

Individual Decision



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

Thursday 3 January 2019

Ref:	Title	Portfolio Member	Page No.
ID3449	West Berkshire Council Forward Plan - 5 February 2019 to 31 May 2019	Councillor Graham Jones	3 - 14



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Individual Executive Member Decision

West Berkshire Council Forward Plan - 5 February 2019 to 31 May 2019 - Summary Report

Committee considering report:	Individual Executive Member Decision
Date of Committee:	3 January 2019
Portfolio Member:	Councillor Graham Jones - Leader of the Council
Forward Plan Ref:	ID3449

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:

Leader of Council:	Leader of the Council
Overview & Scrutiny Management Commission Chairman:	Councillor Emma Webster at Overview and Scrutiny Management Commission meetings.
Ward Members:	All Members
Opposition	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, 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 – 5 February 2019 to 31 May 2019

6.4 Appendix D – Notice of Private Decisions for 14 February 2019 Executive meeting

Individual Executive Member Decision

West Berkshire Council Forward Plan - 5 February 2019 to 31 May 2019– Supporting Information

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 is currently one confidential item scheduled for the 14 January 2019 Executive meeting. The required notice is attached as Appendix B and will be displayed at the Council. If any representations are received the five day notice will be issued on 6 February 2019. The item is:
- 1.7 EX3587 Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)
- 1.8 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.
- 1.9 It should also be noted that any changes made to Executive Member Portfolios will be reflected in the Forward Plan once they are known.
- 1.10 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.

Background Papers:

None.

Subject to Call-In:

Yes: No:

- The item is due to be referred to Council for final approval
- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Officer details:

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

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.

Name of policy, strategy or function:	Forward Plan
Version and release date of item (if applicable):	
Owner of item being assessed:	Moira Fraser
Name of assessor:	Jo Reeves
Date of assessment:	21 December 2018

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

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?	
Aims:	
Objectives:	
Outcomes:	
Benefits:	

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. (Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this.
None		

Further Comments relating to the item:		

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

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.

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

Name: Jo Reeves

Date: 21 December 2018

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

West Berkshire Council Forward Plan

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**West Berkshire Council Forward Plan
5 February 2019 - 31 May 2019**

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

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
DOD3678	Additional Leave Procedure	To seek approval for minor amendments to the additional leave procedure.	DOD	01 February 2019							DOD 05/02/19	Katie Penlington	Resources	Corporate Services			
EX3563	Revenue Financial Performance Report - Q3 of 2018/19	To inform Members of the latest financial performance of the Council.	EX	01 February 2019	14/02/19 EX		06/02/19					Melanie Ellis	Resources	Finance, Transformation and Property		No	Yes
EX3593	Capital Financial Performance Report - Q3 of 2018/19	To inform Members of the latest financial performance of the Council.	EX	01 February 2019	14/02/19 EX		06/02/19					Shannon Coleman-Slaughter	Resources	Finance, Transformation and Property		No	Yes
EX3655	Protection of Land - Unauthorised Encampments	To provide a response to the Motion asking the Council to assess the susceptibility of each of its green areas in towns and villages to unauthorised encampments presented to the September Council meeting.	EX	01 February 2019	14/02/19 EX		06/02/2019					Paul Hendry	Economy and Environment	Highways, Transport, Environment and Countryside		No	Yes
EX3674	West Berkshire Data Sharing Strategy	To explore how we might better exploit our data.	EX	01 February 2019	14/02/19 EX		06/02/19					Gabrielle Mancini	Environment	Planning, Housing and Waste			
EX3681	School Funding Formula 2019/20	The Council's Executive must agree on an annual basis the school funding formula for primary and secondary schools. This report sets out the proposal for financial year 2018/19.	EX	01 February 2019	14/02/19 EX		06/02/19					Melanie Ellis	Resources	Children, Education & Young People		No	No
EX3677	Business Rates Discretionary Rate Relief Policy	To update the approach for awarding the new 2017 Discretionary Rate Relief for	EX	01 February 2019	14/02/19 EX		06/02/19					Iain Bell	Resources	Corporate Services			
EX3587	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 2019	14/02/19 EX		06/02/19					Richard Turner	Communities	Finance, Transformation and Property		Yes	No
ID3450	West Berkshire Council Forward Plan - 19 March 2019 to 30 June 2019	To agree the Forward Plan for the next four months.	ID	01 February 2019		14/02/19	06/02/19					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service	No	No
C3405	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 2019			25/01/19	05/03/19 C	04/02/19 GE			Sarah Clarke	Resources	Corporate Services		No	No
C3613	Investment and Borrowing Strategy 2019/20	In compliance with the Local Government Act 2003, this report summarises the Council's Borrowing Limits as set out by	C	01 March 2019	14/02/19 EX		26/02/19	05/03/19 C				Gabrielle Esplin	Resources	Finance, Transformation and Property		No	No
C3614	Medium Term Financial Strategy 2019/20 to 2021/22	To agree the medium term financial planning and strategy for the organisation	C	01 March 2019	14/02/19 EX		26/02/19	05/03/19 C				Andy Walker	Resources	Finance, Transformation and Property		No	No
C3675	Council Tax - Changes to Empty Properties Policy	To agree the changes to the empty homes charges.	C	01 March 2019				05/03/19 C				Iain Bell	Resources	Corporate Services			
C3615	Capital Strategy and Programme 2019/20 to 2023/24	To outline the five year Capital Strategy for 2019 to 2024, including the Minimum Revenue Provision (MRP) Statement and the Asset Management Plans for Property	C	01 March 2019	14/02/19 EX		26/02/19	05/03/19 C				Shannon Coleman-Slaughter	Resources	Finance, Transformation and Property		No	No
C3616	Revenue Budget 2019/20	To consider and recommend to Council the 2019-20 Revenue Budget.	C	01 March 2019	14/02/19 EX		26/02/19	05/03/19 C				Melanie Ellis	Resources	Finance, Transformation and Property		No	No
C3617	Statutory Pay Policy 2019	To seek Council's approval of the Statutory Pay Policy Statement for publication from 1st April 2019.	C	01 March 2019			26/02/19	05/03/19 C				Robert O'Reilly	Resources	Corporate Services		No	No
C3650	Governance of the Code of Conduct Regime	To consider the governance arrangements around Standards complaints.	C	01 March 2019			25/01/19	05/03/19 C	04/02/19 GE			Sarah Clarke	Resources	Corporate Services		No	No
C3428	Review of Polling Districts, Polling Places and Polling Stations	To agree that as a consequence of the West Berkshire (Electoral Changes) Order 2018, which has reduced the number of Council wards from 31 to 24, it is necessary	C	01 March 2019			25/02/19	05/03/19 C				Phil Runacres	Resources	Corporate Services		No	No
C3647	West Berkshire Vision 2036	For the Council to approve the Vision 2036 document and the proposed delivery	C	01 March 2019			26/02/19	05/03/19 C				Gabrielle Mancini	Resources	Corporate Services		No	No
DOD3676	School Term Dates 2020-21	To agree school term dates for 2020-21.	DOD	01 March 2019							DOD 01/03/19	Caroline Martin	Communities	Children, Education & Young People			
EX3422	Key Accountable Performance 2018/19: Quarter Three	To report Q3 outturns for the Key Accountable Measures which monitor performance against the 2018/19 Council	EX	01 March 2019	28/03/19 EX		20/03/19			09/04/19		Catalin Bogos	Resources	Corporate Services		No	Yes
EX3588	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 2019	28/03/19 EX		20/03/19					Richard Turner	Communities	Finance, Transformation and Property		Yes	No
EX3679	Senior Management Arrangements from April 2019 - Final Proposals	To seek approval for the final proposals in relation to the Senior Management Arrangements from April 2019	EX	01 March 2019	28/03/19 EX							Nick Carter	Resources	Leader of the Council			
ID3680	Traffic Management and Road Safety 2019/20 Works Programme	To advise Members of the Traffic Management & Road Safety Works Programme for 2019/20.	ID	01 March 2019		01/03/19	tbc					Glyn Davis	Environment	Highways and Transport, Environment and Countryside			
	Operational Delegation of Work	To approve the operational activities of the PPP.	PP	01 March 2019			12/03/19				11/12/18 JPPC	Sean Murphy	Economy and Environment	Cllr Iain McCracken - Bracknell Forest District Council	JMB	No	No
PP3652	Public Protection Partnership Community Fund Applications	To consider applications for the Public Protection Community Fund and where appropriate approve for payment	PP	01 March 2019			TBA				TBA	Paul Anstey	Economy and Environment	Cllr Iain McCracken - Bracknell Forest District Council	JMB	No	Yes
PP3653	Public Protection Partnership Control Strategy	To consider draft Public Protection Partnership Control Strategy and amend and Approve	PP	01 March 2019			TBA				TBA	Sean Murphy	Economy and Environment	Cllr Iain McCracken - Bracknell Forest District Council	JMB	No	Yes
PP3654	Public Protection Partnership Strategic Assessment	To consider draft Public Protection Partnership Strategic Assessment and	PP	01 March 2019			TBA				TBA	Sean Murphy	Economy and Environment	Cllr Iain McCracken - Bracknell Forest District	JMB	No	Yes

**West Berkshire Council Forward Plan
5 February 2019 - 31 May 2019**

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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
GE3427	External Audit Plan 2019-20	To provide Members with a copy of the External Audit Plan for 2018-19	GE	01 April 2019			05/04/19		15/04/19 GE			Lesley Flannigan	Resources	Corporate Services			
	Internal Audit – Interim Report 2018-19	To update the Committee on the outcome of internal audit work.	GE	01 April 2019			05/04/19		15/04/19 GE			Julie Gillhespey	Resources	Corporate Services			
GE3629 GE3426	Internal Audit Plan 2019/20	To outline the proposed internal audit work programme for the next three years	GE	01 April 2019			05/04/19		15/04/19 GE			Julie Gillhespey	Resources	Corporate Services			
GE3640	Risk Management Update Report Year End 2018/19	To provide an update with progress.	GE	01 April 2019			05/04/19		01/06/19 GE			Catalin Bogos	Resources	Corporate Services			
ID3451	West Berkshire Council Forward Plan – 10 May 2019 to 31 August	To agree the Forward Plan for the next four months.	ID	01 April 2019		04/04/19	27/03/19					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and	No	No
	Joint Public Protection Committee	To consider the effectiveness of the Public Protection Shared Service and the process for setting fees and charges.	OSMC	01 April 2019			01/04/19			09/04/19		Sean Murphy	Economy and Environment	Community Resilience and Partnerships		No	No
C3599	Appointment of and Allocation of Seats on Committees for the	To consider the appointment and allocation of seats on Committees for the next Municipal Year and to agree the Council's	C	01 May 2019				21/05/19 C				Moira Fraser	Resources				
C3598	Appointment of the Executive by the Leader of the Council for the 2019/20 Municipal Year	The Leader to announce the composition of the Executive for the forthcoming Municipal Year.	C	01 May 2019				21/05/19 C				Moira Fraser	Resources				
C3597	Appointment of Vice-Chairman for the Municipal Year 2019/20	To appoint the Vice Chairman for the forthcoming Municipal Year.	C	01 May 2019				21/05/19 C				Moira Fraser	Resources				
C3596	Election of the Chairman for the Municipal Year 2019/20	To elect the Chairman for the forthcoming Municipal Year.	C	01 May 2019				21/05/19 C				Moira Fraser	Resources				
C3600	Election of the Strong Leader	To elect the Strong Leader for the next four years.	C	01 May 2019				21/05/19 C				Moira Fraser	Resources				
C3424	Monitoring Officer's Annual Report to the Governance and Ethics	To provide an update on local and national issues relating to ethical standards and to	C	01 May 2019			05/04/19	21/05/19 C	15/04/19 GE			Sarah Clarke	Resources	Corporate Services			No
C3619	Property Investment Strategy	Planned periodic review of the Property Inve	C	01 May 2019				14/05/19	21/05/19 C			Richard Turner	Resources	Finance, Transformation and Property			
C3618	West Berkshire Council Strategy: 2019 to 2023	To agree the Council Strategy	C	01 May 2019				14/05/19	21/05/19 C			Catalin Bogos	Resources	Leader of the Council and Strategy			
EX3589	Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of	To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy	EX	01 May 2019	23/05/19 EX		15/05/19					Richard Turner	Communities	Finance, Transformation and Property		Yes	No

NOTICE OF A PRIVATE MEETING OF A DECISION-MAKING BODY¹

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.

¹ 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 meeting² of a decision-making body, public notice³ 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 notice⁴ 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.
14 February 2019	EX3587	Proposed Property Investment	<i>To agree to the potential purchase of a property which does not conform with the criteria of the Property Investment Strategy</i>	Executive	Councillor Anthony Chadley, Finance, Transformation and Property Richard Turner	Report and associated appendices	(Paragraph 3 - information relating to financial/business affairs of particular person)

Andy Day
Head of Strategic Support
West Berkshire Council

Date: 21 December 2018

² 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.

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

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

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