

Notice of Meeting

Executive

Thursday, 19 December, 2013 at 5.00pm

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

Date of despatch of Agenda: Wednesday, 11 December 2013

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Stephen Chard / Linda Pye on (01635) 519462 / 519052

e-mail: schard@westberks.gov.uk / lpye@westberks.gov.uk

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



To:	Councillors Pamela Bale, Dominic Boeck, Hilary Cole, Roger Croft, Marcus Franks, Alan Law, Gordon Lundie, Joe Mooney, Irene Neill and Graham Pask
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Agenda

Part I

Pages

1. **Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes**
To approve as a correct record the Minutes of the meeting of the Committee held on 28 November 2013.
3. **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](#).
4. **Public Questions**
Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution. *(Note: There were no questions submitted relating to items not included on this Agenda.)*
5. **Petitions**
Councillors or Members of the public may present any petition which they have received. These will normally be referred to the appropriate Committee without discussion.

1 - 6

Items as timetabled in the Forward Plan

Pages

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- | | | |
|----|---|--------|
| 6. | West Berkshire Community Champion Award Scheme (EX2767)
(CSP: 2 & 7)
<i>Purpose: To propose the introduction of a Community Champion Award Scheme which recognises the contribution volunteers make to West Berkshire.</i> | 7 - 14 |
|----|---|--------|
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- | | | |
|----|--|---------|
| 7. | Memorandums of Understanding: Strategic Planning and Minerals and Waste Planning (EX2763)
(CSP: 2, 4, 8 & 9)
<i>Purpose: To inform Members that under the Localism Act 2011 (Regulation 110 Duty to Cooperate) that the unitary authorities in Berkshire have produced two Memorandums of Understanding to guide work on Strategic Planning and on Minerals and Waste Planning.</i> | 15 - 28 |
|----|--|---------|
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8. **Quarter 2 Council Performance Report (EX2647)** 29 - 52
(CSP: 1, 2, 3, 4 & 9)
Purpose: To report Q2 outturns against the key accountable measures and activities contained in the Council's performance framework, and to report by exception those measures/activities not achieved or behind schedule and cite remedial action/the impact it has had.
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9. **Delegation of Procurement Functions for Public Health (EX2769)** 53 - 58
(CSP: 1, 5, 6 & 8)
Purpose: This report recommends the delegation of procurement functions in respect of public health contracts to the Director of Public Health to facilitate the joint procurement of such contracts by the six Berkshire unitary authorities. It is also recommended that authority be delegated for the amendment of the inter-authority agreement entered into by the Berkshire authorities put in place upon the transfer of the public health function to local authorities, to provide for the management, administration and operation of contracts to be jointly procured.
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10. **The Former Control Tower, Greenham Common (EX2732)** 59 - 66
(CSP: 2, 4 & 6)
Purpose: To consider the sale of the former Control Tower at Greenham Common.
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11. **Members' Questions**
Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.
- (a) **Question to be answered by Portfolio Holder for Highways, Transport (Operational), Emergency Planning and Newbury Vision submitted by Councillor Keith Woodhams**
"Can the Executive Member for Highways and Transport update us on the urgency she is giving to the work on diverting heavy lorries via Newtown Straight to the A34 to avoid using Newbury Town Centre?"
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- (b) **Question to be answered by the Portfolio Holder for Strategy & Performance, Housing, ICT & Corporate Support, Legal and Strategic Support submitted by Councillor Tony Vickers**
"What was the involvement of the Portfolio Holder in the sudden decision to withdraw the extended SWEP (Severe Weather Emergency Protocol) arrangements for those who find themselves here without shelter in winter?"
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12. **Exclusion of Press and Public**
RECOMMENDATION: That members of the press and public be excluded from the meeting during consideration of the following items as it is likely



that there would be disclosure of exempt information of the description contained in the paragraphs of Schedule 12A of the Local Government Act 1972 specified in brackets in the heading of each item. [Rule 9.10.4 of the Constitution refers.](#)

Part II

13. **The Former Control Tower, Greenham Common (EX2732)** 67 - 78
(Paragraph 3 - information relating to financial/business affairs of particular person)
(Paragraph 5 - information relating to legal privilege)
(CSP: 2, 4 & 6)
Purpose: To consider the sale of the Control Tower, Greenham Common.
14. **Staffing implications associated with savings put forward to deliver the 2014/15 revenue budget: approval to pay redundancy payments (EX2706)** 79 - 94
(Paragraph 1 - information relating to an individual)
(Paragraph 2 - information identifying an individual)
(CSP: 8)
Purpose: To set out the staffing implications which are likely to result from the setting of the Council's 2014/15 revenue budget.
To seek approval to make the redundancy payments associated with the required staffing implications.

Andy Day
Head of Strategic Support

West Berkshire Council Strategy Priorities and Principles

Council Strategy Priorities:

CSP1 – Caring for and protecting the vulnerable

CSP2 – Promoting a vibrant district

CSP3 – Improving education

CSP4 – Protecting the environment

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

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**EXECUTIVE
MINUTES OF THE MEETING HELD ON
THURSDAY, 28 NOVEMBER 2013**

Councillors Present: Pamela Bale, Dominic Boeck, Hilary Cole, Roger Croft, Marcus Franks, Alan Law, Gordon Lundie, Joe Mooney, Irene Neill and Graham Pask

Also Present: John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Sarah Clarke (Team Leader - Solicitor), Andy Walker (Head of Finance), Rachael Wardell (Corporate Director - Communities), Councillor David Allen, Councillor Adrian Edwards, Moira Fraser (Democratic and Electoral Services Manager), Councillor Roger Hunneman (Deputy Liberal Democrat Group Leader), Councillor Gwen Mason, Linda Pye (Policy Officer), Robin Steel (Group Executive (Cons)), Councillor Tony Vickers and Councillor Quentin Webb

PART I

39. Minutes

The Minutes of the meeting held on 17 October 2013 were approved as a true and correct record and signed by the Leader subject to the following amendment:

Page 7 – Members’ Question (b) – Question standing in the name of Councillor Keith Woodhams. Councillor Gordon Lundie stated that Councillor Woodhams was not allowed his supplementary question as it was not related to the original question. However, Councillor Woodhams was asked to submit the question in writing whereupon it would receive a written response.

Councillor Lundie welcomed Councillor Marcus Franks to the Executive and confirmed that he would be Portfolio Member for Health and Wellbeing. He thanked Councillor Graham Jones for all the work he had undertaken as the previous Portfolio Member.

40. Declarations of Interest

Sarah Clarke, Solicitor, declared an interest in Agenda Item 7, and reported that, as her interest was personal and prejudicial and a disclosable pecuniary interest, she would be leaving the meeting during the course of consideration of the matter.

Councillor Marcus Franks declared an interest in Agenda Item 10, 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.

41. Public Questions

There were no public questions submitted.

42. Petitions

There were no petitions presented to the Executive.

43. Policy for Supporting Adults with a Learning Disability (EX2740)

The Executive considered a report (Agenda Item 6) which outlined the findings of the consultation on the policy for supporting adults with a learning disability. This policy would replace ‘Local Services for Local People’ and clarified how the Council would support adults with a learning disability. It also clarified what service users and their families could expect from the Council.

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The main changes to the policy included highlighting that the first option would be to support people to remain living with their family; a shift in emphasis from providing services locally to putting in appropriate arrangements which might not be in the district; providing clarification in respect of resources; and a focus on ensuring the Council used good quality services.

Section 3 of the report set out the policy consultation process and the feedback that had been received.

Councillor Joe Mooney highlighted the fact that page 29 of the agenda set out the principles which would underpin planning and service delivery for people with learning disabilities across West Berkshire.

Councillor Roger Hunneman referred to out of district placements and he asked what was being done to minimise those placements and also what was being done within West Berkshire to provide additional facilities. He also mentioned the right of assessment for carers and queried what was being done to improve such an under-resourced service. Councillor Mooney thought that he had responded to Councillor Hunneman in respect of delays to assessments and what was being done to improve the situation and he therefore did not propose to go over that information again. In regard to out of district placements Councillor Mooney assured Councillor Hunneman that wherever possible clients would be placed within West Berkshire and he highlighted a recent case where one individual had been brought back into the district to the delight of his family. Councillor Mooney advised that land at the Phoenix Centre was also being used to provide support to people with learning disabilities in the community.

Councillor Tony Vickers referred to the call for sites and stated that there was a piece of land in north Newbury near Castle School which would be ideal and he queried whether the site at the Phoenix Centre would be sufficient. Councillor Mooney responded that he did not know what the future requirement would be – he had been told that there would be an increase but the number was not quantified. He did ask Members to make him aware of any suitable areas of land that became available as there was a shortage of sites and he therefore thanked Councillor Vickers for the information.

RESOLVED that agreement would be given for this policy to be adopted by the Council.

Reason for the decision: To note comments received during consultation and adopt the amended policy.

Other options considered: None.

44. **Kings Road Link Road, Newbury - Exception to the Contract Rules of Procedure (EX2751)**

(Sarah Clarke declared a personal and prejudicial interest in Agenda item 7 by virtue of the fact that she lived close to the site in question. As her interest was personal and prejudicial and a disclosable pecuniary interest she left the meeting and therefore did not provide any legal advice on the matter).

The Executive considered a report (Agenda Item 7) which sought an exception to the Contract Rules of Procedure (11.11) and which sought approval to enter into an agreement with the developer for the construction of the Kings Road Link Road.

Councillor Pamela Bale in introducing the report noted that the Kings Road Link improvement line (linking Hectors Way to the Boundary Road/Hambridge Road junction) had been incorporated in the Local Plan in 1992. It was also included in the Local Development Framework and dissected the Stirling Cables Site. If approved this scheme would provide a bypass for Kings Road and Mill Lane thereby improving journey times in this busy part of Newbury and providing significant environmental improvements.

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Councillor Bale noted that the Stirling Cables Site was heavily contaminated and would require an unacceptably high density of housing on the site to meet the costs of decontaminating the site. Officers had therefore been in discussions with the developer to explore options for delivering the link road whilst safeguarding the redevelopment and decontamination of the brown field site.

The Berkshire Local Transport Body had received £14m of funding from the Department for Transport. The six Berkshire unitary authorities had been invited to submit bids for this funding in May 2013. This scheme was currently ranked first for drawing down the funding. Two options had been considered for the delivery of the scheme. The first option would involve the Council paying for the delivery of the road through the developer of the Stirling Cables Site. The second option involved the Council procuring and constructing the link road independently of the development.

Officers were recommending that the first option be followed as it would achieve a number of benefits including the fact that risk of costs would be transferred to the developer and the developer could achieve savings on site set up and accommodation. The savings could be shared with the Council through a legal agreement.

However, the Council's Contract Rules of Procedure required all contracts to be subject to a competitive process. Adoption of option one would mean that there would have to be a deviation from the Council's Rules of Procedure although it was noted that the cost of the scheme would not exceed the European Union threshold of £4.3m which would require the scheme to be advertised in the Official Journal of the European Union.

In the absence of the Monitoring Officer the Chief Executive reminded Members that this report sought agreement to procure the road and that the merits or otherwise of the application would be discussed at the appropriate planning committee.

In response to a query from Councillor David Allen it was noted that that the developer would pay for the road right through to Scats. Councillor Bale also responded that the developer would fund the de-contamination of the whole site.

RESOLVED that:

- (a) The Executive would grant an exception to the Contract Rules of Procedure (CRoP), paragraph 11.11 of the Constitution, to allow the negotiations to proceed with the developer of the Stirling Cables Site without a tender process under the CRoP.
- (b) The Executive would delegate to the Head of Highways and Transport authority (in consultation with the Head of Legal, Head of Finance and the Portfolio Member) to enter into an agreement or agreements with the developer of the said site, relating to the construction of the Kings Road Link Road.

Reason for the decision: This will allow the Council to contract with the developer of the Stirling Cables site to deliver the link road.

Other options considered: The Council procures and constructs the Kings Road Link independently of the Stirling Cables development.

45. Financial Performance Report - Q2 of 2013/14 (EX2669)

The Executive considered a report (Agenda Item 8) which informed Members of the latest financial performance of the Council.

Councillor Alan Law stated that this was the second report to the Executive as part of the financial reporting cycle for the 2013/14 financial year. The forecast revenue overspend for the 2013/14 financial year was £261k which was a worsened position from Quarter One when an underspend of £51k was reported. However, this equated to a 0.2% variance from a total budget of £122m. The overspend position was as a result of a larger

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than expected number of Looked After Children. An additional £650k had been put into the Children's Placement budget but this was still insufficient and it was proposed to build up a risk fund to help cope with the volatility in this area, but this was proving difficult at present due to the pressure on the budget.

Councillor Roger Hunneman referred to paragraph 2.2 of the report which stated that expenditure across Children's non-placement budgets and all Communities Services' budgets was being deliberately slowed in order to address the projected overspend within the Directorate. He asked what effect this action would have on service users. Rachael Wardell responded that areas where there was a pressure for services would not be slowed and there would therefore be no detrimental effect to the most vulnerable clients. Councillor Hunneman felt that this was an area which might need to be picked up in the Equality Impact Assessment. Councillor Gordon Lundie asked if Councillor Hunneman could be provided with a more detailed written response to his question.

Councillor Tony Vickers noted that on page 56 of the agenda there were a number of acronyms which he did not understand i.e. GT site and MVF. It was suggested that the GT site referred to the Gypsy & Traveller site at Four Houses Corner and MVF was a short form for Managed Vacancy Factor. Councillor Law thanked Councillor Vickers as this was a point well made – there should not be so many acronyms particularly when the report would be available in the public domain.

RESOLVED that Members noted the report.

Reason for the decision: To ensure that Members are fully aware of the latest financial position for the Council.

Other options considered: None.

46. City Deal (EX2761)

The Executive considered a report (Agenda Item 9) which informed of the final City Deal proposal for Berkshire and which advised that this had to be signed off by the Leader of the Council and Portfolio Holder given the timetable laid down by the Cabinet Office.

Councillor Alan Law welcomed the initiative involving the Local Enterprise Partnership. The scheme sought to improve employment outcomes for young people in Berkshire and to support economic growth. Reading Borough Council's initial submission had focussed on reducing the skills gap and tackling the number of young people not in Education, Employment or Training (NEET).

West Berkshire only had a small number of NEET's but it did have a higher proportion of young people in low skilled employment. This issue had been identified in the recently adopted Economic Strategy. The focus locally would therefore be on 'up scaling' the young people in lower skilled jobs in order to improve their employment prospects and the City Deal would be one of the mechanisms for delivering the Strategy.

Councillor Tony Vickers explained that he had attended a meeting of the South East Reserve Forces and Cadets Association recently and they had shown an interest in this area of work. He therefore wondered if they could be approached to assist with 'up skilling' and he would be happy to provide Councillor Law with the relevant contact details. Councillor Law agreed to look into this option.

RESOLVED that:

1. It be noted that the Leader of the Council, in consultation with the Portfolio Holder, signed off along with the other Berkshire Chief Executives the final City Deal proposal for Berkshire.

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2. It be noted that as part of the City Deal proposal, a Joint Committee will be established comprising a representative from each of the six Berkshire Unitaries and a representative from the Local Enterprise Partnership.
3. It be noted that the West Berkshire element of the City Deal proposal (West Berkshire Futures) is focused on young people in employment but without adequate skills and training.

Reason for the decision: To ensure that the City Deal was signed off given that it is a Berkshire wide project.

Other options considered: n/a

47. Members' Questions

- (a) **Question to be answered by the Portfolio Holder for Community Care and Insurance submitted by Councillor Adrian Edwards**

(Councillor Marcus Franks declared a personal interest in Agenda item 10 by virtue of the fact that he was employed by Sovereign Housing Association. As his interest was personal and not prejudicial or a disclosable pecuniary interest he was permitted to remain and take part in the debate).

A question standing in the name of Councillor Adrian Edwards on the subject of the Extra Care Home, Redwood House in Hungerford was answered by the Portfolio Holder for Community Care and Insurance.

- (b) **Question to be answered by the Portfolio Holder for Highways, Transport (Operations) Emergency Planning and Newbury Vision submitted by Councillor Roger Hunneman**

A question standing in the name of Councillor Roger Hunneman on the subject of what was being done to reduce the incidence of irresponsible cycle riding in the pedestrianised areas of Newbury was answered by the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision.

- (c) **Question to be answered by the Portfolio Holder for Strategy and Performance, Housing, ICT, and Corporate Support, Legal and Strategic Support submitted by Councillor Roger Hunneman**

A question standing in the name of Councillor Roger Hunneman on the subject of what was being done to integrate the management of data across its databases thus avoiding duplicated data entry and enhancing searching was answered by the Portfolio Holder for Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

- (d) **Question to be answered by the Portfolio Holder for Strategy and Performance, Housing, ICT, and Corporate Support, Legal and Strategic Support submitted by Councillor Tony Vickers**

A question standing in the name of Councillor Tony Vickers on the subject of the effect the Spare Room Subsidy ending this April would have on the District's social housing mix was answered by the Portfolio Holder for Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

- (e) **Question to be answered by Portfolio Holder for Strategy and Performance, Housing, ICT, and Corporate Support, Legal and Strategic Support submitted by Councillor Tony Vickers**

A question standing in the name of Councillor Tony Vickers on the subject of how many of the 690 households expected to be affected by the end of the Spare Room Subsidy had at least one adult in full time employment was answered by the Portfolio Holder for

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Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

- (f) **Question to be answered by the Portfolio Holder for Strategy and Performance, Housing, ICT, and Corporate Support, Legal and Strategic Support submitted by Councillor Tony Vickers**

A question standing in the name of Councillor Tony Vickers on the subject of how the 690 households expected to be affected by the ending of the Spare Room Subsidy were expected to manage their finances, when there were hardly any smaller homes available and bills for food and domestic fuel were rising faster than earnings was answered by the Portfolio Holder for Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

- (g) **Question to be answered by Portfolio Holder for Strategy and Performance, Housing, ICT, and Corporate Support, Legal and Strategic Support submitted by Councillor Tony Vickers**

A question standing in the name of Councillor Tony Vickers on the subject of how the requirement for the Council to match fund the Government's allocation of Discretionary Housing Payment money was affecting the Council and its clients was answered by the Portfolio Holder for Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

(The meeting commenced at 5.00pm and closed at 5.43pm)

CHAIRMAN

Date of Signature

Title of Report:	West Berkshire Community Champion Award Scheme
Report to be considered by:	Executive
Date of Meeting:	19 December 2013
Forward Plan Ref:	EX2767

Purpose of Report: To propose the introduction of a Community Champion Award Scheme which recognises the contribution volunteers make to West Berkshire.

Recommended Action: To approve the proposed Community Champion Award Scheme.

Reason for decision to be taken: To ensure that the Council recognises the valuable contribution made by volunteers across the District.

Other options considered: N/A

Key background documentation: N/A

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

X CSP2 – Promoting a vibrant district

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

X CSP7 - Empowering people and communities

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

Recognising the valuable contribution played by the many volunteers working across West Berkshire.

Portfolio Member Details

Name & Telephone No.:	Councillor Graham Pask
E-mail Address:	gpask@westberks.gov.uk
Date Portfolio Member agreed report:	15 October 2013

Contact Officer Details

Name:	Andy Day
Job Title:	Head of Strategic Support
Tel. No.:	01635 519459
E-mail Address:	aday@westberks.gov.uk

Implications

Policy:	This proposal would accord with the Council's policy of recognising the valuable contribution made by volunteers across West Berkshire.
Financial:	The only potential cost could be in the production of a certificate and the purchase of appropriate medallions.
Personnel:	N/A
Legal/Procurement:	N/A
Property:	N/A
Risk Management:	N/A

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	X
• Is it a major policy, significantly affecting how functions are delivered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	X
• Will the policy have a significant impact on how other organisations operate in terms of equality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	X
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	X
• Does the policy relate to an area with known inequalities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	X
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			<input type="checkbox"/>
Not relevant to equality			<input checked="" type="checkbox"/>

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Report is to note only	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Executive Summary and Report

1. Introduction

- 1.1 West Berkshire has a rich reputation for having very active communities and was always in the top quartile for volunteering when this was measured by the Government.
- 1.2 In order to recognise this positive community engagement, it is proposed that the Council introduce a scheme which recognises the role that volunteers play in making the district of West Berkshire a vibrant place to live, work and play.
- 1.3 The Council currently has a Junior Citizen of the Year Scheme. This award is presented at the December Council meeting. The Council has established an independent Panel who review nominations and make decisions on award winners. Newbury Town Council operate a Citizen of the Year Award but there is nothing in place across the District which recognises the valuable contribution made by volunteers more generally.
- 1.4 The Council also holds a staff recognition event each year. Some of the awards at this event recognise a Volunteer of the Year Award and Champion of the Year Award. In both cases the Award is presented to someone who is not employed by the Council but who is directly supporting the Council in some way.

2. Proposals

- 2.1 In order to recognise the valuable contribution played by volunteers across West Berkshire it is proposed that the Council establishes a “community champion” award scheme. It is suggested that the scheme includes the following categories:
 - (i) Volunteer of the Year Award
 - (ii) Community Group of the Year Award
 - (iii) Lifetime Achievement Award
- 2.3 The nomination guidance for each of the categories is attached to this report.
- 2.4 In suggesting the introduction of a Community Champion Awards Scheme, it might be appropriate if the Volunteer and Community Champion categories from the Staff Annual Recognition Event based scheme are removed and integrated into a West Berkshire wide scheme,
- 2.5 It is proposed that the Independent Panel established to assist with the Junior Citizen of the Year Award together with a representative from the Volunteer Centre is asked to assist in reviewing and making decisions on any nominations received for the three Community Champion categories. It is also suggested that the awards are presented at the December Council meeting.
- 2.6 It is suggested that the winners of each of the awards be presented with a certificate and medallion. It is also suggested that the Council establish a “Roll of Civic Award” where winners details are entered into this “book”, similar to that established for the Honorary Alderman. This will then be available for future

generations to review. There will be a small cost to this which could be met from the Chairman's budget.

- 2.7 It is acknowledged that there are other local schemes operating across the District (Thatcham, Newbury etc) and it is suggested that these Parish Councils are approached to alert them to this proposal with a view suggesting that their award winners being automatically considered as part of the shortlist for the West Berkshire wide scheme.
- 2.8 If this proposal is approved then it will be important that an appropriate publicity campaign supports this scheme to ensure that each award category receives a good response in relation to nominations. It will be important to identify opportunities where award winners could be used to support events in the community to raise the profile of volunteering generally.

3. Equalities Impact Assessment Outcomes

- 3.1 This item is not relevant to equality.

Appendices

Appendix A - Volunteer of the Year Award

Appendix B - Community Group of the Year Award

Appendix C - Lifetime Achievement Award

Consultees

Local Stakeholders: Volunteer Centre West Berkshire

Officers Consulted: Member Services Officer, Democratic Services Officer, PR Manager and Corporate Board

Trade Union: N/A

Volunteer of the Year Award

Nomination Guidance

This award recognises and awards an individual volunteer who has made an outstanding contribution to the District of West Berkshire and its residents. The person will have demonstrated exceptional commitment to an unpaid activity, whilst taking responsibility for ensuring successful results.

What could it include or be for?

Examples may include:

- (i) Starting up or running a local community project event.
- (ii) Increasing charitable fundraising within a community.
- (iii) Extensive involvement in a successful voluntary or not for profit project/group such as a community safety group, healthy living group or environmental initiative.
- (iv) Volunteering which has had an exceptional positive influence on a needy individual or group.

The above examples are by no means exhaustive, as your nomination may be involved in different activities.

The judging panel will be looking for evidence of the following in your application. Please ensure that you include everything that could apply.

- (i) Demonstration of outstanding commitment to their unpaid activity and role.
- (ii) Local people are actively involved in their project or work.
- (iii) There is long lasting benefit to the community in which they undertake their work.
- (iv) Record of positive results and achievements.
- (v) Their project or work promotes working together.
- (vi) Long and exceptional commitment to an organisation.

Community Group of the Year Award

Nomination Guidance

This award recognises and rewards a community group who have made an exceptional contribution to the District of West Berkshire and its residents. Their not for profit work will have involved local people, whilst promoting equality, inclusion and working together. Small or large, all groups will be considered in relation to their value to the local community.

What could it include or be for?

Examples may include:

- (i) Healthy Living and Exercise Groups
- (ii) Community safety Groups
- (iii) Environmental Groups
- (iv) Arts or Crafts Groups
- (v) Social Clubs
- (vi) Resident or Neighbourhood Action Groups
- (vii) Community Transport Groups
- (viii) Local branches of national charities whose work benefits West Berkshire residents.
- (xi) Sports Clubs
- (x) Service organisations (eg Roundtable, Rotary etc)

The above examples are by no means exhaustive, as your nomination may be involved in different activities.

The judging panel will be looking for evidence of the following in your application. Please ensure that you include everything that could apply.

- (i) Demonstration of outstanding commitment to their unpaid activity and role.
- (ii) Local people are actively involved in their project or work.
- (iii) There is long lasting benefit to the community in which they undertake their work.
- (iv) Record of positive results and achievements.
- (v) The project work or work has the potential to be replicated in other communities.
- (vi) Their project or work promotes working together.

Lifetime Achievement Award

Nomination Guidance

This award recognises the outstanding contribution made by an individual to the District of West Berkshire and its residents. The exceptional dedication and commitment of this person will have had a considerable impact in our area, and achieved positive results. The winner of this award and their work will be an inspiration to others.

The judging panel will be looking for evidence of the following in your application. Please ensure that you include everything that could apply.

- (i) Demonstration of outstanding commitment to their unpaid activity and role over a sustained period of time.
- (ii) Local people are actively involved in their project or work.
- (iii) There is long lasting benefit to the community in which they undertake their work.
- (iv) Strong record of positive results and achievements.
- (v) The project work or work has the potential to be replicated in other communities.
- (vi) Their project or work promotes working together.

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Title of Report:	Memorandums of Understanding: Strategic Planning and Minerals and Waste Planning
Report to be considered by:	Executive
Date of Meeting:	19 December 2013
Forward Plan Ref:	EX2763

Purpose of Report: To inform Members that under the Localism Act 2011 (Regulation 110 Duty to Cooperate) that the unitary authorities in Berkshire have produced two Memorandums of Understanding to guide work on Strategic Planning and on Minerals and Waste planning.

Recommended Action: The Executive is asked to enter into the Memorandums of Understanding.

Reason for decision to be taken: The Duty to Cooperate is a statutory requirement

Other options considered: None

Key background documentation:

- Localism Act 2011
- Town and Country Planning (Local Planning) (England) Regulations 2012
- National Planning Policy Framework 2012

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

- ☒ **CSP2 – Promoting a vibrant district**
- ☒ **CSP4 – Protecting the environment**

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

- ☒ **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:

Producing effective and deliverable planning policies for the District will help the Council in doing what's important well.

Portfolio Member Details

Name & Telephone No.:	Councillor Hilary Cole - Tel (01635) 248542
E-mail Address:	hcole@westberks.gov.uk
Date Portfolio Member agreed report:	27 September 2013

Contact Officer Details	
Name:	Liz Alexander
Job Title:	Planning Policy Team Leader
Tel. No.:	01635 519512
E-mail Address:	lalexander@westberks.gov.uk

Implications

Policy: The Duty to Cooperate is a statutory requirement.

Financial: n/a

Personnel: n/a

Legal/Procurement: n/a

Property: n/a

Risk Management: n/a

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?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Is it a major policy, significantly affecting how functions are delivered?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Will the policy have a significant impact on how other organisations operate in terms of equality?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Does the policy relate to an area with known inequalities?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
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			<input type="checkbox"/>
Not relevant to equality			<input checked="" type="checkbox"/>

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
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		<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>
Report is to note only		<input type="checkbox"/>

Executive Summary

1. Introduction

- 1.1 The Duty to Cooperate was introduced in the Localism Act of 2011 and requires local planning authorities to work with neighbouring authorities and other prescribed bodies in preparing their development plan documents. The aim is to encourage positive, continual partnership working on issues that go beyond a single local planning authority's area.

2. Proposals

- 2.1 Two Memorandums of Understanding are attached as Appendices 1 and 2. Their purpose is to underpin effective cooperation and collaboration between the Berkshire Planning Authorities in addressing strategic cross-boundary issues on strategic planning and on minerals and waste planning. It is important to note that the memorandums are not intended to be legally binding or create any legal rights. Nor do they bring additional cost implications for the Council.

3. Equalities Impact Assessment Outcomes

- 3.1 This item is not relevant to equality.

4. Conclusion

- 4.1 Executive are asked to enter into the Memorandum of Understanding agreements attached as Appendices A and B.

Executive Report

1. Introduction

- 1.1 The Duty to Cooperate was introduced in the Localism Act of 2011 and requires local planning authorities to work with neighbouring authorities and other prescribed bodies in preparing their development plan documents. The aim is to encourage positive, active and continual partnership working throughout the plan-making process on issues that go beyond a single local planning authority's area.
- 1.2 Previously this role had been undertaken at the regional level by the South East England Regional Assembly through the South East Plan and at the county level by the Joint Strategic Planning Unit through the Berkshire Structure Plan.

2. Background

- 2.1 Section 110 of the Localism Act places a legal duty on local planning authorities and other prescribed bodies to cooperate with each other when preparing development plan documents in order to address strategic planning issues relevant to their areas. This duty to co-operate:
 - relates to development or use of land that would have a significant impact on at least two local planning areas;
 - requires that councils set out planning policies to address such issues;
 - requires that councils and other bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies; and
 - requires councils to consider joint approaches to plan making.
- 2.2 Relevant planning policy issues to be considered under the Duty to Cooperate are explained in the NPPF (paras 156 and 178 to 181). Specifically, it states that "the Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities" (para 178). It highlights the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area where it is practical to do so. "Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development" (para 181). Authorities should also consider producing plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.
- 2.3 Paragraph 156 of the NPPF sets out the strategic issues where co-operation might be appropriate and this includes:
 - The homes and jobs needed in the area;
 - The provision of retail, leisure and other commercial development;

- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and the provision of minerals and energy (including heat);
- The provision of health, security, community and cultural infrastructure and other local facilities; and
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

3. Testing the Duty to Cooperate at Examination

- 3.1 The Duty to Cooperate will now be tested at examination whenever the Council prepares or reviews a DPD as part of the Local Plan. A plan will be found unsound if the Duty has not been complied with and there are several examples of this happening at recent Examinations, most locally at Hart District Council. There are two elements to this test:
- The legal requirement under Section 33A of the Planning and Compulsory Purchase Act 2004 (the Duty cannot be retrofitted)
 - The NPPF soundness assessment of how effective the cooperation has been
- 3.2 Practically it will be possible to pass the legal test but still fail the soundness test.
- 3.3 It is worth noting that while it is a duty to cooperate, it is not a duty to agree. In cases where agreement has not been reached on particular issues though, the Council will still need to demonstrate that a plan is deliverable.
- 3.4 Finally, the Council will need to report how the Duty is being taking forward on an ongoing basis through the Annual Monitoring Report.

4. Strategic Planning in West Berkshire

- 4.1 At the heart of the Duty is effective partnership working to achieve outcomes. This principle is not new to good planning practice and is one that the Council has been committed to for some time.
- 4.2 However, up to now this kind of joint working has been done mainly to deliver policy objectives set out in the Berkshire Structure Plan or the South East Plan. In the future, the scope of such arrangements will need to be agreed locally to meet local circumstances.
- 4.3 In future, the other local planning authorities and public bodies that the Council will need to cooperate with will depend on the strategic matters being planned for and the most appropriate functional area to gather evidence and develop planning policies, e.g. housing market and travel to work areas, river catchments and landscape areas rather than traditional county boundaries. The Council may well need to work in different groupings for different strategic matters.
- 4.4 In terms of progress in the implementation of the Duty to Cooperate, Executive agreed to sign up to the South East Waste Planning Advisory Group Memorandum

of Understanding in May 2013. This commits the Council to undertake joint working on waste related matters across the south east.

- 4.5 Additional Memorandums of Understanding have now been prepared to form an ongoing basis for implementing the Duty for both strategic planning and minerals and waste planning across the former county of Berkshire. These are attached (as Appendices A and B respectively) to this paper. These are not intended to be legally binding but rather to form the six Berkshire Unitary Authorities' understanding of how joint working on these issues will proceed. They do not commit the Council to any additional resource commitments.

5. Conclusion

- 5.1 The Executive is asked to enter into the Memorandum of Understanding agreements attached as Appendices A and B.

Appendices

Appendix A: Draft Memorandum of Understanding between the Berkshire Unitary Authorities on Strategic Planning and the "Duty to Co-operate"

Appendix B: Draft Memorandum of Understanding between the six Berkshire Unitary Authorities on Minerals and Waste Planning

Consultees

Local Stakeholders: n/a

Officers Consulted: Paula Amorelli, Matthew Meldrum, Bryan Lyttle and Corporate Board

Trade Union: n/a

Memorandum of Understanding between the Berkshire Unitary Authorities on Strategic Planning and the “Duty to Co-operate” on Planning Matters in Berkshire.

As single tier authorities, the six Berkshire unitary authorities are both local and strategic planning authorities for their areas. The Localism Act 2011 brings significant changes to strategic planning in England. Strategic planning remains an essential part of the planning system. The Act provides for a bottom up approach to strategic planning in a local area through the “duty to co-operate.”

The Act sets out that a local planning authority has a duty to co-operate by:

“engaging constructively, actively and on an on-going basis in the preparation of development plan and other documents and in activities that can reasonably be considered to prepare the way for the preparation of such documents for strategic matters.”

The requirements of the Localism Act are complemented by the guidance in paragraphs 178-181 of the National Planning Policy Framework (NPPF), although these are additional to those within the Act. The NPPF includes reference to local authorities considering agreements on joint approaches to the undertaking of activities and to considering whether to agree to prepare joint local development documents. The duty involves a continuous process of engagement from initial thinking through to implementation. It should result in meeting development requirements, including unmet requirements from neighbouring authorities, where it is practical to do so. Authorities should also consider producing plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.

The Duty to Co-operate has become the first matter that is tested at a local plan examination. Failure to co-operate will result in delay and increased costs in bringing forward up to date local plans thereby increasing the risks at planning appeals.

In the light of the duty the Berkshire Unitary Authorities have formulated and agreed the following memorandum of understanding:

- A. **Agreeing Strategic/Cross Boundary Issues:** The authorities will endeavour to agree appropriate Berkshire, or part of Berkshire, baseline positions on relevant strategic planning matters as a starting point for the potential development of strategic planning policies for all or part of Berkshire.
- B. **Joint Evidence Base:** The authorities will develop an evidence base that provides potential for sharing across authorities where it is prudent and appropriate to do so relating to strategic planning matters. This might include issues such as demographics, population projections, housing market assessments, gypsy and traveller needs, employment, retail and transport studies, infrastructure plans, minerals and waste (see separate Memorandum of Understanding), strategic environmental and green infrastructure, decentralised energy infrastructure and other issues of cross

boundary interest. This could include the joint commissioning by two or more Berkshire authorities of studies into these matters.

- C. **Other Authorities Plans:**Where it will add weight, the authorities will consider, assess and make joint representations on the strategic aspects of local plans prepared by authorities adjoining Berkshire, especially on minerals and waste matters;
- D. **Joint Strategies:**The authorities will consider opportunities to develop joint strategies and deliver agreed or joint positions or policies in relation to specific topics or development needs where the evidence demonstrates that this is appropriate, (e.g. planning for the SPA or AWE).
- E. **Statements of Common Ground:**The authorities will involve their neighbouring authorities and other partner organisations (e.g. the Berkshire LEP, Environment Agency, Highways Authority, etc.) to which the duty to co-operate applies in the identification of issues and options, in resolving objections and preparing statements of common ground in relation to the preparation of individual local plan documents and other planning policy documents.

The operation of this Memorandum of Understanding will be the responsibility of Berkshire Development Plans Group (DPG), reporting to the Berkshire Heads of Planning (BHoP). In turn, BHoP will periodically (at least once a year) keep Lead Councillors informed on how mechanisms for fulfilling the duty to co-operate are progressing and being taken forward.

This Memorandum of Understanding provides a framework for joint working between the Berkshire authorities and it allows refined Agreements to be agreed between individual authorities on specific areas where they consider it appropriate.

Signed:

BracknellForest Council

Reading Borough Council

Royal Borough of Windsor Maidenhead

Slough Council.

West Berkshire Council

Wokingham Borough Council

Memorandum of Understanding between the six Berkshire Unitary Authorities on Minerals and Waste Planning

Introduction

The six Berkshire Unitary Authorities (BUAs) are as follows:

- Bracknell Forest Borough Council
- Reading Borough Council
- Royal Borough of Windsor and Maidenhead
- Slough Borough Council
- West Berkshire Council
- Wokingham Borough Council

The BUAs are minerals and waste planning authorities for their respective areas. The Localism Act 2011 introduces a legal “duty to co-operate” for local planning authorities and other public bodies, that, in terms of minerals and waste planning, partly replaces the regional and strategic planning policy tiers that have been, and will be, removed.

Under Section 110 of the Localism Act, planning authorities are required to engage constructively, actively, and on an ongoing basis in any process where there are cross-boundary issues or impacts. This includes the preparation of development plan documents so far as relating to strategic matters such as planning for minerals or waste.

The National Planning Policy Framework (NPPF) confirms that the duty involves a continuous process of engagement throughout the plan-making process. The duty to cooperate includes the need to demonstrate effective cooperation on issues with cross-boundary impacts and the need to plan positively, and should enable plans to seek to meet development requirements, including unmet requirements from neighbouring authorities, where it is practical to do so. Authorities should also consider producing plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.

This Memorandum of Understanding has been produced in order to form an ongoing basis for implementing the duty to co-operate for minerals and waste planning in the former county of Berkshire.

The Memorandum of Understanding covers the period from June 2013 to June 2018. It will be updated as required, and the latest version signed by all six BUAs will replace all previous versions.

The Memorandum of Understanding is not intended to be legally binding. It does not form a statement of policy, rather it is the six BUAs' understanding of how joint working on minerals and waste planning will proceed.

The UAs agree the following:

Mechanisms for Joint Working

- A. The BUAs recognise that planning for minerals and waste is a strategic matter requiring co-operation between the six BUAs;
- B. The main officer-level mechanism through which co-operation on minerals and waste planning matters will be the Berkshire Minerals and Waste Planning Working Group (BMWPWG), formed of officers from each of the six BUAs. This group will meet on a regular basis (at least twice a year), and will report to Development Plans Group (DPG), which in turn will report to Berkshire Heads of Planning (BHoP).
- C. The BUAs will continue to contribute to the regional groupings South East England Aggregates Working Party (SEEAWP) and South East Waste Planning Advisory Group (SEWPAG) as individual authorities (where they are members), but will share information and collaborate on regional planning matters of joint interest to all BUAs through the BMWWG.
- D. The BUAs will discuss and share information relating to development plans and major schemes outside Berkshire through BMWPWG. Where there is a Berkshire-wide interest, or a wider interest than for a single BUA, the relevant BUAs will collaborate through the most appropriate grouping of authorities.
- E. The BUAs will discuss and share information relating to plans and major schemes within Berkshire through BMWPWG. The BUAs will engage positively with minerals and waste plans produced by individual BUAs or groupings of BUAs throughout the process, including sharing information and seeking to reach agreement on key issues. There may be further Memoranda of Understanding or Statements of Common Ground on specific key issues that arise in the production of development plans.
- F. Where there is a Berkshire-wide need for liaison with the minerals and waste industries, and/or with industry bodies, this will be co-ordinated through BMWPWG.

Monitoring

- G. The BUAs agree that certain key matters should be monitored across all BUA areas to ensure consistency of information:
 - Amount of primary aggregate produced (tonnes per annum);
 - Amount of primary aggregate reserves (tonnes) in permitted sites and any restrictions on the projected future output from permitted sites;

- Amount of secondary and recycled aggregate produced (tonnes per annum);
 - Capacity and throughput of new waste facilities permitted/ operational (tonnes per annum);
 - Capacity of new landfill sites (total available voidspace);
 - Amount of municipal solid waste produced and how that waste is managed (tonnes); and
 - New or extended minerals and waste sites and facilities, to feed into the maintenance of a Berkshire-wide list of minerals and waste sites.
- H. Much of the information, particularly for waste, can be derived from existing published sources. However, it can be difficult to generate BUA-level data for aggregate production. Therefore, the BUAs agree to co-operate on the monitoring of aggregate production, as appropriate, and this may be undertaken by jointly-commissioned consultants as required or through the most appropriate grouping of authorities.

Evidence Base

- I. The BUAs will seek to agree on the main components of a Berkshire-wide evidence base for minerals and waste planning. They will co-operate as appropriate in producing this Berkshire-wide evidence base.
- J. A vital part of the evidence base will be a Local Aggregate Assessment (LAA) 2013 to cover the area of the six BUAs. This will be undertaken on behalf of all six BUAs, and jointly commissioned, and will provide a basis for development of a further minerals evidence base, whilst meeting the requirements of the National Planning Policy Framework. The BUAs will consider whether and with what frequency future versions of the LAA will be produced, but this will need to be subject to further agreement by the BUAs. The BUAs agree to liaise with the South-East Aggregates Working Party on all LAA matters.
- K. The BUAs will discuss whether the results of the LAA can lead to agreement on future apportionment for minerals extraction, both for Berkshire as a whole and for individual BUAs or groupings of the BUAs.
- L. The BUAs, alongside inputting into work being carried out by SEWPAG, will seek to establish and agree the capacity of existing waste management facilities and the level of need for new facilities within Berkshire, in order to reduce the scope for disagreement in future plan-making. This may require the commissioning of Berkshire wide Waste assessment documents.
- M. The BUAs will consider whether there is a need for this Memorandum to be updated and expanded in future to provide more detail on the extent of a joint minerals and waste evidence base.

Plan-Making

- N. This Memorandum does not commit any BUA to joint plan-making for minerals and waste within Berkshire. However, the BUAs agree that there remains future scope for joint plan-making between individual signatories to this Memorandum.
- O. In particular, there is scope for authorities within central Berkshire to consider future joint plan-making for minerals and waste. The authorities within central Berkshire (Bracknell Forest Borough Council, Reading Borough Council, Royal Borough of Windsor and Maidenhead and Wokingham Borough Council) agree to explore the potential for joint working on plan-making for minerals and waste, above and beyond the measures set out in the rest of this Memorandum.
- P. In planning for minerals development, the BUAs will aim to:
- Safeguard potentially important deposits of aggregate minerals from sterilisation by surface development, either by steering that development elsewhere or by securing prior extraction where possible.
 - Seek to maintain a steady and adequate supply of primary minerals and, whilst acknowledging the geology of Berkshire, seek to ensure that new mineral extraction sites are sustainable located whilst taking account of national and international designations such as the Area of Outstanding Natural Beauty, Green Belt, Special Areas of Conservation and Special Protection Areas.
 - Ensure that the supply of land won minerals will cause the minimum of environmental damage, including that from transportation. Capacity for the recovery and use of recycled and secondary aggregates will be increased and located where it can best serve development needs.
 - Retain rail facilities that are required for the movement of minerals to meet requirements which cannot be met from Berkshire's own natural resources, and utilise real opportunities for other means of non road mineral transport to serve local markets.
- Q. In planning for waste development, the BUAs will have regard to the following key principles:
- Drive waste treatment higher up the waste hierarchy and specifically secure an increase in re-use, recycling and recovery of materials, and energy recovery, while minimising the quantities of residual waste requiring final disposal.
 - Safeguard existing waste management facilities which are appropriately located from loss or unnecessary operational constraint as a result of competing forms of development.

- Ensure that new waste management facilities are located, insofar as is possible, to meet the needs of the main centres of population and economic activity in Berkshire, taking account of national and international designations such as the Area of Outstanding Natural Beauty, Green Belt, Special Areas of Conservation and Special Protection Areas.
- Recognise that, whilst net self-sufficiency for waste management facilities (in terms of total volume rather than individual streams) may be a viable aspiration for Berkshire as a whole to work towards, such net self-sufficiency cannot be achieved by all individual unitary authorities. In producing waste local plans within Berkshire, authorities will have to liaise closely to plan for existing and expected future movements of waste across authority boundaries both within Berkshire and to and from other authority areas.

Signed:

BracknellForest Council

Reading Borough Council

Royal Borough of Windsor Maidenhead

Slough Council.

West Berkshire Council

Wokingham Borough Council

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Title of Report:	Quarter 2 Council Performance Report
Report to be considered by:	Executive
Date of Meeting:	19 December 2013
Forward Plan Ref:	EX2647

Purpose of Report:

1. To report Q2 outturns against the key accountable measures and activities contained in the Council's performance framework
2. To report by exception those measures / activities not achieved or behind schedule and cite remedial action taken and the impact it has had.

Recommended Action:

1. To note progress against the key accountable measures and activities contained in the Council's performance framework.
2. Review those areas reporting as 'amber' to ensure that appropriate corrective or remedial action has been put in place

Reason for decision to be taken:

This framework compiles and monitors progress in relation to the objectives laid out in the Council Strategy distilled from the Council's individual service plans. In doing so, it expresses the purpose and ambition of the Council and by extension the Council's main focus of activities and key measures of success against which we can assess ourselves and publically report progress.

Other options considered: n/a**Key background documentation:**

- 2013/17 Council Strategy
- Individual service plans

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 principle:

- ☒ **CSP9 - Doing what's important well**

The proposals contained in this report will help to achieve the above Council Strategy priorities and principle by:
articulating progress against the Council's strategic - and operational - objectives.

Portfolio Member Details	
Name & Telephone No.:	Councillor Roger Croft
E-mail Address:	rcroft@westberks.gov.uk
Date Portfolio Member agreed report:	2 December 2013

Contact Officer Details	
Name:	Jason Teal
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E-mail Address:	jteal@westberks.gov.uk

Implications

Policy:	Any implications will be highlighted in the individual exception reports.
Financial:	Any implications will be highlighted in the individual exception reports.
Personnel:	Any implications will be highlighted in the individual exception reports.
Legal/Procurement:	Any implications will be highlighted in the individual exception reports.
Property:	Any implications will be highlighted in the individual exception reports.
Risk Management:	Any implications will be highlighted in the individual exception reports.
Equalities Impact Assessment:	Any implications will be highlighted in the individual exception reports.

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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	<input type="checkbox"/>	
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>	
Delays in implementation could compromise the Council's position	<input type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	
Report is to note only	<input checked="" type="checkbox"/>	

Executive Summary and Report

1. Introduction

- 1.1 This report sets out the Council's progress in quarter two against its key accountable measures and activities for 2013/14. In doing so, it provides assurance to the Executive that objectives laid out in the Council Strategy and other areas of significance / importance across the Council are being delivered.
- 1.2 Across this reporting framework as a whole, 48 key accountable measures and activities are captured in total. Of this 48 in Q2 data is available for 37 measures.
- 1.3 Within Education there are 3 new measures relating to attainment. As a result academic year 2012/13 will set the baseline in order to calibrate aspirations and intended performance in subsequent years. For completeness, however, these are included in the list of key accountable measures; although no RAG ratings will be ascribed this year.
- 1.4 Of the reported measures / activities, 30 are reported as 'green' – or have been delivered / achieved at year end and 7 are reported as 'amber' – or are behind schedule but are expected to be delivered / achieved at year end. None are reported as 'red'.
- 1.5 Ambers in Q2 are:

Vulnerable children and young people:

- % of children becoming the subject of a child protection plan for a second or subsequent time (within two years of previous plan end date).
- To maintain the number of children accessing Short Breaks

Vulnerable older people and adults:

- % of safeguarding alerts responded to within 24 hours;
- % of older people still at home 91 days after discharge from hospital into reablement / rehabilitation services;
- % of high priority Disabled Facilities Grants within 9 weeks of receipt of full grant application;
- nos. of days taken to make a full decision on new Benefit claims;

Planning:

- % of upheld planning appeals is less than the national average.

2. Equalities Impact Assessment Outcomes

- 2.1 There is no decision to be made and therefore no Equality Impact Assessment has been undertaken.

Appendices

Appendix A – Quarter 2 Performance Report: Key Accountable Measures and Activities 2013/14. Update on progress: July-September 2013.

Consultees

Local Stakeholders: N/a

Officers Consulted: All Heads of Service, Corporate Board

Trade Union: N/a



Quarter Two Performance Report:

Key accountable measures and activities 2013/14

Update on progress: July –September 2013

compiled by:

Research, Consultation & Performance Team

Strategic Support Unit

westberks.gov.uk/performance

October 2013

For queries contact: Jason Teal (01635 519102 or jteal@westberks.gov.uk)

Key strategic measures and activities 2013/14

Quarter two: July – September 2013

Measures of Volume by Directorate

This table pulls together a number of socio-economic measures to contextualise what is happening in the wider context of West Berkshire which will help identify issues around which Council may need to act.

State of the District: Measures of volume	2012/13					2013/14			
	2012/13 Q1	2012/13 Q2	2012/13 Q3	2012/13 Q4	YE 2012/13	2013/14 Q1	2013/14 Q2	% diff. Q2 v Q2	Comment
Total claimant count (aged 16-64)	1,745 (1.8%)	1,665 (1.7%)	1,615 (1.6%)	1,745 (1.8%)	-	1,495 (1.5%)	1,264 (1.3%)	-24%	South East claimant rate = 2%
Total claimant count (aged 18-24)	455 (4.3%)	435 (4.0%)	380 (3.5%)	420 (3.9%)	-	325 (3.9%)	264 (2.5%)	-39%	South East claimant rate = 3.6%
Unfilled job vacancies in West Berkshire	1,255	963	1,803	-	-	Data no longer published			Nomis ceased collating this data in November 2012. It is hoped that DWP will produce a similar dataset from Universal Jobmatch.
Average house price	£227,707	£228,311	£232,067	£226,780	-	£226,700	£230,967	1%	
Net number of properties	65,264	65,426	65,603	65,625	-	£65,700	-		
Number of households accepted by the local authority as eligible, unintentionally homeless and in priority need in accordance with the homelessness provisions of the Housing Act 1996.	19	22	8	8	57	11	-		Q4 2012/13 figure is now confirmed. Data is delayed by 3 months due to time taken to collate application data for P1E.
Newbury footfall	27,150 (May '12)	-	24,080 (Oct '12)	-	-	27,500 (May '13)		↑VALUE↑	
Hungerford footfall	4,740 (May '12)	-	-	-	-	4,590 (May '13)		↑VALUE↑	↑0%
Thatcham footfall	5,890 (May '12)	-	-	-	-	5,400 (May '13)		↑VALUE↑	↑0%

State of the District: Measures of volume	2012/13					2013/14			
	2012/13 Q1	2012/13 Q2	2012/13 Q3	2012/13 Q4	YE 2012/13	2013/14 Q1	2013/14 Q2	% diff. Q2 v Q2	Comment
Number of crimes reported (All)	2,121	2,051	2,005	1,997	8,152	2,230	2,111	3%	
Nos. of serious acquisitive crime incidents reported	351	319	303	185	1,155	402	272	-15%	
Number of ASB incidents reported	769	847	487	442	2,547	598	727	-14%	
Domestic burglaries (dwellings)	115	106	98	83	402	99	72	-32%	
Number of people killed or seriously injured on roads in West Berkshire (incl. Highway Agency roads)	16	20	24	10	70	14	-		Data available a quarter in arrears.

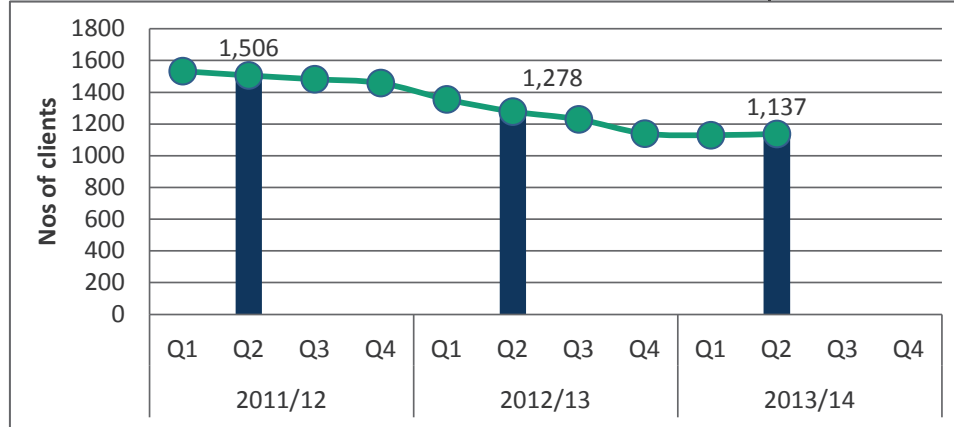
Demand for services provided by the Council

The range of activities the Council performs is varied – providing more than 300 different services or functions. These are not static and we have seen demand for – and people’s use of – services change. For example, compared to the same period last year we have seen:

Measures of volume: Communities Directorate

Nos. of clients aged 18 - 64 having received a community based service in the past 12 months, excluding residential/nursing care home

Q2 '13/14
V
Q2 '12/13
-11%



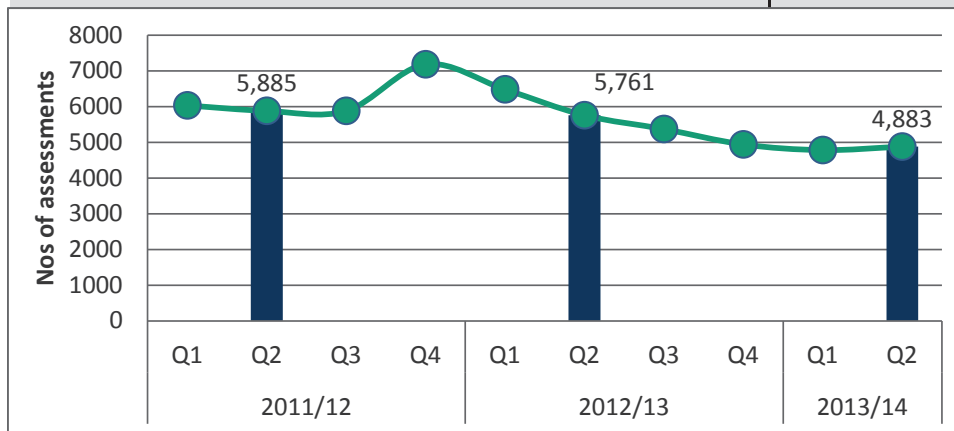
Nos. of clients aged 65 plus having received a community based service in the past 12 months, excluding residential/nursing care home

Q2 '13/14
V
Q2 '12/13
-22%



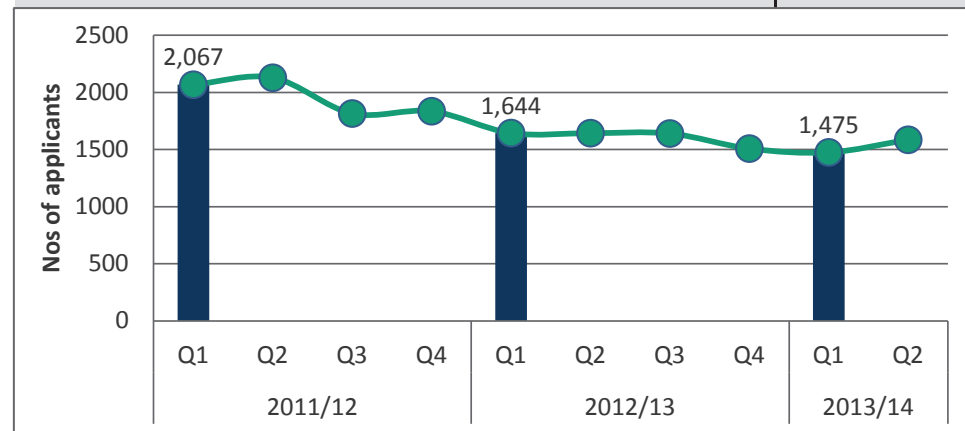
Nos. of social care assessments and reviews completed in the last 12 months

Q2 '13/14
V
Q2 '12/13
-15%



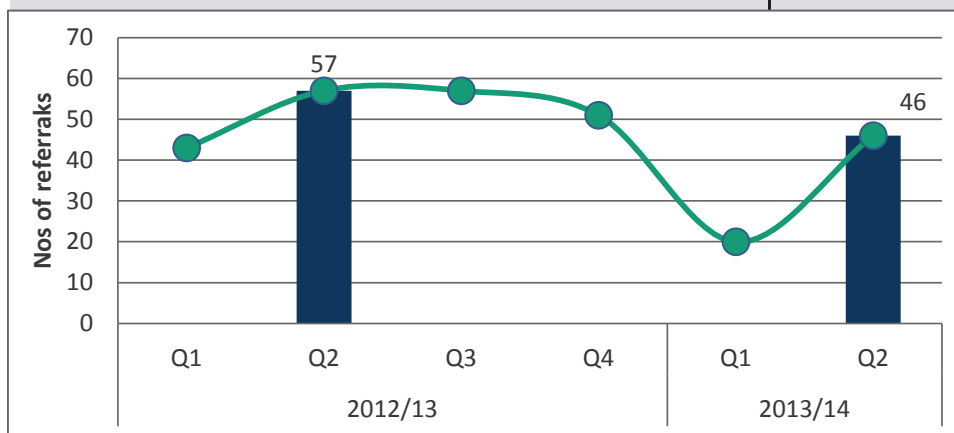
Nos. of live applicants on the Common Housing Register in the reasonable preference group

Q2 '13/14
V
Q2 '12/13
-4%



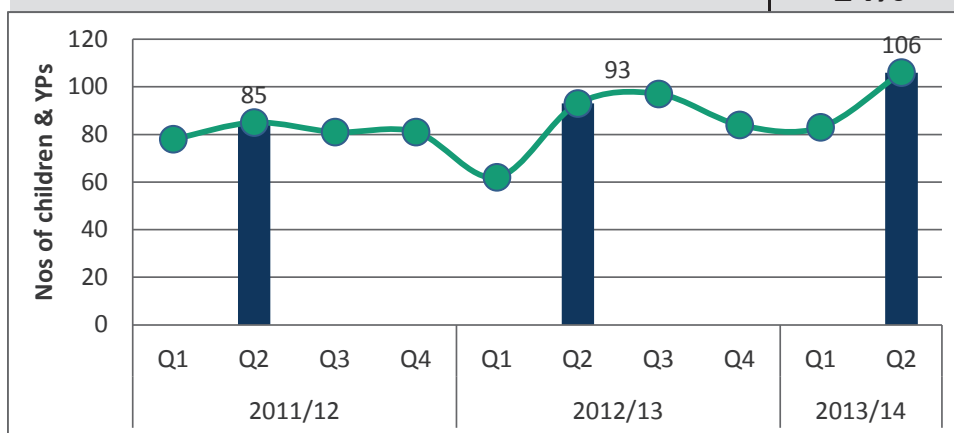
Number of safeguarding referrals received

Q2 '13/14
v
Q2 '12/13
-19%



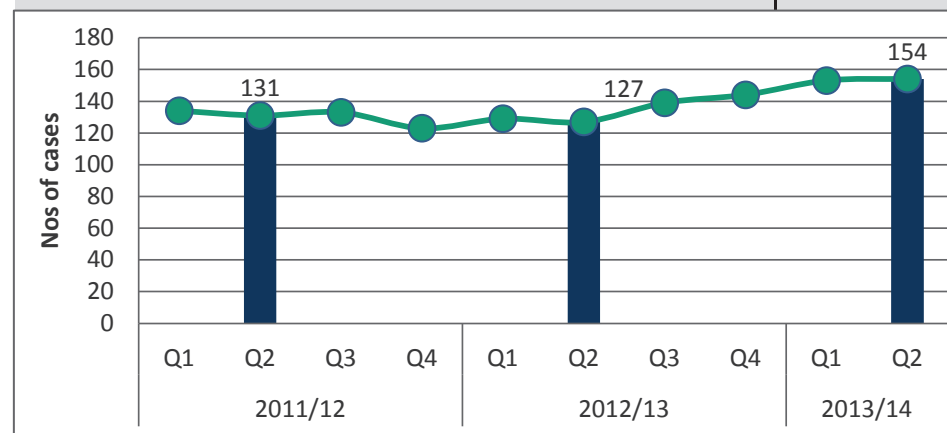
Nos. of children and young people subject to a child protection plan

Q2 '13/14
v
Q2 '12/13
14%



Nos. of Looked After Children cases

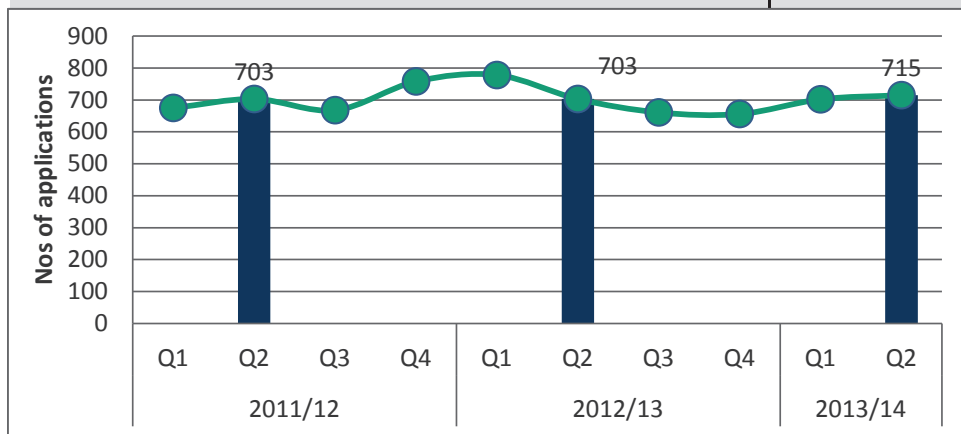
Q2 '13/14
v
Q2 '12/13
21%



Measures of volume: Environment Directorate

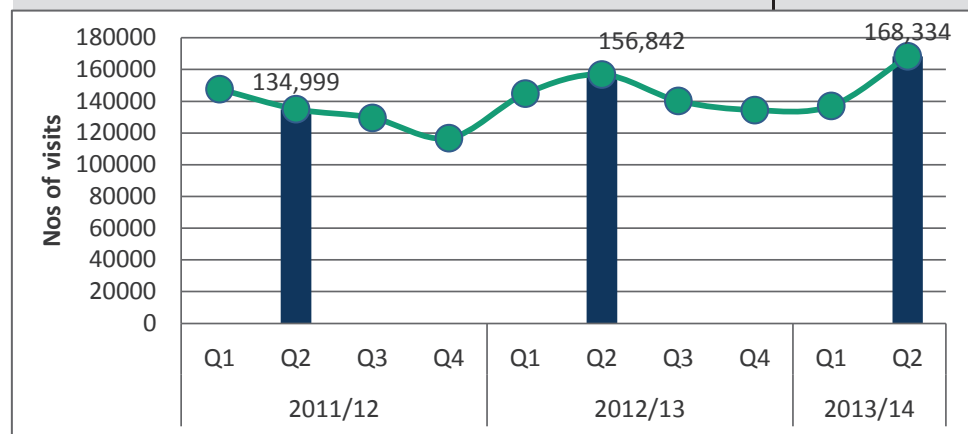
Total nos. of planning applications (Received)

Q2 '13/14
V
Q2 '12/13
2%



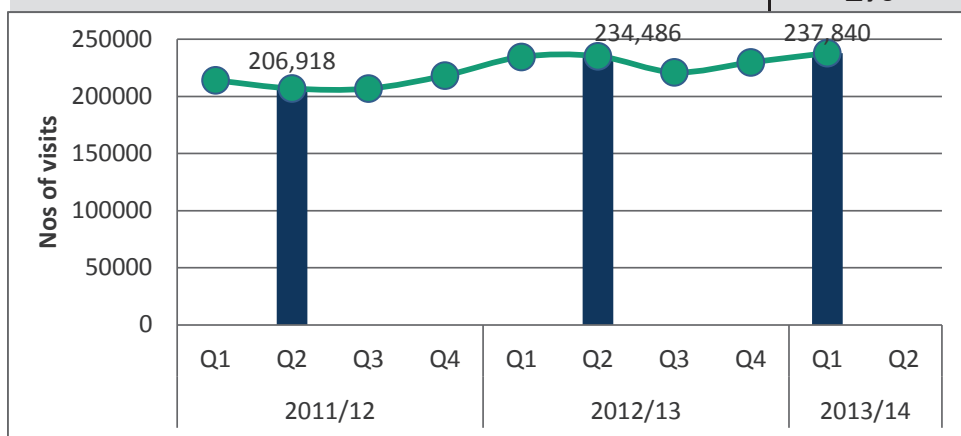
Number of visits to library venues (physical / virtual)

Q2 '13/14
V
Q2 '12/13
7%



Number of visits to sports and leisure centres

Q2 '13/14
V
Q2 '12/13
1%

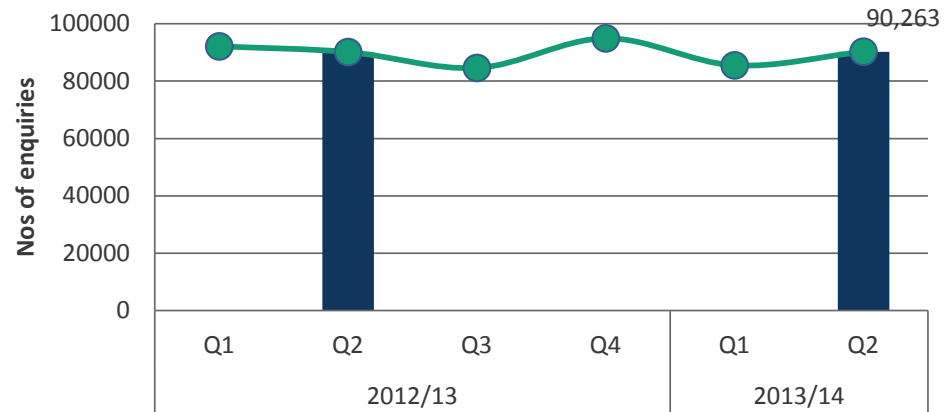


Measures of volume: Resources Directorate

Total nos of enquiries with Contact Centre

Q2 '13/14
V
Q2 '12/13

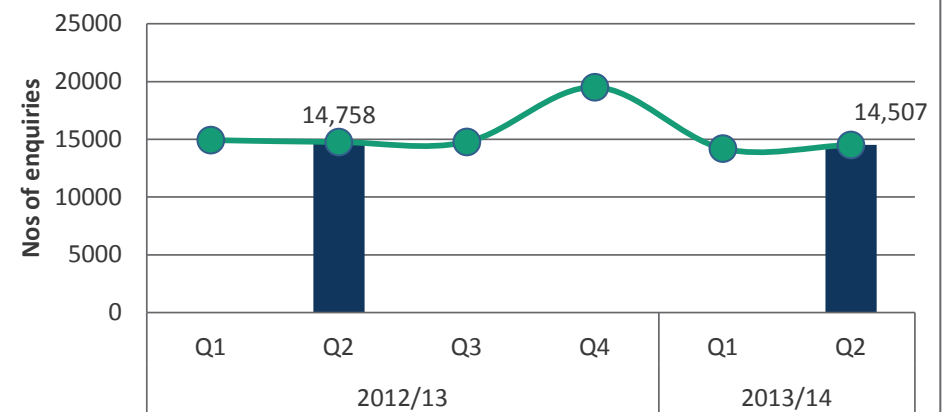
0%



Total nos of Streetcare enquiries (received directly through Contact Centre & online fault reporting)

Q2 '13/14
V
Q2 '12/13

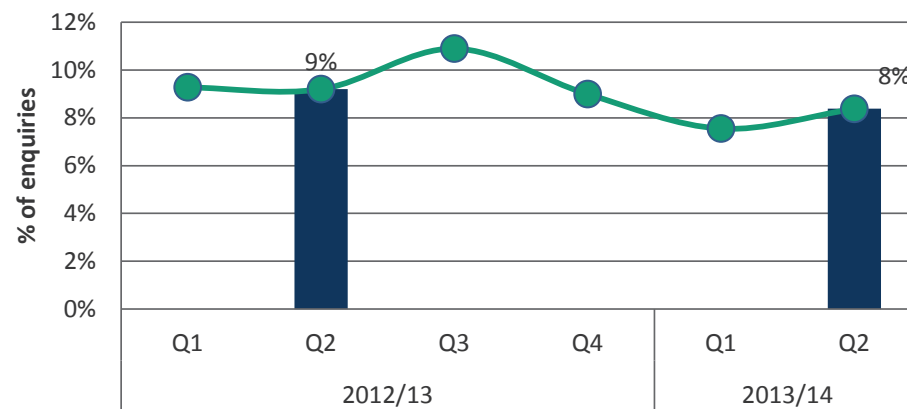
-2%



% of all enquiries (through Contact Centre and Streetcare) received via web reporting or email

Q2 '13/14
V
Q2 '12/13

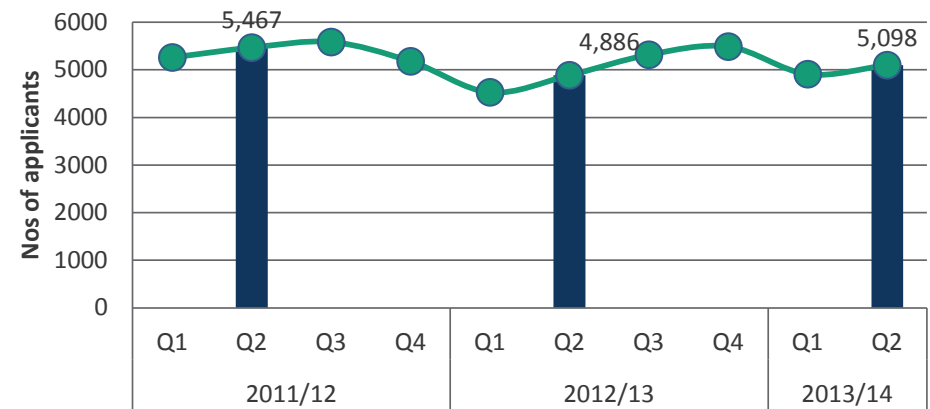
-1%



Nos. of helpdesk calls received (requests/incidents)

Q2 '13/14
V
Q2 '12/13

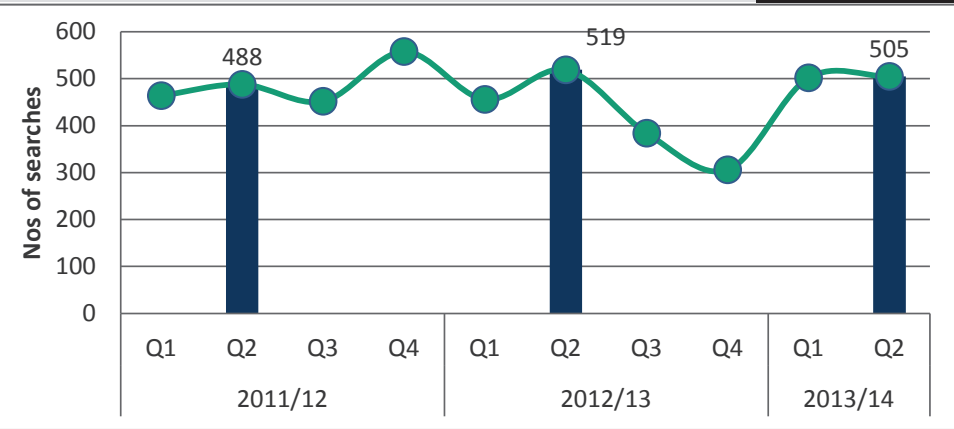
4%



Measures of volume: Resources Directorate

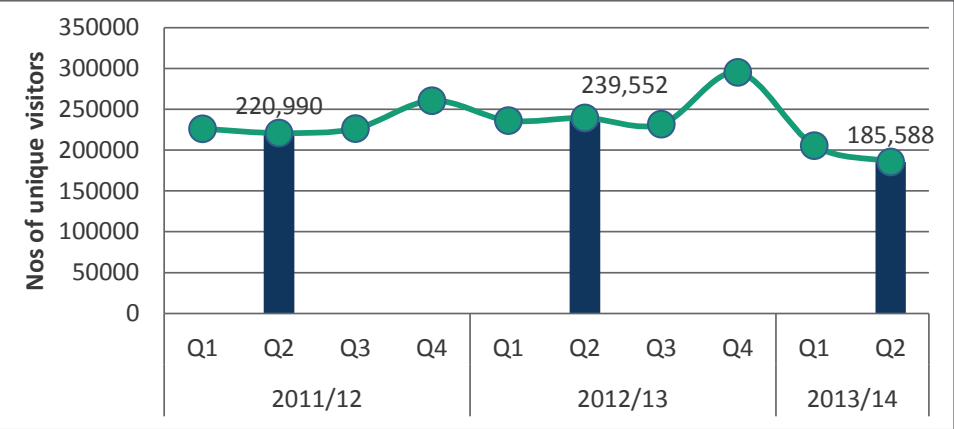
Nos. of local authority searches completed

Q2 '13/14
V
Q2 '12/13
-3%



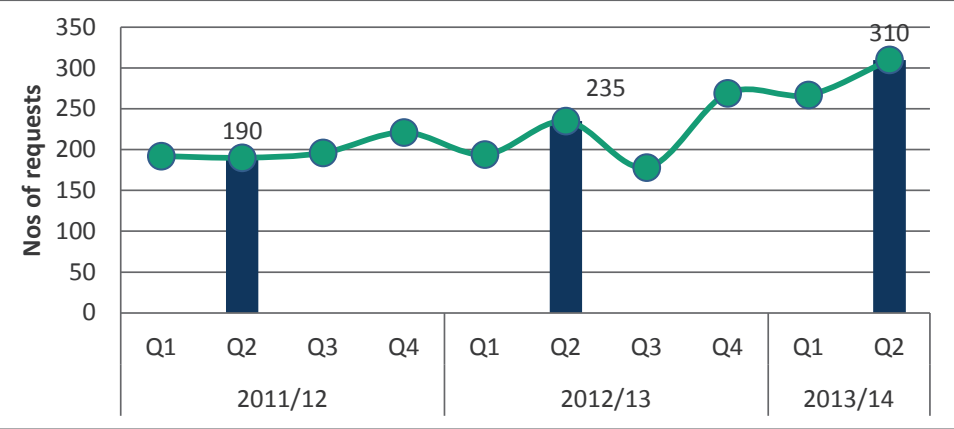
Nos. unique visitors to website (excl. staff)

Q2 '13/14
V
Q2 '12/13
-23%



Nos. of Freedom of Information requests

Q2 '13/14
V
Q2 '12/13
32%



Purpose of this report

To provide an update on progress against the Council's key accountable measures and activities for quarter two, 2013/14.

The key measures / activities within this report have been distilled from those routinely monitored and managed through individual service plans to focus more singularly on those which are of particular importance / significance key in delivering the strategic objectives in the Council Strategy and to the ongoing work of the Council as a whole. This report therefore:

- provides assurance to the Executive that the objectives laid out in the Council Strategy are being delivered;
- provides assurance to the Executive that areas of significance / particular importance are performing;
- acts as an early warning system, flagging up areas of significance / particular importance which are not performing - or are not expected to perform - as hoped;
 - and therefore ensures that adequate remedial action is put in place to mitigate the impact of any issues that may arise.

Conventions used in this report

Throughout the report we have used a RAG 'traffic light' system to report progress:

- ★ means we have either achieved / exceeded - or expect to achieve / exceed - what we set out to do;
- ◆ means we are behind schedule, but still expect to achieve or complete the measure / activity by year end;
- indicates that we have either not achieved – or do not expect to achieve - the activity or target within the year;

indicators reported as Ⓢ are annual indicators that can only be reported at a particular point in time – i.e. GCSE results or the road condition survey, whilst;

indicators reported as U are where the quarterly data is not yet available.

Where measures / activities are reported as 'red', an exception report provides a description of why the measure / activity will not be achieved / completed, the impact of not achieving, the remedial action being taken to mitigate the impact of this as well as the revised anticipated year end position.

In total, there are 48 key measures or activities which are appraised by the Executive through this reporting mechanism. These are aligned to the strategic priorities laid out in the Council Strategy.

The main body of the report presents these in more detail. Along with a description of the measure, the table also provides:

- *Column 2*: an indication of whether or not the Council has direct / complete control over the measure.
- *Column 3*: an indication of the impact on either, service users or the community more generally, should the measure not be achieved.
- *Column 4*: the previous year's outturn.
- *Column 5*: the current year's target,
- *Column 6*: quarterly outturn and RAG rating.
- *Column 7*: any supporting commentary provided.

Commentary on Performance

Across this reporting framework as a whole, 48 key accountable measures and activities are captured in total.

Within Education there are 3 new measures relating to attainment. As a result academic year 2012/13 will set the baseline in order to calibrate aspirations and intended performance in subsequent years. For completeness, however, these are included in the list of key accountable measures; although no RAG ratings will be ascribed this year.

Of the remaining 48, outturns are available for 37 measures.

Of the reported measures / activities, 30 are reported as 'green' – or have been delivered / achieved at year end and 7 are reported as 'amber' – or are behind schedule but are expected to be delivered / achieved at year end.

The summary table below shows year end outturns by directorate.

Overview of performance outturns	2011/12	2012/13	2013/14 Q2 outturns			
	Year End	Year End	Overall	Comm	Env	Res
Green	27	45	30	21	8	1
Amber	0	0	7	5	1	1
Red	12	3	0	0	0	0
Annual (yet to be reported)	0	0	11	7	2	2
Unavailable at time of publication	0	1	0	0	0	0
Total	39	49	48	33	11	4

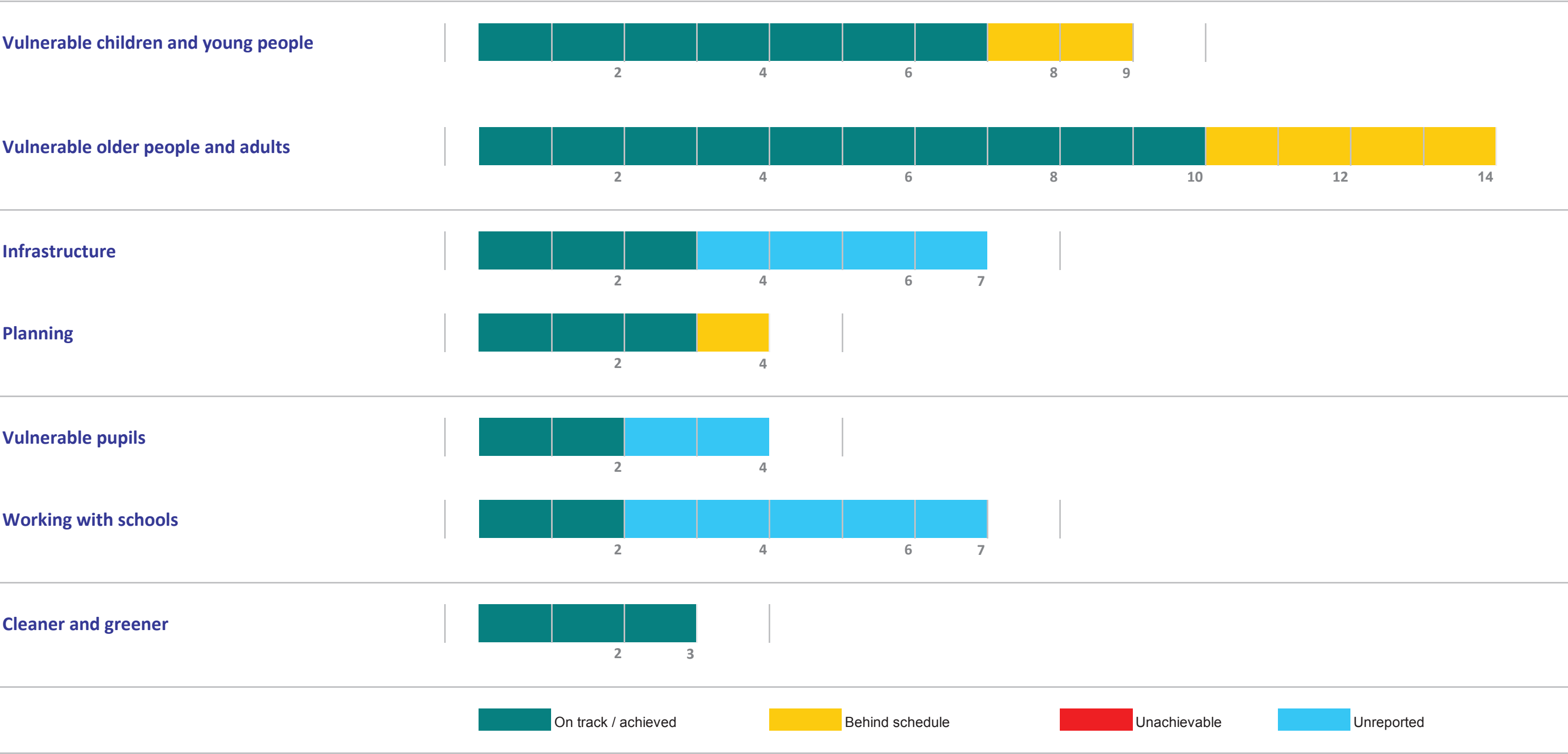
The graph below summarises the same data against the Council's priorities. More information – outturns and commentary - on each of these measures is contained in the main body of this report.

This report is published at westberks.gov.uk/performance.

Key accountable measures and activities 2013/14

Quarter two: July – September 2013

Outturns



2013/14 West Berkshire Council key accountable measures

Measure / activity	Direct influence	Community / service Impact	2012/13 Year end outturn	2013/14 Target	Q1 RAG /outturn	Q2 (YTD) RAG / outturn	Supporting commentary
CARING FOR AND PROTECTING THE VULNERABLE							
Vulnerable children and young people							
Maintain the timeliness of Looked After Children (LAC) reviews carried out on time	Y	Medium	99%	98%	★ 98%	★ 100%	Q2 outturn: 146 / 146
Maintain the percentage of Child Protection Reviews carried out on time	Y	High	100%	98%	★ 100%	★ 100%	Q2 outturn: 75 / 75
To maintain a low percentage of child protection plans that last for 2 years or more	Y	Medium	3%	<5%	★ 3%	★ 2%	Q2 outturn: 1 / 56
To maintain a low proportion of children becoming the subject of a child protection plan for a second or subsequent time (within two years of previous plan end date)	Y	High	23%	5-20%	◆ 0%	◆ 1%	We are currently outside our threshold of 5-20%. However, we are likely to receive some repeat plans during the remainder of the year so that performance will fall into the target range.
To maintain the % of Initial Assessments within 10 working days until such time as the new single assessment introduced	Y	Medium	88%	80%	★ 92%	★ 88%	YTD outturn: 324 / 367
To maintain the number of children accessing Short Breaks	Y	Medium	626	625	U data unavailable	◆ 613	A number of new providers started this year and it is taking some time to build up these services.
To increase the total number of active foster carers	Y	High	61	65	★ 63	★ 65	
To maintain the number of new looked After Children (LAC) placed within 20 miles of their home wherever possible.	Y	Medium	88%	80%	★ 100%	★ 92%	Q2 outturn: 33 / 37
To maintain the percentage of Looked After Children (LAC) with 2 or less placements during the year	Y	High	94%	90%	★ 100%	★ 98%	Q2 outturn: 148 / 151
Vulnerable older people and adults							
Ensure 90% of safeguarding alerts are responded to within 24 hours	Y	High	-	90%	◆ 87%	◆ 88%	89% achieved in Q2 showing improvement compared to 87% in Q1. The good work that has been completed in Q2 to improve the quality of the data being recorded will continue in Q3 with the expectation of achieving target by year end.
Reduce the number of repeat safeguarding referrals through the monitoring and review of protection plans	Y	High	8%	8%	★ 5%	★ 6%	

2013/14 West Berkshire Council key accountable measures

Measure / activity	Direct influence	Community / service Impact	2012/13 Year end outturn	2013/14 Target	Q1 RAG /outturn	Q2 (YTD) RAG / outturn	Supporting commentary
Increase the proportion of service users receiving a personal budget, either commissioned, cash or a mixture of both	Y	High	55.7% (685/1230)	60% of eligible clients	★ 64%	★ 64%	Q2 outturn: 1070 / 1665 Personal Budget (PB) Reports have been revised to include all clients funded from OP Domicillary Care and PD Domicillary Care cost centres as these clients have been allocated a PB at Resource Panel and then received a commissioned PB home care service. The denominator to capture eligible users for PB has been amended in line with new SALT (Short and Long Term) statutory reporting guidance that should exclude electrical equipment maintenance from long term services.
Maintain the proportion of older people still at home 91 days after discharge from hospital into reablement/rehabilitation services	Y	Medium	93%	93%	◆ 89%	◆ 86%	Q2 outturn: 189 / 221 Full Yr effect. This reflects the development of the Homesafe service which avoids delayed transfer of care by taking people home to maximise their abilities to stay in their own home. However the risk is that some may not achieve independent living. Progress will be reviewed in Q3 but we are committed to a fast, efficient discharge from hospital to meet the DTOC target for this year.
Maintain percentage of financial assessments within 3 weeks of referral to the Welfare Benefits Team	Y	Medium	99%	97%	★ 99%	★ 99%	YTD outturn: 623 / 630
Ensure 95% of claims for Local Welfare Provision are processed within 10 working days	Y	Medium	-	95%	★ 100%	★ 98%	YTD outturn: 163 / 167
Increase the number of identified carers receiving help or support from the Council	Y	Medium	300	350	★ 251	★ 285	Rolling 12 months, on track to reach target of 300 carers receiving services
Maintain the percentage of vulnerable people maintaining independent living through the provision of a housing related support service	Y	High	99%	98%	★ 99%	★ 99.6%	Q2 outturn: 596 / 597
Maintain the percentage of people presenting as homeless where the homelessness has been relieved or prevented	Y	High	78%	78%	★ 87%	★ 81%	YTD outturn: 258 / 319
Maintain the number of people supported to move on from short term accommodation into independent living in a planned way	Y	Medium	63%	60%	★ 81%	★ 77%	YTD outturn: 79 / 102

2013/14 West Berkshire Council key accountable measures

Measure / activity	Direct influence	Community / service Impact	2012/13 Year end outturn	2013/14 Target	Q1 RAG /outturn	Q2 (YTD) RAG / outturn	Supporting commentary
Approve 95% of high priority Disabled Facilities Grants within 9 weeks of receipt of full grant application	Y	High	99%	95%	100%	90%	(YTD: 28/31) The indicator is affected by the small number of cases and only 3 were outside of the timeframe. Two of these cases did not have all of the funding in place (i.e. there were client contributions that were not in place – as soon as they were in place the application was approved) and one was moving to another district so was not able to fulfil the requirements needed for a DFG. This applicant has subsequently decided not to move and the DFG was immediately approved.
Ensure 75% of claims for Discretionary Housing Payment are determined within 28 days following receipt of all relevant information	Y	High	-	75%	81%	-	Q2 outturn: 98%. Awaiting numerator/denominator - so at this point ytd cannot be reported
The average number of days taken to make a full decision on new Benefit claims	Y	Medium	17.8 days	<18.5 days	18.8 days	18.73 days	Slightly above expectation, but Management are monitoring workloads and allocating resource to bring this measure on target by year end.
The average number of days taken to make a full decision on changes in a Benefit claimants circumstances	Y	Medium	7.0 days	< 8 days	8.5 days	7.74 days	The impact of Welfare Reforms has reduced the capacity of the service in this area in Q1. Management are closely monitoring performance and allocating resources to bring this indicator in on target.
PROMOTING A VIBRANT DISTRICT							
Infrastructure							
Ensure that no more than 5% of the principal road network (A roads) is in need of repair	Y	High	4%	<5%	Annual	Annual	
Ensure that no more than 10% of the classified non-principal road network (B and C roads) is in need of repair	Y	High	6%	<10%	Annual	Annual	
Aim to complete at least 75% of all works orders for permanent pothole repairs within 28 days of the order date.	Y	High	tbc	75%	77%	77%	
Number of Berkshire premises able to receive standard broadband services 2Mb/s or above (Target 100% by 2015)	N	Medium	-	TBC (Awaiting Superfast Berkshire Bid Response)	Annual	Annual	

2013/14 West Berkshire Council key accountable measures

Measure / activity	Direct influence	Community / service Impact	2012/13 Year end outturn	2013/14 Target	Q1 RAG /outturn	Q2 (YTD) RAG / outturn	Supporting commentary
Number of Berkshire premises able to receive Superfast Broadband services 24Mb/s or above (Target 90% by 2015)	N	Medium	-	TBC (Awaiting Superfast Berkshire Bid Response)	🕒 Annual	🕒 Annual	
Continue working in partnership with the Environment Agency, Newbury Town Council and other stakeholders to complete the Newbury Flood Alleviation Scheme.	N	Medium	Year 1 complete	Mar-14	★ On track	★ On track	
Bring 30 empty homes back into use for by 31/03/14 using the councils framework for engaging with identified empty home owners	N	Medium	88	30	★ 20	★ 49	
Planning							
60% of ‘major’ planning applications determined within 13 weeks.	Y	High	(38/52) 73.1%	60%	🔹 56%	★ 66%	YTD outturn: 21 / 32. Provisional data.
65% of ‘minor’ planning applications determined within 8 weeks.	Y	High	(352/465) 75.7%	65%	★ 77%	★ 70%	YTD outturn: 142 / 204. Provisional data.
75% of ‘other’ planning applications determined within 8 weeks.	Y	High	(1257/1381) 91%	75%	★ 92%	★ 91%	YTD outturn: 659 / 725. Provisional data.
Ensure that the proportion of upheld planning appeals is less than the national average.	Y	Medium	33%	<35%	🔹 43%	🔹 39%	Q2 outturn: 5.5 / 17. Planning appeal decisions are made by independent Planning Inspectors. However an analysis of this year’s appeals does not show an underlying policy or process weakness and so we are confident that performance will improve to a level below the national of average of 35%.

2013/14 West Berkshire Council key accountable measures

Measure / activity	Direct influence	Community / service Impact	2012/13 Year end outturn	2013/14 Target	Q1 RAG /outturn	Q2 (YTD) RAG / outturn	Supporting commentary
IMPROVING EDUCATION							
Vulnerable pupils							
Narrowing the achievement gap between SEN / non SEN scoring level 4 or above in English and Maths at the end of KS 2	N	High	2011-12 AY: 52%	2012/13 AY: 54%	🟡 Annual	🟡 Annual	2012/13 AY confirmed outturns released by DofE Jan '14
Increase the proportion of children eligible for FSM who achieve 5+A*-C grades at GCSE (incl English and Maths)	N	High	2011-12 AY: 21.9% (FSM) 26.2% (FSM ever 6)	2012/13 AY: 32%	🟡 Annual	🟡 Annual	2012/13 AY confirmed outturns released by DofE Jan '14
Reduce the number of people aged 16-18 not in education, employment or training (NEET)	N	High	Jun 12: 4.7% Sep 12: 5.7% Dec 12: 4.5%	<3.4%	🟡 3.9%	🟢 3.4%	As at October 2013.
Increase the proportion of YP in jobs with training, including apprenticeships	N	High	41% (3/13)	50%	🟢 9%	🟢 48%	Figure will increase. Accurate data is difficult to obtain in Q2, as students move, are on holiday or finish learning over the summer period.
Working with schools							
Increase the proportion of pupils gaining 5+ A*-C at GCSE including English and Maths to be above national levels (all schools including special)	N	High	2011-12 AY: 57%	2012/13 AY: 62%	🟡 Annual	🟡 Annual	2012/13 AY confirmed outturns released by DofE Jan '14
Increase the proportion of pupils gaining 5+ A*-C at GCSE including English and Maths to be above national levels (non-academies, not including special)	N	High	2011-12 AY: 58.3% (Excl Kennet, PH, St.Bart, Denefield)	2012/13 AY: >58%	🟡 Annual	🟡 Annual	2012/13 AY confirmed outturns released by DofE Jan '14
Increase the percentage of pupils achieving at least level 4 at the end of KS2 in Reading	N	High	2011-12 AY: 87%	2012/13 AY: >87%	🟡 Annual	🟡 Annual	2012/13 AY confirmed outturns released by DofE Jan '14
Increase the percentage of pupils achieving at least level 4 at the end of KS2 in Writing	N	High	2011-12 AY: 84%	2012/13 AY: >84%	🟡 Annual	🟡 Annual	2012/13 AY confirmed outturns released by DofE Jan '14
Increase the percentage of pupils achieving at least level 4 at the end of KS2 in Maths	N	High	2011-12 AY: 82%	2012/13 AY: >82%	🟡 Annual	🟡 Annual	2012/13 AY confirmed outturns released by DofE Jan '14
Improve the number of pupils making 2+ levels of progress in reading	N	High	-	Baseline year for new measure.	🟡 Annual	🟡 Annual	Baseline year for new measure. 2013/14 AY outturn available Q2 2014/15.
Improve the number of pupils making 2+ levels of progress in writing	N	High	-	Baseline year for new measure.	🟡 Annual	🟡 Annual	Baseline year for new measure. 2013/14 AY outturn available Q2 2014/15.

2013/14 West Berkshire Council key accountable measures

Measure / activity	Direct influence	Community / service Impact	2012/13 Year end outturn	2013/14 Target	Q1 RAG /outturn		Q2 (YTD) RAG / outturn	Supporting commentary
Improve the number of pupils making 2+ levels of progress from KS1 to the end of KS2 in Maths	N	High	-	Baseline year for new measure.	🕒	Annual	🕒 Annual	Baseline year for new measure. 2013/14 AY outturn available Q2 2014/15.
The proportion of schools judged good or better by Ofsted under the new Framework (harder test)	N	High	62	> prev year	★	39%	★ 42%	Q2 outturn: 14 / 33
To maintain the number of primary schools below the floor standard at the end of KS2 for at least 2 of the previous 3 years	N	High	None	0	★	None	★ None	Q2 outturn: 0 / 0
PROTECTING THE ENVIRONMENT								
Cleaner and greener								
Maintain the proportion of household waste recycled/composted/reused	Y	High	50%	49%	★	51%	★ 51%	Q2 outturn: 10,504 / 20,763. This quarters result is an estimate based on partial availability of data and will not be finalised until the next quarter. This result is also subject to change once figures are validated and confirmed by DEFRA after quarter 4.
% of household waste landfilled	Y	High	17%	<20%	★	17%	★ 16%	Q2 outturn: 2,857 / 20,763. This quarters result is an estimate based on partial availability of data and will not be finalised until the next quarter. This result is also subject to change once figures are validated and confirmed by DEFRA after quarter 4.
Maintain an acceptable level of litter, detritus and graffiti (as outlined in the Keep Britain Tidy local environmental indicators).	Y	High	Good	Good	🕒	Annual	★ Good	

End of report

Title of Report:	Delegation of Procurement Functions for Public Health
Report to be considered by:	Executive
Date of Meeting:	19 December 2013
Forward Plan Ref:	EX2769

Purpose of Report:

This report recommends the delegation of procurement functions in respect of public health contracts to the Director of Public Health to facilitate the joint procurement of such contracts by the six Berkshire unitary authorities. It is also recommended that authority be delegated for the amendment of the inter-authority agreement entered into by the Berkshire authorities put in place upon the transfer of the public health function to local authorities, to provide for the management, administration and operation of contracts to be jointly procured.

Recommended Action:

- (1) That the Executive delegates to the Director of Public Health Authority to jointly procure with the other Berkshire unitary authorities contracts for the future provision of public health services, subject to consultation on each such procurement with the Joint Public Health Advisory Board.
- (2) That the Executive waives the use of its Contract Rules of Procedure relating to these joint procurements and that the contract standing orders of Bracknell Forest Borough Council apply in accordance with the Joint Agreement and following consultation with the Joint Public Health Advisory Board.
- (3) That authority be delegated to the Head of Public Health and Wellbeing (in consultation with the Portfolio Holder and Head of Legal Services) to negotiate and conclude an amendment to the inter-authority Public Health agreement, to provide for the administration, management and operation of future jointly procured Public Health contracts.

Reason for decision to be taken:

To enable shared procurements of public health contracts to be undertaken by the Berkshire unitary authorities economically, efficiently and effectively.

Other options considered:

The Council could carry out its own individual procurement of public health contracts but at increased cost both financially and in terms of staff resources.

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

☒ **CSP1 – Caring for and protecting the vulnerable**

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

☒ **CSP5 - Putting people first**

☒ **CSP6 - Living within our means**

☒ **CSP8 - Transforming our services to remain affordable and effective**

Portfolio Member Details

Name & Telephone No.:	Councillor Marcus Franks 01635 841552
E-mail Address:	mfranks@westberks.gov.uk
Date Portfolio Member agreed report:	21 November 2013

Contact Officer Details

Name:	David Holling/Lesley Wyman
Job Title:	Head of Legal Services/Head of Public Health and Wellbeing
Tel. No.:	01635 519422/01635 5193434
E-mail Address:	dholling@westberks.gov.uk/lwyman@westberks.gov.uk

Implications

Policy:	Public Health functions transferred to local government under the Health and Social Care Act 2012 and the Council agreed under an inter-authority agreement delivery of these functions
Financial:	There are no financial implications arising from this delegation. The budget is covered in the inter-authority agreement of 28th March 2013.
Personnel:	Not applicable.
Legal/Procurement:	Each unitary authority may delegate functions to the Director of Public Health as the effect of Section 113 of the Local Government Act 1972 is that she is treated as an officer of each authority for the purposes of any enactment relating to the discharge of local authorities functions.
Property:	Not applicable.
Risk Management:	The shared budget is administered under the Joint Agreement and is lead by Bracknell Forest Borough Council. This proposal develops the ability of the Director of Public Health to act on behalf of the shared centre and other authorities subject to the Joint Agreement.

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Is it a major policy, significantly affecting how functions are delivered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Will the policy have a significant impact on how other organisations operate in terms of equality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
• Does the policy relate to an area with known inequalities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
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			<input type="checkbox"/>	
Not relevant to equality				<input checked="" type="checkbox"/>

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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		<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input checked="" type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>
Report is to note only		<input type="checkbox"/>

Executive Report & Summary

1. Introduction

- 1.1 The six Berkshire Unitary Authorities entered into a joint agreement on 31st March 2013 relating to the appointment of a Director of Public Health to have responsibility for the Public Health functions of all six authorities. Bracknell Forest Borough Council acts as host authority and employs the Director of Public Health, Dr Lise Llewellyn who has been placed at the disposal of each of the unitary authorities so that she may discharge the functions of the Director of Public Health on behalf of each of them.
- 1.2 The joint agreement dealt with a number of matters including the employment of a 'shared' team to provide core public health services and made provision for the public health contracts that transferred under statutory schemes to the unitary authorities. However, intentionally, it did not deal with future procurement of renewal or replacement public health contracts.
- 1.3 It is considered that the joint procurement of future public health contracts will be in the best interests of all the Berkshire authorities through the achievement of economies of scale and greater purchasing power. Although it is currently envisaged that each authority will have a direct contractual relationship with providers, it is highly likely that the administration and management of the contracts could most beneficially be undertaken by the existing 'shared' team. To put in place such an arrangement will require amendment to the existing agreement, not least because the existing agreement can be terminated on notice expiring on 31st March 2016 whilst future jointly procured contracts are likely to extend beyond that date.

2. Proposals

- 2.1 It is proposed that to take advantage of the combined purchasing power of the six Unitary Authorities' contracts for major public health services (e.g. sexual health) will be jointly procured. At this stage it is envisaged that the contracts will be set up as a local framework arrangement so that each Unitary Authority will be able to call off services under the contract.
- 2.2 It would be extremely unwieldy (perhaps to a degree that would be unmanageable) if at each key stage of the procurement process (e.g. approval of specification, approval of contract award criteria, approval of tenderers, award of contract) a decision had to be formally taken by each Unitary Authority, especially if the decision was one required to be taken by Members. The Joint Public Health Board is constituted as an advisory group (i.e. it is not a joint committee) and therefore decisions cannot legally be taken by the Joint Board, although it is envisaged that in practice the Joint Board will be the group which takes the decision.
- 2.3 To overcome the difficulties alluded to above it is proposed that decisions on the procurement should formally be taken by the Director of Public Health, as she is an officer of or treated in law as being an officer of each of the Unitary Authorities (under the Joint Agreement between the Unitary Authorities put in place on the transfer of public health to local authorities). In order to avoid each procurement having to comply with five differing sets of contract standing orders (covering

number of persons invited to tender, opening of tenders etc) it is also proposed that Bracknell Forest Borough Council's (or any one others) contract standing orders should apply and the other Unitary Authorities waive their contract rules of procedure for those procurements.

- 2.4 In order to ensure that all six Unitaries are able to procure solutions in the most cost effective manner economically and in order to achieve best value it is proposed that each delegates to the Director of Public Health the ability to jointly procure with the other Berkshire unitary authorities contracts for the future provision of public health services subject to consultation on each such procurement with the Joint Public Health Advisory Board upon which each unitary authority has a representative.
- 2.5 The Council has the ability under the provisions of Section 113 of the Local Government Act 1972 to delegate these functions to the Director of Public Health as she is treated as an officer of each authority for the discharge of these functions which is also reflected in the joint agreement.
- 2.6 Also as outlined above it is appropriate that authority be delegated to the Head of Public Health and Wellbeing, in consultation with the Portfolio Holder and Head of Legal Services, to negotiate and conclude an amendment to the inter authority Public Health Agreement in order to provide for the administration, management and operation of the future jointly procured public health contracts which would be carried out by the 'shared' team.
- 2.7 All Berkshire Unitaries are taking a similar report to their Cabinet or Executive.

3. Equalities Impact Assessment Outcomes

- 3.1 This item is not relevant to equality.

4. Conclusion

- 4.1 The proposal provides a cost effective economic and efficient means of procuring public health provision by utilising economies of scale and Council is recommended to approve the Actions above.

Appendices

There are no Appendices to this report.

Consultees

Local Stakeholders: The six Berkshire Unitary authorities

Officers Consulted: Andy Day, Moira Fraser and Corporate Board

Trade Union: N/A

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Title of Report:	The Former Control Tower, Greenham Common
Report to be considered by:	Executive
Date of Meeting:	19 December 2013
Forward Plan Ref:	EX2732

Purpose of Report:

To consider the sale of the former Control Tower at Greenham Common.

Recommended Action:

Following consideration of the offers as discussed in the Part II section of this report and

- 1. Subject to confirmation of the funding package detailed in Part II that the Control Tower and associated land be offered to Greenham Parish Council, but**
- 2. In the absence of such confirmation by 24 January 2014 then the Control Tower be offered to one of the other bidders.**

It is recommended that:

Officers, in consultation with the Portfolio Holder, to be given delegated authority to agree the terms of the sale to the purchaser and to exchange contracts by 31 March 2014

Reason for decision to be taken:

To progress the disposal of the Control Tower and to bring a redundant property back into use.

Other options considered:

That the property be sold to one of the other bidders

Key background documentation:

- Guidelines for Community Right to Bid
- Part II report accompanying this report

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

- ☒ **CSP2 – Promoting a vibrant district**
- ☒ **CSP4 – Protecting the environment**

The proposals will also 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 priorities and principle by:

Securing the the long term future of an iconic building with benefits for the local community.

Portfolio Member Details	
Name & Telephone No.:	Councillor Alan Law - Tel (01491) 873614
E-mail Address:	alaw@westberks.gov.uk
Date Portfolio Member agreed report:	10 December 2013

Contact Officer Details	
Name:	Amanda Dennis
Job Title:	Asset Strategy Officer
Tel. No.:	01635 519399
E-mail Address:	adennis@westberks.gov.uk

Implications

Policy:	The property is listed as a property of community value and so the process for community right to bid in the Localism Act 2011 had to be followed. The Council's draft guidelines on community asset transfer apply.
Financial:	The sale will produce a capital receipt but this could be affected by the claw back provisions in favour of Greenham Common Trust
Personnel:	No implications
Legal/Procurement:	Counsel's opinion was received in respect of the claw back provision. The claw back is enforceable and the level of payment depends upon market conditions at the time the claw back is exercised. Following conclusion of negotiations Legal Services will deal with the Transfer of the Site from a conveyancing perspective
Property:	The sale of the Control Tower to include an additional area of land outside the current fence line
Risk Management:	There is a risk that the refurbished building will not be delivered after sale. There is also a risk that the claw back will significantly reduce the capital receipt.

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• Is it a major policy, significantly affecting how functions are delivered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• Will the policy have a significant impact on how other organisations operate in terms of equality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• Does the policy relate to functions that engagement has identified as being important to people with particular protected characteristics?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• Does the policy relate to an area with known inequalities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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		<input type="checkbox"/>	
Not relevant to equality			<input checked="" type="checkbox"/>

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

Executive Summary

1. Introduction

- 1.1 The Control Tower was successfully listed as an asset of community value under the Community Right to Bid legislation in the Localism Act 2011. Following the moratorium required under the Act the Control Tower was put on the market for sale and seven offers were received.
- 1.2 These offers were considered by the Asset Management Group who short listed three bidders who were invited to present their schemes.
- 1.3 A petition has been received stating that the signatories would like to see the building retained by the community and put to a community use.
- 1.4 The capital receipt may be subject to a claw back in favour of Greenham Common Trust.

2. Proposals

- 2.1 The bids received have been considered and the related Part II report outlines the proposals.
- 2.2 It is proposed that the Control Tower and an additional area outside the current fence be sold.

3. Equalities Impact Assessment Outcomes

- 3.1 This item is not relevant to equality because it relates to the sale of a vacant property to a third party.

4. Conclusion

- 4.1 That the Control Tower is sold to Greenham Parish Council, subject to the conditions stated in the related Part II report. If these conditions are not met then the property be offered to one of the other bidders.

Executive Report

1. Introduction

- 1.1 The former Control Tower at Greenham Common is a Grade 2 listed building owned by West Berkshire Council which has not been used for many years. When it was transferred to WBC there was an aspiration that its future use would include leisure and community activities. The Control Tower was recently offered for sale on the open market. Included with the Control Tower is an additional area of land outside the existing fence. The building and land is shown on the plan at appendix A.
- 1.2 Prior to the property being put on the open market Greenham Parish Council submitted a successful application for the Control Tower to be included on the list of buildings of community value which the Council has to maintain under the Localism Act 2011. One of the consequences of this is that when the property is to be sold a period of 6 months must be allowed for interested community organisations to prepare and make an offer for the purchase of the property and during this 6 month period the building owner is not permitted to sell the building to anyone other than the community organisation. However, after expiry of the 6 months the building owner can sell to whoever they wish. This period expired on 7 September 2013 and the marketing period for the Control Tower was tied into this timescale.
- 1.3 At the closing date of the marketing period seven offers were received. These were shortlisted and three of the bidders were invited to do a presentation of their schemes. Information about the offers and presentations is in the Part II element of this report.
- 1.4 The information obtained from the presentations and that previously supplied was then assessed on the following basis:
 - (1) Capital receipt offered
 - (2) Capital funding secured
 - (3) Funding to run the community offering and strength of business plan
 - (4) Financial covenant strength and track record of applicant
 - (5) Contribution to local economy – e.g. which groups will benefit, use of building by local interest groups, availability of public access.
 - (6) Interaction/consideration with adjoining use of Greenham Common.

2. Petition

- 2.1 At the Council meeting on 19 September 2013 a petition was submitted, signed by 1,292 signatures, which stated:
- 2.2 “WE THE UNDERSIGNED believe that the Control Tower at Greenham Common is the most iconic structure in Greenham and should be in the hands of the community, for the benefit of the community.

- 2.3 WE CALL UPON West Berkshire Council as current custodians and owners to put community and heritage above market value and do whatever is necessary to guarantee that the Control Tower is held in perpetuity for community use, and is not for private or commercial interests.”
- 2.4 The views of the local residents as expressed in the petition were taken into account in arriving at the recommendation along with the risks associated with the claw back provisions.

3. Recommendation

- 3.1 Following consideration of the offers as discussed in the Part II section of this report that:
- (1) Subject to confirmation of the funding package detailed in Part II that the Control Tower and associated land be offered to Greenham Parish Council.
 - (2) In the absence of such confirmation by 24 January 2014 then the Control Tower be offered to one of the other bidders.
- 3.2 It is recommended that:
- Officers, in consultation with the Portfolio Holder, are given delegated authority to agree the terms of the sale to the purchaser and to exchange contracts by 31 March 2014.

Appendices

Appendix A - site plan

Consultees

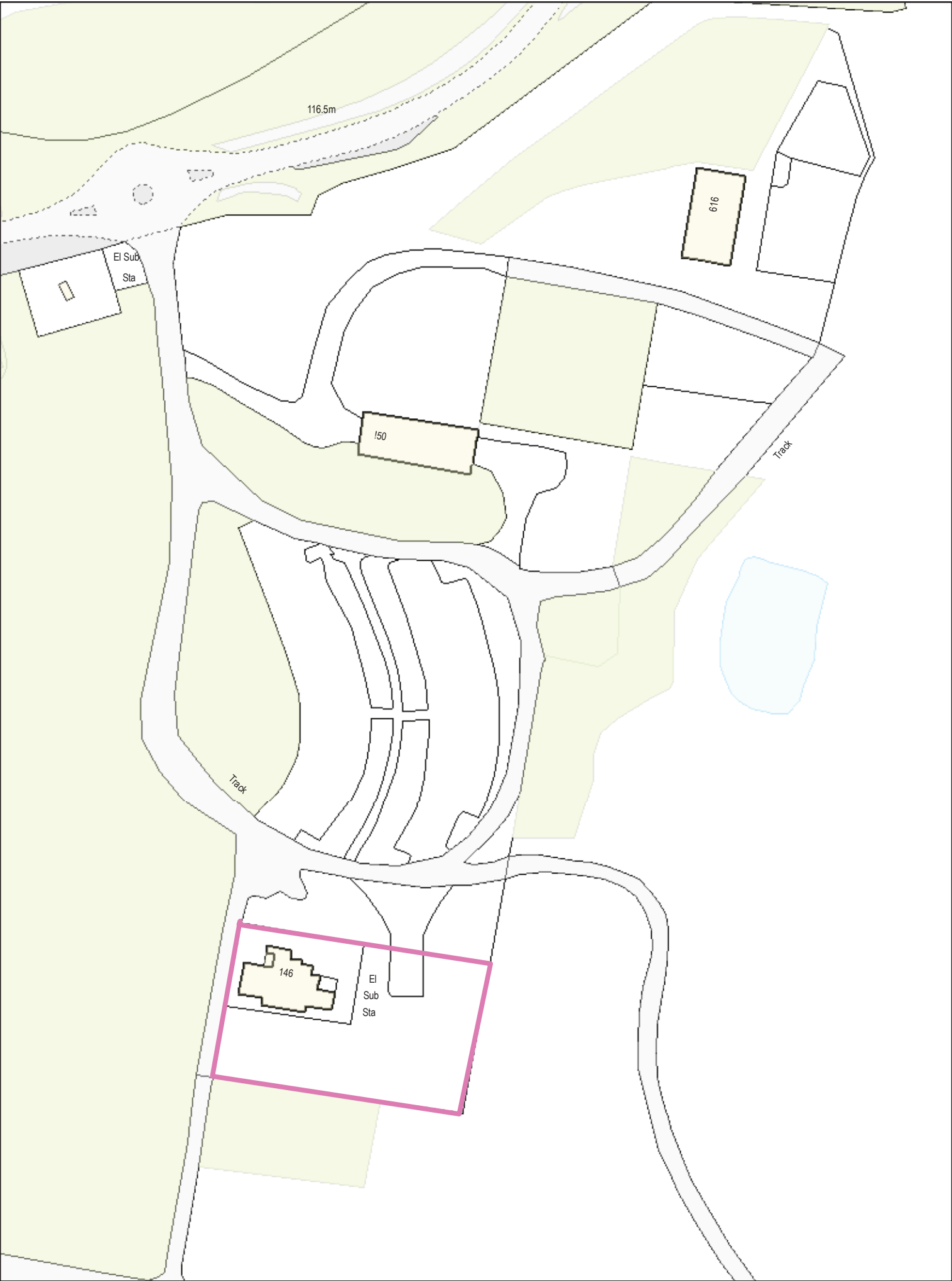
Local Stakeholders: Evidenced by petition

Officers Consulted: Andy Day, John Ashworth, Andy Walker, David Holling, Corporate Board and Asset Management Group

Trade Union: Not consulted

Control Tower - land to be included

10/11/2011
1 = 1250



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Agenda Item 13.

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Agenda Item 14.

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