

Individual Decision



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

Thursday 13 June 2019

Ref:	Title	Portfolio Member	Page No.
ID3693	West Berkshire Council Forward Plan - 16 July 2019 to 31 October 2019	Councillor Lynne Doherty	3 - 20



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Individual Executive Member Decision

West Berkshire Council Forward Plan - 3 June 2019 to 30 September 2019 - Summary Report

Committee considering report:	Individual Executive Member Decision
Date of Committee:	13 June 2019
Portfolio Member:	Councillor Lynne Doherty - Leader of the Council
Forward Plan Ref:	ID3693

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 Executives.
- 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 – 16 July 2019 to 31 October 2019
- 6.4 Appendix D – Notice of Private Decisions for 25 July 2019 Executive meeting

Individual Executive Member Decision

West Berkshire Council Forward Plan - 16 July 2019 to 31 October 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 are currently four confidential items scheduled for the 25 July 2019 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 5 June 2019. The items are:
- EX3749 Pelican Nursery – site acquisition
(Paragraph 3 – information relating to financial/business affairs of particular person)
(Paragraph 6 - information relating to proposed action to be taken by the Local Authority)
 - EX3752 WBC Catering - School Meals, Care Homes & Resource Centres and Corporate Catering
(Paragraph 3 - information relating to financial/business affairs of particular person)
 - EX3753 Corporate Office and School Building Cleaning Services
(Paragraph 3 - information relating to financial/business affairs of particular person)
 - EX3738 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

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:	4 June 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: Jo Reeves

Date: 4 June 2019

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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West Berkshire Council Forward Plan

16 July 2019 - 31 October 2019

Key:	C = Council
	DOD = Delegated Officer Decision
	EX = Executive
	GE = Governance and Ethics Committee
	HWB = Health and Wellbeing Board
	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
EX3709	Culture Strategy - Consultative Draft	To approve the strategy.	EX	01 July 2019	25/07/19	EX	17/07/19					Paul James	Environment	Public Health and Community			
EX3748	Framework Agreement for The Provision of Community Home Care Services (APL)	To re-tender the Home Care APL as this is coming to the end of the four-year Framework in October 2019.	EX	01 July 2019	25/07/19	EX	17/07/19					Rebecca Braithwaite	Resources	Internal Governance			
EX3752	WBC Catering - Care Homes and Resource Centre Catering (Paragraph 3 - information relating to financial/business affairs of particular person)	Contract award.	EX	01 July 2019	25/07/19	EX	17/07/19					Karen Felgate	Resources	Internal Governance		Yes	No
EX3785	WBC Catering - School Meals Contract Extension (Paragraph 3 - information relating to financial/business affairs of particular person)	Contract extension award.	EX	01 July 2019	25/07/19	EX	17/07/19					Karen Felgate	Resources	Internal Governance		Yes	No
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	Internal Governance		No	
EX3749	Pelican Nursery – site acquisition (Paragraph 3 – information relating to financial/business affairs of particular person)	To seek approval to transfer through a lease the Pelican Day Nursery building and site to the Newbury Academy Trust for the	EX	01 July 2019	25/07/19	EX	17/07/19					Mark Lewis	Communities	Children, Education & Young People		Yes	Yes
EX3783	Final Schools 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 is to consider an in-year change to the formula for 2019/20.	EX	01 July 2019	25/07/19	EX	17/07/19					Melanie Ellis	Resources	Children, Education & Young People		No	No
EX3738	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 July 2019	25/07/19	EX	17/07/19					Richard Turner	Communities	Finance		Yes	No
EX3724	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	EX	01 July 2019	25/07/19	EX						Neil Coles	Environment	Economic Development and Planning		No	Yes
EX3755	Council Workforce Strategy 2019-2023		EX	01 July 2019	25/07/19	EX	17/07/19					Robert O'Reilly	Resources	Internal Governance		No	Yes
EX3786	MUGA Fees and Charges		EX	01 July 2019	25/07/19	EX	17/07/19					Paul Hendry	Economy and Environment	Transport and Countryside			

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16 July 2019 - 31 October 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
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 Gilhespy	Resources	Internal Governance			
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		FAGG 1/7/19	Julie Gilhespy	Resources	Internal Governance			
GE3624	West Berkshire Council Financial Statements 2018/19 including	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			
GE3781	Financial Year 2018/19 Going Concern Assessment	As a result of the significant reduction in funding for local government in recent years and the potential threat this poses to the	GE	01 July 2019			19/07/19		29/07/19 GE			Shannon Coleman-Slaughter	Resources	Finance		No	
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			Shannon Coleman-Slaughter	Resources	Chairman of Governance and Ethics			
ID3656	Refresh of the Procurement Strategy		ID	01 July 2019		01/07/19	tbc					Karen Felgate	Resources	Finance		No	No
ID3710	Parking scheme - Consolidation Order Amendment 29	To consider the responses received during statutory consultation	ID	01 July 2019		01/07/19	tbc					Alex Drysdale	Environment	Transport and Countryside			
ID3694	West Berkshire Council Forward Plan – 28 August 2019 to 30	To agree the Forward Plan for the next four months.	ID	01 July 2019		25/07/19	17/07/19					Moir Fraser	Resources	Leader, Strategy and	Corporate Directors and	No	No
ID3757	Adults Autism Strategy	To adopt the Autism Strategy produced in conjunction with the Adult Autism Board .	ID	01 July 2019		18/07/19	10/07/19					Mike Harling	Communities	Adult Social Care		No	Yes
ID3754	Bucklebury Village Design Statement - Refresh	To adopt the refreshed VDS post consultation.	ID	01 August 2019		01/08/19	tbc					Paula Amorelli	Economy and Environment	Economic Development and Planning		No	Yes
ID3788	Brimpton Parish Plan	To approve the Parish Plan.	ID	01 August 2019								Jo Naylor	Resources	Public Health and Community Wellbeing			

01/08/19 TBC

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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
C3720	Minerals and Waste Local Plan – Proposed Submission Version for consultation and associated evidence base documents.	To seek authorisation to consult on the proposed submission version of the Minerals and Waste Local Plan and associated evidence base documents, and	C	01 September 2019			04/09/19	12/09/19				Elise Kinderman	Environment	Economic Development and Planning	Individuals and groups on the Planning Policy consultation	No	No
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	EX	01 September 2019	05/09/19		17/07/19					Paul Hendry	Economy and Environment	Transport and Countryside		No	Yes
EX3713	Key Accountable Performance 2019/20: Quarter One	To report Q1 outturns for the Key Accountable Measures which monitor performance against the 2019/20 Council	EX	01 September 2019	05/09/19 EX		28/08/19			01/10/19		Catalin Bogos	Resources	Internal Governance		No	
EX3739	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 September 2019	05/09/19 EX		28/08/19					Richard Turner	Communities	Finance		Yes	No
EX3756	Devolution: Garage adjacent to Beansheaf Community Centre, Calcot	To consider devolving an asset to the parish council	EX	01 September 2019	05/09/19 EX							Richard Turner	Resources	Finance		No	Yes
EX3758	Economic Development Strategy	To approve the final version of the Economic Development Strategy following	EX	01 September 2019	05/09/19 EX							Gabrielle Mancini	Economy and	Economic Development			
EX3782	Voluntary Sector Prospectus (Paragraph 3 information relating to the financial / business affairs of a person)	To continue and further our working relationships with the Community and Voluntary Sector (CVS).	EX	01 September 2019	05/09/19 EX							Thomas Bailey	Resources			yes	No
ID3695	West Berkshire Council Forward Plan – 8 October 2019 to 31 January 2020	To agree the Forward Plan for the next four months.	ID	01 September 2019		05/09/19	28/08/19					Maira Fraser	Resources	Leader, Strategy and Communications	Corporate Directors and Heads of Service	No	No
EX3740	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 October 2019	17/10/19 EX		09/10/19					Richard Turner	Communities	Finance		Yes	No
EX3780	Public Health Nursing 0-19 (25)	Approval for Award of the Public Health Nursing 0-19 (25)	EX	01 October 2019	17/10/19 EX							Zoe Campbell	Resources	Finance			
ID3696	West Berkshire Council Forward Plan – 12 November 2019 to 29 February 2020	To agree the Forward Plan for the next four months.	ID	01 October 2019		10/10/19	02/10/19					Maira Fraser	Resources	Leader, Strategy and Communications	Corporate Directors and Heads of Service	No	No

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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.
25 July 2019	EX3749	Pelican Nursery – site acquisition	<i>To seek approval to transfer through a lease the Pelican Day Nursery building and site to the Newbury Academy Trust for the purposes of creating new Early Years provision, which will be incorporated as part of Speenhamland Primary School.</i>	Executive	Mark Lewis Children, Education & Young People	Report and associated appendices	(Paragraph 3 – information relating to financial/business affairs of particular person) (Paragraph 6 - information relating to proposed action to be taken by the Local Authority)
25 July 2019	EX3752	WBC Catering - School Meals, Care Homes & Resource Centres and Corporate Catering	<i>Contract award.</i>	Executive	Karen Felgate Internal Governance	Report and associated appendices	(Paragraph 3 - information relating to financial/business affairs of particular person)
25 July 2019	EX3753	Corporate Office and School Building Cleaning Services	<i>Contract award.</i>	Executive	Karen Felgate Internal Governance	Report and associated appendices	(Paragraph 3 - information relating to financial/business affairs of particular person)

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.

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.
25 July 2019	EX3738	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)

Sarah Clarke
Head of Legal and Strategic Support
West Berkshire Council

Date: 4 June 2019

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