

Individual Decision



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

Thursday, 4th April, 2019

Ref:	Title	Portfolio Member(s)	Page No.
ID3451	West Berkshire Council Forward Plan - 10 May 2019 to 31 August 2019	Councillor Graham Jones	3 - 14



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Individual Executive Member Decision

West Berkshire Council Forward Plan - 10 May 2019 to 31 August 2019 - Summary Report

Committee considering report:	Individual Executive Member Decision
Date of Committee:	4 April 2019
Portfolio Member:	Councillor Graham Jones - Leader of the Council
Forward Plan Ref:	ID3451

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 Alan Law 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 – 10 May 2019 to 31 August 2019
- 6.4 Appendix D – Notice of Private Decisions for 23 May 2019 Executive meeting

Individual Executive Member Decision

West Berkshire Council Forward Plan - 10 May 2019 to 31 August 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 23 May 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:
- EX3589 Proposed Property Investment (Paragraph 3 - information relating to financial/business affairs of particular person)
- 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.

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

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:	Linda Pye
Date of assessment:	27 March 2019

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: Linda Pye

Date: 27 March 2019

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
19 March 2019 - 30 April 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
C3424	Monitoring Officer's Annual Report to the Governance and Ethics Committee – 2018/19 Year End	To provide an update on local and national issues relating to ethical standards and to bring to the attention of the Committee any complaints or other problems within West Berkshire.	C	01 May 2019			05/04/19	21/05/19 C	15/04/19 GE			Sarah Clarke	Resources	Corporate Services			No
C3618	West Berkshire Council Strategy: 2019 to 2023	To agree the Council Strategy	C	01 May 2019			13/05/19	21/05/19 C				Catalin Bogos	Resources	Leader of the Council and Strategy			No
C3599	Appointment of and Allocation of Seats on Committees for the 2019/20 Municipal Year	To consider the appointment and allocation of seats on Committees for the next Municipal Year and to agree the Council's Policy Framework for 2018/19 as set out in Paragraph 6.1 of Appendix B.	C	01 May 2019			13/05/19	21/05/19 C				Moirra Fraser	Resources				No
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			13/05/19	21/05/19 C				Moirra Fraser	Resources				No
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			13/05/19	21/05/19 C				Moirra Fraser	Resources				No
C3596	Election of the Chairman for the Municipal Year 2019/20	To elect the Chairman for the forthcoming Municipal Year.	C	01 May 2019			13/05/19	21/05/19 C				Moirra Fraser	Resources				No
C3600	Election of the Strong Leader	To elect the Strong Leader for the next four years.	C	01 May 2019			13/05/19	21/05/19 C				Moirra Fraser	Resources				No
C3685	Appointment To Outside Bodies	To consider and agree West Berkshire Council's nominations to the following outside bodies: Royal Berkshire Fire and Rescue Service, Thames Valley Police and Crime Panel and the Local Government Association.	C	01 May 2019			13/05/19	21/05/19 C				Moirra Fraser	Resources	Leader of the Council, Strategy			No
C3711	Report of the Returning Officer	To inform Council of the process and the results of the recent elections.	C	01 May 2019			13/05/19	21/05/19 C				Nick Carter	Resources				No
EX3721	1A Bath Road asset proposal		EX	01 May 2019	23/05/19 EX		15/05/19					Richard Turner	Communities	Finance, Transformation and Property		No	
EX3726	Staffing restructure at Birchwood Care Home (Paragraph 1 - information relating to an individual) (Paragraph 2 - information identifying an individual)	To summarise the changes made to the staffing structure at Birchwood Care Home following the 2019/20 investment and to seek approval to delete posts and make redundancy payments.	EX	01 May 2019	23/05/19 EX		15/05/19					Sue Brain	Communities	Adult Social Care		Yes	
EX3589	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 May 2019	23/05/19 EX		15/05/19					Richard Turner	Communities	Finance, Transformation and Property		Yes	No
EX3722	Berkshire West Integrated Care Partnership - Governance Review		EX	01 May 2019	23/05/19 EX		15/05/19					Nick Carter	Resources	Health and Wellbeing, Culture and Leisure			
ID3723	Housing Allocations Policy - minor amendments March 2019	To agree minor amendments to the Council's Housing Allocation Policy to respond to legislative change and to improve the customer journey	ID	01 May 2019		24/05/19	16/05/19					Neil Coles	Environment	Deputy Leader of Council, Planning, Housing and Waste			
ID3724	Reducing rough sleeping in West Berkshire: A plan to ensure no-one has the need to sleep rough	To agree an operational plan that seeks to reduce rough sleeping across West Berkshire. The plan is required by the Ministry of Housing, Communities and Local Government to support the Rough Sleeper Initiative funding awarded to the Council for 2019/20 and 2020/21.	ID	01 May 2019		24/05/19	16/05/19					Neil Coles	Environment	Deputy Leader of Council, Planning, Housing and Waste		No	Yes
EX3564	Revenue Financial Performance Report - Provisional Outturn 2018/19	To inform Members of the latest financial performance of the Council.	EX	01 June 2019	13/06/19 EX		05/06/19					Melanie Ellis	Resources	Finance, Transformation and Property			
EX3708	Management Review into the in year Revenue Overspend in Adult Social Care - 2018/19	To provide the Executive with feedback from the special meeting of the Overview and Scrutiny Management Commission in relation to management review into the in-year overspend in Adult Social Care.	EX	01 June 2019	13/06/19 EX		05/06/19			09/04/19		Andy Walker/Tandra Forster	Resources	Adult Social Care			
EX3594	Capital Financial Performance 2018/19 - Provisional Outturn	To inform Members of the provisional financial performance of the Council for 2017/18 .	EX	01 June 2019	13/06/19 EX		05/06/19					Shannon Coleman-Slaughter	Resources	Finance, Transformation and Property			
EX3725	Disposal of land adjacent to the Phoenix Centre, Newbury and land at Chestnut Walk, Hungerford		EX	01 June 2019	13/06/19 EX		05/06/19					Richard Turner	Environment	Community Resilience and Partnerships			
GE3436	Internal Audit Plan 2019/20	To outline the proposed internal audit work programme for the next three years.	GE	01 June 2019			07/06/19		17/06/19 GE			Julie Gilhespy	Resources	Corporate Services			
GE3640	Risk Management Update Report Year End 2018/19	To provide an update with progress.	GE	01 June 2019			07/06/19		17/06/19 GE			Catalin Bogos	Resources	Corporate Services			
ID3656	Refresh of the Procurement Strategy		ID	01 June 2019		01/06/19	tbc					Karen Felgate	Resources	Adult Social Care		No	No

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ID3684	Appointment to Outside Bodies	To make appointments to all the Council Outside Bodies post the May 2019 election.	ID	01 June 2019		06/06/19	30/05/19					Moira Fraser	Resources	Leader of the Council, Strategy			
ID3693	West Berkshire Council Forward Plan – 16 July 2019 to 31 October 2019	To agree the Forward Plan for the next four months.	ID	01 June 2019		13/06/19	05/06/19					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service	No	No
ID3710	Parking scheme - Consolidation Order Amendment 29	To consider the responses received during statutory consultation	ID	01 June 2019		01/06/19	tbc					Alex Drysdale	Environment	Highways, Transport, Environment and Countryside			
ID3710	Compton 20mph speed limit and traffic calming	To consider the responses received during consultation	ID	01 June 2019		01/06/19	tbc					Chris Vidler	Environment	Highways and Transport, Environment and Countryside		No	Yes
PC3705	Update on Apprentices		PC	01 June 2019			03/06/19					Robert O' Reilly	Resources	Corporate Services			
PC3706	Review of Work Experience Policy		PC	01 June 2019			03/06/19					Abi Whitting	Resources	Corporate Services			
PP3653	Public Protection Partnership Control Strategy	To consider draft Public Protection Partnership Control Strategy and amend and approve.	PP	01 June 2019			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 amend and approve.	PP	01 June 2019			TBA					Sean Murphy	Economy and Environment	Cllr Iain McCracken - Bracknell Forest District Council	JMB	No	Yes
EX3608	Devolution of Moorside Community Centre	To determine plans for devolution to Parish and Town Councils.	EX	01 July 2019	25/07/19 EX		17/07/19					Richard Turner/ Jo Naylor	Resources	Community Resilience and Partnerships		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 July 2019	25/07/19 EX		17/07/19					Paul Hendry	Economy and Environment	Highways, Transport, Environment and Countryside		No	Yes
EX3423	Key Accountable Performance 2018/19: Quarter Four	To report Q4 outturns for the Key Accountable Measures which monitor performance against the 2018/19 Council Performance Framework. To provide assurance that the objectives set out in the Council Strategy and other areas of significant activity are being managed effectively. To present, by exception, those measures that are predicted to be 'amber' or 'red' and provide information on any remedial action taken and the impact of that action. To recommend changes to measures/targets as requested by services.	EX	01 July 2019	25/07/19 EX		17/07/19					Catalin Bogos	Resources	Corporate Services		No	
EX3709	Culture Strategy	To approve the strategy.	EX	01 July 2019	25/07/19 EX		17/07/19					Paul James	Environment	Health and Wellbeing, Culture and Leisure			
GE3627	Annual Governance Statement	To allow the committee to review the Annual Governance Statement before it is signed by the Leader and Chief Executive	GE	01 July 2019			19/07/19		29/07/19 GE			Julie Gilhespey	Resources	Corporate Services			
GE3326	Review of the Revised Scrutiny Arrangements	To review the effectiveness of the new scrutiny arrangements introduced in May 2017	GE	01 July 2019			19/07/19		29/07/19 GE			Andy Day	Resources	Chairman of Governance and Ethics			
GE3624	West Berkshire Council Financial Statements 2018/19 including external auditor's Opinion.	To provide Members with the final copy of the Council's Financial Statements	GE	01 July 2019			19/07/19		29/07/19 GE			Andy Walker	Resources	Finance, Transformation and Economic Development			
GE3625	Internal Audit Annual Assurance Report 2018/19	The Public Sector Internal Audit Standards (PSIAS) require the Audit Manager to make a formal annual report to those charged with governance within the Council.	GE	01 July 2019			19/07/19		29/07/19 GE			Julie Gilhespey	Resources	Corporate Services			
GE3626	Planned Audit Fee for 2019/20	To note the contents of the audit fee letter.	GE	01 July 2019			19/07/19		29/07/19 GE			Lesley Flannigan	Resources	Chairman of Governance and Ethics Committee			
ID3694	West Berkshire Council Forward Plan – 28 August 2019 to 30 November 2019	To agree the Forward Plan for the next four months.	ID	01 July 2019		25/07/19	17/07/19					Moira Fraser	Resources	Leader of the Council, Strategy	Corporate Directors and Heads of Service	No	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.
23 May 2019	EX3589	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	Finance, Transformation and Property Richard Turner	Report and associated appendices	(Paragraph 3 - information relating to financial/business affairs of particular person)
23 May 2019	EX3726	Staffing restructure at Birchwood Care Home	<i>To summarise the changes made to the staffing structure at Birchwood Care Home following the 2019/20 investment and to seek approval to delete posts and make redundancy payments.</i>	Executive	Adult Social Care Sue Brain	Report and associated appendices	(Paragraph 1 – information relating to an individual) (Paragraph 2 – information identifying an individual)

Andy Day
Head of Strategic Support
West Berkshire Council

Date: 27 March 2019

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.