints fully, record keeping should be complete and accurate.

15.3 Decisions taken under delegated powers should be as well documented and recorded as those taken by Councillors at a Licensing Sub-Committee. Complaints pertaining to delegated decisions will be dealt with under the Council's Corporate Complaints Procedure.

15.4 A complaint may be made to the Local Government Ombudsman in the event that a complainant was not satisfied with the result of an investigation under the Council's complaints procedure. This must be made on the appropriate prescribed form and submitted direct to the Local Government Ombudsman.

Deleted: Complainants alleging a breach of the statutory local code of conduct may direct their allegations to the Standards Board for England.¶
To investigate complaints fully, record keeping should be complete and accurate.¶
Decisions taken under delegated powers should be as well documented and recorded as those taken by Councillors.

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16. Training

16.1 All Members of the Licensing Committee (including substitutes) to receive appropriate training before being able to make formal decisions on the Committee and then to attend subsequent refresher training to remain on the Committee.

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