

EXECUTIVE
MINUTES OF THE MEETING HELD ON
THURSDAY, 7 SEPTEMBER 2017

Councillors Present: Dominic Boeck, Keith Chopping, Jeanette Clifford, Hilary Cole, Lynne Doherty, Marcus Franks, James Fredrickson, Graham Jones and Rick Jones

Also Present: John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Andy Day (Head of Strategic Support), Martin Dunscombe (Communications Manager), Melanie Ellis (Chief Accountant), Gabrielle Esplin (Finance Manager (Capital and Treasury Management)), Paul Hendry (Countryside Manager), Rachael Wardell (Corporate Director - Communities), Stephen Chard (Principal Policy Officer), Councillor Lee Dillon, Councillor Mollie Lock, Councillor Alan Macro and Gabrielle Mancini (Group Executive - Conservatives)

Apologies for inability to attend the meeting: Councillor Anthony Chadley

PART I

27. Minutes

The Minutes of the meeting held on 27 July 2017 were approved as a true and correct record and signed by the Leader, subject to the following amendments:

It was noted in two sections of the minutes that Councillor Lee Dillon was incorrectly assigned to comments made by Councillor Lynne Doherty. This was corrected in the following sections of the minutes:

- Item 17 – Key Accountable Performance 2016/17: Quarter Four – paragraph 9.
- Item 25 – Purchase of Accommodation for the purpose of providing temporary accommodation – paragraph 2.

28. Declarations of Interest

There were no declarations of interest received.

29. Public Questions

There were no public questions submitted.

30. Petitions

Councillor Alan Macro presented a petition containing 306 signatures which requested that the Council reverse its decision to charge residents to dispose of soil, DIY waste (rubble, ceramics, plasterboard) and tyres at recycling centres from 4 September 2017. This was a service valued by residents who felt that it should be provided from their Council Tax contributions. These charges were likely to cause a significant increase in fly tipping, which would be to the detriment of residents, wildlife and the environment. Clearing up the fly tipping would incur expenditure by the Council and by landowners.

The petition was referred to the Portfolio Holder for Culture and Environment and the Head of Transport and Countryside.

31. Financial Performance Report 2017/18 - Quarter One (EX3303)

The Executive considered a report (Agenda Item 6) which informed Members of the latest financial performance of the Council for 2017/18.

Councillor Graham Jones reported that the current financial forecast was an overspend of £870k against a net revenue budget of £117.4m. This overspend was solely

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attributable to the Communities Directorate (Adult Social Care). However, Councillor Graham Jones added that this was a very early stage of the financial year and the financial situation was likely to change during the course of 2017/18. The Adult Social Care budget was demand led but a number of remedial actions were being implemented to improve upon the position.

Councillor Graham Jones continued by stating that the Council had performed well in terms of managing its budget over a number of years despite the significant pressures that had been felt.

Councillor Rick Jones explained that pressures in Adult Social Care had proved considerably greater than originally budgeted. Contributing factors included inflationary cost increases and a greater level of complexity of clients needs, in particular clients with learning disabilities.

Councillor Rick Jones continued by reiterating that the service was working to reduce the overspend by year end, this included ways to best manage demand for services and a joint funding approach with health colleagues.

Councillor Lee Dillon gave thanks for these details. He referred to the point made in the report that Adult Social Care pressures were being reduced through one-off underspends against non-commissioning budgets and Councillor Dillon asked for further detail on these.

In response, Councillor Rick Jones explained that this formed part of the mitigation measures to improve the forecast. The non-commissioning budgets related to Continuing Healthcare funding, S106 monies and negotiations with acute hospitals around reducing costs associated with Delayed Transfers of Care (DToC).

Councillor Dillon noted that a payment from Kennet School for Kennet Leisure Centre of £43k was still in dispute and this pressure had been carried forward year on year since Kennet School became an Academy. He requested an update on resolving this dispute.

Councillor Hilary Cole acknowledged that this had been a frustrating long term issue. Officers continued to progress payment with the school, but it had proved a difficult issue to resolve. The fact that the use of the leisure centre was shared between school and public use had complicated the issue and added to delays in determining responsibility for costs.

However, the Council remained determined to recoup this cost and Officers were working hard to resolve the dispute.

Councillor Dillon further noted that the redevelopment of the London Road Industrial Estate (LRIE) had been delayed and the project was expected to restart later in 2017/18. He queried when work was expected to start and whether any in-year savings had been identified as a result of the delay.

Nick Carter explained that timescales for the LRIE could not be confirmed until the potential appeal against last year's legal judgement on the scheme had been resolved and advice on this was awaited from the courts. The capital funding for the project would be carried forward in full and utilised once the redevelopment was able to commence.

RESOLVED that the latest financial performance of the Council be noted.

Other options considered: n/a – factual report for information.

32. **Key Accountable Performance 2017/18: Quarter One (EX3180)**

The Executive considered a report (Agenda Item 7) which reported quarter one outturns for the Key Accountable Measures which monitored performance against the 2017/18

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Council Performance Framework. The report provided assurance that the objectives set out in the Council Strategy and other areas of significant activity were being managed effectively. In addition the document set out, by exception, those measures that were predicted to be 'amber' (behind schedule) or 'red' (not achievable) and provided information on remedial action taken/its impact. Finally, the report recommended changes to measures/targets that had been requested by service areas.

Councillor Keith Chopping reported that despite the Council facing continued financial challenges, its overall performance was good. In particular he highlighted the Ofsted Inspection outcome of 'Good' for West Berkshire's services for children in need of help and protection, children looked after and care leavers. The Council's performance in this area had moved from 'Inadequate' to 'Good' and West Berkshire was the first unitary local authority to move up by these two ratings. He complimented all those involved in achieving this success.

Councillor Chopping added that more schools had been judged as good or better by Ofsted. The Council had further improved the timeliness of its assessments to help meet the Core Business area of 'Protecting our Children'. Performance in terms of collecting Council Tax and Business Rates had improved and end of year targets were expected to be achieved. The outcomes of reablement services (post discharge from hospital) had been maintained and good timeliness of financial assessments had been achieved to aid older people and vulnerable adults' wellbeing. The targets for determining planning applications were being exceeded as were the approval of Disabled Facilities Grant applications.

The report also proposed removal of the measure – '% of claims for Discretionary Housing Payment determined within 28 days following receipt of all relevant information' as the data could not be produced reliably on a quarterly basis, this was detailed further within Appendix G.

Appendix F contained exception reports for those measures reporting as 'amber' or 'red'. The following two areas had been identified for further scrutiny:

- The timeliness of decisions on Benefit Claims.
- The percentage of people presenting as homeless where the homelessness had been relieved or prevented.

Councillor Lee Dillon noted the measure proposed for removal and the reasons for this. However, in the past, performance in this area had often been below target and he questioned how Members would be informed of performance in this area.

Councillor Hilary Cole acknowledged that data collection/capture was the issue. Officers did not feel that the data collection for this measure was sufficiently robust, however work was ongoing to consider alternative ways to present and report this data. Councillor Cole agreed to provide a written answer once this had been established.

Councillor Dillon next referred to the exception report for '% of clients with Long Term Service (LTS) receiving a review in the past 12 months' which was reporting 'amber'. He noted from the narrative that additional capacity had been put in place at the end of the 2015/16 financial year to ensure reviews were completed to meet the requirements of the Care Act and to improve performance at that time. It had however not been possible to maintain this capacity and performance level. During Quarter One of this financial year, the team had temporarily been increased to focus on completing overdue reviews, and Councillor Dillon questioned whether a more permanent recruitment solution was needed in this area in order to maintain performance. The exception report for this target also stated that there would be a focus on overdue reviews for clients whose primary support

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reasons were learning disability and mental health. Councillor Dillon suggested that the priority should be based on those most in need.

The measure ‘% of Adult Social Care safeguarding concerns responded to within 24 hours’ was reported as ‘amber’ when it had been a ‘green’ measure in the last two financial years. Councillor Dillon noted from the exception report that recording practices had impacted on this measure and queried whether this was the sole reason for the decrease in performance and whether this could be mitigated by staff training.

Councillor Rick Jones explained that there had been workload pressures in Adult Social Care in both of these cases and recruitment had proved to be a difficulty. However, significant levels of effort continued to improve performance. In addition, recruitment remained an area of focus as did training of new staff members. However, workload pressures had a negative impact on waiting lists and the ability to conduct reviews.

On the matter of prioritising clients, Councillor Rick Jones explained that this was a judgement made by the service. He pointed out that clients with learning disabilities or mental health issues were often those with the most complex needs. Councillor Rick Jones agreed to provide further clarity on this point in writing.

Turning to the exception report for ‘Number of weeks taken to conclude care proceedings (Children’s Social Care)’, Quarter One performance was 35 weeks against a target of less than or equal to 26 weeks and was above the national average. Councillor Dillon questioned how this target could be brought back on track and felt that this measure should be rated ‘red’ rather than ‘amber’.

Councillor Lynne Doherty agreed this measure should be rated ‘red’ and believed that the exception report was wrongly titled as ‘amber’. She did however add that delays were not attributable to the local authority, rather court capacity had contributed to delayed timescales.

Councillor Dillon gave his support to the additional measures included as part of the Performance Framework, listed in paragraph 2.3 of the summary report.

Councillor Alan Macro referred to the core business measure to decrease the number of bed days due to delayed transfers of care (DToC) from hospital. Quarter One data was not provided in the report as data had not been available, however the report indicated that this data would be published by NHS England in August 2017 and Councillor Macro queried the Q1 performance level.

Councillor Rick Jones stated that Q1 DToC data had been received and would form part of the Q2 performance report. He agreed to share this with Councillor Macro and Executive Members once this had been processed. Councillor Rick Jones clarified that the data was provided by both the Council and the NHS.

Councillor Mollie Lock advised that a scrutiny report had been drafted following the task group review of DToC and this would be presented in due course.

Continuing with core business measures, this time in Planning and Housing, this gave a measure for ‘major’ planning applications to be determined within four weeks and Councillor Macro questioned the accuracy of that timeframe. Councillor Cole clarified that the correct timeframe was 13 weeks.

The exception report for the ‘percentage of people presenting as homeless where the homelessness had been relieved or prevented’ showed that performance was 50% (red) against a target of 75% with a reduction in funding given as a reason for prevention activities being reduced. Councillor Macro agreed with the point made in the report that prevention was a cheaper alternative to a homelessness application and added that prevention provided a better outcome for those concerned and their families.

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Councillor Cole clarified that the funding in this area had not reduced, the Preventing Homelessness Grant had been absorbed into the base budget. She explained that there had been severe staffing pressures in the team and this had resulted in the accumulation of a backlog. Councillor Cole had recently given approval for additional recruitment to the team to help alleviate pressures and improve performance levels.

Councillor Cole added that a new Prevention Duty was due to be implemented under the Homelessness Reduction Act. This was expected to place additional responsibilities on the Council to take all reasonable prevention actions and a paper would be brought before Members which outlined how the requirements of this duty would be implemented in West Berkshire.

RESOLVED that:

(1) Progress against the Key Accountable Measures and the key achievements in all service areas be noted, in particular the Ofsted inspection outcome of 'Good' for West Berkshire's services for children in need of help and protection, children looked after and care leavers.

(2) Those areas reported as 'amber' or 'red' be reviewed to ensure that appropriate action is in place. In particular, to consider the results and improvement actions for:

- (a) the timeliness of decisions on Benefit Claims, and
- (b) the % of people presenting as homeless where the homelessness has been relieved or prevented.

(3) The additional measures requested by Portfolio Holders to be included as part of the performance framework be noted as follows:

- (a) % of schools judged good or better by Ofsted under the new framework
- (b) % of pupils achieving a good level of development at Foundation Stage
- (c) % of pupils eligible for Free School Meals (FSM) achieving a good level of development at Foundation Stage
- (d) Monitor uptake of Identification & Brief Advice (IBA) training

(4) The removal of the '% of claims for Discretionary Housing Payment determined within 28 days following receipt of all relevant information' be agreed as the data cannot be produced reliably on a quarterly basis.

Other options considered: None.

33. Treasury Management Annual Report 2016-17 (EX3358)

The Executive considered a report (Agenda Item 8) which informed Members of the treasury management activity and performance of the Council's investments for the financial year 2016/17.

Councillor Graham Jones explained that the cross party Treasury Management Group would continue to scrutinise and review the Council's investments and borrowing during 2017/18, to ensure that treasury activities continued in line with the approved Treasury Management Strategy. The group was represented by the Portfolio Holder and Shadow Portfolio Holder for Finance.

Councillor Lee Dillon added that the Treasury Management Group enabled discussion on investments and borrowing. It served as a useful opportunity to think creatively and ask Officers to explore different avenues for investment.

RESOLVED that the report be noted.

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Other options considered: Not applicable.

34. **Grounds Maintenance Services Tender Award (EX3376)**

The Executive considered a report (Agenda Item 9) which informed Members of the tender process to procure a new joint grounds maintenance contract with Newbury Town Council and Thatcham Town Council, and which sought delegated authority from the Executive to the Head of Transport and Countryside to award and enter into the contract.

Councillor Dominic Boeck explained that the current contract had been extended for a three year period in 2014 and was due to expire on 30 September 2017. The new service was planned to commence from 8 January 2018 and the current contractor would continue to operate until that date.

Pre-procurement consultation, undertaken last year, with suppliers of grounds maintenance services, generally indicated that a larger contract, over a longer period, could achieve more favourable contract rates. Therefore, it had been agreed with the Town Councils to extend the scope of the contract over a longer term period.

Councillor Lee Dillon queried whether feedback had been sought from service users on the quality of the service. Paul Hendry confirmed this took place, the contractor had worked with Council Officers to identify performance indicators and service user feedback informed these.

Councillor Alan Macro was concerned that this report had been brought to the Executive at an unnecessarily late stage when the contract was due to expire at the end of September 2017. He felt that the Council should have acted earlier when there was awareness of this date. Councillor Macro then queried how the current arrangement would be monitored to ensure quality was maintained through to January 2018. Councillor Boeck gave an assurance that the current contract would continue to operate on the same terms until it ended.

Councillor Graham Jones added that both Members and parishes had a duty to report any concerns with the contract and its quality to the Council.

RESOLVED that authority be delegated to the Head of Transport and Countryside, in consultation with the Head of Legal Services and the Head of Finance and Property, to award and enter into a contract with the successful bidder.

Other options considered:

(1) Officers considered bringing the grounds maintenance contract in-house, however this was dismissed. There would be greater overhead costs related to this option and there is too much uncertainty around the Council's budget for this to be a viable option.

(2) Officers also discussed with Highways colleagues about the possibility of combining the grounds maintenance contract with the highways contract but again this was dismissed as an option. Grounds maintenance is not a core function of highways contractors and the contract would most likely have to be sub let with the associated loss of control and greater management and supervision costs.

(3) Officers considered the Eastern Shires Purchasing Organisation (ESPO) Framework but this was considered to be restrictive, as this Framework does not include a number of significant grounds maintenance contractors. The two current grounds maintenance contractors are not part of this Framework in any case.

35. **Members' Questions**

There were no Member questions submitted.

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(The meeting commenced at 5.00pm and closed at 5.30pm)

CHAIRMAN

Date of Signature