

# Individual Decision

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The attached report will be taken as a  
Individual Portfolio Member Decision on:

**Thursday 4 January 2018**

<b>Ref:</b>	<b>Title</b>	<b>Portfolio Member</b>	<b>Page No.</b>
ID3240	<b>West Berkshire Council Forward Plan - 6 February 2018 to 30 April 2018</b>	Councillor Graham Jones	3 - 14



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## Individual Executive Member Decision

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### West Berkshire Council Forward Plan - 6 February 2018 to 30 April 2018

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<b>Committee considering report:</b>	Individual Executive Member Decision
<b>Date of Committee:</b>	4 January 2018
<b>Portfolio Member:</b>	Councillor Graham Jones – Leader of the Council
<b>Forward Plan Ref:</b>	ID3240

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#### 1. Purpose of the Report

- 1.1 To advise Members and residents of items to be considered by West Berkshire Council over the next four months.

#### 2. Recommendation

- 2.1 That the Leader of the Council agrees and where appropriate amends the West Berkshire Council Forward Plan.

#### 3. Implications

- 3.1 **Financial:** The Forward Plan has no financial implications.
- 3.2 **Policy:** The Forward Plan details the Policies to be adopted by West Berkshire Council.
- 3.3 **Personnel:** The Forward Plan has no personnel implications.
- 3.4 **Legal:** The Forward Plan has no legal implications.
- 3.5 **Risk Management:** The Forward Plan has no risk management implications.
- 3.6 **Property:** The Forward Plan has no property implications.
- 3.7 **Other:** Not applicable.

#### 4. Consultation Responses

##### Members:

<b>Leader of Council:</b>	Councillor Graham Jones
<b>Overview &amp; Scrutiny Management Commission Chairman:</b>	Councillor Emma Webster at Overview and Scrutiny Management Commission meetings.
<b>Ward Members:</b>	All Members
<b>Opposition</b>	Councillor Lee Dillon at Overview and Scrutiny Management

- Spokesperson:** Commission meetings.
- Local Stakeholders:** The West Berkshire Forward Plan will be published the first working day after the Individual Decision is signed.
- Officers Consulted:** Nick Carter, John Ashworth, Rachael Wardell, Heads of Service, Group Executive.
- Trade Union:** Not sought.

## **5. Other options considered**

- 5.1 Not applicable.

## **6. Appendices**

- 6.1 Appendix A – Supporting Information
- 6.2 Appendix B - Equalities Impact Assessment
- 6.3 Appendix C – West Berkshire Council Forward Plan - 6 February 2018 to 30 April 2018
- 6.4 Appendix D – Notice of Private Decisions

# Individual Executive Member Decision

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## West Berkshire Council Forward Plan - 6 February 2018 to 30 April 2018 - Supporting Information

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### 1. Introduction/Background

- 1.1 West Berkshire Council's Forward Plan, which is published monthly, sets out the key decisions that the Executive (either collectively or by Individual Executive Members) are expected to take over the next four months.
- 1.2 Key decisions are defined by the Government (Regulation 8 of the Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2001) as:
- (1) Those which result in the Local Authority incurring expenditure which is, or the making of savings which are, significant having regard to the Local Authority's budget for the service or function to which the decision is related.
  - (2) Those which are significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Local Authority.
- 1.3 The introduction of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in September 2012 included a requirement to publish 28 clear days' notice of any intended key decision. It should be noted that "clear days" means working days, from midnight to midnight, and excludes weekends and public holidays, so 28 clear days equates to around 5½ normal weeks.
- 1.4 On occasions, however, situations may arise where an urgent decision needs to be made in respect of an item that does not appear on the Forward Plan. There are two different ways in which this can be done:
- (i) The authority can take an urgent key decision without giving 28 days' notice where it is impracticable to give the full notice, provided that the authority gives at least five days' clear notice to all Members of the Overview and Scrutiny Management Commission, which can then call in the decision to check that it was genuinely urgent; or
  - (ii) Where a key decision is so urgent there is not even time to give five clear days' notice, the authority can take the decision if the Chairman of the Overview and Scrutiny Management Commission has agreed that the key decision is urgent and cannot reasonably be deferred.
- 1.5 In addition The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 introduced an entirely new requirement for the Council to publish 28 clear days' notice of the intention to hold a private meeting (or part of a meeting) of the Executive. This 28 day notice must be

reinforced by a five day notice which sets out the reasons for the meeting to be held in private, details of any propositions received as to why the meeting should be open, and the Council's response. The response will be provided by the Monitoring Officer. The regulations again provide for an urgency procedure, under which the Council can decide the matter with shorter than 28 or five days' notice, provided that it has first obtained the consent of the Chairman of the Overview and Scrutiny Management Commission.

- 1.6 There are currently two confidential items scheduled for the 15 February 2018 Executive meeting. The required notice is attached as Appendix D and will be displayed at the Council. If any representations are received the five day notice will be issued on 7 February 2018. The items are:
- EX3346 – Proposed Property Investment - (*Paragraph 3 - information relating to financial/business affairs of particular person*)
  - EX3411 - Block Purchase '500' hours of Domiciliary Care - (*Paragraph 5 - information relating to legal privilege*)
- 1.7 Details of decisions that Full Council, the Governance and Ethics Committee and the Personnel Committee are going to take are also included for ease of reference. It should, however, be noted that the 2012 Regulations only apply to Executive meetings.
- 1.8 It should also be noted that any changes made to Executive Member Portfolios will be reflected in the Forward Plan once they are known.
- 1.9 Publication of the Forward Plan remains a statutory requirement of the Local Authority. The Forward Plan, any General Exception Decision Notices and Notices of Private Decisions have to be available for inspection and also have to be published on the Council's website.

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**Background Papers:** None.

**Subject to Call-In:**

Yes:  No:

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 checked="" type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>
Report is to note only	<input type="checkbox"/>

**Officer details:**

Name: Moira Fraser  
Job Title: Democratic Services Manager  
Tel No: (01635) 519045  
E-mail Address: moira.fraser@westberks.gov.uk

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## Appendix B

### Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity.

Please complete the following questions to determine whether a Stage Two, Equality Impact Assessment is required.

<b>Name of policy, strategy or function:</b>	Forward Plan
<b>Version and release date of item (if applicable):</b>	
<b>Owner of item being assessed:</b>	Moira Fraser
<b>Name of assessor:</b>	Jo Reeves
<b>Date of assessment:</b>	21 December 2017

<b>Is this a:</b>		<b>Is this:</b>	
<b>Policy</b>	No	<b>New or proposed</b>	No
<b>Strategy</b>	No	<b>Already exists and is being reviewed</b>	No
<b>Function</b>	No	<b>Is changing</b>	No
<b>Service</b>	No		

<b>1. What are the main aims, objectives and intended outcomes of the policy, strategy function or service and who is likely to benefit from it?</b>	
<b>Aims:</b>	
<b>Objectives:</b>	
<b>Outcomes:</b>	
<b>Benefits:</b>	

<b>2. Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</b> (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this.</b>
None		

<b>Further Comments relating to the item:</b>

<b>3. Result</b>	
<b>Are there any aspects of the policy, strategy, function or service, including how it is delivered or accessed, that could contribute to inequality?</b>	No
<b>Please provide an explanation for your answer:</b>	
<b>Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?</b>	No
<b>Please provide an explanation for your answer:</b>	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage 2 Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.

<b>4. Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	
<b>Owner of Stage Two assessment:</b>	
<b>Timescale for Stage Two assessment:</b>	
<b>Stage Two not required:</b>	Yes

**Name: Jo Reeves**

**Date: 21 December 2017**

Please now forward this completed form to Rachel Craggs, the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.



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# West Berkshire Council Forward Plan

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Key:	C= Council
	DOD= Delegated Officer Decision
	EX= Executive
	GE= Governance and Ethics Committee
	ID= Individual Decision
	PC= Personnel Committee
	PP= Joint Public Protection Committee

West Berkshire Council Forward Plan  
6 February 2018 - 30 April 2018

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

Reference	Item	Purpose	Decision Body	Month/Year	Executive	ID	Date Report Published	Council	Governance and Ethics Committee	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part II	Call In
EX3346	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 February 2018	15/02/18 EX		07/02/18					Richard Turner	Communities	Leader of the Council		Yes	No
EX3305	Financial Performance Report 2017/18 - Quarter Three	To inform Members of the latest financial performance of the Council.	EX	01 February 2018	15/02/18 EX		07/02/18					Melanie Ellis	Resources	Finance, Transformation and Economic Development		No	No
EX3411	Block purchase '500' hours of Domiciliary Care (Paragraph 5 - information relating to legal privilege)	To tender and secure a provider to supply 500 hours of Domiciliary Care per week.	EX	01 February 2018	15/02/18 EX		07/02/18					Thomas Bailey	Resources	Adult Social Care		Yes	No
ID3404	Appointment of Representatives on the West Berkshire Standing Advisory Council on Religious Education	To recommend appointments on the West Berkshire Standing Advisory Council on Religious Education.	ID	01 February 2018		01/02/18	tbc					Jo Watt	Resources	Children, Education & Young People			
ID3241	West Berkshire Forward Plan – 20 March 2018 to 31 May 2018	To agree the Forward Plan for the next four months.	ID	01 February 2018		15/02/18	07/02/18					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service	No	No
ID3391	Newbury Town Design Statement (2017)	To report on the formal public consultation undertaken on the Newbury Town Design Statement and to consider its adoption as part of the community planning process.	ID	01 February 2018		01/02/18	tbc					Sarah Conlon	Economy and Environment	Planning and Housing	Statutory consultees, local stakeholders and members of the public. Community involvement has	No	Yes
ID3379	Council wide revision of weight limit orders. To modernise them and ensure they are fit for purpose	To consider the response received during statutory consultation	ID	01 February 2018		01/02/18	tbc					Glyn Davis	Economy and Environment	Highways and Transport			
ID3415	Annual Equalities Report	Provide an update on progress with the Council's Equalities Objectives which is required by legislation to be published on the Council's website in January each year.	ID	01 February 2018		08/02/18	31/01/18					Rachel Craggs	Resources	Community Resilience & Partnerships			
PC3410	Buying Additional Leave	To consider whether this benefit to staff could be promoted in a different way.	PC	01 February 2018			02/02/18				12/02/18 Personnel	Robert O'Reilly	Resources	Corporate Services			
C3408	Recommendations of the West Berkshire Council Independent Remuneration Panel 2017	To inform Council of the recommendations of the West Berkshire Council Independent Remuneration Panel 2017.	C	01 March 2018			21/02/18	01/03/18 C				Jude Thomas	Resources	Leader of the Council			No
C3260	Amendments to the Constitution – Scheme of Delegation	To review and amend sections of the Scheme of Delegation in light of legislative changes and current practice.	C	01 March 2018			26/01/18	01/03/18 C	05/02/18 GE			Sarah Clarke	Resources	Corporate Services			No
C3278	Statutory Pay Policy 2018	To seek Council's approval of the Statutory Pay Policy Statement for publication from 1st April 2018.	C	01 March 2018			21/02/18	01/03/18 C			12/02/18 Personnel	Robert O'Reilly	Resources	Finance, Transformation and Economic Development			No
C3274	Investment and Borrowing Strategy 2018/19	In compliance with the Local Government Act 2003, this report summarises the Council's Borrowing Limits as set out by CIPFA's Prudential Code and recommends the Annual Investment and Borrowing Strategy for 2018/19	C	01 March 2018	15/02/18 EX		21/02/18	01/03/18 C				Gabrielle Esplin	Resources	Finance, Transformation and Economic Development			No
C3275	Medium Term Financial Strategy 2018/19 to 2020/21	To agree the medium term financial planning and strategy for the organisation	C	01 March 2018	15/02/18 EX		21/02/18	01/03/18 C				Andy Walker	Resources	Finance, Transformation and Economic Development			No
C3276	Capital Strategy and Programme 2018/19 to 2022/23	To outline the five year Capital Strategy for 2018 to 2023, including the Minimum Revenue Provision (MRP) Statement and the Asset Management Plans for Property and Highways, and to set out the funding framework for the Council's five year Capital Programme for 2018/19 to 2022/23.	C	01 March 2018	15/02/18 EX		21/02/18	01/03/18 C				Gabrielle Esplin	Resources	Finance, Transformation and Economic Development			No
C3277	Revenue Budget 2018/19	To consider and recommend to Council the 2018-19 Revenue Budget	C	01 March 2018	15/02/18 EX		21/02/18	01/03/18 C				Andy Walker	Resources	Finance, Transformation and Economic Development			No
C3373	Market Street Development Newbury	Consideration of the appropriation of land under the Development Agreement (s.203 of the Housing and Planning Act 2016)	C	01 March 2018			21/02/18	01/03/18 C				Bill Bagnell	Resources	Deputy Leader, Planning, Housing & Leisure		No	No
C3395	Council Strategy 2015/29 Refresh 2018	To refresh the Council Strategy	C	01 March 2018	15/02/18 EX		21/02/18	01/03/18 C				Catalin Bogos	Resources	Leader of the Council			No
C3401	Review of the Property Investment Strategy	To review the current Strategy to ensure that it is fit for purpose.	C	01 March 2018			21/02/18	01/03/18 C				Richard Turner	Resources	Culture and Environment			No
EX3248	Key Accountable Performance 2017/18: Quarter Three	To report quarter three outturns against the Key Accountable Measures contained in the 2017/18 Council Performance Framework and any additional performance intelligence.	EX	01 March 2018	29/03/18 EX		21/03/18			10/04/18		Catalin Bogos	Resources	Leader of the Council, Strategy			

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Reference	Item	Purpose	Decision Body	Month/Year	Executive	ID	Date Report Published	Council	Governance and Ethics Committee	OSMC	Other	Officer and Contact No	Directorate	Lead Member	Consultee(s)	Part II	Call In
EX3347	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 March 2018	29/03/18 EX		21/03/18					Richard Turner	Communities	Leader of the Council		Yes	No
EX3392	Joint Venture Proposal - Sovereign Housing Association	To approve the business case for a joint venture proposal with Sovereign Housing Association	EX	01 March 2018	29/03/18 EX		21/03/18					June Graves	Resources	Planning and Housing			
ID3242	West Berkshire Forward Plan – 19 April 2018 to 30 June 2018	To agree the Forward Plan for the next four months.	ID	01 March 2018		15/03/18	07/03/18					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service		
ID3409	Traffic Management & Road Safety Programme 2018/19	To advise Members of the Traffic Management & Road Safety works programme for 2018/19	ID	01 March 2018		01/03/18	tbc					Chris Vidler	Economy and Environment	Highways and Transport		No	Yes
ID3414	Parking scheme - Consolidation Order Amendment 27 - Thatcham town centre on-street charging	To consider the responses received during statutory consultation	ID	01 March 2018		01/13/18	tbc					Alex Drysdale	Resources	Highways and Transport	Statutory consultees, general public, Thatcham Town Council and Ward Members	No	Yes
PC3396	Sickness Absence Management	To gain approval for a revised procedure for the management of sickness absence for corporate staff	PC	01 March 2018			16/03/18				26/03/18 Personnel	Rebecca Bird	Resources	Corporate Services			
PP3352	Public Protection Partnership Scheme of Delegation	To consider the Scheme of Delegation.	PP	01 March 2018							19/03/18 JPPC	Steve Loudon (Bracknell)	Environment	Community Resilience & Partnerships		No	Yes
PP3388	Public Protection Partnership Control Strategy	To consider draft Public Protection Partnership Control Strategy and amend and Approve	PP	01 March 2018							19/03/18 JPPC	Sean Murphy	Economy and Environment	Cllr Norman Jorgensen - Wokingham Borough Council		No	Yes
PP3389	Public Protection Partnership Performance Report	To consider Public Protection Partnership Performance Report	PP	01 March 2018							19/03/18 JPPC	Paul Anstey	Economy and Environment	Cllr Norman Jorgensen - Wokingham Borough Council		No	No
GE3324	Internal Audit Plan 2018/19	To outline the proposed internal audit work programme for the next three years	GE	01 April 2018				08/05/18 C	23/04/18 GE			Ian Priestley	Resources	Corporate Services			
GE3325	External Audit Plan 2018-19	To provide Members with a copy of the External Audit Plan for 2018-19	GE	01 April 2018				08/05/18 C	23/04/18 GE			Ian Priestley	Resources	Corporate Services			
	General Data Protection Regulations (GDPR)	To ensure that the Council is adhering to these Regulations.	OSMC	01 April 2018						10/04/18		Robert O'Reilly	Resources	Corporate Services			

## **NOTICE OF A PRIVATE MEETING OF A DECISION-MAKING BODY<sup>1</sup>**

*Notice of an imminent occasion when the public may be excluded from a meeting due to the likelihood that if members of the public were present during an item of business confidential or exempt information would be disclosed to them.*

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<sup>1</sup> In accordance with Regulation 5(7) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. At least 28 clear days before a private meeting<sup>2</sup> of a decision-making body, public notice<sup>3</sup> must be given which must include a statement of reasons for the meeting to be held in private.
2. At least 5 clear days before a private meeting of a decision-making body, further public notice<sup>4</sup> must be given which must include a statement of reasons for the meeting to be held in private, details of any representations received by the decision-making body about why the meeting should be open to the public and a statement of the Council's response to such representations.
3. Where the date by which a meeting must be held makes compliance with the above requirements impracticable, the meeting may only be held in private where the decision-making body has obtained agreement from the Chair of the Overview and Scrutiny Management Commission.

Date of Decision or period within which the decision is to be made	Ref No:	Matter in respect of which the decision is to be made	Short Description	Decision maker	Executive Member & Lead Officer	List of documents to be submitted to decision maker	Public or Private meeting. Statement of reasons if private.
15 February 2018	EX3346	Proposed Property Investment	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	Executive	Councillor Dominc Boeck  Richard Turner	Report and associated appendices	<i>(Paragraph 3 - information relating to financial/business affairs of particular person)</i>
15 February 2018	EX3411	Block Purchase '500' hours of Domiciliary Care	To tender and secure a provider to supply 500 hours of Domiciliary Care per week	Executive	Councillor Rick Jones  Thomas Bailey	Report and associated appendices	<i>(Paragraph 5 - information relating legal privilege)</i>

Andy Day  
Head of Strategic Support  
West Berkshire Council

Date: 21 December 2017

<sup>2</sup> A 'private meeting' means a meeting or part of a meeting of a decision making body which is open to the public except to the extent that the public are excluded due to the confidential or exempt business to be transacted.

<sup>3</sup> In accordance with Regulation 5(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>4</sup> In accordance with Regulation 5(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.