

Notice of Meeting



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Executive

Thursday 17 December 2020 at 5.00pm

This meeting will be held in a virtual format in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020.

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Date of despatch of Agenda: Wednesday 9 December 2020

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Democratic Services Team on (01635) 519462

e-mail: executivecycle@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



To:	Councillors Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Hilary Cole, Lynne Doherty, Ross Mackinnon, Richard Somner, Joanne Stewart and Howard Woollaston
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Agenda

Part I

Pages

- 1. Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
- 2. Minutes** 5 - 14
To approve as a correct record the Minutes of the meetings of the Executive held on 19 November 2020.
- 3. Declarations of Interest**
To remind Members of the need to record the existence and nature of any personal, disclosable pecuniary or other registrable interests in items on the agenda, in accordance with the Members' [Code of Conduct](#).
- 4. Public Questions** 15 - 16
Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution.

Please note that the list of public questions is shown under item 4 in the agenda pack.
- 5. Petitions**
Councillors or Members of the public may present any petition which they have received. These will normally be referred to the appropriate Committee without discussion.

Items as timetabled in the Forward Plan

Pages

- 6. London Road Development Options (EX3978)** 17 - 28
Purpose: This report details the objectives of development on the London Road Industrial Estate and requests funding to help achieve these objectives through successful development of the site. The project remains a priority as part of the Council Strategy, and this report seeks to provide a way forward to enable development on the site, in a phased approach, following consideration of the Development Brief, and the consultation on this, as well as the Council's objectives for the site as a whole.



Agenda - Executive to be held on Thursday, 17 December 2020 (continued)

7. **Approval to adopt a revised Housing Allocations Policy (EX3902)** 29 - 112
Purpose: To seek approval to adopt and implement the revised Housing Allocations Policy.
-
8. **Response to the Local Electricity Bill Motions (EX3966)** 113 - 128
Purpose: To address two motions submitted to Council seeking support of the Local Electricity Bill. The first motion was submitted by Councillor Adrian Abbs at the 3rd March Full Council meeting and the second was from Councillor Steve Ardagh-Walter submitted at the 10th September Full Council meeting.

This report seeks to address these motions and make recommendations as to whether they should be implemented.
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9. **Safer Schools Motion (EX3964)** 129 - 158
Purpose: To respond to a Motion, proposing a range of safety and environmental improvements outside schools, which was presented to Council by Councillor Erik Pattenden in March 2020.
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10. **Newbury Town Centre Pedestrianisation (EX3979)** 159 - 206
Purpose: To respond to a Motion, regarding the pedestrianisation of roads in Newbury Town Centre, which was presented to Council by Councillor David Marsh in September 2020.
-
11. **2020/21 Performance Report Quarter Two (EX3884)** 207 - 250
Purpose: To provide assurance that the core business and council priorities for improvement measures (Council Strategy 2019-2023) are being managed effectively.

To highlight successes, in particular maintained strong levels of performance for core business areas, supported by the actions taken by the Council, partner organisations and community groups to recover from Covid-19 crisis. In a few cases, where performance has fallen below the expected level, either as decisions of the Council to support the Covid-19 response or due to restrictions imposed due to the virus, details are provided, including any further actions.
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12. **2020/21 Revenue Financial Performance Quarter Two (EX3908)** 251– 268
Purpose: To report on the in-year financial performance of the Council's revenue budgets.
-
13. **2020/21 Capital Financial Performance Quarter Two (EX3909)** 269 - 280
Purpose: The financial performance report provided to Members on a quarterly basis reports on the under or over spends against the Council's approved capital budget. This report presents the Quarter Two financial position.
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Agenda - Executive to be held on Thursday, 17 December 2020 (continued)

14. **Treasury Management Mid Term Report - Financial Year 2020/21 (EX3989)** 281 - 290

Purpose: This report provides an overview of the treasury management activity for financial year 2020/21 as at 30th September 2020.

15. **Members' Questions** 291 - 292

Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.

Please note that the list of Member questions is shown under item 15 in the agenda pack.

Sarah Clarke
Service Director: Strategy and Governance

West Berkshire Council Strategy Priorities

Council Strategy Priorities:

PC1: Ensure our vulnerable children and adults achieve better outcomes

PC2: Support everyone to reach their full potential

OFB1: Support businesses to start, develop and thrive in West Berkshire

GP1: Develop local infrastructure to support and grow the local economy

GP2: Maintain a green district

SIT1: Ensure sustainable services through innovation and partnerships

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

EXECUTIVE

MINUTES OF THE MEETING HELD ON THURSDAY, 19 NOVEMBER 2020

Councillors Present: Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Hilary Cole, Lynne Doherty, Ross Mackinnon, Richard Somner, Joanne Stewart and Howard Woollaston

Also Present: John Ashworth (Executive Director - Place), Bill Bagnell (Manager - Special Projects), Nick Carter (Chief Executive), Joseph Holmes (Executive Director - Resources), Sara Ross (Safeguarding Adults Service Manager), Andy Sharp (Executive Director (People)), Shiraz Sheikh (Legal Services Manager), Councillor Adrian Abbs, Councillor Jeff Beck, Councillor Jeff Brooks, Councillor Carolyne Culver, Councillor Lee Dillon, Councillor Alan Macro, Councillor Steve Masters, Councillor Andy Moore, Councillor Erik Pattenden, Linda Pye (Principal Policy Officer), Phil Rumens (Digital Services Manager) and Councillor Tony Vickers

PART I

38. Minutes

The Minutes of the meeting held on 15 October 2020 were approved as a true and correct record and signed by the Leader.

39. Declarations of Interest

There were no declarations of interest received.

40. Public Questions

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#).

- (a) The question submitted by Miriam Lee on the subject of the development of the London Road Estate to meet its Zero Carbon by 2030 target would receive a written response from the Portfolio Holder for Finance and Economic Development.
- (b) The question submitted by John Gotelee on the subject of the protection of the aquatic environment of the Northcroft stream was answered by the Portfolio Holder for Finance and Economic Development.
- (c) The question submitted by John Gotelee on the subject of SUDs/Attenuation ponds on the LRIE was answered by the Portfolio Holder for Finance and Economic Development.
- (d) The question submitted by John Gotelee on the subject of SUDs/Attenuation ponds and the impact on the viability of the LRIE project was answered by the Portfolio Holder for Finance and Economic Development.
- (e) The question submitted by Paul Morgan on the subject of a full breakdown of what was included in the total cost of the £946,000 and when it was spent was answered by the Portfolio Holder for Finance and Economic Development.
- (f) The question submitted by Paul Morgan on the subject of a full breakdown of additional spend had been made on top of the £946,000 was answered by the Portfolio Holder for Finance and Economic Development.

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- (g) The question submitted by Jack Harkness on the subject of re-provision of the football ground was answered by the Portfolio Holder for Finance and Economic Development.
- (h) The question submitted by Paul Morgan on the subject of selling the freehold of the football ground to a property developer was answered by the Portfolio Holder for Finance and Economic Development.
- (i) The question submitted by Paul Morgan on the subject of the price it was anticipated would be received from the sale of the football ground was answered by the Portfolio Holder for Finance and Economic Development.
- (j) The question submitted by Graham Storey on the subject of building at least 1,000 homes for social rent was answered by the Portfolio Holder for Finance and Economic Development.

41. Petitions

There were no petitions presented to the Executive.

42. London Road Industrial Estate - Avison Young Development Brief (EX3960)

The Executive considered a report (Agenda Item 6) concerning the draft London Road Industrial Estate Development Brief and any feedback received from public consultation which had been reflected in the final version of the Development Brief.

Councillor Ross Mackinnon in introducing the report stated that it represented the next step in the regeneration of the London Road Industrial Estate (LRIE) and it would revamp and transform the eastern approach to Newbury Town Centre. It would attract business enterprises and residents to what would be a high quality and first class residential office and business development. Some of the comments received as part of the consultation process had resulted in changes to the Development Brief and they had been set out in the report. It provided clarification on the status of the document in that it was not a planning document and was never intended to be so. This was because the Council had a potential conflict of interest to deal with as landowner and planning authority. A number of other comments had been received in respect of the football ground and the flood mitigation which had been dealt with in the public arena prior to the consultation but nonetheless the brief had been updated to clarify the Council's position on these areas. Consultation had included direct contact with leaseholders and occupational tenants on the estate and two public Zoom sessions.

Councillor Mackinnon stated that the consultation process had not identified any matters which would alter the Council's decision to regenerate the LRIE. It was therefore proposed to move forward with the next steps in bringing a proposal to the next Executive meeting in December 2020.

Councillor Howard Woollaston seconded the report.

Councillor Tony Vickers stated that he was excited at the prospect of this very important site being developed but he just wished that it had not taken 10 years to get this far at a cost of £1m. The Council needed to set an example and should be fostering economic growth and supporting local communities. It should set its ambitions higher rather than just securing commercial returns in the short term from capital receipts/income streams. Would the master plan produce economic growth and best value for the community or would it just deliver commercial returns to the Council. Councillor Vickers quoted from the terms of reference given to Avison Young which stated that the requirement was for development proposals to centre on commercial returns. The Council was not just a

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landowner, it was a planning local authority, and therefore it should not just conform with planning policy it should exceed it. It would be necessary to keep control of the site and go beyond what it had to do rather than looking for short term commercial gain.

Councillor Vickers referred to paragraph 7.25 on page 72 of the agenda. The first bullet point stated that 'An alternative and suitable replacement facility for the football ground would be required to be provided prior to its disposal and potential redevelopment.' This had not been included in the previous version of the master plan and he was pleased to see that this had clearly been included as a response to the consultation. He was also pleased that the Lib Dem response in relation to the local development order as a means of building out had been included. This would avoid having to wait for various planning applications to go through the system. In summary Councillor Vickers believed that the Council should be setting an example and going beyond what was required in policy terms. Committing to comply with and exceeding planning policy would in the long run provide better value for money for the district and its communities. The question to Councillor Mackinnon was as landowner the Council should be looking beyond just commercial concerns.

Councillor Ross Mackinnon replied that the Development Brief was never intended to be a planning document. He did not disagree with a lot of what Councillor Vickers had said but he did want to pick up on one point which had been made. Councillor Vickers had said that he was disappointed that the Council had decided to maximise financial returns at the expense of community good such as economic, social or environmental. That was not necessarily the case – Avison Young would need to look at commercial returns as there had to be an element of financial viability. However, as a Council it would also need to look at the good public realm element of the scheme. Councillor Mackinnon referred to the fact that the Liberal Democrats had a seat on the Project Board which was an opportunity for cross party collaboration.

Councillor Steve Masters referred to the fact that many members of the community were passionate about the football ground and the fact that this remained largely unresolved. He suggested that now would be a good time to try and bring the community back on board by apologising for the premature closure of the site as it had been empty and unused for two years. Councillor Ross Mackinnon responded that the Council did have an imminent plan to replace the football ground which would hopefully be announced in the near future. The findings of the Independent Task Group which looked at this concluded that the Council had acted in accordance with legal advice in making the decision to close the football ground.

Councillor Jeff Brooks asked for clarity on whether the Council would look to retain ownership as it had a large amount of ownership already on this area and in retaining it the Council would develop revenue streams for years to come. Councillor Ross Mackinnon confirmed that that remained an option – the Executive had not made a decision on this as yet.

Councillor Lee Dillon stated that long term revenue streams and retaining the freehold of the site would help to shape the future. Retaining the freehold would allow for it to be regenerated again in another hundred years. He noted that the proposal was for a business, commercial and residential development and he wondered what role leisure could play in the development. In particular, what role could a football club play within the whole envelope of that site. Councillor Dillon also felt that it was necessary to make sure that it matched with the upcoming Newbury Master Plan as the LRIE site linked with the town centre. Councillor Ross Mackinnon reiterated that holding the freehold of the site remained an option and he agreed that the Newbury Master Plan and the development of the LRIE were two projects that were closely linked.

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Councillor Adrian Abbs referred to viability and the fact that this was included in the terms of reference. If the terms of reference were purely commercial then the site would likely be designed etc. on commercial terms. To say that something was not viable just because it did not deliver an absolute commercial return was based on commercial being the only interest. However, the return could be equally viable based on community benefit. He asked for assurance that viability would not just be driven by the commercial element. Councillor Mackinnon responded that it was necessary to balance two things – the finances of West Berkshire Council and the needs of the community. The decision on this had not been taken as yet and this would be the subject of further discussion at the Executive in December.

Councillor Howard Woollaston felt that this was an opportunity for the Council as a whole to have a major vision for Newbury.

RESOLVED that the publication of the London Road Industrial Estate (LRIE) Development Brief in its final form post public consultation be approved.

Other options considered:

The Council should sell its freehold interest in the LRIE. Existing ground rents are fixed at a good yield and where ground rents are paid to the Council by the leaseholder regardless of occupational rents received by leaseholders. Any capital receipt could be invested in assets generating similar returns but would only maintain existing income levels and at the same time remove the Council's ability to bring forward regeneration on this run down part of Newbury. Moreover new owners might sit on existing LRIE freeholds, leaving the estate to further deteriorate and where the Council's control would be limited to that of planning authority.

To note the contents of the Avison Young Development Brief in its final form and for the Council to decide not to initiate and drive forward regeneration on the LRIE, leave the estate as it is and deal with change if and when it happens in the years ahead. This approach is likely to be overtaken by events where the Council has to engage and negotiate with leaseholders who will progressively bring forward their own schemes on Council freehold land in the same way FDL and NWN already have. It is preferable for the Council to be in control of events rather than react to them.

(The meeting was adjourned at this point in order to hold the Special Executive).

43. Members' Questions

A full transcription of the public and Member question and answer sessions are available from the following link: [Transcription of Q&As](#).

- (a) The question submitted by Councillor Jeff Beck on the subject of additional hostel provision was answered by the Portfolio Holder for Planning and Housing.
- (b) The question submitted by Councillor Adrian Abbs on the subject of why properties in Conservation Areas seeking to install solar panels needed to apply for Certificates of Lawfulness was answered by the Portfolio Holder for Environment.
- (c) The question submitted by Councillor Steve Masters on the subject of what amounts of financial assistance had been allocated to the local foodbank and Citizen's Advice Bureau since March 2020 was answered by the Portfolio Holder for Finance and Economic Development.
- (d) The question submitted by Councillor Steve Masters on the subject of the number of families in receipt of free school meals who had received additional direct support from the Council during half term was answered by the Portfolio Holder for Public Health and Community Wellbeing.

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- (e) The question submitted by Councillor Steve Masters on the subject of the average waiting times for callers during half term when telephoning the council helpline was answered by the Portfolio Holder for Internal Governance.
- (f) The question submitted by Councillor Jeff Brooks on the subject of what was the Council doing and what had it done to help local businesses prepare for when the United Kingdom left the European Union transition period was answered by the Portfolio Holder for Finance and Economic Development.
- (g) The question submitted by Councillor Jeff Brooks on the subject of the average time taken to process and determine a change of use application by a local retailer in order to respond to Covid restrictions was answered by the Portfolio Holders for Planning and Housing and Transport and Countryside.
- (h) The question submitted by Councillor Andy Moore on the subject of what plans did the Council have to consult the Ward Members for Newbury Central and Newbury Town Council on the ongoing WBC initiatives such as the possibility of extending the hours of pedestrianisation in the town, and the Newbury Town Centre design and consultation, was answered by the Portfolio Holder for Finance and Economic Development/Transport and Countryside.
- (i) The question submitted by Councillor Alan Macro on the subject of how many people had been referred by the Council to the West Berkshire Foodbank since the first Covid-19 lock-down started in March was answered by the Portfolio Holder for Public Health and Community Wellbeing.

44. Exclusion of Press and Public

RESOLVED that members of the press and public be excluded from the meeting for the under-mentioned item of business on the grounds that it involves the likely disclosure of exempt information as contained in Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006. Rule 8.10.4 of the Constitution also refers.

45. Walnut Close Care Home (EX3963)

(Paragraph 2 – information identifying an individual)

The Executive considered an exempt report (Agenda Item 9) concerning a significant change to the delivery of West Berkshire Council's in house care home services as a result of the impact of Covid-19. The proposed change was an immediate measure to respond to the effect of the pandemic. A far more substantial piece of work was being undertaken to set out a medium to long-term plan for the Council's wider care home provision. This work had commenced but the impact of Covid had necessitated more urgent action.

RESOLVED that the recommendations in the exempt report be agreed.

Other options considered: as set out in the exempt report.

(The meeting commenced at 5.00pm and closed at 6.48pm)

CHAIRMAN

Date of Signature

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EXECUTIVE

MINUTES OF THE SPECIAL MEETING HELD ON THURSDAY, 19 NOVEMBER 2020

Councillors Present: Steve Ardagh-Walter, Dominic Boeck, Graham Bridgman, Hilary Cole, Lynne Doherty, Ross Mackinnon, Richard Somner, Joanne Stewart and Howard Woollaston

Also Present: John Ashworth (Executive Director - Place), Nick Carter (Chief Executive), Joseph Holmes (Executive Director - Resources), Sara Ross (Safeguarding Adults Service Manager), Andy Sharp (Executive Director (People)), Shiraz Sheikh (Legal Services Manager), Councillor Adrian Abbs, Councillor Jeff Beck, Councillor Jeff Brooks, Councillor Carlyne Culver, Councillor Lee Dillon, Councillor Alan Macro, Councillor Steve Masters, Councillor Andy Moore, Councillor Erik Pattenden, Linda Pye (Principal Policy Officer), Phil Rumens (Digital Services Manager) and Councillor Tony Vickers

PART I

46. **Declarations of Interest**

There were no declarations of interest received.

47. **Walnut Close Care Home (Urgent Item)**

The Executive considered a report (Agenda Item 3) concerning a significant change to the delivery of West Berkshire Council's in house care home services as a result of the impact of Covid-19. The proposed change was an immediate measure to respond to the effect of the pandemic. A far more substantial piece of work was being undertaken to set out a medium to long-term plan for the Council's wider care home provision. This work had commenced but the impact of Covid had necessitated more urgent action.

Councillor Graham Bridgman introduced the report and thanked Sara Ross for all her hard work, care and engagement in getting to this point. Closing a care home was not something that the Council did lightly and a huge amount of work had gone into ensuring that all things that should be considered had been considered and not least the welfare of the residents. Sufficient spaces were available in Birchwood to accommodate all of the residents from Walnut Close in a much more modern setting with enhanced facilities such as en-suite bathrooms. Birchwood was located under two miles from Walnut Close and therefore there should not be any issues in terms of families being able to visit (subject to current restrictions).

Sara Ross and her staff knew all the residents and their families at Walnut Close well and would therefore have a good idea of what would suit them at Birchwood. Each of them would be allocated the right type of room for their needs and care plans would be reviewed in conjunction with families and professionals. All of the staff from Walnut Close would move into similar roles at Birchwood apart from three members of staff who would be moving to other sites. The move would not be rushed and it would take as long as it needed to in order to relocate all of the residents. It was hoped that the move would be finalised by the end of February 2021.

Councillor Bridgman referred to the consultation responses set out in the report and stated that Sara Ross had personally engaged with the majority of residents and their families to make them aware of what the alternative provision would look like. All discussions had been very positive and all the residents that had been spoken to had

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been happy about the move to Birchwood where they would have their own bathrooms. Sara and her team had done everything possible to remove the risks associated with a move of this nature and gave assurance that risk assessments would be undertaken which would include concerns around the wider Covid issue.

Councillor Bridgman concluded that the residents from Walnut Close could be accommodated in far better surroundings, in a modern care home which was only two miles away from their existing one. It was noted that the vote on this matter would be taken as part of the Part II discussions.

The report was seconded by Councillor Steve Ardagh-Walter.

Councillors Lynne Doherty and Hilary Cole both complimented Sara Ross on the way in which this had been handled. It could not be under-estimated how sensitive this issue was for the residents. When Councillor Cole had been Portfolio Holder for Adult Social Care some years ago she had been concerned about Walnut Close then and therefore she was pleased that a far better solution had been found in far superior accommodation than the residents of Walnut Close were currently enjoying.

Councillor Alan Macro thanked Councillor Bridgman for the assurances he had given but he was still worried about the Covid situation and whether the move should happen until the pandemic had subsided. Moving could be stressful at the best of times but for people in a care home it was very much more so and he was therefore pleased that the plan was to keep residents together in the Walnut area of Birchwood where relationships could be maintained. Councillor Macro noted that there were quite a lot of empty beds in Birchwood but he asked for assurance that there would be sufficient capacity for dementia patients as dementia beds in the private sector were very expensive and would be beyond the means of most people. Finally, Councillor Macro noted that part of the rationale for closing Walnut Close was the fact that the building had deteriorated and would need a significant amount of money spent on it and he wondered why that had been allowed to happen.

Councillor Graham Bridgman assured Councillor Macro that there would be sufficient dementia beds going forward and care assessments would take place with each of the residents. Sara Ross knew where each individual would be placed in Birchwood and there would still be further beds available. Councillor Bridgman stated that it was not that the Council allowed the care home to deteriorate – there had been a plan in place to refurbish it prior to Covid and the money had been set aside to do that. However, the pandemic overtook events and the Council had simply taken account of the situation it found itself in. There were enough rooms in Birchwood to move the residents from Walnut Close into better surroundings and that was the reason for doing so.

Councillor Lee Dillon wanted to reflect on the care side of things and the work undertaken by Officers to manage the process. Keeping the residents and staff together was imperative in respect of their longer term care. Should the paper be approved he felt that the residents would be getting a better quality of life and surroundings. However, the Walnut Close site was in a key area right in the heart of the town centre and he asked if the Council could liaise with the Town Council when they looked for options for that piece of land so that it would benefit the whole of the community.

Councillor Bridgman responded that he was just dealing with the transition element and he would leave it with the Portfolio Holder for Finance and Economic Development to deal with the property side of things and to have those discussions.

Councillor Steve Masters echoed previous comments which had been made about continuity and the care that would be taken to accommodate the move. The best interests of the residents was vitally important especially given the Covid situation and

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the fears that family members might have around that. There was potential for growing demand in dementia beds locally and he asked what modelling had been put in place to ensure that a resident of West Berkshire actually achieved best value for money moving forward.

Councillor Bridgman referred to paragraph 1.2 of the report which stated that further work was being undertaken in order to determine what the Council's position in the market should be and what the Council's provision should be. That would come forward in due course. The modelling figures did not show an immediate pressure and as mentioned previously there would still be space at Birchwood and other care homes so there would be capacity.

RESOLVED that:

- (1) The report recommended that Walnut Close Care Home be closed. Residents would be rehomed in other West Berkshire Care Homes (anticipated to be predominantly in Birchwood for reasons of capacity and proximity), with staff redeployed in those other care homes, resource centres or the reablement team;
- (2) A public consultation had taken place, with feedback considered and incorporated into the recommendation. A staff consultation and further appropriate engagement activities would take place following any decision to close Walnut Close.
- (3) Following closure, the Walnut Close site would be placed into the management of the Council's Asset Management Group for decisions regarding the disposal of the land and building.

Other options considered:

The alternative to the proposal recommended in the report was that the Council would keep Walnut Close open as it was.

This was not considered to be a viable long term option for the following reasons:

- Ongoing and rising maintenance costs;
- Considerable recruitment issues in the care home industry across the UK which meant that the vacancies were hard to fill, incurring increased agency costs and reduced level of good, consistent care;
- Loss of revenue and running at a loss;
- CQC rating improvement was less achievable within the current building – reputational damage to West Berkshire Council.

(The meeting commenced at 6.00pm and closed at 6.18pm)

CHAIRMAN

Date of Signature

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Item 4:

Public Questions to be answered at the Executive meeting on 17 December 2020.

Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution.

(a) **Question submitted by Ian Hall to the Portfolio Holder for Transport and Countryside:**

"What measures do WBC take to monitor the cleanliness of streams such as the Northbrook and ponds such as the one by the London Road Tesco?"

(b) **Question submitted by Graham Storey to the Portfolio Holder for Planning and Housing:**

"Would the council consider converting some of West Berks unsold "affordable houses for sale" to "homes for social rent" as described in this article?:

<https://neweconomics.org/2020/11/how-to-create-6-500-social-homes-overnight>"

(c) **Question submitted by John Gotelee to the Portfolio Holder for Finance and Economic Development:**

"Please could the executive explain how the surface water run off at the A339 junction can flow into the Thames water sewer and subsequently into the northcroft stream at a rate of up to 80 litres a second yet the council requires run off from the new Lidl development to be attenuated to 2 litres/second and run into the same watercourse?"

(d) **Question submitted by William Wood to the Portfolio Holder for Leader of the Council:**

"Post the Pandemic will the Council continue to broadcast public meetings thereby making democracy more accessible to many residents including younger voters?"

(e) **Question submitted by Vaughan Miller to the Portfolio Holder for Finance and Economic Development:**

"Will the council reconsider its decision to keep the football ground in Faraday Road closed for organised football and work collaboratively with the Newbury football community and other stakeholders like Newbury Town Council to explore all options to make the current ground available for next 3 years for men's, youth and ladies organised football?"

(f) **Question submitted by Paul Morgan to the Portfolio Holder for Finance and Economic Development:**

"Can the Council please provided a line by line breakdown of all of the anticipated costs associated with the replacement football ground (of equivalent or better quality, and of equivalent or greater quantity) and how it believes these costs will be funded and by whom?"

Item 4:

Public Questions to be answered at the Executive meeting on 17 December 2020.

Members of the Executive to answer questions submitted by members of the public in accordance with the Executive Procedure Rules contained in the Council's Constitution.

(g) Question submitted by Karen Swaffield to the Portfolio Holder for Leader of the Council:

"Please would the Executive answer why the comments on the YouTube video of the full council meeting dated 3rd December removed?"

(h) Question submitted by Lee McDougall to the Portfolio Holder for Finance and Economic Development:

"Who's legal advice (internal and external) did the Council act on to make the decision to change the football pitch at Faraday Road to a recreational open space?"

(i) Question submitted by Lee McDougall to the Portfolio Holder for Finance and Economic Development:

"Could the Portfolio Holder please set out what that legal advice to change the football pitch at Faraday Road to a recreational open space was?"

(j) Question submitted by Darren King to the Portfolio Holder for Leader of the Council:

"Does the Leader of the Council consider the full council meeting of the 3rd December to have encouraged members of the public from diverse backgrounds to get involved in local politics?"

(k) Question submitted by Jason Braidwood to the Portfolio Holder for Finance and Economic Development:

"What is the forecasted public use of the proposed recreational space at Faraday Road in terms of numbers, ages, gender and sport types?"

(l) Question submitted by Jason Braidwood to the Portfolio Holder for Finance and Economic Development:

"What was the source of the supporting data to reach the public use forecasts for Faraday Road recreational space."

(m) Question submitted by John Stewart to the Portfolio Holder for Finance and Economic Development:

"With respect to the replacement football ground in Newbury, please can the Council advise what contingency plan it has in place if the alternative option it is currently pursuing does not, for whatever reason, come to fruition and/or if it fails to satisfy Sport England's policies and guidelines?"

London Road Development options

Committee considering report:	Executive
Date of Committee:	17 th December 2020
Portfolio Member:	Councillor Ross Mackinnon
Date Portfolio Member agreed report:	8 th December 2020
Report Author:	Joseph Holmes (Executive Director – Resources)
Forward Plan Ref:	EX3978

1 Purpose of the Report

- 1.1 This report details the objectives of development on the London Road Industrial Estate and requests funding to help achieve these objectives through successful development of the site. The project remains a priority as part of the Council Strategy, and this report seeks to provide a way forward to enable development on the site, in a phased approach, following consideration of the Development Brief, and the consultation on this, as well as the Council's objectives for the site as a whole.

2 Recommendations

- 2.1 The Executive resolves to approve as follows:
- a. a phased approach option to the development of the site within an overall vision for the development as a whole.
 - b. the objectives of the development as per paragraph 5.14.
 - c. commissioning a Supplementary Planning Document (SPD) to help better align development proposals with Planning Policy, to set out estate wide design criteria and infrastructure requirements and for the cost of this work to be found out of annual funding requested in this report.
 - d. a one-off budget of £45,000 to provide funding for feasibility services in the 2020-21 financial year including, as appropriate, negotiations with estate stakeholders with commercial interests.
 - e. the renaming of the London Road Industrial Estate working in consultation with the public.
- 2.2 That the Executive recommends, for inclusion on the budget papers, a revenue budget of £100,000 per annum over the next three years to provide for consultancy support

during the project development where the Council does not have internal resources to provide the specific project resources.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>Revenue budget requests are included within the recommendations; there is current no on-going revenue budget associated with this project other than staffing costs.</p> <p>The request of £100,000 per annum over the next three years is to progress the scheme through to a planning application. Some of these costs may be able to be capitalised as part of any future development, but as the project is at an early stage, these works will begin as revenue.</p> <p>The site currently has a value worth £7.7m (as at 31.3.20) with an annual income from the site of £0.4m p.a. (2020-21 budget). Any future development will need to consider this as part of the development and the Council's wider financial position.</p> <p>Any capital budget requests will be considered in the capital strategy, and will come back to the Executive (and Council if applicable) once the development route is clearer.</p>
Human Resource:	None directly
Legal:	<p>None directly – this scheme has been subject to a legal challenge in the past, and this paper sets out mitigate risks, where possible, to enable effective development of the site.</p> <p>Depending on how the land is assembled for the objectives including regeneration as set out in the report, the Council will have regard to its obligations under Section 123 Local Government Act 1972 which relates to best price achievable in the open market.</p> <p>In relation to the delivery mechanism for achieving the objectives the Council will have regard to the Public Contracts Regulations 2015 if procuring a joint venture vehicle for the delivery of the objectives.</p>

Risk Management:	<p>There are substantial risks with developing any site of this size. In light of previous work on this site, risks have been mitigated by:</p> <ul style="list-style-type: none"> • Requesting an overarching budget for external support from a multi-disciplinary team • Moving to a phased approach, making each development a smaller scale piece of work • That a phased approach will allow for a greater level of flexibility on each of the development options • That a phased approach will maximise financial control and the potential for a completed plot to subsidise a follow on plot • That a phased approach allows potentially individual development agreements per plot based on known market conditions at the time, fully surveyed and known site constraints of each plot and reflecting opportunities for built-in risk & reward at a higher or lower level of commitment per development agreement. This approach generally has greater control than one over-arching development agreement across the whole estate. 			
Property:	<p>There are significant property implications. This site is key site left within the Council's property portfolio of assets that are not for direct service provision. The Property Services team will be involved in the project group and the council will also use external advisors where appropriate to support the development of the site.</p>			
Policy:	<p>Supports the delivery of the Council Strategy priority to develop local infrastructure, including housing, to support the local economy</p>			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				

London Road Development options

A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		The overall development should have a positive environmental impact through redevelopment and better active transport routes. As schemes are developed, this will be more clearly identified.
Health Impact:		X		As schemes are developed, this will be more clearly identified.
ICT Impact:				None identified
Digital Services Impact:				None identified
Council Strategy Priorities:				Supports the delivery of the Council Strategy priority to develop local infrastructure, including housing, to support the local economy, as well as the Economic Development Strategy.
Core Business:				No implication other than resource to support the development.
Data Impact:				None identified
Consultation and Engagement:	Property Services and Legal Services			

4 Executive Summary

- 4.1 The development of the London Road Industrial Estate (LRIE) has been discussed and progressed over a long period of time. The site is an important element of the Council's overall asset base and presents a number of opportunities to benefit the local area, as well as enhance the overall economic activity of the vicinity and the wider district.
- 4.2 The site at present has a wide range of businesses on the site, but the land use density is low and there are some vacant and underused sites included in the area. The Council's Development Brief for the area, approved at the November Executive, sets out that the LRIE is viable for development and presents two options for development; a comprehensive approach or a phased approach.
- 4.3 This report sets out a range of recommendations to enable the progression of the LRIE development on a phased approach. There are others that have been considered, but have been rejected as articulated later in the report. This report does also recommend a substantial sum to be set aside for this scheme; this is mainly to provide the Council with further planning and advisory services to help enable development and to mitigate some development risk where the Council does not have the skills and expertise in-house.

5 Supporting Information

Introduction

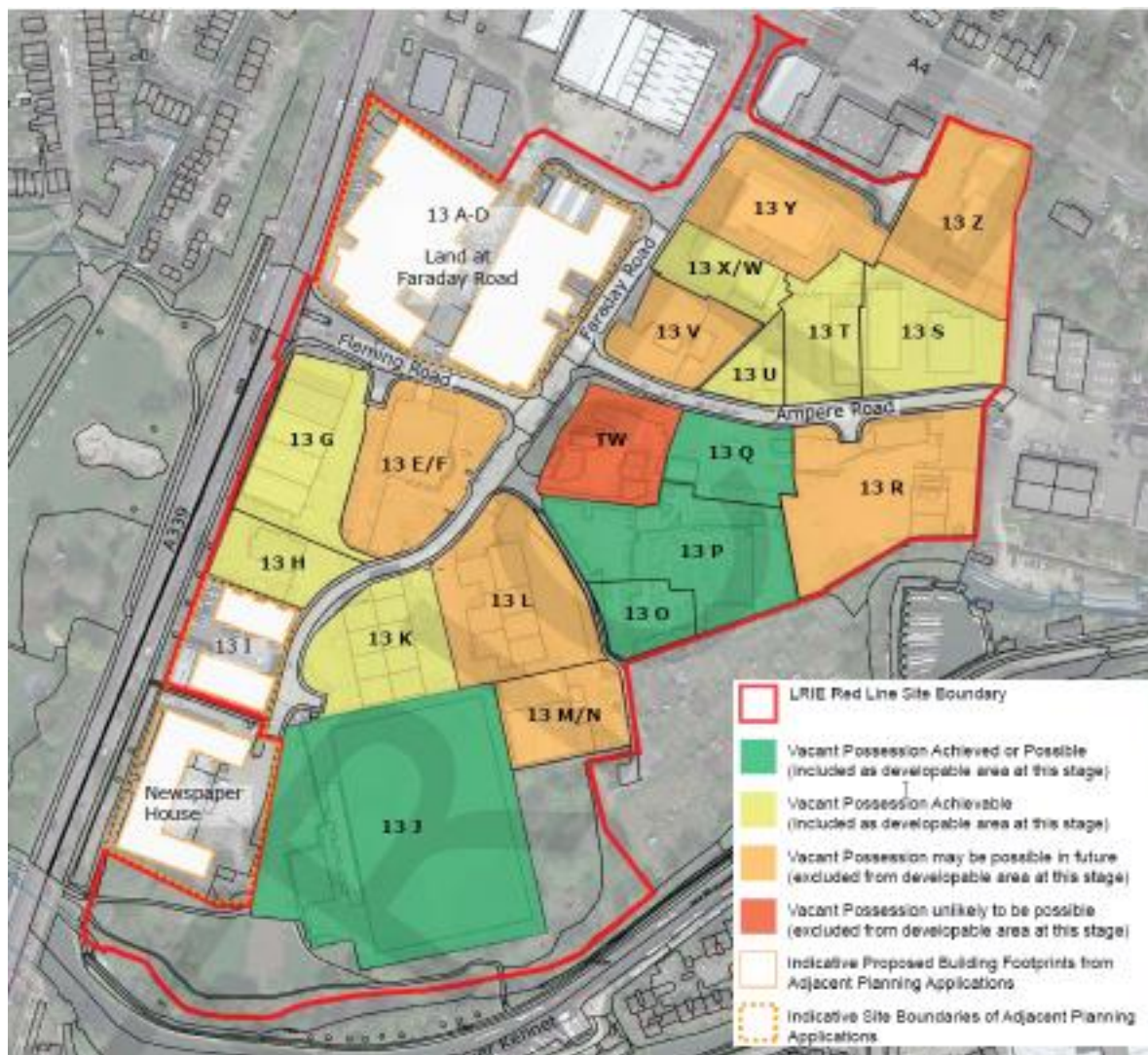
- 5.1 The Council has had a long standing ambition to see the redevelopment of the London Road Industrial Estate (LRIE). The Development Brief, approved in November 2020 by the Executive, provides an opportunity to see development on the LRIE site.
- 5.2 To support the development of the site, the Executive are requested to approve an overarching vision for the development of LRIE that will provide an overarching focus over the coming months and years to progress the site.

The delivery of a mixed-use site that delivers economic growth, an improved local environment within which to work, travel and live, and provides effective links to the town centre

Background

- 5.3 The 11 hectare site within the Council's freehold ownership referred to as the London Road Industrial Estate consists of a variety of units with leasehold ownerships varying from 25 years to 90 years. The exception is Thames Water who hold their plot freehold. West Berkshire Council (WBC) is the See plan below – Thames Water site in red marked 'TW'.
- 5.4 The Council has had a long standing ambition to develop the site and this also included in the Council Strategy 2019-23 within the priority "develop local infrastructure, including housing, to support the local economy". There was also a recent task-force, a sub-group of the Overview and Scrutiny Management Committee, review and report that was responded to by the Executive in September 2020. Learning from this report has been included within the proposals incorporated in this paper.

Map 1.1: London Road & lease situation



5.5 The Council wishes to see economic regeneration and growth as part of this development. As highlighted in the vision, the Council is committed in the Council Strategy, and through its Economic Development Strategy, to enhance the economic activity across the district and to secure jobs within the local area.

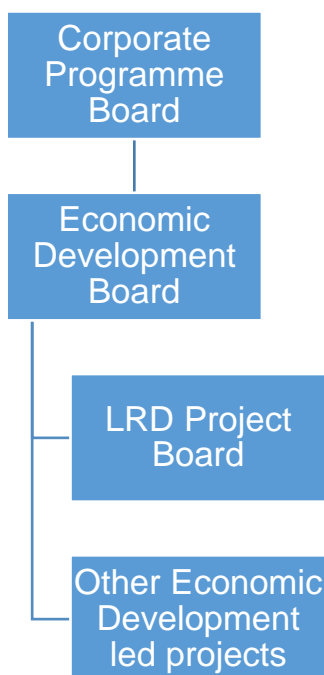
5.6 The Council receives annual ground of £0.4m per annum representing a yield of over 5% against Council freehold assets worth a total of £7.7M (as at 31.3.20). Given the reductions to Council funding in recent years, where councils receive nothing from the revenue support grant from the Government, the Council does need to consider its wider financial position as part of this redevelopment, both from an income point of view and from business activity, the development of jobs, and share of business rates retention generated on the estate.

London Road Development options

- 5.7 The Council recently (September to October 2020) consulted on a development brief prepared by Avison Young (AY) on future options for the development of the site. At its meeting in November 2020 the Executive approved the final Development Brief. The Development Brief highlighted two main options for development; a comprehensive approach to the whole site vs a plot by plot or 'phased' approach. On review of the Development Brief, the wider market conditions, and previous experience of the site, it is proposed to deliver development on the site on a phased approach basis. This is also driven by the Council risk appetite on development on this site; it is important to see progress to support the local economy and to enhance the Council's reputation for delivering development on this site. In light of Covid-19 and the business uncertainty from the pandemic, a phased approach is more appropriate to mitigate risk of non-delivery and of further market changes requiring a changed approach.
- 5.8 The Development Brief, and comments to the consultation on it, highlight the need for an overarching plan for the site. In order to achieve this, and recognising the resource constraints on the Council, as well as wide range of skills required, it is proposed to request funding for a multi-disciplinary team to support the internal project team to provide advice on a variety of areas, including:
- Site master-planning including a Supplementary Planning Document
 - Site and financial appraisals for the individual plots
 - Community engagement and support
 - Market advice and testing
 - External legal support on possible partnering agreements
 - Planning consultancy
 - Environmental advice
 - Procurement development options
- 5.9 Estimates for this work are expected to total £100,000 per annum over a three year period; a long enough time to commence planning action on the LRIE based on an overall masterplan for the estate and provide a framework for all phases of development.

Governance

- 5.10 The project has been assessed as a tier 1 project using the Council's project sizing toolkit. This involves regular project reporting to various internal boards, see below



5.11 The LRD (London Road Development) Project Board meets regularly and includes the Portfolio holder with responsibility for economic development as well as another Executive member and leader of the Liberal Democrat Opposition, and also includes officers from across Council departments.

5.12 The LRD Board then feeds into the Economic Development Board with project highlight and exception reports where required. Overall progress on the project is monitored through the Corporate Programme Board that oversees all Council project activity. This provides a substantial amount of member oversight through the process of considering and implementing development options. Reports will also come through to the Executive where required in line with the Council’s constitutional requirements.

5.13 There is also a dedicated lead project officer for this scheme as well as a project sponsor (Executive Director – Resources) and member lead (Portfolio Holder with responsibility for Economic Development).

Proposals – Objectives of the development

5.14 Reflecting upon the Development Brief and members’ aspiration for the site, the following key objectives for the development of the site have been provided below.

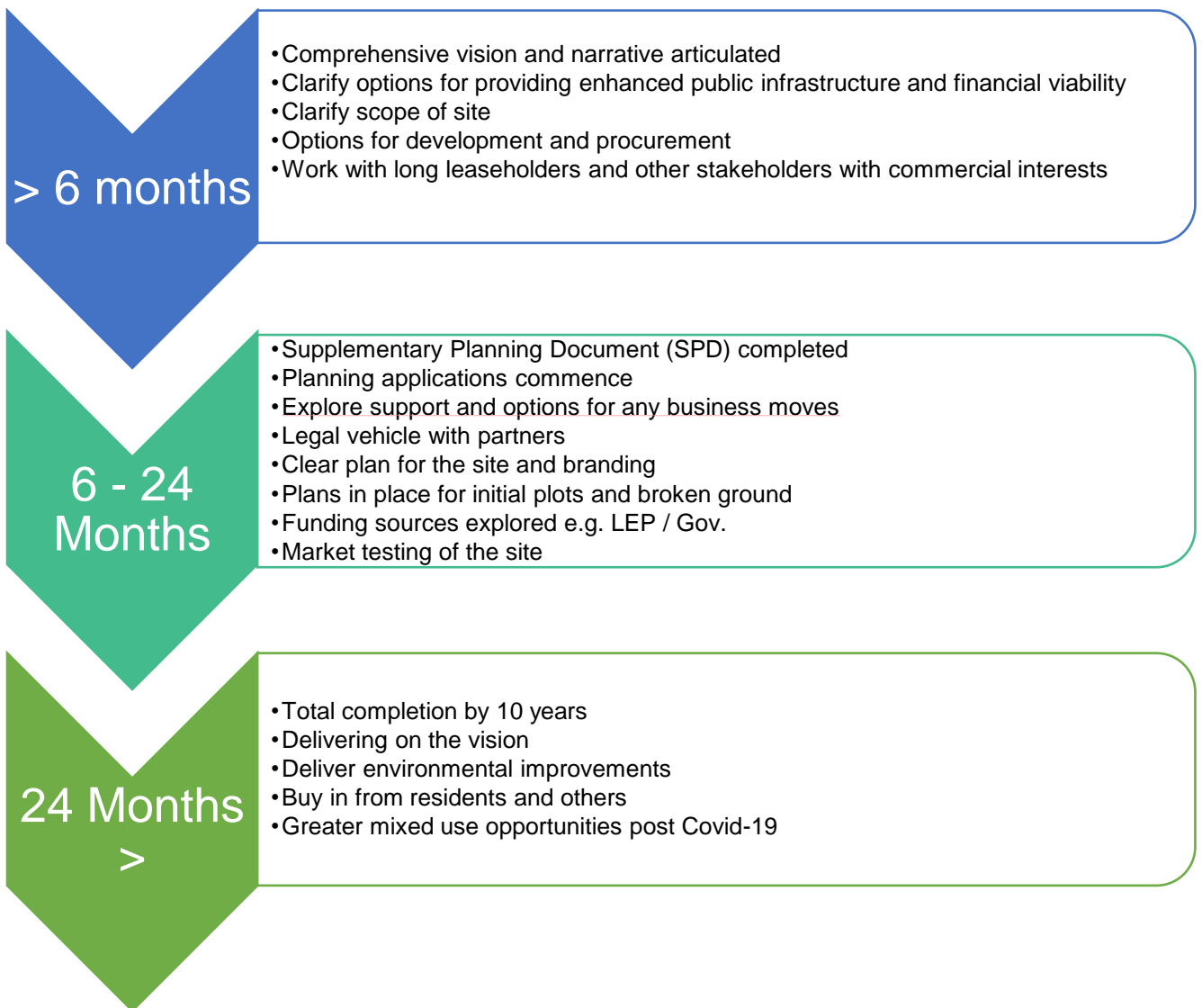
- To deliver a mixed-use development; recognising that this is economic development led, where high quality regeneration is of equal importance to financial returns and that a mixed use should include housing. This will ensure a more vibrant development and enhance the economic opportunities of the site
 - Enhanced infrastructure on the site that successfully connects with Newbury Town Centre and other entrances to the site
 - Acts as a gateway from the A339

London Road Development options

- To enhance the economic activity that takes place on the site; this can be measured through a variety of means as the Council cannot, nor would want to, dictate the exact nature of business on the site. These measures will include:
 - maximise the amount of business square footage on employment land within development proposals.
 - Increase in the number of jobs generated on the site
- To protect the value of the Council's financial position, which may mean by investing Council funds into the site, including:
 - Continue to receive income from the site via rental income and business rates (and any potential replacement to this property tax) as a preferred approach.
 - To retain some long term asset interest / or receive an appropriate capital receipt for some or all of the site to achieve other highlighted objectives where they outweigh a long term income stream.
 - Improving general infrastructure to ensure sustainable growth on the estate.

Proposals – Next Steps

5.15 There are a range of aspirations for the site, and the recent consultation on the development brief highlighted a broad spectrum of wishes for the site. To help achieve a development of the site that meets the vision and objectives included in this paper, there are a variety of steps that are proposed to be taken forward over a range of time periods. These may flex in their timescales due to outside factors, and the nature of a complex development site, but are highlighted to provide a broad overarching view of the future phases.



6 Other options considered

- 6.1 The Council can continue with a ‘do nothing’ option of leaving the site as it is and managing leasehold arrangements as they come towards expiry. This has been discounted as it does not support the Council Strategy objectives and the infrastructure on the site will continue to deteriorate.
- 6.2 Redevelopment could be delivered by a ‘comprehensive approach’ as set out in this report. The comprehensive approach requires the Council to acquire all interests on the estate to create one large redevelopment site. This would require an enormous upfront financial outlay, either via borrowings or in partnership, and where the potential enhanced financial rewards are marginal compared to a phased redevelopment. Similarly the comprehensive approach is not only more challenging to deliver but where the risks to the Council are greatly increased. For these reasons the comprehensive approach to redevelopment has been discounted.

London Road Development options

- 6.3 The Council has the option to put the site on the market and seek a sale and capital receipt. This has been discounted at present as it would be unlikely to achieve the Council Strategy objectives, and the current market would is very uncertain for potential investors in the site.

7 Conclusion

- 7.1 For the Executive to consider the report and the recommendations included in order to progress the development of a key site that is part of the delivery of the Council Strategy.

8 Appendices

- 8.1 None

Background Papers:

September 2020 Executive report

November 2020 Executive report

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 Committee or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

Document Control

Document Ref:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

Change History

Version	Date	Description	Change ID
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Approval to adopt a revised Housing Allocations Policy

Committee considering report:	Executive
Date of Committee:	17 th December 2020
Portfolio Member:	Councillor Hilary Cole
Date Portfolio Member agreed report:	7 th September 2020
Report Author:	Fidelis Ukwenu
Forward Plan Ref:	EX3902

1 Purpose of the Report

- 1.1 To seek approval to adopt and implement the revised Housing Allocations Policy.

2 Recommendation

- 2.1 That the revised Housing Allocations Policy, as set out at Appendix A, be adopted and fully implemented when the Housing department’s ICT allocations system is deployed.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	There are no financial implications as the Housing Allocations Policy relates to the allocation of affordable homes managed by Registered Providers.
Human Resource:	There are no HR implications
Legal:	<p>The Council must have a housing allocations scheme (Housing Allocations Policy) in accordance with Part VI of the Housing Act 1996 (section 166A). The Housing Allocations Policy must include the Council’s policy on offering people choice of housing and to express a preference (a statement of choice) as mentioned in 5.6 below.</p> <p>There is a legal requirement to consult on major changes to the Housing Allocations Policy. Public consultation on the Council’s proposed revised</p>

Approval to adopt a revised Housing Allocations Policy

	<p>Housing Allocations Policy has been completed and the results are attached as Appendix C.</p> <p>The revised Housing Allocations Policy will also take into account the statutory guidance “Improving access to social housing for members of the Armed Forces” (27 June 2020) and Homelessness code of guidance for local authorities (February 2018).</p>			
<p>Risk Management:</p>	<p>The proposed changes to the Council’s Housing Allocations Policy are intended to:</p> <ul style="list-style-type: none"> • Reduce the risk of tenancy fraud in cases of split households and accommodation. • Manage challenges regarding accessing social housing by applicants who live outside of the district. • Ensure that the Housing Allocations Policy is legally compliant, by incorporating legislative changes introduced by the Homelessness Reduction Act 2017, together with the contents of the statutory guidance “Improving access to social housing for members of the Armed Forces” and Homelessness code of guidance for local authorities. 			
<p>Property:</p>	<p>There are no property related implications as the Housing Allocations Policy relates to the allocation of affordable homes managed by registered providers</p>			
<p>Policy:</p>	<p>The proposal relates to the Council’s statutory Housing Allocations Policy (22nd July 2020).</p>			
	<p>Positive</p>	<p>Neutral</p>	<p>Negative</p>	<p>Commentary</p>
<p>Equalities Impact:</p>				

Approval to adopt a revised Housing Allocations Policy

A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			The revised policy will ensure that the limited stock of social and affordable homes in the district are allocated to the most vulnerable residents. Views obtained through the consultation process have been considered and incorporated into the revised Housing Allocations Policy where appropriate.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			The revised policy will benefit applicants or members of a household with a disability who have a housing need as they will be placed in the high priority band for social housing.
Environmental Impact:		X		The proposal will not have any environmental impact.
Health Impact:	X			The revised policy supports applicants who have housing issues which significantly impact upon their health.
ICT or Digital Services Impact:	X			<p>The revised policy will form part of digitalisation of online facilities for housing applications and some decision making on the assessment of housing needs.</p> <p>The implementation of the revised Housing Allocations Policy will be linked to the delivery of the new Housing department's ICT system - Abritas.</p>

Approval to adopt a revised Housing Allocations Policy

<p>Council Strategy Priorities or Business as Usual:</p>	<p>X</p>			<p>The revised policy will support the following Council Priorities:</p> <p>Ensure our vulnerable children and adults achieve better outcomes;</p> <ul style="list-style-type: none"> • Improve the health and wellbeing of our residents through appropriate interventions and policies. • Help people to help themselves and others. • Support everyone to reach their full potential. • Improve the health and wellbeing of our residents through appropriate interventions and policies. <p>Develop local infrastructure, including housing, to support and grow the local economy;</p> <ul style="list-style-type: none"> • Further develop digital infrastructure and information assets in the District. • Develop an Integrated Infrastructure Plan to deliver regeneration, housing, flood prevention and alleviation schemes, and travel and transport infrastructure. <p>Ensure sustainable services through innovation and partnerships;</p> <ul style="list-style-type: none"> • Use data to better understand our services' beneficiaries to improve the way we interact with them and the services we provide.
<p>Data Impact:</p>		<p>X</p>		<p>The revised proposal will not have any impact on the rights of data subjects or how their data is used by the Council.</p>

Consultation and Engagement:	<p>Section 166A(13) and 168(3) of the Housing Act 1996 requires certain stakeholders and those likely to be affected by it to be consulted on proposed major changes to the Council’s Housing Allocations Policy. In addition, the public consultation exercise was subject to the Council’s Consultation Policy. A consultation for the proposed revised Housing Allocations Policy was carried out over a six week period from 17th March to 3rd May 2020.</p> <p>In addition, individuals on the housing register (as at 13th March 2020 this was 3,700 households) regarding the proposed changes. Letters were also sent to other stakeholders, including those resident in temporary accommodation provided by the Council, the voluntary sector, registered providers, internal departments and partner organisations, notifying them of the consultation and inviting their contributions. Finally, in addition to publishing the consultation on the council’s website, a press release was issued and the consultation was publicised through the Council’s Facebook and Twitter accounts.</p> <p>Face to face focus groups were not held due to Covid-19. Whilst virtual focus groups were considered, it was not possible to facilitate this at the onset of the pandemic.</p> <p>Full details of this consultation can be found in Appendix C.</p>
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4 Executive Summary

- 4.1 West Berkshire Council is required to have a Housing Allocations Policy in accordance with Part VI of the Housing Act 1996.
- 4.2 The Council’s Housing Allocations Policy does not yet fully support the delivery of obligations under the Homelessness Reduction Act 2017 which came into force on the 3rd April 2018 (with limited exceptions) and made significant changes to Part VII of the Housing Act 1996.
- 4.3 The revised Housing Allocations Policy has therefore been updated to better reflect current legislation.
- 4.4 The Council carried out a consultation for the revised Housing Allocations Policy between 17th March 2020 and 3rd May 2020. This provided a period in excess of 6 weeks for residents and stakeholders to respond, taking into account Easter and school holidays.
- 4.5 We published the proposals and questionnaire regarding the changes on our website at www.westberks.gov.uk/housing. The questionnaire was available for a six week period with feedback requested by midnight on 3rd May 2020.
- 4.6 Respondents were directed to the revised policy and a document summarising the changes to read before answering the questionnaire. A total of 234 stakeholders submitted feedback.

Approval to adopt a revised Housing Allocations Policy

- 4.7 Each question related to a specific change in the policy and a reference to the paragraph and page in the policy were included. In addition, we set up a dedicated email address to deal with any questions or enquiries relating to the consultation process including queries about accessing the questionnaire. As a result of this we printed hard copies of the proposal documents and surveys following queries regarding access and made them available on request.
- 4.8 Our approach also included delivering focus groups but due to Covid-19 we were unable to proceed with face to face focus groups. We also wrote to everyone on the housing register as at 13th March 2020 (around 3,700 households). In addition, letters were also sent to other stakeholders including those resident in temporary accommodation provided by the Council, the voluntary sector, Registered Providers, internal departments and partner organisations notifying them of the consultation and inviting their contributions.
- 4.9 Finally, we issued a press release and further publicised our consultations through our Facebook and Twitter accounts.
- 4.10 There was overwhelming support for each of the changes proposed to the Housing Allocations Policy. In addition to support for the proposed changes, respondents wanted keyworkers to be given consideration in the revised policy. The revised Housing Allocations Policy therefore includes reasonable preference for keyworkers in the district.
- 4.11 The full consultation report is attached as Appendix C
- 4.12 The final proposed Housing Allocations Policy following consultation is attached as Appendix A.
- 4.13 Details of the proposed changes to the Housing Allocations Policy is in section 5.9 below.

5 Supporting Information

Introduction

- 5.1 The revised Housing Allocations Policy changes the current allocation scheme from a points based system to a banding system, which is considered to be easier for applicants to understand and simpler for the Council to administer.
- 5.2 The revised Housing Allocations Policy also introduces a qualification criteria that will ensure social housing is allocated to local residents most in need of housing.
- 5.3 The existing Housing Allocations Policy opens the Council's housing register to all residents, including individuals who do not live in the district, and to those who do not have a housing need. The revised Housing Allocations Policy will close the housing register to individuals who do not live in the district and who do not have a housing need.
- 5.4 Finally, it is proposed that Keyworkers and separated spouses and partners of armed forces personnel be given some priority in the revised Housing Allocations Policy.

Approval to adopt a revised Housing Allocations Policy

Overall, the revised Housing Allocations Policy will be fairer and more equitable; the number of applicants on the housing register will reduce to reflect only those in genuine housing need.

Background

- 5.5 The Housing Allocations Policy is a statutory requirement.
- 5.6 It must include a statement of choice and adhere to the “Allocation of Accommodation: Guidance for Local Housing Authorities in England” (June 2012). There has been an amendment to the Housing Act 1996 in the form of the Homelessness Reduction Act 2017, which requires a review of the Council’s current Housing Allocations Policy.
- 5.7 The revised Housing Allocations Policy was developed with engagement from our internal and external partners, key stakeholders and residents and by reviewing new legislation and updated guidance from central government.
- 5.8 The revised Housing Allocations Policy details how the Council’s affordable and social housing will be allocated to those most in need of housing in the district.
- 5.9 **Overview and Summary of Changes Proposed to the Housing Allocations Policy**

Overview

The Homelessness Reduction Act 2017 (HRA 2017) came into force on 3 April 2018 and made significant changes to Part 7 of the Housing Act 1996. The main aim of the legislation was to place increased duties on local authorities to assess applicant’s needs and intervene at an earlier stage to prevent and relieve homelessness. It should be noted that the changes introduced under the HRA 2017 will not apply to an applicant who applied as homeless before 3 April 2018.

Both the Localism Act 2011 (LA 2011), and more recently the HRA 2017, seek to separate homelessness which is dealt with under Part 7 of the Housing Act 1996 (HA 1996) from, social tenancies that is dealt with under Part 6 of the Housing Act 1996. These pieces of legislation recognise that homelessness is a crisis and that households who apply to local authorities because of a housing need, are in a crisis. Such applications cannot reasonably be expected to be resolved with an offer of social housing because of the severe shortage of this type of accommodation nationally and, where it is available, the long waiting times to secure it.

West Berkshire Council has identified that more can be done to reflect the separation of homelessness applications from housing register applications (which operates on a waiting list basis) as intended by the legislation. The Council’s current processes are being revised to reflect the expectations of statute. In order to do this and make the housing service fully compliant with current legislation, updates to the Council’s Allocations Policy is required.

Summary of changes

- Change the current allocation scheme from a points based system to a banding system.
- Introduce a qualification criteria that will ensure social housing is allocated to local residents most in need of housing.
- Close the housing register to individuals who do not live in the district.

Approval to adopt a revised Housing Allocations Policy

- Ensure Keyworkers and separated spouses and partners of armed forces personnel will have been given some priority.

Meeting Housing Need

Closing the housing register will better address housing need in the district. Under the current Housing Allocations Policy, people with no housing need such as homeowners and people who live outside the West Berkshire area, can join the housing register as low priority.

The changes to the housing register will ensure that social housing, including affordable housing, will only be allocated to people who are resident in West Berkshire and have a genuine housing need.

Qualification

The LA 2011 enabled local authorities to extend the definition of its own qualification criteria for joining the housing register. The table below shows the proposed revised qualification criteria to join West Berkshire Council's Housing Register compared to the current policy:

	The Current Allocations Policy	The Proposed Allocations Policy
1	Open to everyone including; homeowners, those with a tenancy, existing social tenancies.	Open to those who have a housing need only.
2	Open to those living outside of WBC.	Open to those living in WBC only. Exceptions include those fleeing domestic violence, needing to give or receive essential care, keyworkers moving to work in the district and armed forces personnel.
3	Open to those who have the financial means to find private accommodation themselves. There is currently a single earning threshold for all households.	A separate earnings threshold for couples (£60,000) and singles (£44,000) introduced. This is based on the Office of National Statistics annual survey of hours and earnings – resident analysis. This will remain in line with any changes from Central Government.

Banding Scheme

The housing legislation defines a group of applicants who must be given reasonable preference in an allocations scheme. It does not dictate how much preference is to be given, just that it is given. The proposed changes to reasonable preference and priority groups are shown in the table below. All the changes to the Allocations Policy are proposed to ensure our limited social housing is targeted at those most in need who are residents in West Berkshire district and to reduce waiting times.

	The Current Allocations Policy	The Proposed Allocations Policy
1	Points based system. Points allocated for a variety of reasons which can be unfair and lead to applicant 'chasing' more points.	Applicants placed in a band that reflect an accurate assessment of their housing needs.

Approval to adopt a revised Housing Allocations Policy

	The Current Allocations Policy	The Proposed Allocations Policy
2	Emergency need to move is catered for by way of social needs points which are subjective, time wasting and can be unfair.	An emergency need to move band created for the most vulnerable in life threatening situations, who need to move immediately and is not subject to individual interpretation.
3	Ambiguous about when and how direct offers can be made.	Specifies the circumstances where the council may make direct offers or set up automatic bidding for applicants e.g. those occupying expensive temporary accommodation.
4	Households lacking just one bedroom (mild overcrowding) are currently given reasonable preference.	Households who need two bedrooms or more to reach the Department of Works and Pension (DWP) bedroom standard, are given higher preference. Households who need one bedroom to reach the DWP bedroom standard are given lower preference.
5	Applicants to whom the Council has ended its housing duty remain on the housing register so there's no real punitive measures in place e.g. for giving up reasonable accommodation.	Applicants to whom the Council has ended its housing duty no longer qualify to be on the housing register.
6	New statutory duties under HRA 2017 are not recognised or catered for.	Reasonable preference given to those owed the new statutory duties under the HRA 2017.
7	Armed forces covenant not directly referenced.	Armed forces covenant recognised and given priority in the banding scheme. Separated spouses and partner of armed forces personnel also included following new statutory guidance from central government.
8	Does not adequately deal with circumstances where the Council's partners need to decant a property for redevelopment.	Gives the highest priority to these cases to ensure there are no delays related to schemes being redeveloped/going through construction.
9	Families can split up and end up with two social tenancies under the current scheme.	Recognises that there is no legal duty or requirement to provide the option of a second home to a child who already has a home with one of their parents in circumstances where the parents have split up (<i>Holmes-Moorhouse v LB Richmond upon Thames 2009</i>)
10	No specific recognition of rough sleepers in the district.	Verified rough sleepers are recognised and given the same reasonable preference as those owed a homelessness duty, even where the rough sleepers have not made a homeless application.

Approval to adopt a revised Housing Allocations Policy

	The Current Allocations Policy	The Proposed Allocations Policy
11	No mention and no priority given to Keyworkers	Keyworkers defined by the Thames Valley Local Enterprise Partnership are given band C priority.

Proposals

5.10 To adopt and implement the revised Housing Allocations Policy effective on the date the new housing department's ICT system is delivered.

6 Other options considered

6.1 The option not to review and develop a revised Housing Allocations Policy was dismissed due to changes in legislation and associated statutory guidance and the requirement to ensure that our policies reflect these.

7 Conclusion

7.1 The revised Housing Allocations Policy links to a number of corporate priorities such as;

- Ensure our vulnerable children and adults achieve better outcomes,
- Ensure sustainable services through innovation and partnerships and
- Support everyone to reach their full potential.

7.2 This report seeks agreement to implement the revised Housing Allocations Policy, effective on the date the new ICT housing allocations system will go live.

8 Appendices

8.1 Appendix A – Revised Housing Allocations Policy

8.2 Appendix B – Summary of changes to the Housing Allocations Policy

8.3 Appendix C, C1, C2 – Consultation report, Tables and Graphs, Individual Responses

8.4 Appendix D – Equality impact Assessment Stage 2

8.5 Appendix E – Data Protection Impact Assessment Stage 2

Background Papers:

None

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval

Approval to adopt a revised Housing Allocations Policy

Delays in implementation could have serious financial implications for the Council	<input checked="" type="checkbox"/>
Delays in implementation could compromise the Council's position	<input checked="" type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months	<input type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>
Report is to note only	<input type="checkbox"/>

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Version	Date	Description	Change ID
1	29/09/2020	Original report considered at Corporate board	FU
2	20/10/2020	Following corporate board on 29/09/2020: updates to section 4, detail about the consultation process included. Updates to section 5, an overview/summary of changes made to the housing allocations policy included.	FU
3	03/11/2020	Following operations board on 29/10/2020: updates to section 5.9 under sub heading 'qualification', keyworkers added to the exceptions.	FU

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Housing Allocations Policy

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Part One: Purpose and Context

1. Purpose

- 1.1 The purpose of this policy is to explain the framework by which the Council will allocate affordable homes in West Berkshire. This document sets out the Council's locally agreed qualifying criteria and the priority that will be given to applicants with a housing need for assistance with finding a home.
- 1.2 The Executive approved the Housing Allocations Policy on xxth xxxxxxxx 2020.

2. Applicability

- 2.1 This Policy applies to applicants or potential applicants seeking housing through the Council's Common Housing Register (CHR) in West Berkshire
- 2.2 This document is publicly available for reference and viewing.
- 2.3 The Council has consulted with applicants on the CHR, West Berkshire residents, relevant stakeholders, including social landlords known as Registered Providers; Social Services, and other agencies who are engaged in supporting applicants on the CHR; Elected Members; and relevant Council Officers.

3. Roles and Responsibilities

- 3.1 The Council continues to manage and administer the CHR and the allocation of social and affordable rented accommodation through the Choice Based Lettings (CBL) system. Whilst this Allocations Policy provides an over-arching framework, it should be noted that each Registered Provider (RP) will have their own Allocations and Lettings Policy which they will have regard to when deciding whether or not to make an offer of accommodation.

4. Review

- 4.1 The Council will review this Allocations Policy every five years or sooner if there is a legislative or policy requirement to do so. All material changes (ie changes that are not minor but constitute a significant change that could have an adverse impact on applicants) will be subject to formal consultation and Executive approval.

5. Housing in West Berkshire

- 5.1 West Berkshire is a very popular place to live with limited supply of social and affordable rented properties. However, there are many different types of homes in the district, including homes to buy on the open market or through affordable home ownership schemes; homes to rent from a private landlord or registered provider; homes designed for particular groups, for example, sheltered housing for older people, or housing with on-site support.
- 5.2 West Berkshire Council allocate affordable homes through its website which advertises vacant properties on a bidding cycle and applicants can then bid for the properties that they are eligible for and interested in. Once the bids are closed, the system will then shortlist applicants in priority band and then in date order according to their housing needs.
- 5.3 The aims of this policy are to:
 - Ensure that social rented and affordable housing in the district is let to those in the greatest need.

- Ensure the housing needs of vulnerable applicants and those in priority need are given reasonable preference.
- Make the process of allocating properties as transparent as possible.
- Enable applicants to express choice and preference about where they want to live thus increasing the likelihood that tenancies will be sustained.
- Make best use of social rented and affordable housing stock in the district.
- Encourage safer and sustainable communities.

5.4 This Allocations Policy meets the legal requirement for the Council to provide a statement on choice and it adheres to the “Allocation of Accommodation: Guidance for Local Housing Authorities in England” (CLG, June 2012). For more information, go to: www.communities.gov.uk/publications/housing/allocationaccommodationguide.

6. Legal Context

6.1 This is the Council’s Housing Allocation policy as required by Part 6 of the Housing Act 1996. Applicants are able to apply for housing to the Council and all applications will be fully assessed.

6.2 In developing this policy the Council has followed and fully considered the following:

6.3 Legislation:

- The Housing Act 1996, Part 6 as amended by Localism Act 2011 (England).
- The Housing Act 1996, Part 7 amended by the Homelessness Reduction Act 2017.
- The Children Act 2004.
- The Equality Act 2010.

6.4 Statutory guidance:

- Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) “the Code”.
- Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) “Supplementary Code”.
- Homelessness code of guidance for local authorities (February 2018).
- Improving access to social housing for members of the Armed Forces: Statutory guidance for local authorities to improve access to social housing for members of the Armed Forces community (MHCLG June 2020).

6.5 Regulations:

- Allocation of Housing (Procedure) Regulations 1997, SI 1997/483.
- Allocation of Housing (England) Regulations 2002, SI 2002/3264.
- Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294 and all subsequent amendments.
- Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012, SI 2012/1869.

- Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012, SI 2012/2989.
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015.
- The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861).

6.6 In framing the allocations scheme, regard has also been given to the council's Preventing Homelessness and Rough Sleeping Strategy, Housing Strategy, the Tenancy Strategy and the Armed Forces Covenant 2011.

Part Two: Eligibility and Qualification

7. Eligibility to join the register

7.1 Eligibility for an allocation of accommodation is set nationally and the regulations setting out which classes of person from abroad are eligible or ineligible for an allocation are set out in the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (SI 2006 No. 1294) - the Eligibility Regulations.

7.2 The following categories of people are currently ineligible:

- A person subject to immigration control, unless s/he comes within a class prescribed in regulations made by the Secretary of State.
- A person from abroad other than a person subject to immigration control who is prescribed as ineligible.

7.3 A 'person subject to immigration control' is defined in s.13 (2) of the Asylum and Immigration Act 1996 as a person who requires leave to enter or remain in the United Kingdom under the Immigration Act 1976 (whether or not such leave has been given).

7.4 A person from abroad other than a person subject to immigration control who is prescribed as ineligible include (but are not limited to) people who fail the 'habitual residency test', are short-term visitors, and are in breach of the EU Rights of Residence Directive.

7.5 The rules are complicated and anyone who is impacted or believes they may be impacted by the rules can approach the Council for advice on the rules or seek independent legal advice.

7.6 Further detail and information relating to eligibility can be found in:

- Regulations 3 and 4 Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006, SI 2006/1294.
- All subsequent amendments including 'The Allocation of Housing and Homelessness (Eligibility) (England) (Amendment) (EU Exit) Regulations 2019 (SI 2019/861)'.

7.7 The Housing Service will have regard to this guidance, and any subsequent guidance, when determining an applicant's eligibility for acceptance onto the CHR.

8. Qualification

8.1 The Localism Act 2011 amended provisions under Part 6 of the Housing Act to enable local authorities to set their own local qualifying criteria. This will assist with managing the high demand for housing in the district, set against the limited supply.

8.2 In particular, the Council wishes to increase access for households who have a defined local connection to West Berkshire and who have insufficient financial resources to secure accommodation in the private sector themselves (whether in rented, part-owned or full home ownership).

8.3 Under section 160ZA (7) of the Housing Act, the Council has been granted the power by the Government to decide the classes of people who the Council may decide are, or are not, qualifying persons. West Berkshire Council has adopted qualification and disqualification rules. What these are and how they will be applied is set out below.

8.4 Qualifying households

Subject to being eligible for an offer of accommodation (section 7), an applicant will qualify for the CHR if they are aged 16 or over and they or an adult member of their household:

- Have been resident in West Berkshire for at least 2 consecutive years immediately prior to their application being made.

OR

- They have a parent or adult sibling or adult child who has lived in West Berkshire for 5 consecutive years. In addition the circumstances must be that the applicant needs to give or receive essential support for the foreseeable future. It is for the Council to assess and decide if the claim of support, to be received or given, is essential. The Council will consider whether there are exceptional circumstances where other family members may be considered as close. For example, the circumstances where a person was brought up by an extended family member, in the absence of their own parents.

(Note: the level of support required must be significant and cannot be short term or low level eg to carry out shopping once a week. Evidence will need to show there would be savings to the public purse ie via the health budget or reduces pressure on the care system especially where there is no existing support package in place.)

OR

- They have been employed in meaningful paid employment within the district, for 16 hours or more a week, for at least the last 2 consecutive years. The local connection criteria must be maintained for the duration of the application.

AND

- They have insufficient financial resources to secure accommodation, whether rented, part-owned or owned in the private sector. This will normally mean that the household has a gross joint income from all sources of less than £60,000 (couples) or less than £44,000 (for single persons). It also means the household has total savings, investments and/or assets of £16,000 or less. Owner-occupiers will be considered to have sufficient resources to secure accommodation unless they are able to provide appropriate evidence that this is not the case.

AND

- They are assessed as having a housing need that places them within one of the reasonable preference categories (see Section 11).

8.5 Non-Qualifying Households

The Council has decided to close the CHR to households who do not meet the qualifying criteria above.

8.6 Suspended or Removed Applications

When an application is suspended, the applicant will be unable to bid for the duration of the suspension. A suspended application is one where the household has been accepted onto the housing register and given the requisite reasonable preference in accordance with their assessed housing needs however sanctions in

8.7 below are deemed applicable. The council is also at liberty to remove an application from the housing register in line with the sanctions listed below.

8.7 Sanctions

The Council wishes to encourage financial responsibility and independence and being a good neighbour within the community. As such in order to assist with this the sanctions listed below will be applied in the following circumstances:

8.7.1 Serious behaviour

If an applicant, or a member of their household, has committed an offence for which they have been charged, or in the locality of their home or have admitted (or have a finding of fact made against them in a civil court) that they have behaved in a way which is capable of causing nuisance and annoyance to other people in the locality, the application will be removed. The applicant will need to demonstrate that there has been a significant change in circumstances, and be able to evidence that their behaviour has been suitably amended over a reasonable period of time (usually one year) depending on the severity of the circumstances and that there have been no repeat occurrences before any new application can be considered to qualify for inclusion on the register. This sanction will be subject to an annual review. The responsibility will rest with the applicant to demonstrate to the Council that they have fulfilled these conditions and that a new application should be accepted. The Council may seek a Police Disclosure Request as part of the assessment to determine whether an applicant or a member of their household is unsuitable to be a tenant or as part of the assessment to determine whether a new application should be accepted.

8.7.2 Money owed to the Council for a housing-related debt where no regular payments are being made

If the applicant has been given financial assistance by the Council to facilitate access to private rented accommodation and is failing to adhere to the repayment plan, or has not paid ineligible charges arising from a temporary accommodation placement, or has other housing-related charges (eg housing benefit overpayment, court, travel, or storage costs or repair recharges) their application will be suspended. Applicants will need to demonstrate that they have made and adhered to an agreed payment plan for a period of at least three months before the suspension will be lifted.

8.7.3 Rent arrears or where no regular repayments are being made with a private landlord or Registered Provider

If the applicant has rent arrears that exceed eight weeks their application will be suspended. They will need to demonstrate that they have maintained a repayment plan for at least three months and that the arrears have been cleared or reduced to below eight weeks rent before the suspension is lifted.

8.7.4 Deliberate Worsening of Circumstances

Where it is considered that an applicant has deliberately worsened their housing circumstances, their application will be suspended for a period of 12 months. At the end of the 12 month period, the applicant can approach the Council and request that their application be reassessed in accordance with the current circumstances and that the suspension be lifted.

Examples of this are:

- Applicants who have allowed family members or others to move into their property, who previously had suitable accommodation or the financial means to secure their own accommodation, and this has resulted in the property being overcrowded.
- Applicants who have moved from previously suitable or more suitable accommodation which was reasonable for them to continue to occupy, into a less suitable property.
- Applicants who have transferred their property to another family member within the last five years from the date they made their application to the Housing Register.
- Giving up affordable and suitable private rented accommodation which they are able to maintain, to move in with other relatives or friends, creating a situation of overcrowding and/or sharing of bathroom/kitchen and/or a split household.
- Requesting or colluding with a landlord or family member to issue them with a Notice to Quit.

These are examples only and do not represent an exhaustive list. There will be other circumstances that the Council can consider to decide whether an applicant has deliberately worsened their circumstances.

8.7.5

Refusal of three reasonable offers of accommodation:

- Where an applicant refuses three reasonable offers of accommodation, the application will be suspended for 12 months. An refusal by an applicant is considered if they placed the bid for the property (either themselves or upon request via a member of staff or automatic bidding) and a) they have been made a formal offer of accommodation which they then declined; or b) they would normally receive the formal offer of accommodation but inform the RP they do not wish to be considered, whether or not they have attended a viewing, before the RP has an opportunity to make the offer.
- Criteria setting out what is considered or not considered a reasonable offer is set out in Appendix 2. A refusal of an offer of the correct size and type in an area where there is no risk of violence against the applicant will normally be considered unreasonable.
- If an applicant owed any of the statutory homelessness duties under the Housing Act 1996, as amended by the Homelessness Reduction Act 2017, refuses a written offer of suitable accommodation made through this policy, the homelessness duty owed to them will be discharged and they will lose any priority status afforded to them because of that duty owed to them.
- In these circumstances unless they have another reason to be awarded a priority band under this policy, they will be removed from the CHR. If they have another reason to be awarded a priority band under this policy the offer will count as their first offer out of the 3 allowed under the policy but, they will no longer be owed any banding priority under the statutory homelessness duty as that duty would have been brought to an end.

A statutory homeless duty is defined as:

- The 'prevention of homelessness duty' under Section 195(2).
- The 'relief of homelessness duty' under Section 189B(2).
- Where the relief duty has come to an end and an applicant is then owed a section 190 intentionally homeless temporary accommodation duty to provide them with a reasonable opportunity to secure alternative accommodation for occupation (section 190(2) duty).
- The section 193(2) Main Homelessness duty or the section 193C(4) 'reduced' section 193 duty.

(Note 1: Where it has been decided to refer the case to another authority at either the 'Relief Stage' or at the 'Main Duty stage' of their homeless application, an applicant will not receive any banding for being owed any homelessness duty as the Council will owe no duty (other than, depending on the circumstances) an interim accommodation duty. Being owed an interim accommodation duty pending the outcome of a local connection referral does not qualify an applicant to receive a priority band under 8.7.5 above.)

(Note 2: Where the Council has ended any statutory homeless duty and is exercising its power to provide accommodation pending a review decision (section 188(3) power) no statutory duty will be owed by the Council unless the outcome of any review is positive for the applicant. Therefore where a review has been requested any banding priority for being owed any of the homelessness duties set out in 8.7.5 above will be removed.)

8.7.6 Violence and abuse towards staff

Violence and abuse towards staff (including staff of a Registered Provider) is not acceptable. If an applicant, or someone acting on their behalf, abuses or harasses a member of staff (including staff of a Registered Provider) in any way, including using offensive language, the Housing Service will take appropriate action that will include restricting the type of contact that they will have. In addition, the application will be suspended for a minimum of 12 months or, in extreme circumstances, removed. At the end of the 12 month period, the applicant can approach the Council and request that the suspension be lifted. If the applicant re-applies following removal, they will need to demonstrate that there has been a significant change in circumstances, and be able to evidence that their behaviour has been suitably amended over a reasonable period of time (usually twelve months depending on the seriousness of individual circumstances) and that there have been no repeat occurrences in order for the application to be accepted.

8.7.7 Providing false or misleading information

Providing false or misleading information under Section 171 of the Housing Act 1996 is a criminal offence: If an individual knowingly provides false or misleading information or withhold information relevant to their housing register application, the Council will remove the application. The applicant will not be entitled to reapply to join the register for a period of 12 months. In addition, consideration will be given as to whether prosecution will proceed for suspected tenancy fraud under the Prevention of Social Housing Fraud Act 2013 or other legal action is appropriate.

8.8 Exceptions to Qualifying Criteria

In order to comply with the provisions of legislation and in order to make provision for exceptional circumstances, the following exceptions to the qualifying criteria will be applied:

8.8.1 Armed Forces Personnel

Subject to verification, the following groups will be exempt from the local connection qualifying criteria and will be treated as qualifying applicants:

- Those who are currently serving in the regular armed forces or who were serving in the regular armed forces at any time in the five years preceding their application to the CHR.
- Bereaved spouse or civil partners of those serving in regular armed forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their spouse or civil partner and (ii) the death was wholly or partly attributable to their service.
- Existing or former members of the reserve armed forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- Divorced or separated spouses or civil partners of Service personnel who need to move out of accommodation provided by the Ministry of Defence.

8.8.2 Fleeing violence and/or threats of violence

In exceptional circumstances, an applicant may be fleeing violence, or threats of violence. In such cases, the Council may decide to exempt the household from the local connection criteria, and treat them as qualifying applicants, subject to meeting all of the other qualifying criteria. This could be due to domestic abuse or racial violence, for example. This will normally be the case where the applicant is working with the Housing Service to resolve their issues and will be in accordance with homelessness provisions under Part VII of the Housing Act 1996 (as amended).

8.8.3 Witness programmes

In exceptional circumstances the housing authority may be approached to assist a household who are witness in a serious criminal case and who need to be moved to an alternative area for their own protection. In such cases, the housing authority will seek to cooperate with the relevant agencies and may decide to exempt the household from any or all of the qualifying criteria.

8.8.4 Looked After Children

For the purposes of local connection, a looked after child for whom West Berkshire Council has responsibility and who has resided in a placement outside of West Berkshire, will be deemed to have lived within West Berkshire for the length of the placement.

8.8.5 Keyworkers

Keyworkers, as defined by the Thames Valley Local Enterprise Partnership, who are moving to work in the West Berkshire District.

8.8.6 Homeless Households

Applicants who are homeless and West Berkshire Council owe them a statutory duty as in 8.7.5.

(Note: There is an exemption to the qualification rule for applicants to whom West Berkshire Council has accepted a homelessness duty under section 189B(2) or 193 (2) of the Housing Act 1996 because either a) They have a local connection with the Council under the definition of local connection set by Part 7 of the Housing Act 1996 but do not otherwise meet the local connection criteria for joining the register or b) they do not have a local connection with this council but do not have a local connection with any other area therefore remain the responsibility of this Council.)

There is however, no exception for applicants owed any homelessness duty by any other council and have:

- Been placed into temporary accommodation by another council in this district, or
- Have been placed into private rented accommodation of any tenure in this district by another local authority to end any homelessness duty owed to that applicant. A homeless duty includes any accommodation to end a section 195 prevention duty, 189B relief duty, any 193 duty or to meet any intentional homelessness duty under section 190 of the Housing Act 1996 Part 7. These applicants will be regarded as non-qualifying persons regardless of the length of time they have been placed unless the period of time is longer than 3 years since they were placed, or
- Do not reside in the district but have applied to join the councils housing register but are owed a statutory homeless duty by another local authority. Households owed a homeless duty by any other local housing authority under the Housing Act 1996 Part 7 (this includes households owed a s.188, s.190, s.198, 195, 189B, 193(2) or 193C(4) duty will be regarded as non-qualifying persons regardless of whether they have been placed in this district or not. That other local authority retains the responsibility for housing or helping the applicant to obtain housing.

8.8.7 Social tenants and labour mobility

The Government has stated that housing authorities must make appropriate exceptions to their residency test for current social tenants who are seeking to move to take up a job or to be closer to their work. An exception to the local connection criteria will be made where a current social housing tenant wishes to move to take up a job or to be closer to their work and:

- They have a permanent contract for 16 or more hours each week.
- Their place of work (not the head office) is within the district of West Berkshire.
- The travelling time if they do not move will exceed one and a half hours or more each way by a route and means of travel that is appropriate to their circumstances or circumstances of employment (based on current DWP guidance).
- The travelling time is unreasonable because of the applicant's health or their caring responsibilities.

Employment Verification checks will be undertaken at the point of application and when considering making an allocation.

Further detail and information relating to social tenants and labour mobility can be found in the “Right to Move”: Statutory guidance on social housing authorities in England” (CLG, March 2015). For more information, go to www.gov.uk/government/uploads/system/uploads/attachment_data/file/418437/Right_to_move_-_statutory_guidance.pdf The Housing Service will have regard to this guidance, and any subsequent guidance, when determining an applicant’s qualification status in relation to labour mobility.

Social tenants are encouraged to pursue mutual exchange or landlord transfer as a means of meeting their relocation needs as they may encounter a longer wait for accommodation through the Common Housing Register.

9. **Applicants and specific circumstances**

9.1 16 and 17 year olds

Applicants who are 16 or 17 years of age are able, subject to meeting the eligibility and qualifying criteria, to join the CHR. However, they will not normally be granted a tenancy by a RP without a Guarantor, usually an adult relative or friend acceptable to the RP, or the Head of Children’s Services if the applicant has been looked after, accommodated or fostered by West Berkshire Council Social Services. In addition, if a tenancy or Deed of Trust accompanied by a Guarantor is offered by the RP, the young person may still need to agree to engage with an agreed support plan.

9.2 Applicants who are residing in HM prisons

Applicants who are residing in HM prison are able, subject to meeting the eligibility and qualifying criteria, to join the CHR but will be unable to bid for properties until one month before their release. To manage this process, their application will be registered from the date of receipt but will be suspended until the Housing Service is notified of the release date and it is one month before the notified date.

9.3 Applicants subject to MAPPA

Serious offenders, including applicants who are the subject of MAPPA (Multi Agency Public Protection Arrangements) will be allowed onto the housing register, subject to meeting the eligibility and qualifying criteria, but will only receive an offer of accommodation after an appropriate risk assessment, which will take account of all factors, not just the legal conditions they may be subject to. Bids made for properties that are deemed inappropriate following risk assessment will be disregarded.

10. **Transfer Applicants**

10.1 Existing tenants of RPs or local authorities are entitled to apply to the CHR, subject to meeting the qualifying criteria and will be subject to the CHR rules.

10.2 Existing tenants of RPs or local authorities will be identified on the CHR as ‘Transfers’. Other applicants will be identified as ‘Homeseekers’.

10.3 The Housing Service may approach the applicant’s landlord for a reference, particularly to confirm that the social tenant is not in breach of their tenancy agreement, either for reasons of behaviour or rent arrears, and to confirm the household details in order to verify occupancy.

- 10.4 All RPs participating in the scheme will complete a landlord's reference form for all their tenants applying for re-housing upon request. This is to ensure applicants are placed in the correct band but also to reduce void times and former tenant arrears. In the majority of cases the applicant will not be made active on the register until the landlord reference has been completed. In exceptional circumstances, the Housing Service may place an applicant in a band without a landlord's reference.

Part Three: The Banding System

11. The Banding system

- 11.1 The banding system will normally be used to identify what priority an applicant has been awarded in accordance with their housing need unless the Council apply the direct lets procedure set out in this policy.
- 11.2 There are four active bands. Applications will be placed in bands based on the applicant's assessed housing need.
- 11.3 The Council has chosen to adopt a simpler and transparent system creating four bands where people will be ranked by priority (date) order in that band. Applicants in housing need can better understand the logic of why they have or have not been placed in Bands A, B, C or D as the levels of housing need to qualify for each of these bands are clearly set out in this policy.
- Band A - Emergency housing need to move.
 - Band B - Urgent housing need to move.
 - Band C – Medium housing need to move.
 - Band D – Low housing need to move.
- 11.4 Direct Offers - Not all properties that become available will be advertised and offered through the Choice Based Lettings (CBL) process and not all properties will be allocated by band and date order. There may be exceptional circumstances where for urgent operational or financial reasons there is a need to make direct offers of housing outside the CBL, band and date order criteria set out in this policy. For example:
- Where an applicant is homeless and in temporary accommodation and owed a section 189B(2) Relief duty or 193(2) main duty and the Council decides it needs to move applicants out of temporary accommodation to manage the budgetary or legal impact on the Council, the Council may make a direct offer of suitable accommodation at any time.
 - If an applicant is not being realistic in the areas they are bidding for accommodation and as a result they may be occupying a temporary accommodation unit that may be needed for another newly presenting homeless applicant.
 - Where a vacant adapted property or a property designed to disability standards becomes available the Council may need to offer that property to an applicant whose disability needs best matches that property regardless of the date they were registered.
 - Where the Council considers that it is inappropriate for the applicant to participate in Choice Based Lettings. For example, vulnerable applicants nominated by Adult Social Care where the Council will work closely with social workers and care managers to decide on the best letting method for these applicants.
 - This list is not exhaustive and other examples could include cases where an applicant is subject to Multi Agency Public Protection Arrangements (MAPPA) or presents a risk to themselves or others Furthermore the Council may restrict the time an applicant is able to bid for accommodation in an area where they would prefer to live. An offer of accommodation would be in any area of the

district that the Council has assessed is suitable and safe for the applicant to live in.

12. Reasonable and Additional Preference

- 12.1 The Council operates a banding system. Applicants will be placed in a band based on the outcome of their housing needs assessment. (Each application is assessed by a Housing Advisor in accordance with their specific circumstances and placed in a band).
- 12.2 Where two or more households have the same level of assessed housing need (ie they have been placed in the same band) priority between them will be determined by their CHR verification date which will be known as their priority date.
- 12.3 The priority date is the date an applicant was placed in a particular band, it is not necessarily the same as the date of registration for example; if an applicant was in band C and following a change of circumstances they are assessed as band B, their priority date in band B would be the date they are awarded the band B status.
- 12.4 In the event that an applicant has moved up a band and a further change of circumstances leads to an assessed housing need for a lower band, the original priority date in the lower band will be retained where the further change leading to the lower band happens within six months.
- 12.5 The housing needs assessment has been framed to ensure that certain applicants, as defined in the Housing Act 1996 as amended, are given 'reasonable preference'. In addition, the Council has determined that some applicants should receive 'additional preference'.
- 12.6 The Housing Act 1996 provides that applicants who fall within the following groups should be given 'reasonable preference':
- People who are homeless within the meaning of Part 7 of the Housing Act 1996 (as amended) (including those who are intentionally homeless and those not in priority need).
 - People who are owed a duty by any housing authority under section 190(2), 193(2) or 195(2) of the Housing Act 1996 (as amended) or who are occupying accommodation secured by any housing authority under s.192(3).
 - People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.
 - People who need to move on medical or welfare grounds, including grounds relating to a disability.
 - People who need to move to a particular locality in the district of the housing authority where failure to meet that need would cause hardship (to themselves or others).
- 12.7 The Council has determined that the following groups of people who fall within the reasonable preference groups should receive 'additional preference':
- Households who currently occupy social or affordable housing within West Berkshire that is too large for their current needs and who have expressed a desire to move.

- Witnesses of crime, or victims of crime, who would be at risk of intimidation amounting to violence or threats of violence if they remain in their current homes.
- Households that contain a member who needs to move as a matter of child or adult protection.
- Households who need to move urgently because a member of the household requires substantial care that cannot be provided or received unless they move or who requires adaptations that cannot be made unless they move.
- Households who are experiencing multiple problems, which can only be resolved by a move, and who have a care or support plan in place supported by relevant agencies.
- Keyworkers as defined by the Thames Valley Local Enterprise Partnership data source who have a housing need.

12.8 Additional Preference & the Armed Forces

The government has published regulations requiring local housing authorities to give certain groups of the Armed Forces additional preference where they fall within a reasonable group and have an urgent housing need. To give effect to this, the Council will make an award of additional preference to members of the following groups who are deemed to have an urgent housing need:

- Is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.
- Formerly served in the regular forces;
- Has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service.
- Is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the service.
- Is a divorced or separated spouse or civil partner of Service personnel who need to move out of accommodation provided by the Ministry of Defence.
- For this purpose "the regular forces" and "the reserve forces" have the meanings given by section 374 of the Armed Forces Act 2006.
- In order to be awarded the additional preference in this category, the applicant must either be homeless (within the meaning of Part 7 of the Housing Act 1996) OR be owed a duty under section 190(2), 193 or 195 of the 1996 Act OR have extensive disrepair which has been determined by the Environmental Health Team and cannot be resolved within a reasonable time normally six months OR have medical or social need AND need to move urgently due to a life threatening illness or disability or be statutorily overcrowded or be homeless or at risk of homelessness as a result of violence or threats of violence.

12.9 Adjusting Preference

In certain circumstances, some applicants may be given more or less preference than others. The following are examples of the circumstances in which the preference given for a property may be adjusted:

12.9.1 Rural Exception Sites

Rural Exception Sites are housing developments in rural settlements that have been developed as an exception to normal planning policy. To qualify as a rural exception site, a local housing need must be established via the results of a recent local housing needs survey and occupancy of the dwellings must be prioritised for people who live and/or work locally.

To ensure that the occupancy of rural exception sites is prioritised for local people, a cascade mechanism is used that prioritises different groups of applicants for each scheme.

The cascade mechanism allows for under-occupation in certain parts of the cascade. Given the welfare benefit reforms that restrict occupation of social tenancies on the basis of household need, and the potential financial implications that this will have for tenants, RPs will carry out a financial appraisal for the household before an offer of accommodation is made that allows under-occupation. Where it is deemed that the household may be eligible but could not afford the accommodation, a bypass will be applied.

12.9.2 Local Letting Plans

Local Letting Plans serve to achieve agreed objectives, such as minimising the likelihood of anti-social behaviour, reducing family densities in certain areas or improving the success rate of integrating young or vulnerable people into general needs housing.

Local Letting Plans are developed on a site by site basis to address the requirements of that specific area, development or block of accommodation.

Local lettings may be used to:

- Enable new schemes to be allocated to a mixture of tenants in order to develop a sustainable community.
- Enable an existing community to become more sustainable, for example, by encouraging more working families to move into the area.
- Enable households to return to an area they left for redevelopment to take place.
- This list is not exhaustive and Local Letting Plans may be agreed in other circumstances where there is evidence that the local community would benefit from such a plan and there is no significant adverse impact on other communities. The equalities impact of local lettings schemes will be considered before they are agreed.
- When a property advertised under the Choice based lettings scheme is subject to a Local Letting Plan, this will be stated clearly on the advert. The adoption of this Policy has delegated authority to agree Local Letting Plans to the Head of Development and Planning in consultation with the Portfolio Holder. Any Local Letting Plan will be agreed for a limited time, after which it will be reviewed, and lettings will revert to the main policy if possible.

12.9.3 Sensitive Lets

Occasionally, the Housing Service may agree with a registered provider that an individual property be identified as a 'sensitive let'. This may be because

the landlord is seeking to maintain a sustainable community. For example, if there has been significant anti-social behaviour in the locality and a property becomes available for re-let, it may be advertised as a sensitive let to try and prevent further issues arising. Where a property is advertised as a sensitive let giving preference to particular households, the property advert will clearly state that the property is being treated as a sensitive let.

12.9.4 Adapted Homes

If a property becomes available for let and has been adapted to meet the needs of a disabled person, it will be advertised as giving preference to a household who have need of those adaptations.

12.9.5 Preference to Over/Under-Occupying Social Tenants

In order to make best use of stock and to ensure that the housing needs of applicants are met appropriately, a property that becomes available for let may be advertised as giving preference to social tenants living in West Berkshire who are either over- or under-occupying their accommodation. It is expected that the home they would free up should they move will be released back into CBL.

Part Four: Housing Need Assessments and the Banding Scheme

13. Housing Need Assessment

13.1 The assessment of housing need is made upon receipt of an application, section 11 explains how the housing needs assessment has been framed. This section provides additional detail on each specific housing need identified within the housing needs assessment.

13.2 Assessments of housing need are primarily based upon the information provided within the application. However, further information may be sought from the applicant and/or relevant professionals. The Housing Service may also undertake visits to verify information.

13.3 Overcrowding

13.3.1 This assessment is included as it relates to the reasonable preference groups. The Council uses a bedroom standard as an appropriate measure of overcrowding for allocation purposes. For the purpose of this policy, overcrowding is defined by using the Department for Work & Pensions 'bedroom standard':

- Every adult couple (married or unmarried).
- Any other adult aged 16 or over.
- Any two children of the same sex aged under 16.
- Any two children aged under 10 (regardless of sex).
- Any other child.

13.3.2 The assessment will be made on the basis of the rooms available for use as a bedroom, regardless of how the household chooses to use those rooms. For example, it may be reasonable to class a dining room as a room usable as a bedroom.

13.3.3 For the purposes of overcrowding assessment a bedsit or studio flat is deemed to have one bedroom, as it has been designed to provide live/sleep accommodation.

13.4 Under-Occupancy

The Council has decided that applicants who currently occupy social or affordable rented housing within West Berkshire that is too large for their current needs and who have expressed a desire to move should be given additional preference. This is because the under-occupancy sanctions for social tenants of working age may increase rent arrears and potentially, eviction.

13.5 Lacking or Sharing Amenities

13.5.1 Households that occupy insanitary or otherwise unsatisfactory living circumstances are expected to be given reasonable preference. Lack of access to essential amenities, for example, a toilet, bath or shower, kitchen, clean drinking water or electricity, would fall within this category.

13.5.2 If an applicant is completely lacking one or more of the above-named essential amenities, they will be awarded priority based on the banding scheme below. In order to be awarded the relevant priority, a verification visit may be completed.

13.5.3 For clarification, lacking amenities will be deemed to place an applicant in a reasonable preference category, whilst sharing amenities will not. This is because it is considered reasonable for people to share facilities, for example with their parents or if they live in a room in a shared house.

13.6 Security of Tenure

The reasonable preference groups include applicants who may be homeless or threatened with homelessness under Part VII of the Housing Act 1996 (as amended) and in addition, the Council focuses on the prevention of homelessness through its housing options work. The banding scheme reflects both of these requirements.

13.7 Medical Needs

13.7.1 The Council is required to give reasonable preference to people who need to move due to their health, disability or access needs. Reasonable preference awarded in this category will not be awarded simply because an applicant has a medical condition. The assessment will consider:

- The degree to which the health condition of the applicant, or a member of their household, is negatively impacted by their housing circumstances.
- The degree to which a change in housing circumstances would enable the applicant, or a member of their household living with the health condition will maximise their recovery potential and achieve enhanced social inclusion.

13.7.2 Evidence will be sought from the applicant's GP or other medical practitioners who have knowledge of their health condition. The award of medical priority may be accompanied by a condition that the applicant is only considered for certain types of accommodation (for example, ground floor or adapted accommodation).

13.7.3 A medical form may be submitted for each member of a household who has a health condition that would be relieved by a move to alternative accommodation.

13.8 Welfare & Social Needs

13.8.1 The Council is required to give reasonable preference to people who need to move on welfare grounds, for example, to allow someone to give or receive care or support, to address child or adult protection concerns, to move-on from supported housing where support is no longer required, or to address urgent multiple issues that can only be resolved by a move.

13.8.2 Applicants who consider that they may fall into the category of welfare and social needs should clearly indicate this on their housing application and discuss this with their Housing Advisor, their Housing Options Officer or other professional with whom they are working.

13.9 Disrepair

13.9.1 Households that occupy insanitary or otherwise unsatisfactory living circumstances are expected to be given reasonable preference. This is reflected in the banding scheme below.

13.9.2 Applicants who consider that their home is in disrepair should send relevant evidence (for example, if they have had an enforcement notice served by Environmental Health) to the Housing Register Team, who will review it and

determine whether an award of reasonable preference is appropriate to the application.

13.9.3 One of the most common issues raised by applicants is damp and mould. In the majority of cases, this is due to lifestyle and the Housing Register Team will send advice to the applicant on how to manage this. Reasonable preference will not be awarded for damp and mould arising from lifestyle but if the problem is extreme, the Housing Register Team may consult with Environmental Health to confirm whether it is a more serious underlying problem that would warrant an award.

13.10 Armed Forces Personnel

This additional preference award is made to applicants who meet the criteria set out in Section 12.8.

14. The Banding Scheme

Where Band A Will be awarded - <i>Emergency need to move</i>
<i>Medical Grounds</i>
1. Unable to continue to occupy their current accommodation due to severe or life threatening medical need or disability recommended by the GP, hospital consultant or other qualified health practitioner.
<i>Armed Forces Criteria</i>
2. Serious injury, medical condition or disability sustained as a result of service in the Armed Forces.
3. Recently ceased to be entitled to reside in accommodation provided by the Ministry of Defense, following the death of their spouse or civil partner who served in the regular forces and whose death was attributable (wholly or partly) to that service.
<i>Under Occupancy</i>
4. Social tenant who has agreed to downsize by two bedrooms or more.
<i>Management Transfer</i>
5. RP Management transfer on a like for like basis in accordance with RP's policy.
<i>Release of Adapted Property</i>
6. Social tenant who has agreed to transfer to a non-adapted property.
<i>Succession</i>
7. Where a succession has been agreed and the succeeding tenant has agreed to move into smaller accommodation.
<i>Domestic abuse, Fear of violence, Witness Protection</i>
8. Fleeing domestic abuse or other forms of violence assessed by relevant agencies as being in immediate danger and need to move urgently for the safety of themselves and any dependent children.
<i>Statutory Notices</i>
9. Where a tenant occupies a rented property where a Prohibition Order has been served or other statutory notice requiring an immediate move due to safety risks.
<i>Decants</i>
10. Property is subject to major works or demolition or Compulsory Purchase Order for redevelopment by RP.
Where Band B will be awarded – <i>Urgent need to move</i>
<i>Medical Grounds</i>
1. Current housing conditions exacerbates a serious medical condition or disability.
<i>Overcrowding by 2 bedrooms or more</i>
2. Severely overcrowded defined as being either statutory overcrowded or requiring 2 or more additional bedrooms to reach the bedroom standard.
<i>Move on from care</i>

3. A former "Relevant Child" as defined by the Children Leaving Care Act 2002 at risk of homelessness confirmed by leaving care service in West Berkshire Council.
<i>Under Occupancy</i>
4. Social tenant who has agreed to downsize by one bedroom.
<i>Unsatisfactory housing conditions</i>
5. Occupies a private sector property that has multiple Category 1 Hazards (excluding overcrowding) under the Housing Health and Safety Rating System (HHSRS) that cannot be resolved within 6 months and there is a serious risk to the occupant's health.
<i>Foster Carers</i>
6. To enable fostering or adoption by West Berkshire residents where agreement has been reached to provide long term accommodation on the recommendation of the Head of Children and Family Services and agreed by the Housing Services Manager.
Where Band C will be awarded – Medium need to move
<i>Applicants owed a statutory homeless duty</i>
1. Verified rough sleeper in West Berkshire and meets the local connection rules.
2. The full housing duty under section 193.
3. The prevention of homelessness duty under Section 195(2).
4. The relief of homelessness duty under Section 189B(2).
5. The intentionally homeless temporary accommodation duty to provide reasonable opportunity to find alternative accommodation (section 190(2) duty).
<i>Domestic abuse</i>
6. Fleeing domestic abuse assessed by MARAC (or any subsequent multi agency arrangement) as needing to move but not in immediate danger.
<i>Need to move for reasons of welfare</i>
7. High social/welfare needs (identified by an external agency).
8. Applicants who need to move closer to relatives in order to give or receive care or support that has been assessed as being essential and where moving would prevent significant physical, psychological hardship.
9. Need to access specialist facilities in the district (eg specialist school) identified and approved by external agency.
<i>Note: not every circumstance can be captured thus the policy only sets examples of welfare circumstances that may be awarded Band C priority under this category. Whether the award is granted will be determined by the assessing officer, manager or panel.</i>
<i>Move on from supported housing</i>
10. Is ready to move on from supported to independent housing. On-going support needs have been assessed and support plan in place.
<i>Keyworkers</i>
11. Keyworkers as defined by the Thames Valley LEP data source who have a housing need.

Armed Forces
12. Divorced or separated spouse or civil partner of Service personnel who need to move out of accommodation provided by the Ministry of Defence.
Where Band D will be awarded – Low need to move
Overcrowding and insecure accommodation arrangement
1. Sharing with family or others who are not part of their household but not statutorily overcrowded.
Overcrowding and secure accommodation arrangement
2. Lacking one bedroom in own rented accommodation but not statutorily overcrowded ie requiring one additional bedroom to reach the bedroom standard.
Right to Move
3. Existing social tenants of accommodation in England who wish to exercise their Right to Move (under the Government's Right to Move regulations) to a social tenancy in West Berkshire. Allocation to applicants who qualify is limited to a maximum of 1% of properties allocated each year, amounting to an estimated 4 properties per year.

Part Five: Management of Applications

15. Who can be included on a CHR Application as part of the household?

- 15.1 The Council will consider their partners, immediate family, and anyone else with an exceptional need to live as part of the household. This is because the Council have such a shortage of properties that families need to consider whether other people living in their household could move into smaller properties of their own.
- 15.2 Partner means someone who lives with the applicant as a partner, or who would live with them if they were able to. This includes mixed-gender and same-sex couples, whether or not they are married or in a civil partnership.
- 15.3 Immediate family means the applicant's children or their partner's children, aged 20 or less, who live with the applicant all the time, or for four or more nights every week. If a child is living with a partner or has his/her own children, s/he may not be included on the application unless they have an exceptional need to live with the applicant. Young people living away from home as students will not be included on the application. They may apply to the Housing Register in their own right, but may have low priority, in which case they will need to consider all other options.
- 15.4 Applicants who have shared responsibility for children will only have them considered as part of their household if it is determined that the children reside with them for at least 50 per cent of the week or more. Children will not be provided with a second home when they already have adequate accommodation with one parent. What this means is that if the children have adequate accommodation with one parent, they would not be considered to be part of the application of the other parent. Each case will be assessed on its own merits and determined alongside current legislation and case law.
- 15.5 People who have an exceptional need to live with you means people who are not included in the definition of 'immediate family', but who need to live as part of your household in order to give or to receive care or support. Evidence of this must be provided. This may include:
- A child (of the applicant or partner) aged 21 or over, who cannot live independently because of a disability or care need.
 - A carer, if someone in the household needs full-time care and no one in their immediate family is able to provide this. A housing application to include a carer will only be considered if the carer has been assessed by Adult Social Care and Health services as needing to provide overnight support.
 - An adult (or elderly) relative who needs to receive care. For some elderly people, moving to sheltered or extra care accommodation may be a more suitable option.
- 15.6 If you wish to include people not in your immediate family on your housing application, you must explain on your application why it is necessary for them to live with you. The Council may also require you to provide evidence such as: a court order, a social services or occupational therapy assessment, or evidence that you are in receipt of carer's allowances. If you have not had a care assessment for a relative, you may be required to arrange one. If the person coming to live with you is moving from abroad, you will need to provide evidence that they have recourse to public funds or sponsorship arrangement.

- 15.7 Where a household has been accepted as statutorily homeless by the Council, the application can include anyone who was accepted as part of the original homelessness application. For families with adult children, the Council will encourage them to seek independent housing if possible, to increase the chance of the applicant being re-housed in a reasonable time.
- 15.8 If you are a social housing tenant, and the Council agrees to re-house your immediate family but not everyone who is currently living with you, you will be asked to make sure that none of them remain in the property once you have left.
16. **Eligible property sizes:**
- 16.1 The policy on property size (bedroom allocation), is as follows:
- 16.1.1 You are entitled to one bedroom for:
- Every adult couple (married or unmarried).
 - Any other adult aged 16 – 20.
 - Any two children of the same sex aged under 16.
 - Any two children aged under 10 irrespective of sex.
 - Any other child.
- 16.1.2 For households that include a pregnant woman, the calculation will not make allowance for the baby until the baby is born and the birth certificate has been provided.
- 16.1.3 For the purposes of overcrowding assessment a bedsit or studio flat is deemed to have one bedroom and suitable for a single person or a childless couple.
- 16.2 Households who require a carer
- Housing Benefit provisions permit an extra bedroom to be included in the Housing Benefit assessment for tenants in the private rented sector who have care provided by someone who lives elsewhere. This will apply where a customer or their partner has a recognised need assessed by Adult Social Care for overnight care and has a bedroom that is used by a carer, or carers, for overnight stays as part of caring for the customer or partner. In line with these Housing Benefit provisions, this policy makes provision for an extra bedroom to be awarded in exceptional circumstances after discussion with the Benefits Service.
- 16.3 Households with a disabled child
- An additional bedroom may be awarded in exceptional circumstances where there is a severely disabled child who cannot share with siblings, subject to consideration of the following:
- Medical evidence.
 - Whether the child is in receipt of Disability Living Allowance Personal Independence Payment.
 - The nature and severity of the disability.
 - The nature and frequency of care required during the night.
 - The extent and regularity of the disturbance to the sleep of the child who would normally be expected to share the bedroom.

A decision to award an additional bedroom is not an indication that Housing Benefit will be paid. Applicants will therefore need to ensure that they are able to meet any potential rental shortfall arising through Social Sector Size Criteria before accepting an offer of accommodation.

16.4 Foster Carers

16.4.1 The council recognises the contribution that foster carers make towards ensuring that children in West Berkshire are cared for. For this reason, one additional bedroom can be awarded to those applicants approved to foster and where recommendation is made by Children and Families Services to provide accommodation because the current accommodation is not large enough or would cause overcrowding. A check will be made with the Family Placement team prior to allocation to ensure that the applicant is still an approved foster carer.

16.4.2 Housing Benefit Regulations allow approved foster carers an extra bedroom for use by a foster child or children under the size criteria rules where:

- Approved foster carers have a child placed with them.
- Approved foster carers who are between placements but only for a period of up to 52 consecutive weeks from the date of the last placement.
- Newly approved foster carers but only for a period of up to 52 consecutive weeks from the date of the approval, if no child is placed with them during that period.

16.4.3 A decision to award an additional bedroom to approved foster carers for the purposes of the CHR is not an indication that Housing Benefit will be paid. Applicants will therefore need to ensure that they are able to meet any potential rental shortfall if they do not fall into one of the above categories or cease to be an approved foster carer.

17. **Assessment of Application**

Upon verification of a new application or receipt of a Change of Circumstances or Annual Review Form, the applicant's housing need will be assessed and priority awarded by means of the housing needs assessment banding scheme (section 14). The applicant's living circumstances, security of tenure, medical and social needs, condition of property, length of time in housing and local connection will be taken into account.

18. **Notification of band awarded**

18.1 All applicants will be notified in writing of the outcome of their application, including whether or not their application is eligible, qualifying, what band they have been awarded, the priority date and details about how to bid if relevant.

18.2 Applicants on the CHR have a right to general information such as whether the application will fall into the reasonable preference category, whether a bid is likely to be successful, and the likely waiting time. This information will be available through the West Berkshire choice based lettings system.

19. **Changes in circumstances**

- 19.1 Applicants are required to keep their application up to date. Some minor changes can be made online by the applicant, other changes need to be notified to the Council, and the applicant will need to complete a Change of Circumstances Form.
- 19.2 If an applicant's circumstances change, for example, they move house, have a baby, or someone moves in/out of their home, they must update their application. If the Housing Service needs more information to reassess the applicant's housing needs, they will contact the applicant. The Housing Service will not reassess needs if it is unlikely to change the applicant's banding: for example, medical needs will not be reassessed if the applicant has developed another minor illness but will be reassessed if the applicant has moved to alternative accommodation.
- 19.3 If the Housing Service becomes aware, or have reason to believe, that an applicant's circumstances have changed, the application will be suspended until the Housing Service has been able to verify the applicant's circumstances or an on-line Change of Circumstances Form is received.
- 19.4 If the on-line Change of Circumstances Form is not received, requested information has not been provided or verification has not been possible within 28 days of the Housing Service becoming aware of a change in an applicant's circumstances, the application will be removed.

20. **Annual Re-Registration**

- 20.1 Applicants will be contacted annually on the anniversary of the date of their application and asked to complete an on-line Change of Circumstances Form (to act as the Annual Review Form) confirming their basic details and any changes in their circumstances. They will be advised to complete the form within 28 days and that if they fail to do so, their application will be cancelled and removed.
- 20.2 Removed applications can be re-instated for up to 3 months after removal, upon contact from the applicant, subject to the applicant being able to provide a reasonable explanation of their failure to complete the form.
- 20.3 If applicants wish to cancel their application at any time, they must submit this in writing to the Housing Service.

21. **Homeless Households**

- 21.1 The allocation of non-secure accommodation under Part 7 of the Housing Act 1996 (ie providing temporary accommodation to accepted homeless families) is outside the scope of this policy.
- 21.2 The Housing Service reserves the right to make direct offers or place bids on behalf of applicants to whom it owes a homelessness duty, in order to discharge the duty. In making such an offer, the Housing Service will need to be satisfied that it is suitable for the applicant and that it is reasonable for the applicant to occupy. Applicants have the right to request a review of suitability of accommodation made to discharge a homelessness duty and are therefore advised to accept the offer, rather than refuse it, and to request a review if they do not consider it to be suitable or reasonable to occupy.

22. **False or misleading information and fraud prevention**

- 22.1 It is an offence to make a false statement and/or knowingly withhold information when making an application for the Housing Register. The offence carries an unlimited maximum fine.
- 22.2 Any failure to include relevant information, to hide material facts or to attempt to obtain housing through false information will be treated as fraud. The Council treats housing fraud seriously and will take legal action against applicants found to have committed fraud.
- 22.3 The Housing Service may visit applicants at home to verify details of an application. Visits may be undertaken without notice. If an applicant cancels or misses two or more pre-arranged appointments for verification visits, the application will be disqualified for having no housing need.
- 22.4 If an applicant knowingly provides false or misleading information on their housing application in order to gain an advantage over other applicants, the Council will remove their application. The applicant will not be allowed to re-apply for 12 months, in addition, consideration will be given to whether prosecution or other legal action is appropriate.

23. **Cancelling and Suspending Applications**

- 23.1 A housing application may be cancelled and removed if the applicant:
- Or a member of their household is deemed to have displayed behaviour serious enough to make the applicant unsuitable to be a tenant.
 - Has asked in writing for it to be cancelled.
 - Has been housed by a RP in an assured or an introductory tenancy.
 - Has moved and not informed the Housing Service of any new address or circumstances, and the Housing Service is unable to contact the applicant.
 - Has not responded to a written request for information needed to assess the application, within 28 days.
 - Has not replied to an annual review request within 28 days.
 - Has not completed a Change of Circumstances Form within 28 days of the Housing Service becoming aware of the applicant's change in circumstances.
 - Has provided false or misleading information.
- 23.2 A housing application may be suspended, if
- The applicant has asked for it to be suspended until a later date.
 - The applicant is temporarily unable to move, for example due to being admitted to hospital.
 - The applicant requires housing with support and is refusing a support package required to sustain the tenancy.
 - The applicant has had a change in circumstances and the Housing Service are awaiting a Change of Circumstances Form.
 - Information has been requested from the applicant.
 - Information has been requested from a third party.

- The applicant has made a homelessness application that is pending a decision.
- The applicant has requested a review of a homeless decision.
- Owes money to the Council and no regular payments are being made.
- Has rent arrears that exceed eight weeks rent OR where no regular repayments are being made.
- Has deliberately worsened their circumstances.
- Has refused three reasonable offers of accommodation.
- Is in HM Prison, until one month prior to release date.
- Has been violent or abusive to staff (including RP staff).

Part Five: Management of Allocations

24. Advertising Properties

- 24.1 In the first year of this policy, properties will be advertised on a weekly basis, with new properties advertised on a Thursday and bidding closing at midnight on the following Wednesday.
- 24.2 From the second year of this policy, properties will be advertised daily with each advert being available for one week.
- 24.3 The adverts will be placed:
- On the website.
 - In the reception areas of West Berkshire Council.
- 24.4 Applicants have the right to request general information from local housing authorities that will enable them to assess whether accommodation appropriate to their needs is likely to be available and, if so, how long it is likely to be before such accommodation becomes available. To facilitate such requests, the weekly Property Sheets will provide information on previous adverts, including:
- The date of the property sheet.
 - The advert reference.
 - The property type.
 - The location.
 - The number of bids received.
 - The band in which the property was let.
 - The registration date of the successful applicant.
- 24.5 In exceptional circumstances the Council may choose not to advertise a property and make a direct allocation to an applicant. This may be as a result of an emergency, to meet the Council's legal obligations to a homeless applicant, to support an applicant with specialist needs (including, but not limited to disabled adaptations), or where the property has previously not attracted any bids.

25. Bidding

- 25.1 The Council seeks to offer applicants on the CHR a choice over the areas and properties in which they wish to live. In order to be considered for an allocation of a particular property, applicants must bid via Choice Based Lettings. In certain circumstances, for example, where the Council has accepted a homelessness duty to an applicant or where a risk assessment is required (eg for an applicant subject to Multi Agency Public Protection Arrangements), choice may be restricted.
- 25.2 Applicants may only bid for properties for which they meet the eligibility criteria specified in the advert. Any bids that are ineligible for the property advertised will be disregarded.
- 25.3 Applicants can make as many bids as they wish in any weekly cycle, subject to being eligible for the properties advertised. There is no need to bid more than once for any one property.

- 25.4 Applicants must view the advert prior to placing a bid and should be sure that they would accept an offer if made.
- 25.5 In the case of new developments where there are a number of properties with the same characteristics only one advert may be placed, and each applicant will need to submit one bid only.
- 25.6 In the first year of this policy, the bidding cycle will start at midnight on a Thursday and close at midnight on the following Wednesday. Bids received after this deadline will not be accepted.
- 25.7 From the second year of this policy, properties will be advertised daily at midnight and close at midnight seven days after being advertised.
- 25.8 Applicants (or the applicant's advocate) can register a bid for the property by:
- Telephoning the Housing Office (during office hours).
 - Using the website www.homechoicewestberks.org.uk.
 - In person at West Berkshire District Council Offices.
- 25.9 To register a bid, the applicant will need to supply the following information:
- Registration number.
 - Name.
 - Date of birth.
 - Property reference number.

26. **Assisted and Auto Bidding**

- 26.1 Vulnerable applicants will be identified from the application process. Housing Service staff will contact potentially vulnerable clients and seek to establish what their support needs are in relation to bidding for properties, and identify ways of enabling the applicant to participate in the bidding process.
- 26.2 Vulnerable applicants will be able to nominate a person to bid on their behalf or to help them bid for suitable properties. The applicant can also nominate a family member or friend to receive correspondence or make applications for vacancies on their behalf.
- 26.3 If an applicant is receiving support from another professional or voluntary agency or organisation, the Housing Service will, with the applicant's agreement, contact the worker to ensure that they understand the procedures and that necessary support is provided.
- 26.4 'Auto bidding' may be activated for homeless households to place bids on their behalf once the household falls into the longest waiting 10% of households for the relevant property size. This is a scenario where the choice based lettings system is configured to automatically place a bid on behalf of the applicant when a suitable property is advertised.
- 26.5 An applicant will not be allowed to cancel or withdraw an auto bid made on their behalf by the system.

27. **Assessment of Bids**

- 27.1 Once bidding has closed, a shortlist will be produced that lists applicants in order of the highest band followed by priority date.
- 27.2 Where an advert sets out letting restrictions (eg subject to a local letting plan etc.), the shortlist will prioritise those applicants who meet the preference criteria by order of housing band and then priority date, followed by those who do not meet the preference criteria by order of housing band and priority date.

28. **Making an offer**

- 28.1 The relevant RP will contact up to the top three applicants for each property, arrange a home visit as necessary to complete a pre-tenancy assessment, and offer the applicant a viewing date and time. The offer of a viewing does not constitute an offer of accommodation.
- 28.2 The RP will ensure each applicant is aware of their priority place ie 1st, 2nd or 3rd and the applicant must inform the RP at the viewing whether they are interested in the property. The RP will then send a formal offer to the applicant with highest priority who has expressed an interest in that property.
- 28.3 Applicants who advise a RP that they no longer wish to be considered for a property, and who would potentially have been made an offer, should be aware that this will be classed as a refusal.

29. **Bypassing Applicants**

In exceptional cases a RP may elect not to offer a property to the highest priority applicant on the shortlist. The RP must request written authorisation from the Housing Allocations Team Leader before bypassing an applicant. The RP must give the exceptional reason for requesting the bypass and have received agreement from the Council prior to offering the property to the next applicant on the shortlist.

30. **Refusals**

- 30.1 An applicant is considered to refuse a property suitable for their needs if a) they have been made a formal offer of accommodation which they then decline; or b) they would normally receive a formal offer of the accommodation but tell the RP they do not wish to be considered, whether or not they have attended a viewing; or c) they fail to attend a viewing for the property.
- 30.2 Applicants should therefore be sure that they are interested and would be willing to accept the property, if offered, prior to placing a bid. A refusal will not be counted as such if the property can be shown to be unsuitable. This could include: medical grounds, social grounds (including potential harassment or violence), or financial hardship.

31. **Discharge of Homelessness Duty**

- 31.1 The Council will seek to allow applicants, to whom a homelessness duty is owed, the opportunity to exercise choice and bid in the normal way. However, given the shortage of accommodation and the pressures on the Housing Service, the Council retains the right to make a direct offer of accommodation or to place bids on applicant's behalf for accommodation that is considered to be suitable and reasonable to occupy.

31.2 If a property is offered and then refused, the Council may discharge its homelessness duty if the property is held to be suitable for the applicant's needs. The right to occupy temporary accommodation would be brought to an end.

32. **Housing for applicants in need of specialist accommodation**

32.1 The district benefits from a number of supported housing schemes. These are managed by a range of agencies and have individual referral and allocation criteria, depending upon the client group and the level of support offered.

32.2 Given the specialist nature of these schemes, it will not be appropriate to advertise such vacancies for general needs occupation. For access to supported accommodation, applicants will be considered through the relevant housing and support panel.

32.3 Individuals who wish to apply for specialist accommodation should make a housing needs application for an assessment under part VII of the Housing Act.

33. **Equality and Diversity**

33.1 West Berkshire Council is committed to championing equality and diversity. This policy provides that subject to the nationally prescribed eligibility criteria, priority for housing is based on housing need and that equality of access is afforded to the common housing register.

33.2 Where required, the Housing Service will provide interpretation, large print or signing services to ensure that applicants and potential applicants have advice and assistance to make an application.

33.3 All applicants for housing or re-housing will be asked to provide details of age, gender, ethnic origin, religion and sexual orientation. This is to ensure that properties are being offered and allocated fairly.

34. **Annual Lettings plan**

34.1 A proportion of properties becoming available every year will be allocated in line with the lettings plan at appendix 1.

34.2 The Annual Lettings Plan is designed to set allocation percentage targets, which are set by the Council to determine the proportion of social housing offered to different applicant types within the Common Housing Register, in order to best balance competing demands and needs.

34.3 The CHR consists of three types of applicants:

- First time applicants otherwise known as homeseekers which includes all households applying for social housing in West Berkshire.
- Transfer applicants who are social tenants of Registered Providers in West Berkshire applying for a move to alternative accommodation.
- Homeless applicants to whom West Berkshire Council has accepted a statutory homeless duty who are owed statutory reasonable preference.

34.4 The lettings plan will be reviewed annually. The Housing Services manager will approve a reviewed plan if a significant change to the lettings plan is required.

Part Six: Reviews and Complaints

35. Right to Review

- 35.1 An applicant has the right to request a review of a decision regarding:
- Whether s/he is eligible for an allocation of accommodation.
 - Whether s/he is a qualifying applicant.
 - Which household members are to be included on the application.
 - Bedroom size assessment.
 - Medical assessments.
 - The suspension, cancellation, or removal of an application.
 - Refusals.
 - Failures to bid and the decision to set up auto bidding for them.
 - Local lettings plans, rural exception sites and sensitive lets.
- 35.2 Applicants wishing to review a decision must advise the Council in writing within 21 days of the decision date giving their reasons for doing so.
- 35.3 As evidence is taken in written form it is very important that, when making the request for a review, the applicant, or someone acting on their behalf:
- Brings to the Council's attention any new information that they wish to have considered.
 - Explains why they think the decision is wrong.
- 35.4 If no written representations are received the matter will be decided on the facts already known.
- 35.5 An officer senior to the officer who made the original decision, and who has not been involved in the original decision, will carry out the review and respond to the applicant.
- 35.6 The Council will determine the review within 56 days. If there is a delay with the review decision the applicant will be advised in writing of the reason for the delay and a revised timescale.
- 35.7 If the applicant disagrees with the review decision, they can seek judicial review or take their case to the Local Government Ombudsman.

36. Complaints

- 36.1 Where an applicant considers that they have been treated unfairly or believes that there has been maladministration of the scheme, they can make a formal complaint to the Council. This is distinct from the procedure to request a review of a decision that has been made in accordance with this policy and the complaints procedure cannot be used to challenge the outcome of reviews.
- 36.2 The Council's complaints procedure is detailed on the Council's website and in the leaflet 'How to complain' which can be obtained from Council offices.
- 36.3 Where the complaint concerns a Registered Provider, the applicant should contact the RP direct in accordance with their complaints process. If this fails, the Independent Housing Ombudsman should be contacted.

37. **Monitoring**

- 37.1 The scheme will be closely monitored by the Housing Service to ensure that it is operating equitably and fairly, and regular checks undertaken to verify details on the CHR to prevent fraud.
- 37.2 The policy will be reviewed every 5 years. The review will include an Equality Impact Assessment on the Policy as a whole. Should any significant amendments be required, consultation would be undertaken with relevant stakeholders including elected members prior to a decision being made.

Appendices

Appendix 1

Annual Lettings plan

Applicant Type	Family Sized Accommodation	One bed (and studios)	Age Limited (Sheltered, bungalows)
First time (Homeseeker)	50%	50%	50%
Transfer	25%	25%	30%
Homeless	20%	20%	20%
Special lets (Including care leavers)	5%	5%	0
Total	100%	100%	100%

Appendix 2: Definition of a reasonable offer

Property Size

A refusal of an offer of the correct size and type will normally be considered unreasonable

A property of the appropriate size in line with the bedroom standards for the household's needs at the time of making the offer. Where the family composition has changed, so that the property offered is too small or large for the applicant's needs, the refusal will be recorded as reasonable.

It is the applicant's responsibility to ensure that they register any change in their circumstances that will affect the number of bedrooms to which they are entitled.

Where the applicant refuses a property because it is too small on grounds of the need for an additional or larger bedroom(s) due to medical/mobility factors, but it meets the Council's housing standards, this will normally be considered to be an unreasonable refusal unless the applicant provides new medical information at the offer stage that is accepted by the Council.

Property Type

It will not be considered a reasonable refusal due to a dislike of the property type because for example, it is in a tower block, it does not have a garden or a particular heating system, it is on a wrong floor, or does not have a lift. Medical grounds for refusing a property should already have been disclosed and considered as part of the assessment of the application unless new information is submitted that is accepted by the Council.

Property Condition

Where a property is refused on grounds of repair/decoration, this will be considered an unreasonable refusal unless the Voids Team decides to withdraw the property from letting for further works to be carried out.

Area of Choice

Where the offer is within one of the applicant's specified areas, the property will be considered reasonable.

Pets

Properties where pets are allowed would be indicated in the advert. Refusal of a property after a successful bid because it is not permissible to keep a pet is not reasonable.

Glossary

Additional Preference	Groups of people who are within a Reasonable Preference Group and to whom a local authority may give additional preference for an allocation of social housing under the Housing Act 1996.
Affordable Rent	Tenancies let by Registered Providers on rent levels of up to 80% of open market rents.
ASBO	Anti-Social Behaviour Order – a civil order made by the Court against perpetrators of anti-social behaviour. The ASBO will usually restrict behaviour in some way, for example, it may state that they are not to be abusive to neighbours or are not to enter a certain area.
CBO	Criminal Behavior Order - A CBO is an order on conviction, available following a conviction for any criminal offence in the Crown Court, magistrates' court or youth court.
Choice Based Lettings (CBL)	A system to advertise available social housing that enables applicants to bid on properties that they wish to be considered for. Once the advert closes, a shortlist is run and the property is allocated to the applicant with the highest housing need.
Common Housing Register (CHR)	A single waiting list for all social housing in West Berkshire, managed by the Council.
Homeseekers	Applicants who do not currently live in social housing but who wish to move into social housing.
Multi-Agency Public Protection Arrangements (MAPPA)	A statutory process through which the Responsible Authorities (Probation, Police and Prison Services) work together with Duty to Cooperate Agencies such as Mental Health/Youth Offending Services/Housing/Social Care (children and adults) Job Centre Plus/Health to manage the Risk and help reduce the re-offending behaviour of Sexual and Violent Offenders in order to protect the public including the victims from serious harm.
Priority Date:	The date an applicant is placed in a particular band following assessment of their application.
Reasonable Preference	Groups of people to whom preference must be given for an allocation of social housing under the Housing Act 1996.
Registered Providers (RPs)	Housing providers who are registered with Homes England.
Section 106 Agreement	A legal agreement under the Town & Country Planning Act 1990 that sets out planning obligations that the developer is required to meet as part of the planning consent. A Section 106 Agreement can be used to require the developer to provide affordable housing and, in the case of rural exception sites, to restrict occupancy

of that social housing to people with a specified local connection.

Suspended Application

The application is suspended so the applicant is unable to bid.

Social Rent

Tenancies let by Registered Providers on rent levels set at 'target' rents (usually 40-50% of open market rents) set by Homes England.

Transfers

Applicants who are currently living in social housing but who wish to move to alternative social housing.

Document Control

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Revision due			
Author:	Fidelis Ukwenu	Sign & Date:	
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Change History

Version	Date	Description	Change ID
0.1	18.02.2020		FU
0.2	25.02.2020	Typo & update Head of Service title.	FU
0.6	06/03/2020	Removal of reference to points, should be bands.	LM
0.7	12/03/2020	Updating the adoption approval to Executive.	FU
0.8	13/03/2020	Re-formatting all sections and updating text in the Banding Scheme.	FU
0.9	16/03/2020	General tidy up of section 6-8 including renumbering at 8.17	JW
0.91	21/07/2020	Update to: legal context (6.4) new statutory guidance; armed forces exemption criteria (8.21); additional preference, keyworkers added (12.7); additional preference and the armed forces (12.8); Band A Medical grounds, 'health practitioner' changed to 'qualified health practitioner' following consultation feedback (14); Band C, keyworkers section added (14); Advertising properties, 'noon' changed to 'midnight' (24.1); Bidding, cycle updated to run from midnight Thursday to midnight on Wednesday (25.1, 25.6 and 25.7); Bidding, URL updated to www.homechoicewestberks.org.uk and smartphone app deleted (25.8).	FU
0.92	22/07/2020	Band C, Armed forces added (14).	FU
0.10	29/09/2020	Presented to corporate board, revised policy sent to legal team per corporate board feedback.	FU
0.11	20/10/2020	Update to: legislation (6.3) The Children Act 2004 and the Equality Act 2010.	FU
0.12	03/11/2020	Update to: Exceptions to the qualification criteria. New section 8.8.5 for keyworkers added.	FU
0.13	10/11/2020	General formatting and re-numbering of sections per Operations Board feedback from Cllr Bridgman.	FU

Appendix B

Overview and Summary of Changes to the Allocations Policy

Overview

The Homelessness Reduction Act 2017 (HRA 2017) came into force on 3 April 2018 and made significant changes to Part 7 of the Housing Act 1996. The main aim of the legislation was to place increased duties on local authorities to assess applicant's needs and intervene at an earlier stage to prevent and relieve homelessness. It should be noted that the changes introduced under the HRA 2017 will not apply to an applicant who applied as homeless before 3 April 2018.

Both the Localism Act 2011 (LA 2011), and more recently the HRA 2017, seek to separate homelessness which is dealt with under Part 7 of the Housing Act 1996 (HA 1996) from, social tenancies that is dealt with under Part 6 of the Housing Act 1996. These pieces of legislation recognise that homelessness is a crisis and that households who apply to local authorities because of a housing need, are in a crisis. Such applications cannot reasonably be expected to be resolved with an offer of social housing because of the severe shortage of this type of accommodation nationally and, where it is available, the long waiting times to secure it.

West Berkshire Council has identified that more can be done to reflect the separation of homelessness applications from housing register applications (which operates on a waiting list basis) as intended by the legislation. The Council's current processes are being revised to reflect the expectations of statute. In order to do this and make the housing service fully compliant with current legislation, updates to the Council's Allocations Policy is required.

Summary of changes

- Change the current allocation scheme from a points based system to a banding system.
- Introduce a qualification criteria that will ensure social housing is allocated to local residents most in need of housing.
- Close the housing register to individuals who do not live in the district.
- Ensure Keyworkers and separated spouses and partners of armed forces personnel will have been given some priority.

Meeting Housing Need

Closing the housing register will better address housing need in the district. Under the current Housing Allocations Policy, people with no housing need such as homeowners and people who live outside the West Berkshire area, can join the housing register as low priority.

The changes to the housing register will ensure that social housing, including affordable housing, will only be allocated to people who are resident in West Berkshire and have a genuine housing need.

Qualification

The LA 2011 enabled local authorities to extend the definition of its own qualification criteria for joining the housing register. The table below shows the proposed revised qualification criteria to join West Berkshire Council's Housing Register compared to the current policy:

	The Current Allocations Policy	The Proposed Allocations Policy
1	Open to everyone including; homeowners, those with a tenancy, existing social tenancies.	Open to those who have a housing need only.
2	Open to those living outside of WBC.	Open to those living in WBC only. Exceptions include those fleeing domestic violence, needing to give or receive essential care, keyworkers moving to work in the district and armed forces personnel.
3	Open to those who have the financial means to find private accommodation themselves. There is currently a single earning threshold for all households.	A separate earnings threshold for couples (£60,000) and singles (£44,000) introduced. This is based on the Office of National Statistics annual survey of hours and earnings – resident analysis. This will remain in line with any changes from Central Government.

Banding Scheme

The housing legislation defines a group of applicants who must be given reasonable preference in an allocations scheme. It does not dictate how much preference is to be given, just that it is given. The proposed changes to reasonable preference and priority groups are shown in the table below. All the changes to the Allocations Policy are proposed to ensure our limited social housing is targeted at those most in need who are residents in West Berkshire district and to reduce waiting times.

	The Current Allocations Policy	The Proposed Allocations Policy
1	Points based system. Points allocated for a variety of reasons which can be unfair and lead to applicant 'chasing' more points.	Applicants placed in a band that reflect an accurate assessment of their housing needs.
2	Emergency need to move is catered for by way of social needs points which are subjective, time wasting and can be unfair.	An emergency need to move band created for the most vulnerable in life threatening situations, who need to move immediately and is not subject to individual interpretation.
3	Ambiguous about when and how direct offers can be made.	Specifies the circumstances where the council may make direct offers or set up automatic bidding for applicants e.g. those occupying expensive temporary accommodation.
4	Households lacking just one bedroom (mild overcrowding) are currently given reasonable preference.	Households who need two bedrooms or more to reach the Department of Works and Pension (DWP) bedroom standard,

		are given higher preference. Households who need one bedroom to reach the DWP bedroom standard are given lower preference.
5	Applicants to whom the Council has ended its housing duty remain on the housing register so there's no real punitive measures in place e.g. for giving up reasonable accommodation.	Applicants to whom the Council has ended its housing duty no longer qualify to be on the housing register.
6	New statutory duties under HRA 2017 are not recognised or catered for.	Reasonable preference given to those owed the new statutory duties under the HRA 2017.
7	Armed forces covenant not directly referenced.	Armed forces covenant recognised and given priority in the banding scheme. Separated spouses and partner of armed forces personnel also included following new statutory guidance from central government.
8	Does not adequately deal with circumstances where the Council's partners need to decant a property for redevelopment.	Gives the highest priority to these cases to ensure there are no delays related to schemes being redeveloped/going through construction.
9	Families can split up and end up with two social tenancies under the current scheme.	Recognises that there is no legal duty or requirement to provide the option of a second home to a child who already has a home with one of their parents in circumstances where the parents have split up (<i>Holmes-Moorhouse v LB Richmond upon Thames 2009</i>)
10	No specific recognition of rough sleepers in the district.	Verified rough sleepers are recognised and given the same reasonable preference as those owed a homelessness duty, even where the rough sleepers have not made a homeless application.
11	No mention and no priority given to Keyworkers	Keyworkers defined by the Thames Valley Local Enterprise Partnership are given band C priority.

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Housing Allocations Policy

Consultation Summary Report

Why we consulted?

The Housing Allocations Policy is a statutory requirement and it must include a statement of choice and adhere to the “Allocation of Accommodation: Guidance for Local Housing Authorities in England” (June 2012). There has been an amendment to the Housing Act 1996 in the form of the Homelessness Reduction Act 2017, which requires a review of the Council’s current Housing Allocations Policy.

The revised Housing Allocations Policy was developed with engagement from our internal and external partners, key stakeholders and residents and by reviewing new legislation and updated guidance from central government.

The revised Housing Allocations Policy details how the Council’s affordable and social housing will be allocated to those most in need of housing in the district.

Section 166A(13) and 168(3) of the Housing Act requires all stakeholders to be consulted on any changes to a Housing Allocations Policy. We therefore carried out a public consultation for the revised allocations policy over a six week period from 17th March 2020 until 3rd May 2020.

The allocations policy has been changed from a points based system to a banding system which is considered to be a fairer system. It has also been amended so that anyone not meeting the council’s qualifying criteria as set out in the policy, is not able to join the register.

These changes mean that social housing will be allocated to residents of West Berkshire with the highest housing need and ensure that we support the most vulnerable residents in our community. The number of applicants on the common housing register will reduce to reflect only those in true housing need. It will deliver more accurate data to inform the supply of housing that we need to meet current and future demand in the district.

Approach

We published the proposals and questionnaire regarding the changes on our website at www.westberks.gov.uk/housing. The questionnaire was available for a six week period with feedback requested by midnight on 3rd May 2020.

Respondents were directed to the revised policy and a document summarising the changes to read before answering the questionnaire. A total of 234 stakeholders submitted feedback.

Each question related to a specific change in the policy and a reference to the paragraph and page in the policy were included. Alongside this, we set up a dedicated email address to deal with any questions or queries relating to the consultation process including queries relating to ability to access the questionnaire. As a result of this we printed copies of the proposal documents and surveys following enquiries and made them available on request.

Housing Allocations Policy

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Our approach also included delivering focus groups but due to Covid-19 we were unable to proceed with face to face focus groups.

We also wrote to everyone on the housing register as at 13th March 2020 (around 3,700 households). In addition, letters were also sent to other stakeholders including those resident in temporary accommodation provided by the Council, the voluntary sector, Registered Providers, internal departments and partner organisations notifying them of the consultation and inviting their contributions.

Finally, we issued a press release and further publicised our consultations through our Facebook and Twitter accounts.

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Consultation Summary Report

Consultation Response

Number of Responses and main category of respondents

In total 234 responses were received. More than one category could be selected in response to how respondents would describe their housing status. 47% of respondents said they were on the Common Housing Register and 40% of respondents were West Berkshire residents. 2.7% were homelessness applicants and the remainder were living in temporary accommodation provided by West Berkshire Council, a Registered Provider, Statutory Organisation, Voluntary Organisation or other.

The largest percentage of responses were from residents in the age range 25-34 closely followed by 35-44 and 55-64. Of those that responded 33.3% had a disability, long-term illness or health condition. The highest number of responses (46.4%) were from households that had one to two dependants. The second largest category were from households with no dependants at 42.3%. This would indicate that there was a fairly even split of responses from families and single person respondents. To further support this 47.6% of responses were from 1-2 person households and 35% from 3-4 person households.

Summary of Main Points

Overall respondents were in favour of the proposals to change from a points to a bands based system. The only change to the policy that was suggested throughout the responses was to include key workers in the band priorities. Keyworkers have therefore been included with appropriate priority in the Housing Allocations Policy. For the purposes of the Allocations Policy, those considered as keyworkers are as defined in the Thames Valley LEP data source.

A point to note is that the lists of reasons e.g. 'medical' in the different bands are not in any priority order. This is simply a list of the different reasons an applicant would be placed into a particular band.

All of the individual comments from respondents were reviewed and responses for comments made have been broken down by the survey questions below:

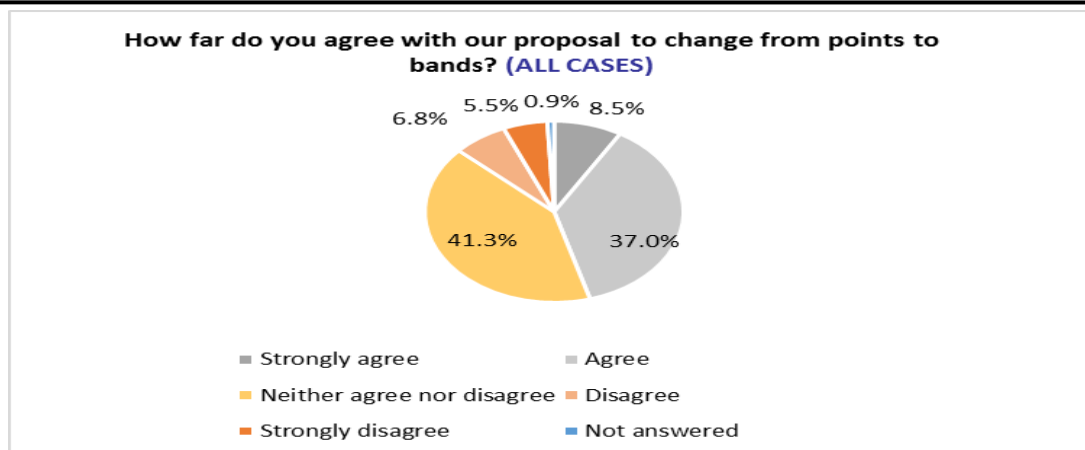
Summary of Responses by Question

1. How far do you agree with our proposal to move from points to bands?

The banding system takes into account the individual circumstances of each applicant household with higher bandings reflecting an emergency or urgent need to move. The new scheme will look at household circumstances at the time they join the register. It will also look at their circumstances at the point any accommodation is successfully bid for and offered to ensure their circumstances remain the same and continue to warrant their current banding.

Housing Allocations Policy

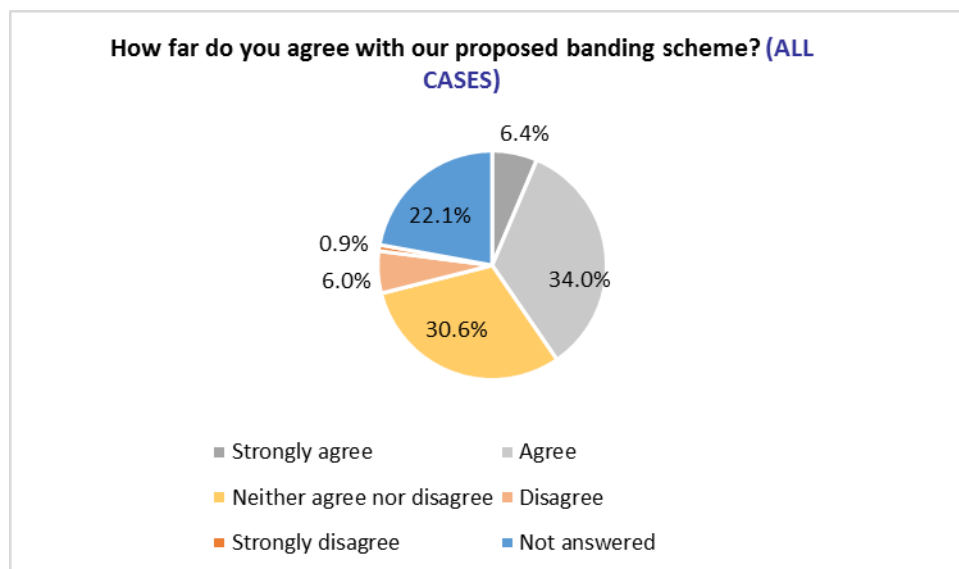
Consultation Summary Report



This data shows that 46% of respondents who had a view were in support of the changes and only 12.3% were against the change. 41.3% of respondents neither agreed nor disagreed with the changes. There were a further 2 respondents who did not answer this question.

2. How far do you agree with our proposed banding scheme?

Respondents were asked how far they agreed with the proposed banding scheme. There was a large number of respondents that did not answer this question (52%) but overall the response was in favour of the proposed banding scheme. 40.4% strongly agreed or agreed with the banding with only 6.9% strongly disagreeing or disagreeing.



A number of specific points were raised and some of these are addressed below:

Comment: Should homelessness not be higher up the banding system? As an emergency need or an urgent need.

Response: Households who are homeless are catered for under the Council's statutory homelessness duties, therefore, the 'crisis' is averted. Similarly those

Housing Allocations Policy

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needing emergency or temporary accommodation are supported under the Council's statutory homelessness duties.

Comment: You have fostering in band B but you don't mention people that have taken responsibility for a child/children on a special guardianship order or other cases of taking on children.

Response: If you have taken on the parental responsibility for a child e.g. under a special guardianship order, the child is treated as part of your household for the purposes of your assessment for the common housing register. This means that they will count towards overcrowding to determine if there is a need to move to larger accommodation.

Comment: Band A and B - does this include if the property cannot be adapted. Who is the other 'Health Practitioner' mentioned in Band A? How is this information gathered?

Response: If a property cannot be adapted, this would count towards the assessment of the suitability of the current property. Such suitability assessments are supported by reports from qualified health professionals such as, medical doctors, health specialists and occupational health therapists.

Comment: Band A - All new requirements should have a higher priority. Therefore 1) New or freeing up property takes precedence over like for like transfers, 2) Order. No 8 (domestic abuse) should be at no: 5, the rest drop down one position, except 'Management transfer' should be the bottom priority. Bands B, C, D are ok.

Response: Priority for bids for properties will be based on the applicants banding and the date they were first placed into their band. The list of banding reasons within a band are not in any priority order but rather a list of all reasons why the band will be awarded.

A sample of comments in support of the banding scheme:

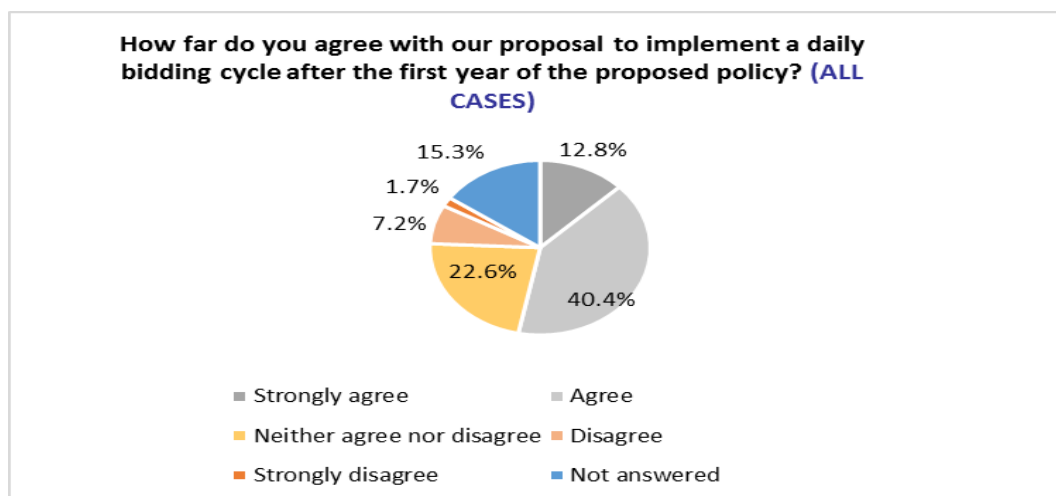
- "Bandings and sub-sections seem reasonable given the difficulty in assessing the varied demands for housing allocation"
- "Consistent with other LAs and in line with Stonewater's own policies especially in what is considered band A".
- "I think the banding will ensure households that are in desperate need of being housed the possibility of being so".
- "It's very well put together, it's aimed mainly at the vulnerable people that would need the help to find a place, to secure their future and it means that the CHR can't be taken advantage of by people that could find and fund their own places".

3. How far do you agree with our proposal to implement a daily bidding cycle after the first year?

Respondents were asked how far they agreed with the proposal to implement a daily bidding cycle after the first year of the proposed policy. More than 53% of respondents agreed with this and less than 9% disagreed or strongly disagreed. 38% did not respond or were in the category of neither agreed or disagreed.

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A number of specific points were raised and these are addressed below:

Comment: “It might be easier for allocations of property, but West Berkshire is spread over a rural area and not everyone has the internet especially if they don’t have a property. Many people use local libraries to go and make bids. This would mean they would have to go daily instead of once weekly”.

Response: Though properties will be advertised daily, each advert will remain open for 7 days. This means in practice that if you check on available properties once a week, you will not lose out on placing a bid for any of the advertised properties.

Comment: “Not everyone has daily access to be able to bid daily”.

Response: In addition to the response above, those who have no access to a computer or smart phone can make use of computers available to the public in our offices or a nearby library.

Comment: Agree, but wonder why properties are removed after a week even if there have been no bids

Response: Properties that no one bids for are sometimes withdrawn and could be offered directly to a household who have been identified as needing such accommodation.

A common theme from the comments: how the vulnerable will be supported with such a system.

Response: The most vulnerable will receive additional support to bid over the phone or in person at our offices.

4. How far do you agree with our proposal to close the housing register to the following applicants?

Respondents were asked about closing the register to the following groups:

- West Berkshire Residents

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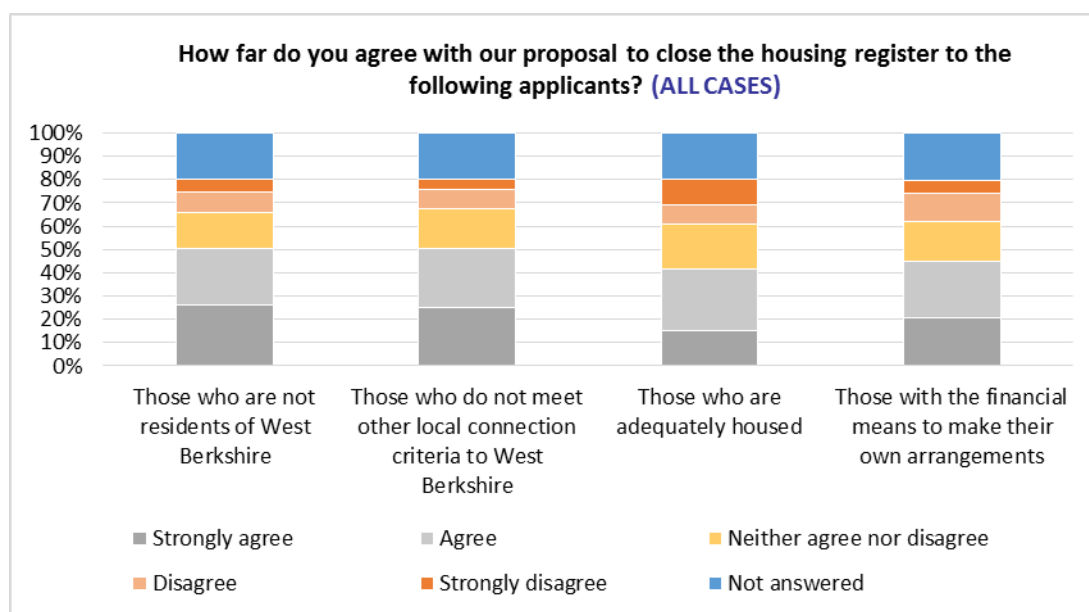
- Those without a local connection
- Those adequately housed
- Those with the financial means to make their own arrangements.

19% to 23% of respondents had no opinion on this question or did not respond.

63% either agreed or strongly agreed to close the register to those who are not residents or have no local connection and only 16% – 18% disagreed or strongly disagreed to these two changes (see bars one and two on the chart below).

52% strongly agreed or agreed with closing the register to those that are adequately housed and 56% strongly agreed or agreed with closing the register to those that can make their own financial arrangements (see bars three and four on the chart below). 24% and 22% disagreed or strongly disagreed with these two points of the proposal.

Overall the support is in favour of closing the register to these four categories of applicants.



A number of specific themes from the comments are addressed below:

Comments: A few people said that a social tenancy gives them the opportunity to save for a deposit to buy a property rather than private rent and should be given a council property to enable them to save.

Response: Social housing is a scarce resource and our aim is to ensure that it is targeted at the most vulnerable residents of West Berkshire and those in the highest housing need. There are schemes in place such as, shared ownership schemes and 'Help to buy scheme' to assist in home ownership.

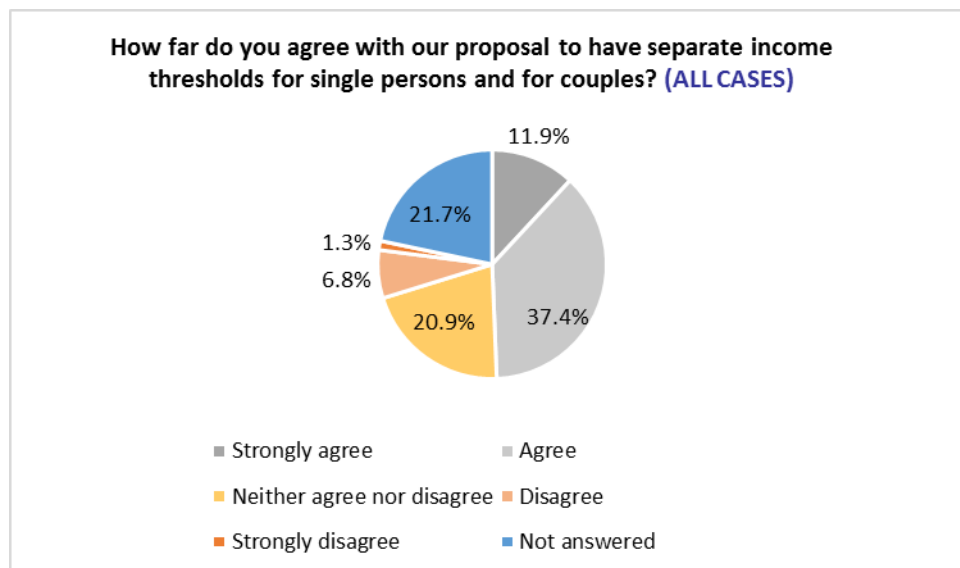
Comment: "I think you need to define what you mean by adequate house in the policy because currently I have adequate housing according to current policy".

Housing Allocations Policy

Consultation Summary Report

Response: This is defined by legislation notably the Housing Act 1996. It is essentially, anyone who does not have a housing need and will include those who privately rent.

5. How far do you agree with our proposal to have separate income thresholds for single persons and for couples?



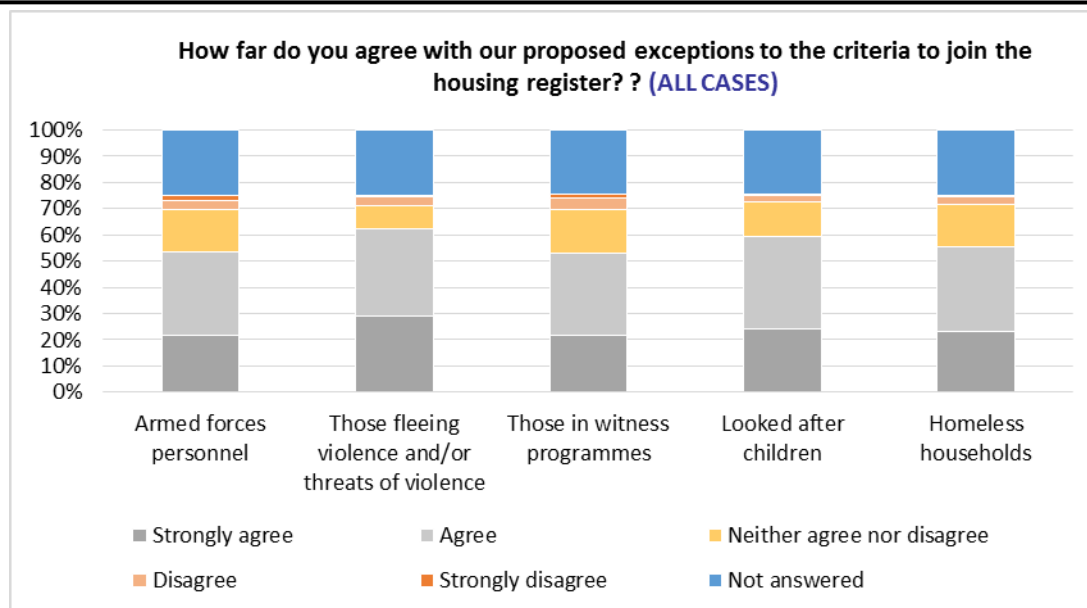
Nearly 50% of respondents agree or strongly agree with the separate income thresholds. Only 1.3% strongly disagreed.

A few comments indicated some misunderstanding about how the thresholds will work. The earnings threshold is the limit above which persons will not qualify to join the register. This means if a single person earns less than £44,000, they are eligible to join the register. The register is therefore open to West Berkshire residents who are on low income and closed to those who are on high income and therefore considered to have the financial means to make their own housing arrangements.

6. How far do you agree with our proposed exceptions to the criteria to join the housing register?

Housing Allocations Policy

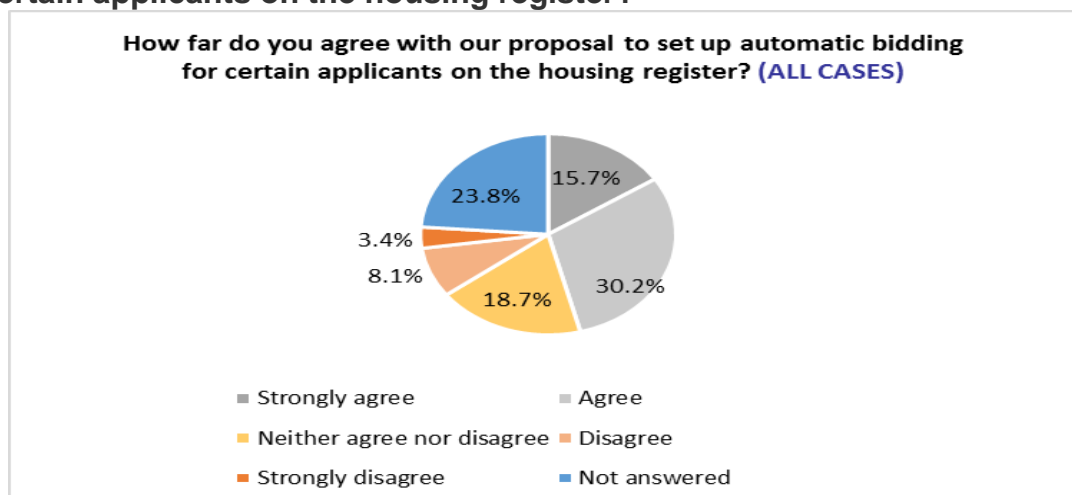
Consultation Summary Report



There are exceptions to the main criteria for some categories of people joining the register. These include; Armed forces personnel, those fleeing violence and/or threats of violence, those in witness protection programmes, looked after children and homeless households. Anyone who is employed in the area for a sustainable period (at least two years) is exempt from the local connection rules; this includes nurses and keyworkers. It is helpful to know that people who have moved into the area intend to continue to stay in the area when accessing scarce social housing. The other qualifying criteria will still apply to everyone who wishes to join the register e.g. if you have the financial means to resolve your housing issues, you will not qualify despite being exempted from the local connection rule.

Overall only 0.6% to 2.3% strongly disagreed and 2.8% to 5.6% disagreed with the exceptions. 11% to 22% neither agreed nor disagreed with the remaining respondents agreeing or strongly agreeing with the criteria. The majority of responses were in agreement.

7. How far do you agree with our proposal to set up automatic bidding for certain applicants on the housing register?

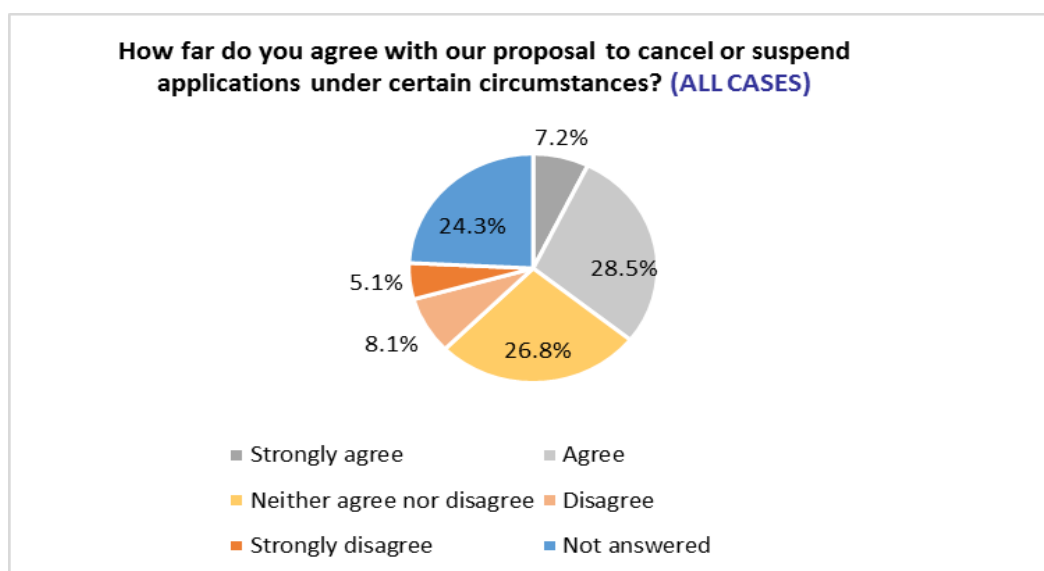


Housing Allocations Policy

Consultation Summary Report

Nearly 46% strongly agree or agree with automatic bidding. Only 11.5% strongly disagree or disagree to this. This shows that there is strong support for this proposal. There were no comments for this question.

8. How far do you agree with our proposal to cancel or suspend applications under certain circumstances?



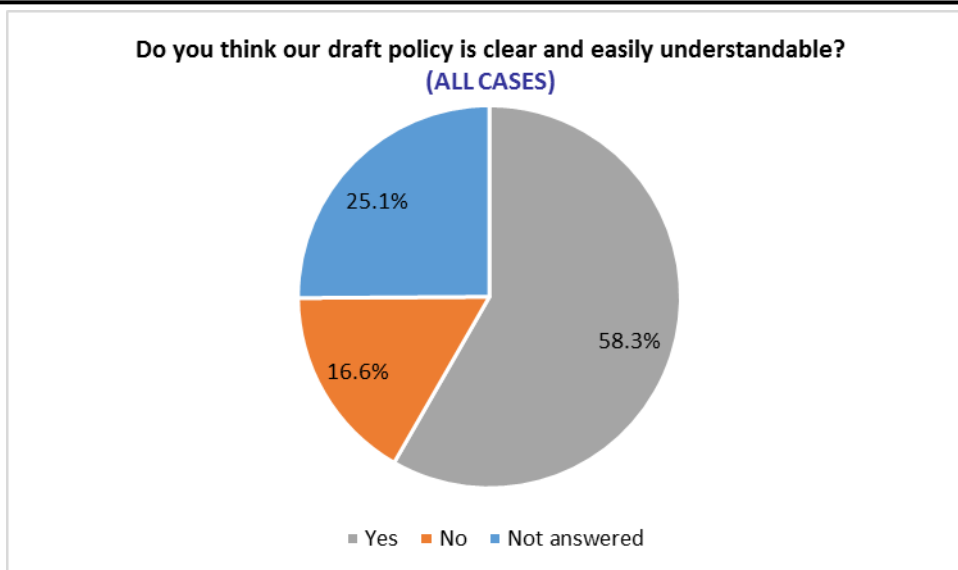
Nearly 36% of respondents agree with the proposal to cancel or suspend applications under certain circumstances. There are a large majority that either did not answer this question or marked neither agree or disagree. On the whole the support is in favour of this proposal.

Taking into account comments for this question, it is necessary to mention that the circumstances where applications will be cancelled or suspended are clearly detailed and include refusals of suitable offers of accommodation under the scheme. Consideration of reasons for refusal will take into account the individual's circumstances, including their mental health.

9. Do you think our draft policy is clear and easily understandable?

Housing Allocations Policy

Consultation Summary Report



Just under 60% feel that this policy is clear and easy to understand. A quarter of respondents did not answer whilst 16.6% of the respondents felt the policy was not clear. Some feedback indicated that there was too much detail in the policy however we felt it is important to set out as much detail about how the banding scheme will work in practice. A summary of the allocations scheme will always be available for ease of reference for those who find the detail to be too confusing.

A number of specific themes arising from the comments are addressed below:

Comment: Why do we need to collect equalities data referred to in section 33.3 of the policy?

Response: The details collected in an application are used for monitoring purposes only as stated in section 33.3. The allocation of properties is based on the priority of those who have bid on the property as stated in section 12.2 and section 27.

Comment: “Being in a certain age bracket is not a need. If a property is suitable for someone with disabilities, then age should not come into it”.

Response: Certain properties are age restricted because they are part of a supported accommodation scheme. Where a property has adaptations, priority for such properties will be given to those who need the adaptations.

Comment: The draft policy doesn't mention housing for the over 55year olds

Response: Properties will continue to be advertised with specific restrictions e.g. age restrictions as at present. Only those that meet the criteria for the property will be allowed to bid for it. See section 25.2.

Member and other stakeholder responses

Health and Wellbeing Board: There was very positive support for the allocation policy particularly from Health Watch and CCG. The only comments were around built in flexibility to take account of unforeseen circumstances and overcrowding and how that would be treated under the policy.

Housing Allocations Policy

Consultation Summary Report

Response: Banding for any unforeseen circumstance is not covered in the current scheme but will be at the discretion of the Housing Service Manager and will be determined by whether the applicant has an emergency, urgent, medium or low need to move.

Newbury Locality Management Team (LMT): The draft Housing Allocations Policy was discussed at a virtual meeting of the LMT on 7 May 2020, following its presentation to the Health and Wellbeing Steering Group on 30 April 2020. The membership of the LMT comprises officers from the CCG and senior GPs working across West Berkshire. They supported the approach outlined in the policy. They did, however, want to see some consideration given to an applicant's status as a key worker. The Health and Wellbeing Board and wider system have long discussed the difficulty that many workers in health and social care face in terms of housing affordability. The LMT felt that there was an opportunity to address this in the policy.

Response: This has been taken on board with reasonable preference given to keyworkers. See the response on page 3 under the 'summary of main points' section.

Equality Impact Assessment Template – Stage Two

<p>What is the decision Executive is being asked to make?</p> <p>Please add a summary of relevant legislation and whether the proposed decision conflicts with any of the Council’s key strategic priorities</p>	<p>To adopt the new Housing Allocations Policy following consultation.</p> <p>An Allocations Policy detailing how the council will allocate social housing in its area is required by part VI of the Housing Act 1996. It must meet the council’s legal requirement to provide a statement of choice and adhere to the “Allocation of Accommodation: Guidance for Local Housing Authorities in England” (CLG, June 2012). Section 166A(13) and 168(3) of the Housing Act requires that changes to a Housing Allocations Policy to be consulted on with all stakeholders</p> <p>The policy must also have regard to the Children’s Act 2004 and the Equalities Act 2010</p>
Budget Holder for item being assessed:	Janet Weekes
Name of assessor:	Fidelis Ukwenu
Name of Service & Directorate	Housing Service, Place
Date of assessment:	19/08/2020
Date Stage 1 EIA completed:	05/02/2020

STEP 1 – Scoping the Equality Impact Assessment

1. What data, research and other evidence or information is available which will be relevant to this Equality Analysis? Please tick all that apply.			
Service Targets		Performance Targets	
User Satisfaction		Service Take-up	
Workforce Monitoring		Press Coverage	
Complaints & Comments		Census Data	
Information from Trade Union		Community Intelligence	
Previous Equality Impact Analysis		Staff Survey	
Public Consultation	✓	Other (please specify) Data from the housing register	✓

2. Please summarise the findings from the available evidence for the areas you have ticked above.
The new allocations policy will reduce the number of housing applicants who qualify to join and remain on the council’s common housing register. It is estimated that the number of applicants

on the housing register will reduce from 3,000 households to 800 households. The changes to the policy including the qualification criteria has the same impact on all groups on the housing register including those with protected characteristics. This is because the changes mainly affect the ability of non-residents of West Berkshire to join the council's housing register with the net effect that social housing in the district is targeted at the most vulnerable residents of the district.

There is a positive impact for households of housing applicants who have a disability in terms of the banding priority awarded under the new policy.

3. If you have identified any gaps in the evidence provided above, please detail what additional research or data is required to fill these gaps? Have you considered commissioning new data or research eg a needs assessment?

If 'No' please proceed to Step 2.

No

STEP 2 – Involvement and Consultation

1. Please outline below how the findings from the evidence summarised above when broken down, will affect people with the 9 protected characteristics. Where no evidence is available to suggest that there will be an impact on any specific group, please insert the following statement '*There is no evidence to indicate that there will be a greater impact on this group than on any other.*'

Target Groups	Describe the type of evidence used, with a brief summary of the responses gained and links to relevant documents
Age – relates to all ages	There is no evidence to indicate that there will be a greater impact on this group than on any other
Disability - applies to a range of people that have a condition (physical or mental) which has a significant and long-term adverse effect on their ability to carry out 'normal' day-to-day activities. This protection also applies to people that have been diagnosed with a progressive illness such as HIV or cancer.	Just under 12% of applicants on the housing register who had a status change in the last financial year identified as having a disability. A third of this (under 4%) number had 15 points or more under the old points based system. Comparatively 17% of applicants reporting no disability had 15 points or more. This meant that applicants who have a disability with a housing need did not rank as high priority based on their housing need for available social tenancies compared to those without a disability. Of the 271 properties let in the last financial year ending March 2020, 80% of the properties were let to applicants with

	<p>15 points or more.</p> <p>Under the new housing allocations policy, applicants who have a housing need with a disability exacerbated by their housing circumstances will be automatically placed in one of the top two bands. This will help us achieve our objective to target WBC's limited social housing at the most vulnerable residents in housing need so this group will not be disadvantaged.</p>
<p>Gender reassignment - definition has been expanded to include people who chose to live in the opposite gender to the gender assigned to them at birth by removing the previously legal requirement for them to undergo medical supervision.</p>	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>
<p>Marriage and Civil partnership –.protects employees who are married or in a civil partnership against discrimination. Single people are not protected.</p>	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>
<p>Pregnancy and Maternity - protects against discrimination. With regard to employment, the woman is protected during the period of her pregnancy and any statutory maternity leave to which she is entitled. It is also unlawful to discriminate against women breastfeeding in a public place</p>	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>
<p>Race - includes colour, caste, ethnic / national origin or nationality.</p>	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>
<p>Religion and Belief - covers any religion, religious or non-religious beliefs. Also includes philosophical belief or non-belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.</p>	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>
<p>Sex - applies to male or female.</p>	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>
<p>Sexual Orientation - protects lesbian, gay, bi-sexual and heterosexual people.</p>	<p>There is no evidence to indicate that there will be a greater impact on this group than on any other.</p>

<p>2. Who are the main stakeholders (eg service users, staff etc) and what are their requirements?</p>
<p>✓ Those who are currently on the council's common housing register</p>

- ✓ Residents of West Berkshire who have a housing need or who are interested in obtaining social housing.
- ✓ Registered providers of social housing operating within West Berkshire

3. How will this item affect the stakeholders identified above?

Only those meeting the qualification criteria set out in the new housing allocations policy will be able to join or remain on the common housing register. Consequently about two thirds of the households on the current housing register will no longer qualify to remain on the common housing register.

STEP 3 – Assessing Impact and Strengthening the Policy

What have you assessed the impact as being? If there are potential adverse or differential impact on protected groups, what are the measures you will take to mitigate against such impact. Is there any opportunity to promote equality and good relations?

No adverse impact has been identified to any of the protected groups. A positive impact is anticipated for those with a disability.

STEP 4 – Procurement and Partnerships

Is this item due to be carried out wholly or partly by contractors?

No

If 'yes', will there be any additional requirements placed on the contractor? Have you done any work already to include equality considerations into the contract? You should set out how you will make sure that any partner you work with complies with equality legislation.

STEP 5 – Making a Decision

Summarise your findings and make a clear statement of the recommendation being made as a result of the assessment. This will need to take into account whether the Council will still meet its responsibilities under the Public sector Equality Duty (Section 149 of the Equality Act), which states:-

A public authority must, in the exercise of its functions, have due regard to the need to:-

(i) Eliminate discrimination, harassment, victimisation and any other conduct that is

prohibited by or under this Act;

- (ii) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:-**
- (a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
- (b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
- (iii) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.**

The decision is for approval as no adverse impacts have been identified against any protected group.

A positive impact has been identified for households with a disability. Following assessment and verification, this group of housing applicants who have a housing need will be placed in either of the two higher bands A (Emergency need to move) or band B (urgent need to move).

STEP 6 – Monitoring, Evaluating and Reviewing

Once the change has taken place, how will you monitor the impact on the 9 protected characteristics?

Management information collected to enable assessment of applications to join the housing register and to inform banding includes equalities data. This will be monitored periodically and an annual review carried out to track any impact on the 9 protected characteristics. Outcomes such as number of properties let and the number of households on the housing register will be monitored.

STEP 7 – Action Plan

	Actions	Target Date	Responsible Person
Involvement & consultation	Annually – RP Forum	Annual	Strategy and Reviews Manager
Data collection	N/A		
Assessing impact	Annual impact assessment	31/03/2022	Housing Allocations Team Leader
Procurement & partnership	N/A		

Monitoring, evaluation and reviewing	Audits and quarterly assurance checks	Annual Quarterly	Housing Allocations Team Leader/ Strategy and Reviews Manager
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STEP 8 – Sign Off

The policy, strategy or function has been fully assessed in relation to its potential effects on equality and all relevant concerns have been addressed.		
Contributors to the Assessment		
Name:	Job Title:	Date:
Head of Service (sign off)		
Name: Gary Lugg	Job Title: Head of Development and Planning	Date: 18/11/2020

Data Protection Impact Assessment – Stage Two

What is it you're planning to do?

Explain the problem, need, issue or deficiency your project will address, and what kind of data processing it will involve. You may wish to include project plans or flowcharts.

Consider:

- What do you want to achieve?
- What is the intended effect on individuals?
- What are the benefits of the processing for your service and the wider organisation?

A revised Housing Allocations Policy is being put forward for adoption following public consultation.

The Housing Allocations Policy is a key statutory policy that must meet the council's legal requirement to provide a statement of choice and also adhere to the "Allocation of Accommodation: Guidance for Local Housing Authorities in England" (CLG, June 2012).

There has been an amendment to the Housing Act 1996 in the form of the Homelessness Reduction Act requiring a review of the Council's current Allocations Policy. The revised policy takes into account all current legal context and considerations including guidance and stipulations by Central Government.

The Housing Allocation Policy has been updated from a points-based system to a banding system which is considered to be fairer. It has also been amended so that anyone not meeting the Council's qualifying criteria, as set out in the policy, is not able to join the register.

These changes mean that social housing will be allocated to residents of West Berkshire with the highest housing need and ensure that we support the most vulnerable residents in our community. The number of applicants on the common housing register will reduce to reflect only those in true housing need. It will deliver more accurate data to inform the supply of housing that will be required to meet current and future demand in the district.

Describe the nature of the processing.

Consider:

- How will you collect, use, store and delete data?
- What is the source of the data?
- Will you be sharing data with anyone?
- What types of processing are involved that can be identified as likely high risk?

You might find it useful to refer to a flow diagram or another way of describing data flows.

Anyone wishing to join WBC's housing register will complete an online housing register application form via a customer housing portal. The portal is web based with appropriate online security.

Data collected is necessary to assess applications to ensure that they are eligible and qualify to join the housing register in line with the Housing & Immigration Act and the Housing Allocations Policy. Once an applicant's housing register application has been processed they will be allocated a band which will enable them to bid on social housing properties. Data will be deleted from the system after seven years.

Relevant data for those who successfully bid for a property will be shared with registered providers who advertise their properties on the council's housing register. Information may also be shared with other professional bodies e.g. children's services, adult social care, the NHS as necessary in line with the Housing service privacy and fair processing notice.

The processing of collected data in the manner described above does not present any high risk scenarios.

Describe the scope of the processing.

Consider:

- What is the nature of the data, and does it include sensitive "special category" or criminal offences data?
- How much data will you be collecting and using? How often? How long will you keep it? Have you reviewed/arranged an entry in the corporate records retention schedule?
- How many individuals are affected?

The data provided by an applicant includes sensitive data. All of the data collected as part of an application is necessary for assessing an application to determine if they are eligible and qualify to join the housing register and awarding a priority band. This data is held securely in the Abris Housing System, access to the system is controlled by individual passwords and online security.

Data will be kept for seven years before being deleted and an entry in the corporate retention schedule is being arranged.

Those affected by the scope of data processed are applicants who have registered and/or applied to join the housing register. There are currently between 3000 to 4000 new applications to join the housing register every year.

Describe the context of the processing.

Consider:

- How much control will people have over their data?
- Would they expect you to use their data in this way?
- Do they include children or other vulnerable groups?
- Are there prior concerns over this type of processing or security flaws?
- Is it novel in any way?
- What is the current state of technology in this area?

- Are there any current issues of public concern that you should factor in?
- Are you signed up to any approved code of conduct or certification scheme (once any have been approved)?

When an application for assistance with housing is made, the applicant will firstly create an account on the Abrisas Customer Housing portal. From here the applicant can view their data and amend or update it as necessary for their application. The registration process requires confirmation from all applicants that they have read and understood the privacy policy which includes the fair processing notice and that they are happy to continue. When they submit their application they are confirming that the council can use their data in the manner described to carry out an assessment of their housing need. The information will include details of children and other vulnerable adults who form part of the household, this will help determine the size of accommodation that will be suitable for the household and whether the households are currently living in overcrowded circumstances

The database that holds all of the applications and document files from the live Abrisas system are securely backed up. The primary backup storage server provides rapid access to data should it be required. The backup storage server has the following controls to protect the data:

- 256 bit AES operating system level encryption of all data stored
- File based encryption of the database
- Server located in secure, locked machine room environment
- Server protected by UPS
- Administrator only access to storage server

Iron Mountain provides long-term secure archival storage of data through a nationwide infrastructure of secure vaults and vehicles, compliant to BS4783 standard for data protection and ISO9001:2000 audited, Iron Mountain provide security and reliability for critical data.

There are documented quality standards for the implementation and upgrade of the Abrisas Housing System. Part of the quality standards are security procedures carried out on the system which include:

- Standard security settings for the live site configured using automated scripts to minimise the risk of human error
- Automated software-based security scan of sites as part of the testing process
- Critical aspects of the system build are only undertaken by senior employees of Abrisas with the appropriate skills
- Reviews of the security set up are carried out as part of the quality processes

Abrisas undertakes administration of the hosted environment. The tasks are undertaken by a small group of experienced administration employees. Procedures are in place for this administrative process covering all key areas including:

- Anti-virus software
- Backup monitoring and control
- Application of security patches
- Performance tuning
- Server build standards
- Documentation
- Firewall setup
- Network security scanning

- Change control
- Control of access to backups
- Network configuration

Access to network resources are controlled by active directory authentication. None of West Berkshire data is stored anywhere on the standard network server file system. A separate encrypted drive is used when testing data loads. Procedures are in place to disable logins when employees leave.

Two methods of secure data transfer are used:

- For the ad-hoc manual transfer of secure documents, the Secure upload site is used
- For ongoing/automated data transfer of documents the FTPs method should be used

The Enhanced Disaster Recovery cover means that server hardware and backup infrastructure is in place in a secondary environment with a complete system build undertaken each night in the event this backup is needed.

Overall, the changes in the Allocations policy will result in a reduction in the number of applicants on the Housing Register from about 3000 to 800. This will also significantly reduce the sensitive data that is currently being stored.

Do you intend to consult with affected stakeholders? If not why not?

Consider/explain:

- When and how you will seek individuals' views – or justify why it's not appropriate to do so.
- Who else do you need to involve within your organisation? Do you need to ask your processors to assist? Do you plan to consult information security experts, or any other experts?

A public consultation on the revised housing allocations policy has been completed. We published the proposed policy which includes details of the information required for the banding process as well as a questionnaire regarding the changes to the Allocations Policy on our website at www.westberks.gov.uk/housing. The questionnaire was available for a six week period with feedback requested by midnight on 3rd May 2020.

Respondents were directed to the revised policy and a document summarising the changes which they could read before answering the questionnaire. A total of 234 stakeholders submitted feedback.

Each question related to a specific change in the policy and a reference to the paragraph and page in the policy were included. Alongside this, we set up a dedicated email address to deal with any questions or queries relating to the consultation process including queries relating to the ability to access the questionnaire. We printed copies of the proposal documents and surveys following enquiries and made them available on request.

Our approach also included delivering focus groups but due to Covid-19 we were unable to proceed with face to face focus groups.

We also wrote to everyone on the housing register as at 13th March 2020 (around 3,700 households). In addition, letters were sent to other stakeholders, including those resident in temporary accommodation provided by the Council, the voluntary sector, Registered

Providers, internal departments and partner organisations, notifying them of the consultation and inviting their contributions.

Finally, we issued a press release and further publicised our consultations through our Facebook and Twitter accounts. We addressed the changes through various relevant boards within the Council, Housing Board being one of these.

The Abrisas Housing ICT system is being implemented in tandem with the new Housing Allocations Policy. Colleagues in WBC I.T. department have been significantly involved with the project from the early scoping stages through to procurement and implementation of the new system. The procurement process itself involved the use of the government gateway which requires all vendors to meet government approved security standards.

Describe compliance and proportionality measures.

Consider:

- What is your lawful basis for processing? Does the processing actually achieve your purpose? Is there another way to achieve the same outcome?
- How will you prevent function creep (using the data for more than the original purpose)?
- What information will you give individuals? How will you help to support their rights? What measures do you take to ensure processors comply? How do you safeguard any international transfers?

The council is legally required to have and operate a Housing Allocation Policy under part VI of the Housing Act 1996. The allocations policy must meet the council's legal requirement to provide a statement of choice and adhere to the "Allocation of Accommodation: Guidance for Local Housing Authorities in England" (CLG, June 2012). The data collected from housing applicants is processed for this legal basis.

Data collected is for the sole purpose of assessing an individual's eligibility and qualification to join the housing register with a housing need for housing assistance and the allocation of social housing. There is no risk of function creep as the functions of the housing team is limited to the council's statutory housing duties.

Applicants will have access to the council's privacy policy which includes the fair processing notice. Information about how to contact the data protection officer is also made available. Applicants can withdraw their consent for us to process their data at which point we will stop processing such data and delete them appropriately. The Abrisas housing ICT system has a robust audit log of everyone who accesses a particular casefile (housing application) and periodic case audits by managers will help ensure information is being used strictly for the management of the housing register and homelessness functions.

There are no international transfers and all data is stored and processed on servers based in the UK.

Risk Assessment

Identify, list and classify risks.

#	Include associated compliance and corporate risks as necessary <i>The Data Protection Principles are reproduced in Appendix A – you may wish to refer to these when identifying risks</i>	Likelihood of harm	Severity of harm	Overall risk
1	Data loss	<i>Remote</i>	<i>Severe</i>	<i>Low</i>
2	Data breach	<i>Possible</i>	<i>Significant</i>	<i>Medium</i>
3		<i>Remote, possible or probable</i>	<i>Minimal, significant or severe</i>	<i>Low, medium or high</i>

Risk Mitigation		
Risk #	Options to reduce or eliminate risk (Possible or Probable Risks only)	Effect on risk
1	Ensuring staff complete mandatory data protection training and refreshers in time. Recommending the use of the e-mail facility in Abritas which is linked to service user's e-mail to minimise risk of sending information to the wrong e-mail address. Reminding staff at team meetings to double check recipients of communication shared by outlook e-mail.	<i>Reduced</i>

Approvals

This assessment must be approved before the project proceeds to implementation stage.

	Signed	Date
Data Protection Officer		
DPO advice/actions:		
Head of Service <i>Signature by Head of Service indicates acceptance of DPO advice unless expressly overruled with reasons</i>	Gary Lugg	12/11/2020
This DPIA and completion of actions arising from it will be the responsibility of (insert name of responsible officer in service)		

Once approved, this document should be sent to dp@westberks.gov.uk

END

Appendix A

The Data Protection Principles (from the General Data Protection Regulations)

1. Personal data shall be:
 1. processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency');
 2. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with [Article 89\(1\)](#), not be considered to be incompatible with the initial purposes ('purpose limitation');
 3. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
 4. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
 5. kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with [Article 89\(1\)](#) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject ('storage limitation');
 6. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures ('integrity and confidentiality').

Response to the Local Electricity Bill motions

Committee considering report:	Executive
Date of Committee:	17 December 2020
Portfolio Member:	Councillor Steve Ardagh-Walter
Date Portfolio Member agreed report:	21 October 2020
Report Author:	Adrian Slaughter
Forward Plan Ref:	EX3966

1 Purpose of the Report

- 1.1 The purpose of the report is to address two motions submitted to Council seeking support of the Local Electricity Bill. The first motion was submitted by Councillor Adrian Abbs at the 3rd March Full Council meeting and the second was from Councillor Steve Ardagh-Walter submitted at the 10th September Full Council meeting.
- 1.2 This report seeks to address these motions and make recommendations as to whether they should be implemented.

2 Recommendations

- 2.1 It is recommended that
 - The Council supports the Local Electricity Bill but that this support is contingent on the resolution of the issues identified in the APSE Energy report, attached as Appendix B.
 - The issues identified within the existing draft of the Bill are brought to the attention of our local MPs, so that they can potentially be addressed as the Bill progresses through Parliament.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	None

Response to the Local Electricity Bill motions

Human Resource:	None			
Legal:	Hard to determine at this stage as the Bill has yet to go through its second reading in Parliament and may undergo significant change. There may be implications should the Bill be passed into law, how this is then administered by the enforcing authority and should the Council seek to benefit from the right to supply locally. It is envisaged that these implications would be dealt with as part of 'business as usual' input from Legal Services for associated projects.			
Risk Management:	None			
Property:	None			
Policy:	None			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		None
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		None

Response to the Local Electricity Bill motions

Environmental Impact:	X			The concept of the draft Bill is to simplify current regulations, reduce associated legislative costs and enable local generation of electricity to be supplied locally. Subject to addressing identified weaknesses in the Bill as currently drafted, this could have the potential impact of reducing district CO2 emissions.
Health Impact:		X		Hard to gauge the impact at this point. There may be positive implications should more locally generated, and in theory cheaper, electricity become available for local customers who are regarded as 'fuel poor'.
ICT Impact:		X		Not applicable
Digital Services Impact:		X		Not applicable
Council Strategy Priorities:	X			The proposal positively supports the objective of the Council's Environment Strategy to increase the uptake of renewable energy within West Berkshire by potentially reducing the regulatory burden, and associated legislative costs, for local community groups and organisations wanting to install their own solar energy systems.
Core Business:	X			Supporting the proposal and therefore the adoption of the Local Electricity Bill would support the 'Maintain a green district' priority for improvement.
Data Impact:		X		Not applicable
Consultation and Engagement:	This matter has been discussed at the Environment Advisory Group where it received unanimous support.			

4 Executive Summary

- 4.1 At the Full Council meeting held on 3rd March 2020 a motion was submitted by Councillor Adrian Abbs requesting that West Berkshire District Council “accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of 115 MPs, and which, if made law, would make the setup and running costs of selling renewable electricity to local customers proportionate by establishing a Right to Local Supply”
- 4.2 At the Full Council meeting held on 10th September 2020 a motion was submitted by Councillor Steve Ardagh-Walter requesting that the West Berkshire District Council “resolves to support the Local Electricity Bill and to seek the support of our local MPs in ensuring the passage of the Bill through Parliament and into law”.
- 4.3 The purpose of this report is to address the two aforementioned motions and make recommendations as to whether they should be implemented.
- 4.4 West Berkshire Council is currently a member of the Association for Public Service Excellence (APSE) and its bespoke local authority energy collaboration, ‘APSE Energy’. This organisation has access to specialists and experts who have written a briefing note on the Local Electricity Bill for its members.
- 4.5 The briefing note analyses the Local Electricity Bill as presented to Parliament and highlights a number of issues. These issues are fully explained in Appendix B but can be summarised here as follows:
 - a) The Bill as currently drafted does not specifically link what it refers to as local energy generation and supply with ‘clean’ renewable energy sources.
 - b) The language and terminology used is open to interpretation and needs to be more tightly defined.
- 4.6 It is proposed that the motions resolving West Berkshire Council supports the Local Electricity Bill are taken forward but, in recognition that the Bill as currently drafted requires amendment, , this support is conditional based on the resolution of the issues raised by the APSE Energy briefing note.
- 4.7 It is proposed that in order to achieve this the full APSE Energy briefing note is made available to our MPs in advance of the Bill’s second reading in January 2021 so that a dialogue can be started with appropriate stakeholders. The MPs for Newbury and Wokingham (Laura Farris and John Redwood) have both expressed their support for the Bill. Alok Sharma MP for Reading West is restricted in this regard due to his role in Government.

5 Supporting Information

Introduction

- 5.1 At the Full Council meeting held on 3rd March 2020 a motion was submitted by Councillor Adrian Abbs requesting that West Berkshire District Council “accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of 115 MPs, and which, if made law, would make the setup and running costs of selling renewable electricity to local customers proportionate by establishing a Right to Local Supply”
- 5.2 At the Full Council meeting held on 10th September 2020 a motion was submitted by Councillor Steve Ardagh-Walter requesting that the West Berkshire District Council “resolves to support the Local Electricity Bill and to seek the support of our local MPs in ensuring the passage of the Bill through Parliament and into law”.
- 5.3 Full text of these two motions can be found in Appendix A of this report.
- 5.4 The purpose of this report is to address the two aforementioned motions and make recommendations as to whether they should be implemented.

Background

- 5.5 At the beginning of 2020 a group called ‘Power for People’ approached MP’s and Local Authorities promoting a Private Members Bill for Parliament seeking to empower local communities to sell locally generated clean energy to local customers by establishing a statutory right to local supply.
- 5.6 This campaign has gained cross party support and at the latest count has formal support from 222 MPs, including the local MPs for Newbury and for Wokingham.
- 5.7 According to the Parliament website, the first reading of the Bill in the House of Commons occurred on 10th June 2020 and it is currently scheduled for its second reading on 29th January 2021.
- 5.8 West Berkshire Council is currently a member of the Association for Public Service Excellence (APSE) and its bespoke local authority energy collaboration, ‘APSE Energy’. This organisation has access to specialists and experts who have written a briefing note on the Local Electricity Bill for its members. This note is attached to this report as Appendix B.
- 5.9 The briefing note analyses the Bill as presented to Parliament and highlights a number of issues. These issues are fully explained in Appendix B but can be summarised here as follows:
 - (a) The Bill as currently drafted does not specifically link what it refers to as local energy generation and supply with ‘clean’ renewable energy sources. The language and terminology used is open to interpretation and needs to be more tightly defined.
- 5.10 The APSE briefing note also points out that under the Electricity Act 1989 there are already exemptions for smaller capacities of generation, distribution and supply of

Response to the Local Electricity Bill motions

electricity that avoids the higher levels of regulation and associated licensing costs that would otherwise discourage community groups and interested organisations.

5.11 With all this taken into account the briefing note concludes that the concept of the Bill is good and the solution is definitely required.

Proposals

5.12 It is proposed that the motions resolving West Berkshire Council supports the Local Electricity Bill are taken forward but, in recognition that the Bill as currently drafted requires amendment, this support is conditional based on the resolution of the issues raised by the APSE Energy briefing note.

5.13 It is proposed that in order to achieve this the full APSE Energy briefing note is made available to our MPs in advance of the Bill's second reading in January 2021 so that a dialogue can be started with appropriate stakeholders.

6 Other options considered

6.1 The motions could be rejected but this would be at significant odds with the Council's Climate Emergency Declaration, the associated target of achieving carbon neutrality for both the council and the district by 2030, the Council's 'maintain a green district' priority for improvement and the recently adopted Environment Strategy which specifically targets the increased adoption of energy from renewable sources.

7 Conclusion

7.1 West Berkshire Council already recognises 'green' issues as a continuing priority thread through a number of its key strategies such as the identification of the 'Maintain a green district' priority for improvement in the current Council Strategy, the adoption of a Climate Emergency Declaration in July 2019 and its associated target to achieve carbon neutrality for both the council and the district by 2030, and the creation of the Environment Strategy outlining key themes of which 'energy' is one.

7.2 The Local Electricity Bill identified by the submitted motions seeks to address issues in the existing electricity supply and generation regulatory framework that inhibits the promotion and uptake of small scale local energy generation and supply.

7.3 Whilst the Bill as currently drafted has its flaws, the solution, at a national and in particular in West Berkshire where it would positively influence the ability to achieve the demanding carbon neutrality target, is required. The Council should therefore work with relevant stakeholders wherever it can to support and influence the adoption of the Bill into law.

8 Appendices

8.1 Appendix A – Text of the two motions to Council in the name of Cllr Adrian Abbs and Cllr Steve Ardagh-Walter

8.2 Appendix B – APSE Energy Briefing Note on the Local Electricity Bill

Background Papers:

Council Strategy 2019 to 2023

Environment Strategy

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 Committee or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

Wards affected: n/a

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Document Control

Document Ref:	Local Electricity Bill response	Date Created:	15/10/2020
Version:	V1	Date Modified:	
Author:	Adrian Slaughter		
Owning Department	Environment		

Change History

Version	Date	Description	Change ID
1	16/11/2020	Changes made to original report at the request of Corporate Board	AS
2			

Full text of the two motions to Council in the name of Cllr Adrian Abbs and Cllr Steve Ardagh-Walter

From 3rd March 2020 Council meeting:

The following Motion has been submitted in the name of Councillor Adrian Abbs:

“Power for Communities Motion

West Berkshire District Council

- (i) acknowledges that this Council has made some effort to reduce greenhouse gas emissions and promote renewable energy;
- (ii) recognises that councils can play a central role in creating sustainable communities, particularly through the provision of locally generated renewable electricity;
- (iii) further recognises
 - that the very large financial setup and running costs involved in selling locally generated renewable electricity to local customers results in it being impossible for local renewable electricity generators to do so,
 - that making these financial costs proportionate to the scale of a renewable electricity supplier’s operation would create significant opportunities for councils to be providers of locally generated renewable electricity directly to local people, businesses and organisations, and
 - that revenues received by councils that became local renewable electricity providers could be used to help fund local greenhouse gas emission reduction measures and to help improve local services and facilities;
- (iv) accordingly resolves to support the Local Electricity Bill, currently supported by a cross-party group of 115 MPs, and which, if made law, would make the setup and running costs of selling renewable electricity to local customers proportionate by establishing a Right to Local Supply; and
- (v) further resolves to
 - inform the local media of this decision,
 - write to local MPs, asking them to support the Bill, and
 - write to the organisers of the campaign for the Bill, Power for People, (at 8 Delancey Passage, Camden, London NW1 7NN or info@powerforpeople.org.uk) expressing its support.”

Motion from Cllr Steve Ardagh-Walter – 10th September 2020

In our commitment to working towards being a Carbon Net Zero District by 2030 this Council has made a substantial investment in photovoltaic technology, reducing greenhouse gas emissions and promoting renewable energy. In delivering this significant element of our Environment Strategy, we not only supply the Council with clean energy, we also reduce the cost of running our buildings.

However, the very large financial setup and running costs involved in selling locally generated renewable electricity to local customers result in it being very difficult, if not impossible, for local suppliers to do so. We recognise that making these costs proportionate to the scale of the renewable electricity supplier's operation would enable and empower new local businesses, or Councils such as West Berkshire, to be such providers of locally generated renewable electricity, and that the revenues received could be used to help improve the local economy, local services and facilities, and to reduce local greenhouse gas emissions.

The cross-party Local Electricity Bill, reintroduced into Parliament on 10 June and currently supported by 187 MPs, would, if made into law, establish a *Right to Local Supply* which would promote local renewable electricity supply companies and co-operatives by making the setup and running costs of selling renewable electricity to local customers proportionate to the size of the supply operation.

This Council would therefore welcome the opportunity to benefit further from the creation of a Right to Local Supply and **RESOLVES to support the Local Electricity Bill and to seek the support of our local MPs in ensuring the passage of the Bill through Parliament and into law.**

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APSE Energy Briefing 6/20 – Local Electricity Bill

Introduction

In April 2020, local authorities were contacted by a group called Power for People, which is promoting a Private Members Bill for Parliament. The Bill is being introduced as a Ten Minute Rule Bill on 28 April 2020, sponsored by a wide group of MPs from all parties, including Conservative, Labour, Liberal Democrat, Green, SNP and Plaid Cymru.

A number of local authorities have already said that they will support the Bill in response to an approach by Steve Shaw, the Director of Power for People.

This paper analyses the Local Electricity Bill. It is not intended in any way to be negative, as the concept is good and the solution is required, without any doubt, and most local authorities would support that. However, the Bill will receive significant scrutiny as it progresses and local authorities need to be aware how robust it is for its stated purpose.

Background

Few would disagree that a smoother path for the local supply of energy would be a good outcome. The real issue is how we generate political support for this and bring forward a change in the current law.

The problems are obvious and well documented. Electricity is divided into generation, distribution and supply by the Electricity Act 1989, which is the principal legislation in the area. Whilst supply to commercial customers is relatively easy, supply to consumers is heavily regulated, as public policy suggests that this part of the population needs active protection.

OFGEM is the regulator and the path to obtaining a supply licence to enable sales of electricity and gas to consumers is long, complex and expensive. Almost 20 small supply companies went bankrupt in the last year due to fluctuating wholesale prices and the inability to spread costs. There are two local authority owned supply companies, Robin Hood Energy in Nottingham and Bristol Energy and both have found this a very difficult market in which to survive, even with their financial backing.

The market is still dominated by the 'big six' suppliers, plus one or two very large others (such as OVO) and together they control around 75% of the entire UK market. They avoid the problems suffered by the smaller companies by sheer size and considerable experience in the marketplace.

An independent report by the Competition and Markets Authority in 2017 declared that consumers had been overcharged by the big six for decades and, effectively, everyone is paying too much for their electricity supply. Yet little is done by Government to do anything about this.

Currently the average price for electricity is 14.37 pence per kWh, yet export prices hover around the 5 pence mark for local generators. A provision similar to the concept raised by the Bill would enable both generators to benefit (by getting better prices for their electricity) and also the local inhabitants in the areas in which generation takes place (as consumers paying less).

So a solution is required and the Local Electricity Bill is an attempt to provide this. Historically these Bills have little prospect of passing into law, but it does nonetheless give this issue some important oxygen of publicity. In our view, in order to make the changes sought by this short Bill a wider and more comprehensive movement with a much broader level of support (including the public) will be required.

The Concept of Local Energy

Before moving to look at the Local Electricity Bill itself, it is first important to focus on the concept of this solution. What are the issues and how to address them?

Here is our position on this. The concept needs to address these fundamental issues:

- The function of the concept is to encourage local supply and so promote the market in small scale generation;
- Generation and supply must be linked in any such solution. This is not about local supply irrelevant of the source of the energy *per se*, but instead about providing an avenue for local renewable generators to sell on their supply to local people;
- The electricity involved has to be generated from renewable sources. It is no good having someone seeking to provide diesel generator produced power;
- The energy must be generated locally to the point of supply. The whole point of getting some form of exemption – which is the real purpose here – is to keep this local;
- The activity has to be small scale to justify such a significant relaxation of the normal rules (which after all are there for a purpose themselves);
- The rules applying under the exemption have to be simple and not overly complex, but the activities must remain under proper regulatory control.

If the blueprint above is adhered to, then there may be a chance of getting sufficient support from the right quarters to justify a change in the law.

However, as indicated above, we have to recognise that the rules are there for a legitimate purpose and therefore the Government will be deeply cautious about any such relaxation, particularly at a time when so many smaller energy companies have gone out of business.

So in our view, the supply could be constrained by one of the following:

Scale

- The scale would have to be small – measured perhaps by the number of customers or by the capacity of supply in kWh or MWh.

Geography

- The physical extent over which the energy generated could be sold would need to be carefully controlled by either a defined or an administrative area. Remember city areas often have wide boundaries;
- There are various ways this could be defined.

Purpose of the Business

- The purpose of the business has to be to sell locally generated power to local people;
- Not to set up a standard electricity supply business offering fossil fuel supply, just based at local level.

The Local Electricity Bill

This leads us on to the drafted Local Electricity Bill. To be fair to Power for People, it has said that it is open to discussion and suggestions as to drafting and this note is written in the spirit of support. It is written as a Bill and we have reviewed it as such. As it stands we feel it is flawed. There are problems across many of its clauses, each of which can be improved.

This is apparent in the covering email from Power for People which says that the Bill, if made law, would empower local communities to sell locally generated clean energy directly to local customers "by establishing a statutory right to local supply." An early problem appears to be that the drafted document does not actually do this.

Featured below are other problem areas that could be highlighted:

Clause 1

Clause 1 states that the purpose of the Act is to "encourage and enable the local supply of electricity." This is a far cry from a 'statutory right to local supply'.

Fundamentally, this Clause does not link the electricity to renewable energy and this alone is a fatal omission. Neither does it link it to local generation (although Clause 3 below hints at this).

Clause 2

This clause creates the concept of a 'local supply licence', which is defined as a licence granted to a local supplier to supply electricity.

This needs to be much more tightly defined and is largely meaningless as drafted.

Clause 3

Clause 3 concerns regulation and recognises that Ofgem will still need to be involved. It requires Ofgem to issue a local supply licence to a 'generator' if that person understands what they are doing. But the definition of local supply licence in Clause 4 does not include this important fact and this is the first mention of any link to local generation.

Ofgem has to ensure that the costs of the licence are proportional to the size of the business and that the regulations are 'as simple and straightforward as possible.' This is not legislative language and is far too vague.

Clause 4

Profit is also not addressed properly, as 'business' is defined in Clause 4 as including individuals and not for profit organisations but going no further. The element of profit is not a problem here, as profiteering is both unlikely to happen and unlikely to be successful. Elsewhere, the need for energy supply companies to have some reserves has been well illustrated, so this activity does not need to be of a 'not for profit' nature. The generation of a reasonable surplus will also allow further investment in more renewable energy in the area.

Summary

It could be construed from the language of the Bill that a local supply licence would be geographically limited but without a proper link to renewable energy or the generation of that power. A small scale supplier could apply for a licence under the provisions as drafted here and provide electricity generated by a diesel generator in his or her garage.

There is a far larger goal here and that is to promote clean energy and to ensure that both the provisions of the Climate Change Act 2008 (as amended) and the declaration by the UK Government of a climate emergency (together with nearly 300 local authorities) are promoted at the same time.

It appears that the overall aim of linking local generation of electricity from renewable sources with local people who need that power has somewhere been lost in poor drafting.

Current Exemptions

It should not be forgotten that there are current exemptions which already exist under the Electricity Act 1989, in order to allow smaller capacities of generation, distribution and supply to avoid the higher levels of regulation.

One example is provided for by Schedule 4 to the Electricity (Class Exemptions from the Requirement for a Licence) Order 2001 (SI 2001 no 3270), which provides the exemptions for supply of electricity to consumers. In particular:

- Persons other than licenced suppliers who do not supply any electricity except electricity which they generate themselves and who do not at any time supply more electrical power than 5 MW, of which not more than 2.5 MW is supplied to domestic consumers, are exempt;

What these provisions mean is that the Electricity Act 1989 will give smaller generators, distributors and suppliers exemptions from the more onerous parts of the legal rules. So using the example of a solar farm, if it is not generating more than 5 MW of capacity and is providing only 2.5 MW to domestic customers, it will not need to follow the main licencing provisions under the 1989 Act.

The new Bill therefore has to differentiate itself from these provisions and make the case forcefully for further change.

Conclusions

As indicated above, this analysis of the Local Electricity Bill is not intended to be negative. The concept is good and the solution is definitely required, but this is a complex area of regulation.

There is no clarity on how this Bill would interact with current exemptions under the Electricity Act 1989, on Power Purchase Agreements, Feed in Tariffs or the Smart Export Guarantee. There is no clue either as to how it would complement or replace current models for community energy such as the Energy Local model or energy co operatives. These issues all need to be thought through.

The issue here is whether this Bill is the right way to do this. As a Bill it, requires more attention as noted above. Parliamentary draughtsmen and women are highly skilled and experienced lawyers and a more professional approach is required to the wording of any proposed new legislation.

But above and beyond that, local authorities need to consider the shape and form of any such solution and ensure that wide public support is added to their own, that OFGEM and others are properly consulted and that a safer route through Parliament is identified.

Contact details

If you have any questions about this briefing or want to know more about how APSE Energy can help, please contact Phil Brennan, Head of APSE Energy on 0161 772 1810 or at pbrennan@apse.org.uk or Charlotte Banks, Energy Research and Project Officer on 0161 772 1810 or at cbanks@apse.org.uk.

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Safer Schools Motion

Committee considering report:	Executive
Date of Committee:	17 th December 2020
Portfolio Member:	Councillor Richard Somner
Date Portfolio Member agreed report:	3 rd December 2020
Report Author:	Neil Stacey
Forward Plan Ref:	EX3964

1 Purpose of the Report

To respond to a Motion, proposing a range of safety and environmental improvements outside schools, which was presented to Council by Councillor Erik Pattenden in March 2020.

2 Recommendations

- 2.1 The measures proposed in Councillor Pattenden's Motion may be appropriate in certain circumstances in some locations but should not be implemented as a single initiative;
- 2.2 The Council continues to implement road safety and environmental improvements outside schools on the basis of identified local needs as part of the annual capital programme;
- 2.3 The Council continues to invest in highway infrastructure that promotes and enables active travel, especially to schools, as part of the annual capital programme;
- 2.4 The Council continues to work with schools to deliver road safety initiatives to equip children with the skills and knowledge required to travel to school safely, especially on foot or by bicycle or scooter. The Council should also evaluate the extent to which schools are aware of and engaged with these services;
- 2.5 The Council continues to promote active travel to school, which by reducing reliance on car-based transport will lead to an improvement in local air quality and improve the health, fitness and mental wellbeing of children;
- 2.6 The Council continues to monitor air quality across the district and to engage with schools to promote initiatives to reduce vehicle idling.

3 Implications and Impact Assessment

Implication	Commentary			
Financial:	None. Budgets are already in place for many of the suggested measures.			
Human Resource:	None.			
Legal:	None.			
Risk Management:	None.			
Property:	None.			
Policy:	None.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		

Health Impact:		X		
ICT Impact:		X		
Digital Services Impact:		X		
Council Strategy Priorities:		X		
Core Business:		X		
Data Impact:		X		
Consultation and Engagement:	The issues outlined in this report have been discussed by the Transport Advisory Group.			

4 Executive Summary

- 4.1 The purpose of this report is to respond to a Motion suggesting various safety and environmental improvements outside schools, which was presented to Council by Councillor Erik Pattenden in March 2020.
- 4.2 The issues raised by the motion are the responsibility of several different teams across the Council. Consultants were commissioned to investigate the principles and practicalities of implementing the proposed measures by drawing on national guidelines and best practice, experience with other clients and by discussing the issues with the appropriate West Berkshire Council officers. The consultants’ report concluded that the Council already has several different initiatives in place to address road safety and environmental issues outside schools, that some of the measures were only appropriate in certain locations and in certain circumstances and that practical, legal and resource issues prevented some of the measures from being taken forward.
- 4.3 When discussed at the Transport Advisory Group (TAG) in October 2020, there was a mixed response to the consultants’ report among members, with some being of the opinion that the issues raised should be treated as a higher priority or with greater urgency.
- 4.4 The recommendations of this report are drawn from the consultants’ report (Appendix A) and in light of the comments made by TAG.

5 Supporting Information

Introduction

5.1 This report provides information to enable the Executive to decide whether the Motion submitted by Councillor Pattenden at the Council meeting in March 2020 should be implemented.

Background

5.2 At the meeting of Full Council in March 2020, Councillor Pattenden submitted the following motion, referred to as the “Safer Schools Motion”:

“This Council notes that:

- *Our residents, staff and children, are exposed to unnecessary levels of pollutants outside of schools at peak times in the morning and afternoon;*
- *Epidemiological studies show that symptoms of bronchitis in asthmatic children increase in association with long-term exposure to pollutants, as well as stunting lung growth;*
- *Only a handful of schools across the country are trialling “No Vehicle Idling zones” yet they bring many health benefits;*
- *Air pollution poses a serious threat to the health and development of young people: while many of the policy interventions to rectify this problem would have to come from central Government, this Council can do more and needs to be proactive on this issue;*
- *The National Institute for Health and Care Excellence (NICE) and Public Health England (PHE) produced new guidance in 2017 that recommended “no vehicle idling” areas in places where health-vulnerable people collect, such as outside schools, hospitals and care homes, and in areas where exposure to road-traffic-related air pollution is high;*
- *According to the Royal Society for the Prevention of Accidents, evidence shows that 20mph zones are an effective way of preventing injuries on the road;*
- *Research estimates the chance of fatality from being hit by a car driving at 20mph at 1.5% versus 8% at 30mph;*
- *There are 80 schools across the district, some of which are in 40 mph zones.*

This Council resolves to:

- *Review the work done on No-Vehicle-Idling nationally in other local authorities and work this into an action plan for No-Vehicle-Idling Zones across West Berkshire;*
- *Implement enforceable No-Vehicle-Idling Zones around all primary schools in the District by the end of 2021, with at least 4 pilots by Spring 2020;*
- *Use the experience of the pilot zones to determine whether these measures should be implemented via enforceable enhancements to existing Council policies, or via a new by-law;*
- *Work closely with schools that are part of the scheme to inform parents and carers of the No-Vehicle-Idling Zones;*

Safer Schools Motion

- *Encourage local businesses to sponsor green walls on school buildings and tree planting near schools and the appropriate Executive Member include this in their action plan;*
- *Set up a task group to review the speed limit outside each school;*
- *Create a toolkit of potential actions for schools to take in order to make roads safer for children, as is most appropriate for that area, including requesting road-markings and additional lights from the Council;*
- *Offer all schools the option of signing up to a Safer School Zone which will include red road markings to prevent dangerous parking and additional visits from Traffic Enforcement Officers;*
- *Look at locations where appropriate additional changes could be made, such as making certain roads near schools one way.”*

5.3 The Motion was referred to TAG for further discussion, a summary of which is included in 5.6 below.

5.4 It is acknowledged that seven months elapsed between the presentation of the Motion and its consideration by TAG. This was because the issues raised cut across the work of a number of different teams and services within the Council, including Traffic Management and Road Safety, Transport Policy, Environmental Health and Public Health. The workload and priorities of each of these teams have been affected in recent months by the Covid-19 pandemic.

5.5 Given the above, it was not possible for Officers to compile a comprehensive report in response to the Motion and the decision was therefore taken to employ consultants WSP to assist. WSP were asked to investigate the principles and practicalities of implementing the requested measures by drawing on national guidelines and best practice, experience with other clients and by discussing the issues with the appropriate West Berkshire Council officers.

5.6 WSP's report, which is included as Appendix A to this report, was presented to the Transport Advisory Group (TAG) on 29th October 2020. During the resulting discussion the following points were made by members:

- (a) The report was rather defensive and there was a degree of complacency about the conclusions of the report.

Officer comment: The report was not intended to be defensive, but to identify with clarity the many positive initiatives that the Council already has in place or is planning for the future that address safety and environmental issues outside schools.

- (b) The environmental issues raised in the Motion are not being treated with sufficient urgency or priority, particularly with respect to local air quality and vehicle idling.

Officer comment: With the recent publication of the Council's Environmental Strategy there is a stronger focus on environmental issues than ever before. Specifically with respect to vehicle idling, advisory signs will shortly be placed at key locations where this is a problem. The Public Protection Partnership are running a competition for school children to produce artwork to raise awareness

of the health and environmental impact of vehicle idling (<https://publicprotectionpartnership.org.uk/environmental-health/air-quality/clean-air-day-schools-competition/>). However, the enforcement of idling offences is a particularly difficult matter as noted in the WSP report.

- (c) The Council could do more to make schools aware of the services it provides in respect of road safety education and promotion of active travel.

Officer comment: The extent to which schools are aware of and engaged with these services could be evaluated. However, it must be noted that schools are responsible for producing and updating their School Travel Plans and the Council has finite resources to assist them in this process.

- (d) The removal of the School Travel Plan Officer post did not help with the encouragement of cycling.

Officer comment: School Travel Planning is a non-statutory activity and the associated post was deleted from the establishment in 2012 as a result of revenue funding reductions at the time. Although the promotion of active travel to school forms part of the Environment Strategy Delivery Plan, discussion will need to take place with Public Health and Education Officers to see how this can be taken forward if it remains unfunded.

- (e) Could more be done to encourage and promote car sharing for school journeys?

Officer Comment: This is something which could be the subject of further work if there was sufficient resource to support schools with their Travel Plans (see point (d) above). The local promotion of car sharing by individual schools is likely to be the most effective way forward with support from the Council in terms of how to match people up and the provision of guidelines around practicalities, safety and insurance.

- (f) It can be frustrating that bureaucracy prevents initiatives from being taken forward.

Officer comment: The Council has to work within national legislation, particularly with respect to the enforcement of parking and vehicle idling offences, and the proper procedures need to be followed.

- (g) Some issues with the wording of the report were pointed out and suggestions made as to how clarity could be improved.

Officer comment – These have been pointed out to WSP, who have revised the report accordingly.

Proposals

- 5.7 The work undertaken by the Council's consultants concluded that the Council is already taking substantial action to address road safety and environmental issues outside schools, some of which overlap with the suggestions made in Councillor Pattenden's Motion. It is proposed that the Council continue with these various measures, which include:

Safer Schools Motion

- (a) implementing road safety and environmental improvements outside schools on the basis of identified local needs as part of the annual capital programme, for example pedestrian crossing points, traffic calming, warning signs, safety railings and parking restrictions;
- (b) investing in highway infrastructure that promotes and enables active travel, especially to schools, as part of the annual capital programme, for example improved footways and cycleways and enhanced cycle parking facilities;
- (c) working with schools to deliver road safety initiatives to equip children with the skills and knowledge required to travel to school safely, especially on foot or by bicycle or scooter. However, the Council should also evaluate the extent to which schools are aware of and engaged with these services;
- (d) promoting active travel to school, which by reducing reliance on car-based transport, will lead to an improvement in local air quality and improve the health, fitness and mental wellbeing of children;
- (e) monitoring air quality across the district and engaging with schools to promote initiatives to reduce vehicle idling.

6 Other options considered

Each of the specific suggestions made in Councillor Pattenden's Motion were considered by the consultants and discussed with Council officers, with comments as to the feasibility of each being made in the report in Appendix A.

7 Conclusion

- 7.1 WSP have examined the measures suggested by the Safer Schools Motion and considered whether they are feasible, effective and value for money. They have also worked with officers to set out how the various teams within the Council currently address road safety and environmental issues near schools. The summary of their report states that:
- (a) Many of the actions proposed in the Motion are already in place in West Berkshire, albeit not necessarily in the exact form suggested. Some of the actions suggested have precedent, having been used elsewhere and the Council is aware of these options and able to consider whether they should be implemented in West Berkshire.
 - (b) Some of the measures suggested are not suitable for widespread or "blanket" implementation around West Berkshire but rather should be used in response to identified issues, with the most appropriate measure used to mitigate an identified air quality or road safety issue, depending on a wide range of factors such as the nature and source of the issue, and characteristics of the local environment.
 - (c) Some of the measures proposed would unfortunately have little tangible benefit, require staffing or financial resources beyond what is currently available, or offer low value and are therefore not recommended.

8 Appendices

8.1 Appendix A – Safer Schools Motion – Measures Study, WSP October 2020

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 Committee or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected: all wards

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West Berkshire Council

SAFER SCHOOLS MOTION

Measures Study





West Berkshire Council

SAFER SCHOOLS MOTION

Measures Study

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1 INTRODUCTION

1.1.1. WSP has been commissioned by West Berkshire Council to provide transport planning support in response to a Safer Schools Motion (SSM) raised by a councillor from the local authority. WSP are to investigate the principles and practicalities of implementing measures outside schools that improve safety, health and the environment. To do this, WSP are to draw on national guidelines and best practice, experience with other clients and information and expertise provided by West Berkshire Council officers.

1.2 SAFER SCHOOLS MOTION

1.2.1. The SSM has identified a range of issues and measures that are to be investigated including:

- The impact of idling cars and an investigation into enforcing no vehicle idling zones;
- The use of green walls;
- Schools residing near roads with 40mph speed limits; and
- Safer Schools Zones.

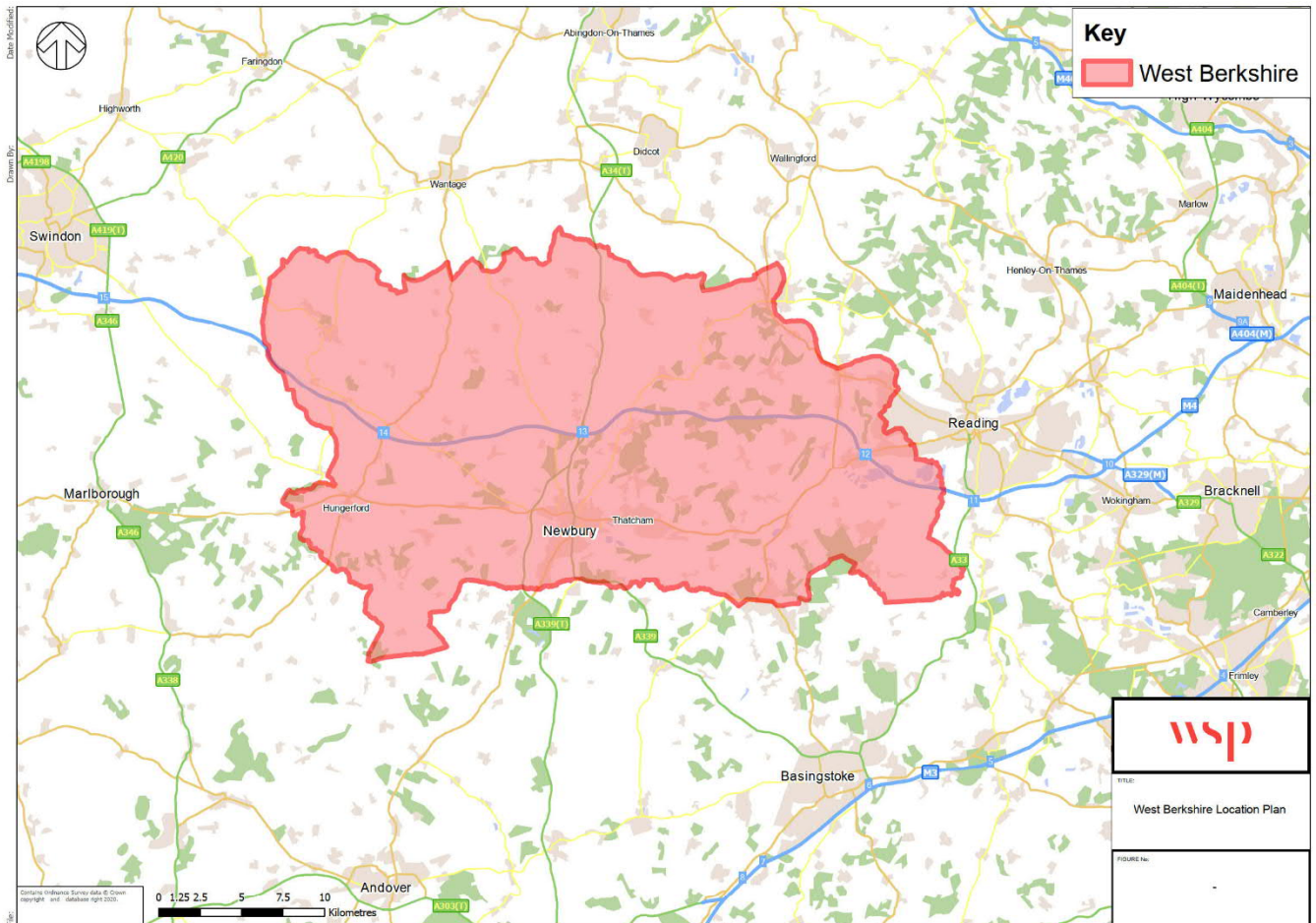
1.2.2. This report will determine the suitability and value of implementing the above measures in the context of West Berkshire, as well as highlighting the measures that have already been implemented. To achieve this, the report will explore best practice and whether it is appropriate for West Berkshire, before providing a recommendation for any next steps to be taken.

1.3 WEST BERKSHIRE

1.3.1. West Berkshire is a local authority that sits in between Oxfordshire, Wiltshire, Hampshire, Reading and Wokingham authorities. West Berkshire is largely rural in nature with Newbury being the main urban area within the Authority. Thatcham is situated just east of Newbury and is the next most built up location. The eastern part of the District is also urban in nature due to its proximity to Reading. The remaining land is largely made up of villages.

1.3.2. Key roads that go through West Berkshire include the M4, running between Bristol and London, the A34, running between Winchester and Bicester and the A339, running between the M3 at Basingstoke and Newbury, in addition to the A4, A349, A329 and A338. Some B roads serve the area, but the majority of villages are connected via smaller roads. The location of West Berkshire is depicted in **Figure 1-1**.

Figure 1-1 - Location Summary of West Berkshire



- 1.3.3. There are approximately 80 schools in the West Berkshire area. Given the mix of rural and urban areas, it is anticipated that different measures are likely to be most relevant at the differing locations.
- 1.3.4. It is anticipated that schools in rural locations are likely to have better air quality than schools in urban areas. It is expected that the value of measures in these rural areas will be limited.

1.4 AIR QUALITY MANAGEMENT AREAS (AQMA’S)

1.4.1. Air Quality Management Areas have been designated in each local authority in the UK. This is to carry out a continual review and assessment of air quality, measure air pollution and to forecast future readings. These areas have been designated if a local authority has locations which are unlikely to achieve National Air Quality Objectives¹. West Berkshire has two AQMA’s, one is located

¹ https://uk-air.defra.gov.uk/assets/documents/National_air_quality_objectives.pdf

in Newbury, the other in Thatcham. No AQMA's are located in the other more rural areas of West Berkshire.

- 1.4.2. The AQMA located in Newbury is situated around the roundabout junction of the A339, A343 and Greenham Road. It was established in May 2009 and measures Nitrogen Dioxide (NO₂). The AQMA located in Thatcham is situated around part of the A4, from the Harts Hill Road junction to the Broadway junction. It was declared in November 2011 and also measures Nitrogen Dioxide (NO₂). St Nicolas School is situated in Newbury and Francis Baily school is located in Thatcham – however their distance from the AQMA's makes them unlikely to be adversely affected. Newbury Gardens Day Nursery *is* situated close by to the AQMA. Whilst the motion does not refer to nurseries, it is worth recognising their relevance.
- 1.4.3. Following the implementation of the AQMA's, West Berkshire Council produced an Air Quality Action Plan (AQAP). This document draws together a plan to improve air quality by identifying options for environmental improvements.

2 SAFER SCHOOL MOTION: ANTI-IDLING

2.1 INTRODUCTION

2.1.1. The SSM identifies that anti-idling could be implemented and enforced through existing or new council policies. The Motion states:

- Review the work done on No-Vehicle-Idling nationally in other local authorities and work this into an action plan for No-Vehicle-Idling Zones across West Berkshire;
- Implement enforceable No-Vehicle-Idling Zones around all primary schools in the district by the end of 2021, with at least 4 pilots in Spring 2020;
- Use the experience of the pilot zones to determine whether these measures should be implemented via enforceable enhancements to existing Council policies, or via a new by-law; and
- Work closely with schools that are part of the scheme to inform parents and carers of the No-Vehicle-Idling Zones.

2.2 FEASIBILITY, EFFECTIVENESS AND VALUE

2.2.1. Vehicle idling is an offence against the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002. The law states that it is an offence to idle your engine unnecessarily when stationary. If you fail to turn your engine off after being spoken to you may be issued with a fixed penalty notice.

2.2.2. Formal enforcement via Civil Enforcement Officers (or any other Council Officers granted delegated authority to do so) relies on resources being both available or additional funding available.

A study was conducted by Abrams *et al* (2019) at two rail crossings in Canterbury to test the impact of three different approaches to signage. Three different types of sign were installed; one appealing to responsibility, one highlighting the impact of switching off engines, and one that reflects on one's actions. All three types of sign saw a significant increase in the number of drivers switching off their engines, but the most effective sign was the one appealing to responsibility, with a 40.5% switch off rate.

2.2.3. Research around the effectiveness of anti-idling for improving air quality around schools is scarce. However, some research is available about the effectiveness of campaigning as a means of encouraging anti-idling. The Vehicle Idling Partnership (2017) produced a report detailing the effectiveness of a series of Vehicle Idling Action Days. The report also provides a wealth of recommendations for further anti-idling activities. When it comes to monitoring the success of the programme, the report states that there was no quantifiable evidence to suggest that any of the programme contributed to a reduction in emissions. The following quote is an excerpt detailing their experience with this.

“The NOx and PM emissions savings estimates should be treated with extreme caution as there is a great deal of uncertainty associated with these figures. Apart from the uncertainty associated with the emissions factors, we were not in a position to capture data on the frequency and length of idling events by vehicle type and we are not aware of any existing research which quantifies this. We also do not know to what extent behaviour will change as a result of an intervention. We believe that the approach adopted for this project will stick in drivers' minds and they will recall it next time they are in the same situation, but we do not have firm numbers to quantify the 'stickiness' of this intervention”

- 2.2.4. This emphasises how it is challenging to quantify the impact of anti-idling measures upon air quality, hence why active travel is encouraged as an alternative.
- 2.2.5. Whilst the notion of anti-idling is positive, the context of West Berkshire should also be emphasised. A significant proportion of West Berkshire is rural in nature, so the approach of anti-idling and its impact on the environment cannot be evidenced and as such it is challenging to demonstrate that this approach offers good value.

2.3 WEST BERKSHIRE EXISTING MEASURES

- 2.3.1. In 2019 there were only two occasions where the AQMA exceeded the hourly objective, meaning that the annual objective was met. The annual concentrations have also showed decreasing levels of NO₂ since 2015.
- 2.3.2. West Berkshire Council have undertaken many actions to improve air quality within the district and are set to progress numerous highway initiatives, including improvements to cycling facilities at schools to maintain the control they have over their air quality readings.
- 2.3.3. Most notably, a competition is currently being run for schools across West Berkshire, Bracknell Forest and Wokingham Borough Council. As part of the national 'Clean Air Day' initiative, West Berkshire Council is encouraging schools to enter into the competition with their Anti-Idling Campaigns. The winning artwork, submitted by pupils, will be used for anti-idling banners, posters and promotional material, which will be displayed around the school and local area.
- 2.3.4. In addition to this, West Berkshire Council have had many actions recognised by DEFRA, in the 2019 Annual Status Report, for contributing to an improvement of air quality in the wider Authority, not solely in the context of schools.
- 2.3.5. These actions include:
 - Improving traffic flow on A339 / Bear Lane Roundabout;
 - Bio-Gas Buses running to and from Reading;
 - A car club set up in 2016. This has over 100 members with access to five vehicles, including an electric car;
 - Many electric trains now running through the District;
 - Reducing HGVs going through Newbury with the implementation of positive signage to influence HGVs to use the bypass;
 - More walking, running and cycling groups, such as 'Let's Ride', 'Run Together' and 'Walking for Health'.
 - The addition of 31 Electric Vehicle charging points in 2019;
 - The expansion of the National Cycle Network 422 (A4 Newbury – Thatcham);
 - Improved directional signage for pedestrians and cyclists; and
 - Improved and additional cycle parking facilities at schools (funding has been provided in the 2020-21 annual Council budget.
- 2.3.6. Subject to funding and approval, West Berkshire also anticipates the following measures to progress in the upcoming years:
 - Road and capacity improvements on the highway network, including Robin Hood Roundabout, A339 Sandford, Kings Road Link Road, and A4;
 - Further improvements to A4 cycle route;

- An increase in the number of electric vehicles available the car club in Newbury; and
- Further Electric Vehicle charging points.

- 2.3.7. In terms of a harder enforcement approach, Local Authorities already have powers to enforce unnecessary idling through the Road Traffic Regulations 2002, which allows local authorities to issue FPNs for “stationary idling Offences”. The police are also able to enforce “stationary idling offences” through Regulation 98 of Road Vehicles Regulations 1986.
- 2.3.8. Under Reg 6(3) of the Road Traffic Regulations 2002, *‘A local authority (whether or not a designated local authority) may authorise any officer of the authority, or any other person, in accordance with regulation 12 to stop the commission of stationary idling offences and to issue an FPN in respect of such offences committed in its area’*.
- 2.3.9. West Berkshire Council has not ever issued an FPN for vehicle idling. Enforcement of unnecessary idling appears sparse; only two local authorities were found to have issued FPNs in 2018 with Southwark issuing nine and Westminster issuing 20. Despite these London authorities likely having poorer air quality, the low number of FPNs suggests that issuing FPNs is not a primary mechanism for tackling air quality issues.
- 2.3.10. Prior to using this power, its use should be widely publicised to make the public aware of the local authority’s ability to enforce anti-idling.
- 2.3.11. West Berkshire Council is already implementing many improvements within the district that are having a positive impact upon the local air quality. Anti-idling campaigns are underway in the District; however significant improvements to air quality are primarily being achieved by improvements to highway network and promoting active travel.

3 SAFER SCHOOLS MOTION: GREEN WALLS

3.1 INTRODUCTION

- 3.1.1. The SSM identifies that local businesses could be encouraged to “*sponsor green walls on school buildings and tree planting near schools, and the appropriate Executive Member include this in their action plan*”.

3.2 FEASIBILITY, EFFECTIVENESS AND VALUE

- 3.2.1. The implementation of a green screen on school buildings would need to be considered on a case-by-case basis to determine the suitability of such a measure.
- 3.2.2. Research has identified a number of benefits of having green walls installed in and around the classroom— particularly in terms of improving mental health, behaviour, critical thinking and selective attention, and reducing fatigue (McCullough *et al.* 2018). However, the effectiveness of green screens in improving air quality has not been comprehensively proven through research and are usually provided as part of a wider package of measures.
- 3.2.3. Kings College London undertook a study to assess the efficacy of green screens in preventing vehicle emissions from nearby roads reaching school grounds, through the installation of an ivy screen. In this instance the screen was found to be an effective pollution barrier once the ivy had started growing and a significant impact could be seen once the screen had matured. It led to a decrease in the pollution concentrations on the playground side by 23% for NO₂ and 38% for PM₁₀.
- 3.2.4. Schools may also be interested in implementing green walls because they also provide aesthetic benefits as well as increased privacy, biodiversity and noise reduction.
- 3.2.5. Implementing planting ‘near schools’ is likely to result in planting on highway land. This will therefore have a maintenance burden on the highway authority, for which funding is required, as well as any planting needing to be sensitive to less mobile and visually impaired highway users.

3.3 WEST BERKSHIRE EXISTING MEASURES

- 3.3.1. With tree planting and green screens not an evidenced effective way of improving air quality at schools, measures already implemented by West Berkshire Council are likely to be more effective and offer greater value than providing green walls.
- 3.3.2. Tree planting on the highway is already taking place in West Berkshire and the newly published Environment Strategy (2020 – 2030) acknowledges tree planting more widely as a means of carbon reduction, including around schools. Tree planting will be included in the Delivery Plan for the Environment Strategy to enhance the natural environment and to reduce greenhouse gases and impurities in the atmosphere. It could be considered that the notion of implementing green walls and tree planting at schools is more effective as a part of the delivery of the Environment Strategy, as opposed to the SSM.

4 SAFER SCHOOLS MOTION: SPEED LIMITS

4.1 INTRODUCTION

- 4.1.1. The SSM identifies that a *“task force could be set up review the speed limit outside each school. Fast moving vehicles within close proximity of schools can present both highway safety and air quality issues”*.

4.2 FEASIBILITY, EFFECTIVENESS AND VALUE

- 4.2.1. The implementation of speed limits, requiring a Traffic Regulation Order to deliver, will require public and statutory consultation. The Police (a statutory consultee) are only likely to support a TRO if there is a demonstratable need for a reduction in speed limit, such as through accident data, on the basis that the Police force will be responsible for enforcing the reduced speed limit.
- 4.2.2. It is also acknowledged that the reduction of vehicle speeds does not always produce an improvement in air quality, due to vehicle gearing and the need to accelerate through traffic calming (required to enforce vehicle speed limits).
- 4.2.3. WBC have previously investigated the benefits of implementing 20mph advisory school speed signs in 2013. Four primary schools had 20mph advisory speed limit signage, and evidence indicates that this did not result in reduced vehicle speeds at these schools. In fact, the study showed that the larger the 20mph school sign, the more drivers speed increased. This increase in speed potentially creates a higher risk for pedestrians, who would expect that drivers would be driving slower around the signage.
- 4.2.4. This was followed in 2019 by the implementation of a 20mph advisory school speed limit sign outside Park House Academy, following a pedestrian incident outside the school. Speed data was collected that indicates that driver speeds have not significantly decreased, and in fact resulted in increased minimum recorded speeds as drivers may have seen the signs as permission to drive faster, resulting in increased conflict potential.
- 4.2.5. As a result, WBC does not have evidence to suggest that the implementation of 20mph restrictions outside schools would materially improve road safety or decrease pedestrian collision risk.

4.3 WEST BERKSHIRE EXISTING MEASURES

- 4.3.1. In the case of West Berkshire, there are just two schools situated on roads with speed limits in excess of 30mph; Enbourne C of E Primary School on Skinners Green Lane which features a National Speed Restriction of 60mph in a rural village and The Downs School on Manor Crescent, which features a 40mph speed limit but has a school flashing sign with an advisory 30mph speed limit.
- 4.3.2. West Berkshire already has a robust process in which a speed limits are reviewed annually by a task group. This task group works closely with parish councils and the police to ensure that areas are designated suitable speed limits. The task group carefully assesses each proposal using government criteria and best practice.
- 4.3.3. The West Berkshire Speed Limit Policy strives to set speed limits that are successful in managing driver's speeds and are appropriate for the roads that they apply to. West Berkshire recognises that a speed limit should not be changed to address a single hazard and other measures should be

considered before a speed limit reduction is progressed – such as traffic calming. This is because it has been proven that lowering a speed limit is not necessarily successful in reducing the speed of traffic, as drivers generally drive at a speed that matches the environment. Whilst hard measures are more expensive, they do tend to be more effective at controlling driver behaviour.

- 4.3.4. When a request for changing a speed limit has been received, speed data and injury accident data is collected. The route is also visited by an officer, who will take a video. A report will then be prepared, and a review will be undertaken by a panel, made up of cross-party members, police, a specialist traffic engineer and the speed coordinator. The review is chaired by an elected member and the ward members are invited to the review meeting to participate in discussion. A realistic timescale for the implementation of a new speed limit is two years from when the request is received.
- 4.3.5. Taking this into consideration, it would be unfeasible and offer poor value to review the speed limits outside of all schools in West Berkshire due to the resources it would require and the time it would take, given an effective process is already in place to achieve this. In particular, it is noted that all but two schools are already in 30mph areas suggesting that the management of driver behaviour will present better value and be more effective at improving air quality and safety at schools.
- 4.3.6. As demonstrated above, there is already a process in place for altering speed limits in West Berkshire, therefore setting up a task force is not required.

5 SAFER SCHOOLS MOTION: SCHOOL ACTION TOOLKIT

5.1 INTRODUCTION

- 5.1.1. The SSM indicated that “a toolkit of potential actions for schools to take in order to make roads safer for children, as is most appropriate for that area, including requesting road markings and additional lights from the Council”.

5.2 FEASIBILITY, EFFECTIVENESS AND VALUE

- 5.2.1. A toolkit is not considered to be a measure itself and is considered a mechanism for implementing a range of measures. As such, it is difficult to comment on the validity of this suggestion when the measures contained within the toolkit have not been established. However, West Berkshire Council already has in place a wide range of measures and potential measures available that would make up a toolkit.
- 5.2.2. In particular, the suggested measure of increased illumination would need to consider the ecological impacts (for example on bat roosting) as well as the availability of suitable services within the highway network. As such, a case-by-case assessment would be required for the implementation of additional illumination.
- 5.2.3. Similarly, “requesting road markings” is a non-specific and could range from refreshing faded existing lining to changing the priority of junctions. The refreshing of faded existing road markings is considered to be on-going maintenance that is required to retain the safety of the road network and WBC has an established process for the monitoring and refreshing road markings.
- 5.2.4. West Berkshire Council has existing resources that can be utilised by schools to address highway issues. Whilst these are not labelled as a ‘toolkit’, they are available for schools to consider and pursue. These are detailed below.

5.3 WEST BERKSHIRE EXISTING MEASURES

- 5.3.1. West Berkshire Council already have a range of measures and potential measures in place that make up a “toolkit” without being defined as such. The various measures described throughout this report can be used when an issue is identified, and various criteria applied to determine which of the measures available are most suitable to implement.

ACTIVE TRAVEL

- 5.3.2. West Berkshire Council is proactive in improving walking and cycling facilities around the District and schemes have been implemented and are planned that will provide benefits to schools and enabling safe, active travel.
- 5.3.3. As of 2010, it was a requirement for schools to have a travel plan. These contain information about active travel options, travelling safely and best practice for parents / guardians accompanying their children to school. This has since moved to an online platform. Some schools have updated their travel plans with the shift online. Other schools have not updated them but at least have a travel plan from 2010.
- 5.3.4. There are many measures that can be implemented to address the issues identified through School Travel Plans. One such measure that was developed by the Council and is appropriate for almost all Primary schools to engage with is the active travel reward scheme. The scheme has age

appropriate elements known as 'Go Kinetic' for Years 1-6 and 'Steposaurus' which is most suited for nurseries, pre-schools and reception. Children have their own 'passport' stamped each time they walk / cycle or scoot to school. As they collect stamps they work towards rewards which can be given out in school assemblies making the scheme very visible in school and encouraging others to take part.

5.3.5. Several active travel schemes are set to be delivered in the near future, including:

- A Local Cycling and Walking Infrastructure Plan (LCWIP). This will seek to improve cycling and walking infrastructure around Newbury and Thatcham. It will mostly impact upon primary routes around the area, however schools are being considered within the analysis. LCWIPs do aim to increase the number of school children using active modes of transport when commuting to school. West Berkshire Council has previously collaborated with Reading Borough Council in the development of their LCWIP. This was to include routes to serve the urban fringe and commuter zones of Reading.
- Additional cycling and walking improvements that are set to be delivered this financial year, funded by the Emergency Active Travel Fund. This includes a pilot 'school street' taking place in the near future. Some of the proposals within this scheme that will specifically benefit schools are:
 - The Closure of Lawrences Lane to vehicle traffic, providing a safe pedestrian and bicycle link in a rural area. This will enable the implementation of a walking bus route to Finians School.
 - The closure of Deadman's Lane to motor vehicle traffic, creating a safe pedestrian and cycle link adjacent to Theale Green School.
 - Converting Curtis Road into a school street with temporary restrictions at school drop-off and pick-up times, creating safer conditions for pupils at Calcot Junior School. It is worth noting that Calcot has an existing Park and Stride scheme in place.
- Improvements to the cycling facilities on the A4 corridor in Newbury and Thatcham. This is primarily formed of segregated cycle tracks on London Road between Hambridge Road, London Road Retail Park and Bath Road.
- Secure cycle parking for schools.

HIGHWAY SAFETY

- 5.3.6. In addition to this, West Berkshire Council already has a large repertoire of highway safety resources that are available to schools. Various road safety campaigns have been delivered in schools and these have still been available online during COVID restrictions. West Berkshire Council has provided information to encourage schools to implement walking buses, park and strides and bike training, as well as mapping tools that identify the best local routes around schools. Many schools will have integrated this information into their travel plans.
- 5.3.7. West Berkshire Council also promotes road safety through educational workshops and public engagement. These are designed to raise awareness of age-related risks on the roads. These consist of presentations delivered in assemblies and classrooms, and for other groups in the community.
- 5.3.8. This information is collated on the Berkshire-wide safer roads website(<http://saferroads.org>). and West Berkshire Council Road Safety Website (<https://info.westberks.gov.uk/roadsafety>). These both offer advice about road safety and the educational initiatives available as well as practical advice

about the roads and further resources. The websites also act as a point of contact for those wishing to find more information or advice.

- 5.3.9. Additional highway measures that are supported by the council include regular maintenance of Zig-Zag 'Keep Clear' lines, painted railings and pedestrian crossings. Between 2008 and 2013, School Flashing Signs were installed at all schools in West Berkshire. West Berkshire Council has spent more than £350k on installing and maintaining School Safety Signs.
- 5.3.10. These measures form the content of a toolkit and can be easily accessed when needed as part of an investigative process.

6 SCHOOL SAFETY MOTION: DANGEROUS PARKING

6.1 INTRODUCTION

- 6.1.1. In addition to the above measures, the SSM suggests that schools could be offered “*the option of signing up to a Safer School Zone which will include red road markings to prevent dangerous parking and additional visits from Traffic Enforcement Officers*”

6.2 FEASIBILITY, EFFECTIVENESS AND VALUE

- 6.2.1. Similarly to the proposed enforcement action on anti-idling, enforcing strict parking restrictions is not considered to be an efficient method of reducing or monitoring parking, as measures should instead be seeking to reduce the behavioural inclination to parking on-street and not require enforcement.
- 6.2.2. Red routes in particular are used to combat parking on congested, arterial routes and as such are not appropriate for uncongested and tertiary routes. Red routes should not be offered to schools as they are intended to be used strategically to deal with traffic problems assessed over an entire route, and not issues on a short span of road. Associated signage for Red Routes is relatively large and visually intrusive, these would also be unfitting for a residential area.
- 6.2.3. Like anti-idling enforcement, formal enforcement of existing or new restrictions via Civil Enforcement Officers relies on resources being both available or funding available to implement the measure.
- 6.2.4. As West Berkshire contains more than 80 schools with multiple entrances, Civil Enforcement Officers are asked to patrol and address local concerns in upwards of 120 locations. Civil Enforcement Officers have to observe a vehicle for five minutes before a PCN can be issued, which allows the Officer to be noticed by drivers, giving them the opportunity to leave without a PCN. The full five minutes must be observed to ensure that loading / unloading isn't taking place, which is a permitted exemption of yellow lines. Any contested PCN that hasn't been observed for five minutes prior to issue will be waived when considered by the Traffic Penalty Tribunal.

6.3 WEST BERKSHIRE – CURRENT ACTIONS

- 6.3.1. Given that West Berkshire's approach is to reduce vehicles from needing to travel to school, there are limited actions West Berkshire Council take to remove parking outside of schools directly.
- 6.3.2. Parking on the highway network in the vicinity of schools is managed and reviewed by the local authority as part of their ongoing role maintaining and managing the highway network.
- 6.3.3. A number of schools in West Berkshire introduced 'minicades' to act as reminders for areas where cars shouldn't be parking.
- 6.3.4. Many of the measures outlined in section 5 also reduce the occurrence of dangerous parking. For example, the implementation and maintenance of 'Zig Zag' / 'Keep Clear' markings prevent stopping outside the entrance of schools (with West Berkshire observations suggesting that 'Zig Zag' markings are more widely respected than standard yellow line parking restrictions), allowing visibility for safe crossing.

7 SAFER SCHOOLS MOTION: ADDITIONAL MEASURES

- 7.1.1. The SSM states that appropriate alternative changes could be made. There are a wide range of measures not specifically stated in the SSM that could be used to achieve the goals of the SSM.
- 7.1.2. WSP have previously prepared a “Toolkit” of measures that looks at approaches to addressing air quality issues experienced by schools in London. The measures presented in this document have been adapted from the Mayor of London’s School Air Quality Programme toolkit and may not be suitable for widespread adoption in West Berkshire.
- 7.1.3. This is a multi-disciplinary and holistic resource for completing school air quality audits, looking at measures on the local highway network, school grounds and within the school building. It considers a variety of criteria, such as cost, level of potential for improving air quality and its deliverability. For the most impact, it is anticipated that a combination of the measures presented in this document will be delivered as a package.
- 7.1.4. It should be recognised that this toolkit primarily addresses urban areas with significant air quality issues. It can however be appropriated to more rural locations like West Berkshire. West Berkshire Council is aware that this toolkit exists and already actions many of the measures it recommends.

8 SUMMARY

- 8.1.1. WSP have been commissioned by West Berkshire Council to consider the feasibility of actions presented in a Safer Schools Motion raised by a councillor from the local authority.
- 8.1.2. Many of the actions proposed in the Motion are already in place in West Berkshire, albeit not necessarily in the exact form suggested. Some of the actions suggested have precedent, having been used elsewhere and the Council is aware of these options and able to consider whether they should be implemented in West Berkshire.
- 8.1.3. Some of the measures suggested are not suitable for widespread or “blanket” implementation around West Berkshire but rather should be used in response to identified issues, with the most appropriate measure used to mitigate an identified air quality or road safety issue, depending on a wide range of factors such as the nature and source of the issue, and characteristics of the local environment
- 8.1.4. Some of the measures proposed would unfortunately have little tangible benefit, require staffing or financial resources beyond what is currently available, or offer low value and are therefore not recommended.



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Newbury Town Centre Pedestrianisation

Committee considering report:	Executive
Date of Committee:	17 th December 2020
Portfolio Member:	Councillor Richard Somner
Date Portfolio Member agreed report:	3 rd December 2020
Report Author:	Neil Stacey
Forward Plan Ref:	EX3979

1 Purpose of the Report

To respond to a Motion, regarding the pedestrianisation of roads in Newbury Town Centre, which was presented to Council by Councillor David Marsh in September 2020.

2 Recommendations

- 2.1 The measures proposed in Councillor Marsh's Motion are not implemented, at least in the short term;
- 2.2 The consultants tasked with undertaking the Newbury town centre Study be asked to include the principle of permanent pedestrianisation in their work in order to facilitate consensus or, at least, a way forward on the issue;
- 2.3 Prior to any informal consultation with stakeholders, the consultants work with the Highways Network Management team to ensure that any specific proposals made public are in accordance with the relevant road traffic legislation;
- 2.4 An assessment is made of the extent to which the capacity that the town centre roads add to the network is actually needed. This would require modelling work by external transport consultants and therefore have time and cost implications;
- 2.5 Should the above work determine that changes to the pedestrianised hours are desirable and can be implemented on a practical and legal basis a permanent traffic regulation order could be drafted and taken forward to statutory consultation.

3 Implications and Impact Assessment

Implication	Commentary			
Financial:	The recommended traffic modelling work would cost up to £15,000. Should changes to the traffic management arrangements in Newbury town centre be made in the longer term, it is likely that capital funding would be required.			
Human Resource:	None.			
Legal:	As this report recommends no short term changes, there are no immediate legal implications. Should changes to the traffic management arrangements in Newbury town centre be made in the longer term, any Traffic Regulation Orders would be subject to advice from Legal Services.			
Risk Management:	As this report recommends no short term changes, there are no immediate risk management implications. Should changes to the traffic management arrangements in Newbury town centre be made in the longer term, the risks (some of which are outlined in this report) would need to be explored in more detail.			
Property:	None.			
Policy:	None.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		As this report recommends no short term changes, there is no immediate equality impact.

B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
Environmental Impact:		x		As this report recommends no short term changes, there is no immediate equality impact. Any future changes to traffic management arrangements may affect air quality, either positively or negatively depending on the locality.
Health Impact:				As this report recommends no short term changes, there is no immediate health impact.
ICT Impact:				No impact is envisaged.
Digital Services Impact:				No impact is envisaged.
Council Strategy Priorities:				No impact is envisaged.
Core Business:				No impact is envisaged.
Data Impact:				No impact is envisaged.
Consultation and Engagement:	The issues outlined in this report have been discussed by the Transport Advisory Group.			

4 Executive Summary

- 4.1 The purpose of this report is to respond to a Motion regarding the pedestrianisation of roads in Newbury town centre, which was presented to Council by Councillor David Marsh in September 2020.
- 4.2 During summer 2020, in response to the Covid-19 pandemic to enable social distancing of pedestrians, some of the roads in Newbury town centre were temporarily closed to through traffic. Under normal circumstances, these roads are pedestrianised between

10.00 and 17.00 but the restricted hours were temporarily extended so that no through traffic was permitted at any time.

- 4.3 Councillor Marsh's motion suggests that the temporary additional restriction should be reintroduced and that through traffic should be permanently prohibited from using these roads. Members of the Transport Advisory Group (TAG) discussed Councillor Marsh's Motion in October in light of a briefing note prepared by officers.
- 4.4 This report outlines the background to the current restrictions and explores the practical and legal issues that would need to be addressed in order to reintroduce the temporary arrangements or bring about a permanent change.
- 4.5 Implementing a 24-hour traffic free zone on a temporary basis with immediate effect, as proposed by the Motion, is not considered by officers to be reasonable within the legislation. Section 14(1) of the Road Traffic Regulation Act 1984 states that the authority must be "satisfied that traffic on the road should be restricted or prohibited... because of a likelihood of danger to the public".
- 4.6 Implementing a 24-hour traffic free zone on a permanent or experimental basis with immediate effect is not possible due to the amount of preparatory work that is required, including the consideration of the issues listed in 5.13 of this report, and the requirement to engage with and consult stakeholders.
- 4.7 It is therefore concluded that the principle of permanent pedestrianisation should be considered as part of the forthcoming study of Newbury town centre and that initial engagement with stakeholders takes place as part of this initiative.

5 Supporting Information

Introduction

- 5.1 This report provides information to enable the Executive to decide whether the Motion submitted by Councillor Marsh at the Council meeting in September 2020 should be implemented.

Background

- 5.2 At the meeting of Full Council in September 2020, Councillor David Marsh submitted the following motion:

This Council notes the success of the 24-hour traffic-free zone covering part of Newbury town centre.

It made social distancing easier and was popular with shoppers. It helped to promote active travel, in line with the Prime Minister's announcement on 28 July, which included a commitment to "improving air quality and reducing traffic" by introducing zero-emission zones in towns and cities, and with the Council's own recently published Environment Strategy, which stresses the importance of reducing vehicle emissions.

This council further notes that the threat posed by Covid-19, and the need for social distancing, remain, and are likely to do so for the foreseeable future. It therefore regards

the decision to return to “business as usual”, taken without allowing Council members to debate the issue, or even informing them of the decision, and without consulting Newbury Town Council, as premature at best.

This council further notes the following statement by Grant Shapps, Secretary of State for Transport: “We’ve got a once-in-a-lifetime opportunity to create a shift in attitudes for generations to come.”

Allowing people to enjoy the town centre free of all but essential traffic is good for their health and wellbeing, and good for business. It conforms to the Council’s own aims with regard to carbon emissions, road safety, and creating a more attractive town centre for both residents and visitors. It is a win-win for the people of West Berkshire.

*This Council therefore **RESOLVES that:***

- i. The 24-hour traffic-free zone, with appropriate exemptions for deliveries and disabled access, be reinstated with immediate effect.*
- ii. Officers will monitor the effect on social distancing, businesses (including the market), air quality and active travel, and report their findings to the Transport Advisory Group and Environment Advisory Group by the end of 2020.*

Following this process, any recommendations as to making the traffic-free zone permanent or otherwise would be considered by the first full Council meeting of 2021.

- 5.3 The Motion was referred to Transport Advisory Group for further discussion, a summary of which is included later in this section.
- 5.4 Northbrook Street, Bridge Street, Bartholomew Street (north), Mansion House Street, Wharf Street and Market Place are roads within Newbury town centre that are subject to a time-limited restriction that prohibits access to motor vehicles between the hours of 10.00 and 17.00 daily. The purpose of the restriction is to create a pleasant environment for visitors to the town centre during the daytime for shopping or other recreational purposes. Pedestrians and cyclists are able to travel within or through the town centre without coming into conflict with motor vehicles. Exemptions to the restriction are in place for critical access, such as postal vehicles or cash deliveries to banks. The restriction is enforced by rising bollards which are activated at the appropriate times of day and by in-vehicle electronic tags.
- 5.5 Between 17.00 and 10.00 through traffic is permitted to use these roads, which add capacity to the wider network at peak times. Non-critical access, ie deliveries to shops and businesses, also takes place while the roads are open to traffic. This is necessary because many of the premises within the restricted area do not have access to the rear and can only be accessed from the road.
- 5.6 Prior to 2011, these roads were closed to the majority of through traffic between the hours of 10:00 and 18:00. Cycles, buses and critical delivery vehicles (eg postal vehicles and deliveries of cash to banks) were exempt and given electronic tags to lower the rising bollards on the perimeter of the restricted area. Outside these hours through traffic was permitted. Non-critical delivery vehicles had to access the restricted area outside the restricted times.

- 5.7 When the Parkway development opened in 2011 and Park Way canal bridge closed to general motor traffic, buses were removed from the restricted area and diverted to Park Way instead. This removed the bus/pedestrian and bus/cycle conflict from the area and enabled the opening of several bus stops on Park Way. Critical deliveries remained exempt. To compensate for the loss of Park Way as a through route for general traffic and to add peak hour capacity to the network, the pedestrianised hours in the restricted area were reduced to between 10:00 and 17:00. Executive reports from 2010 and 2011 are included as Appendices to this report and contain information on the rationale behind these changes.
- 5.8 In response to the Covid-19 pandemic, to address the increased need for social distancing and the reduced capacity of town centre shops, a decision was taken to introduce 24 hour pedestrianisation on a temporary basis. This was implemented in June 2020 and was done by way of a temporary traffic regulation order (TTRO), on the grounds of avoiding “danger to the public”, which is one of a small number of reasons that TTROs can be made. Non-critical access remained possible between the hours of 17.00 and 10.00, with access past the rising bollards managed by Council officers with the assistance of town centre stakeholders including Newbury Business Improvement District.
- 5.9 The community response to this change was mixed. Whilst some felt that it has worked well and welcomed the traffic-free environment, others felt that it had had a detrimental effect on some businesses as well as on traffic flow and journey times through town between 17.00 and 10.00, especially as traffic levels began to rise when restrictions were relaxed. The issue resulted in a significant number of complaints from residents and businesses to the Economic Development Team, the Road Safety Team and the Communications Team.
- 5.10 The Council did not undertake a consultation on the issue prior to the implementation of the 24 hour pedestrianisation, in fact no consultation is necessary to introduce a TTRO. However, Newbury Weekly News, Newbury Town Council and Newbury Business Improvement District did undertake surveys on the issue. The response to these was mixed but was also limited in scope, so it is unlikely that the data would have the necessary integrity in order to be used as an evidence base.
- 5.11 In September 2020, to coincide with the reopening of schools and in light of relaxations to national restrictions, the restricted area reverted to its normal hours of 10:00 to 17:00.
- 5.12 Although there has unfortunately been an increase in Covid-19 infection rates in the Autumn, the situation is not directly comparable to the period earlier in the year. Other mitigation measures, for example the widespread use of face coverings, are in place. It is not thought that the avoidance of “danger to the public” would be reasonable grounds to reintroduce the 24-hour restriction.
- 5.13 In order to make a 24 hours a day restriction on through traffic a new traffic regulation order (TRO) would be required. Permanent TROs are subject to statutory consultation prior to implementation during which time objections may be received. A resolution from the Council, Executive or Individual Executive Member Decision is required in order to begin this process and a further such resolution is required if objections to the proposed TRO are received to determine whether the TRO should proceed. This process would inevitably take several months. Alternatively, an experimental traffic regulation order

(ETRO) could be made. ETROs differ from TROs in that the restriction is brought into force first and consultation takes place while it is in force, with objections being considered as part of a review of its effectiveness. This would take less time to implement the restriction but would not give stakeholders the opportunity to have their say beforehand unless an informal (ie non-statutory) consultation was undertaken first.

5.14 Over a period of many years the Council has received several suggestions from a variety of local stakeholders to make the traffic-free period in Newbury town centre 24 hours-a-day and permanent but the proposal has never got as far as a TRO of any kind being approved for advertisement and consultation. There are several arguments against and practical problems which have never been satisfactorily overcome, including:

- (a) The north-south capacity that this route adds to the network is needed to reduce congestion on other roads and at key junctions;
- (b) Depending on their origin and destination, some local car journeys would be extended significantly by having to use other routes;
- (c) Arrangements need to be put in place for access to premises within the restricted area, mainly deliveries to retail businesses but there are also some residential properties. These arrangements need to be convenient and easy to understand for users, in accordance with traffic legislation and not place an administrative burden on Council officers;
- (d) Many businesses like being visible to passing road users;
- (e) Blue badge holders may park within the restricted area for up to three hours, as long as they enter the zone before 10:00 and implementing a 24 hours restriction would remove this facility, potentially raising equality impact issues;
- (f) It is likely that a significant number of objections would be received from road users on the basis that their journeys would be lengthened;
- (g) Even though parking is not permitted within the restricted area, dropping off and picking up of passengers is allowed and is convenient for some users.

5.15 The above information was presented to the Transport Advisory Group (TAG) on 29th October 2020 in the form of a briefing note. During the resulting discussion the following points were made by members, with officer comments included where necessary:

- (a) Several, but not all members stated that they would prefer to see the pedestrian hours extended;
- (b) Allowing traffic into the pedestrianised zone discourages pedestrian footfall and active travel generally due to safety concerns;
- (c) Allowing traffic into the pedestrianised zone is detrimental to local air quality;
- (d) Extending the pedestrianised hours would encourage more shopping and also assist the night time economy;

- (e) Some drivers access the zone illegally by moving the cones out of the way and driving through. Officers responded that cones are only in place temporarily because of faults with the rising bollards and plans are in hand to repair or replace the rising bollards;
- (f) It was suggested that an extended restriction could be implemented on a trial basis before Christmas. Officers responded that it is possible that this could be done to facilitate Christmas shopping on certain dates, but a blanket temporary closure on the grounds of the avoidance of “danger to the public” was not appropriate. There is insufficient time to implement a permanent or experimental Traffic Regulation Order prior to Christmas.

Proposals

- 5.16 There is evidently an appetite for debate on this subject, and indeed on the future of Newbury town centre itself. The Council is funding a study into the future of Newbury town centre, including what possible uses should be considered in order to retain the town’s vitality. The work will also include a masterplan and a Supplementary Planning Document (SPD) which will form part of the Local Plan Refresh. Considering the specific remit of the study, it is logical that the issue of pedestrianisation forms part of this work.
- 5.17 It is therefore proposed that the consultants tasked with undertaking the above study be asked to include the principle of permanent pedestrianisation in their work in order to facilitate consensus or, at least, a way forward on the issue;
- 5.18 Prior to any informal consultation with stakeholders, the consultants would need to work with the Highways Network Management team to ensure that any specific proposals made public are in accordance with the relevant road traffic legislation;
- 5.19 It is proposed that an assessment is made of the extent to which the capacity that the town centre roads add to the network is actually needed. This would require modelling work by external transport consultants and therefore have time and cost implications. The terms of reference for this work would need to be carefully considered because the ongoing Covid-19 pandemic is having an effect on traffic patterns and it is unclear as to when, or indeed whether, traffic will return to “normal”;
- 5.20 Should the above work determine that changes to the pedestrianised hours are desirable and can be implemented on a practical and legal basis a permanent traffic regulation order could be drafted and taken forward to statutory consultation.

6 Other options considered

- 6.1 Implementing a 24-hour traffic free zone on a temporary basis with immediate effect, as proposed by the Motion, is not considered by officers to be reasonable within the legislation. Section 14(1) of the Road Traffic Regulation Act 1984 states that the authority must be “satisfied that traffic on the road should be restricted or prohibited... because of a likelihood of danger to the public”.
- 6.2 Implementing a 24-hour traffic free zone on a permanent or experimental basis with immediate effect is not possible due to the amount of preparatory work that is required,

including the consideration of the issues listed in 5.13 above, and the requirement to consult stakeholders.

6.3 Completely ruling out any changes to the traffic-free hours would not be appropriate given the views expressed by members at Transport Advisory Group and the forthcoming wider study of Newbury town centre, of which vehicular access is a key component.

7 Conclusion

7.1 In view of the above, it can be concluded that:

- (a) It is not appropriate to re-implement a temporary “24/7” pedestrianisation using the same legislation as previously;
- (b) The issue of permanent pedestrianisation is complex and there is a need for further consultation with the community and assessment of the practicalities of any proposed changes before proceeding to the statutory advertisement of a new Traffic Regulation Order.

8 Appendices

8.1 Appendix A – Executive report dated 18th February 2010

8.2 Appendix B – Executive report dated 13th January 2011

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 Committee or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected: Newbury Central, Newbury Clay Hill, Newbury Speen, Newbury Greenham and Newbury Wash Common.

Officer details:

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Document Control

Document Ref:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

Change History

Version	Date	Description	Change ID
1			
2			

Title of Report:	Newbury Town Centre Traffic Management Issues	Item 10
Report to be considered by:	Executive	
Date of Meeting:	18 February 2010	
Forward Plan Ref:	EX2000	

Purpose of Report:

For the Executive to consider the various traffic management issues that need to be resolved in Newbury town centre prior to commencement of trading at the new Parkway development.

Recommended Action:

That the Executive resolves to approve the recommendations set out below:

1. To convert Parkway Bridge to a two-way shuttle working traffic signal controlled route for buses, taxis and cycles only with advanced cycle stop lines, a bus/taxi/cycle lane, and licence plate recognition cameras.
2. To authorise officers to make capital bids for funding for the two-way shuttle traffic signals and for the licence plate recognition cameras during the financial year 2010/11 in order that they can be installed and operational in time for the opening of the Parkway development at Easter 2011.
3. To remove buses from all areas of the pedestrianisation zone (ie Bartholomew Street north, Mansion House Street, Market Place and Northbrook Street).
4. To permanently remove the taxi rank from Market Place and to prevent taxis from driving through Market Place during pedestrianisation hours.
5. To convert the feeder taxi rank in Wharf Street to a formal rank where customers would be able to get a taxi.
6. To continue to operate the taxi rank in Wharf Street in the current direction and only to reverse the direction if this proves to be operationally problematic.

7. To introduce a loading ban in Wharf Street between its junction with Wharf Road and the site of the rising bollards to coincide with the operational time of the pedestrianisation zone.

8. To change the pedestrianisation zone end time from 6.00pm to 5.00 pm.

9. To retain the current traffic management arrangements for West Street and to keep the West Street Junction with Northbrook Street open to traffic.

10. To authorise officers to obtain feedback from the various interest groups and organisations listed in 8.1 and to put the details of the proposed traffic management changes on the Council's Web Site when finalised as indicated in 8.2.

11. Subject to there being no significant objections at the feedback stage, in which case these will be reported back to the Executive, to authorise officers to carry out the statutory advertisements and consultations as necessary on revised Traffic Regulation Orders as set out in 8.3.

12. Subject to there being no objections to the statutory advertisements and consultations on revised Traffic Regulation Orders that cannot be overcome, to authorise officers to carry out all work necessary to implement all of the proposed changes in time for the opening of the Parkway development.

13. To authorise officers to refer any objections on revised Traffic Regulation Orders that cannot be overcome to the Portfolio Member for Highways, Transport (Operational) and ICT for consideration by means of an Individual Decision report.

Reason for decision to be taken:

1. To introduce traffic management measures within the town centre to complement the Parkway development.

2. To enhance the town centre shopping experience for visitors.

3. To cater for the changes in traffic patterns that will result from the Parkway development.

Other options considered:

None.

Key background documentation:

Report to the Newbury Town Centre Task Group dated 23 July 2008.

The proposals contained in this report will help to achieve the following Council Plan Priority:

- CPP3 – Reduce West Berkshire’s carbon footprint** – to reduce CO₂ emissions in West Berkshire and contribute to waste management, green travel, transportation and energy efficiency

The proposals will also help achieve the following Council Plan Theme(s):

- CPT1 - Better Roads and Transport**
 CPT2 - Thriving Town Centres
 CPT5 - Cleaner and Greener
 CPT7 - Safer and Stronger Communities
 CPT10 - Promoting Independence
 CPT11 - Protecting Vulnerable People
 CPT12 - Including Everyone

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:

- (a) rationalising the movement of traffic in Newbury town centre;
 (b) balancing the servicing needs of the business community, the accessibility needs of disabled persons, and the access and egress needs of properties within the pedestrianisation zone;
 (c) creating a virtually traffic free environment for pedestrians within the pedestrianised zone during the day.

Portfolio Member Details

Name & Telephone No.:	Councillor David Betts - Tel (0118) 942 2485
E-mail Address:	dbetts@westberks.gov.uk
Date Portfolio Member agreed report:	24 December 2009

Contact Officer Details

Name:	Mark Cole
Job Title:	Traffic Services Manager
Tel. No.:	01635 519210
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Implications

- Policy:** The recommendations within this report accord with existing Council policies and procedures.
- Financial:** Capital bids will need to be made in 2010/11 for the two-way shuttle working traffic signals (£50,000) and for the licence plate recognition cameras (£40,000). Statutory advertisement and consultation for revised Traffic Regulation Orders will be funded from existing budgets.
- Personnel:** There are no personnel issues arising from this report.

- Legal/Procurement:** Legal Services will process the necessary Traffic Regulation Orders. Procurement processes will be used for provision of the two-way shuttle traffic signals and for the licence plate recognition cameras.
- Property:** There are no property issues arising from this report.
- Risk Management:** A potential risk management issue has been identified in relation to pedestrians who may initially be at higher risk of an accident if the pedestrianisation end time is brought forward from 6.00pm to 5.00pm. However it is considered that this risk can be adequately managed. Paragraphs 6.3.1, 6.3.2 and 6.7 of this report cover this aspect in more detail.
- Equalities Impact Assessment:** Removal of the taxi rank in Market Place is proposed and this may impact persons with mobility difficulties. Conversion of the feeder rank in Wharf Street to a formal rank where customers can get a taxi is proposed to mitigate this impact. An Equalities Impact Assessment will be produced before any proposals are carried out.

NOTE: The section below does not need to be completed if your report will not progress beyond Corporate or Management Board.

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
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 type="checkbox"/>	
Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

Executive Summary

1. Introduction

- 1.1 This report seeks a resolution of a number of key issues concerning the management of traffic in Newbury town centre as we move towards the opening of the new Parkway development in Spring 2011. All of these issues are interrelated and need to be considered holistically in order for the correct decisions to be taken.
- 1.2 In particular the issues that need to be resolved are:
- Vehicles that should be permitted to use Park Way Bridge
 - Removal of buses from the pedestrianisation zone
 - Removal of taxis from Market Place
 - Changes to the operational use of the current taxi feeder rank and introduction of a loading ban in Wharf Street
 - Changes to pedestrianisation zone timings
 - Permanent traffic management solution for West Street.

2. Proposals

- 2.1 Park Way Bridge should be converted to a two-way shuttle working traffic signal controlled route for buses, taxis and cycles only with advanced cycle stop lines and a bus/taxi/cycle lane. The method of enforcement of the bus/cycle/taxi lane should be by means of licence plate recognition cameras.
- 2.2 Buses should be removed from all areas of the pedestrianisation zone (ie Bartholomew Street north, Mansion House Street, Market Place and Northbrook Street).
- 2.3 The taxi rank should be permanently removed from Market Place and taxis prevented from driving though Market Place during pedestrianisation hours.
- 2.4 The feeder taxi rank in Wharf Street should be converted to a formal rank where customers would be able to get a taxi and a loading ban introduced.
- 2.5 The pedestrianisation zone end time should be changed from 6.00pm to 5.00pm.
- 2.6 The current traffic management arrangements for West Street and its junction with Northbrook Street should be retained as they are at present.

3. Conclusion

- 3.1 It is considered that if these proposals are all implemented, they will provide the best options for the movement of traffic through Newbury town centre, for the servicing needs of the business community, for the pick up and drop off needs of disabled persons, for the access and egress needs of occupiers of premises situated within the pedestrianisation zone, and for pedestrians who would enjoy a virtually traffic free environment during the day within the pedestrianisation zone.

Executive Report

1. Introduction

1.1 There are a number of traffic management issues that need to be resolved in the period between now and the completion of the Parkway redevelopment. Some of these issues relate to existing problems that have been causing ongoing concerns and some of them are issues that have been considered by the Newbury Town Centre Task Group during the last two years.

1.2 The issues that need to be resolved and that are discussed in this report are as follows:

- Vehicles that should be permitted to use Park Way Bridge
- Removal of buses from the pedestrianisation zone
- Removal of taxis from Market Place
- Changes to the operational use of the current taxi feeder rank and introduction of a loading ban in Wharf Street
- Changes to pedestrianisation zone timings
- Permanent traffic management solution for West Street.

1.3 The Newbury Town Centre Task Group has discussed all of these issues and recommends that they should be formally taken forward to implementation.

2. Vehicles that should be permitted to use Park Way Bridge

2.1 The "Vision for Newbury 2025" identified Park Way as a public transport corridor for Newbury. This is linked to the attractiveness of the new Parkway development that will have key anchor stores at this location and excellent links through to Northbrook Street. A decision needs to be made on what we mean by Park Way being a public transport corridor. Park Way will have to continue to provide access to the Camp Hopson car park and for service vehicles but Park Way Bridge can be either a two way route for buses only or for buses and taxis only. A formal Council decision needs to be made so that the statutory processes can begin to make the necessary changes to Traffic Regulation Orders (TROs) to define the vehicles that will be permitted to use Park Way Bridge.

2.2 The advantage of not allowing taxis to use the bridge is that it is less likely that other cars will continue to use the route. Experience from other towns is that when drivers see taxis using a route they use it as well. This can also happen when the route is for buses only but is less of a problem. However when traffic signal two-way shuttle working operation for buses only was employed over Park Way Bridge during town centre road works in the past there was significant abuse by other vehicles.

2.3 If taxis are prevented from using Park Way Bridge it is likely to be a very unpopular decision within the taxi trade. Taxis would still be able to come down Park Way from north to south and use the turning facility and small taxi rank that is being provided on the north side of the bridge if the decision is to prevent them from using the bridge. This would be very inconvenient for them however because if they were situated in the taxi rank in Wharf Street they would have to take a very long route via the A339 to get to Park Way to pick up passengers. Similarly if they picked up passengers in Park Way that had destinations to the south of the bridge they would

have a long route via the A339, which they currently don't have to take because all vehicles can use the bridge in this southbound direction.

2.4 If taxis are to be permitted to use Park Way Bridge there are measures that could be introduced to control the problem of other vehicles using the route as well. These are as follows:

2.4.1 Police enforcement – unlikely to be very effective because they do not have sufficient resources available to carry this out on a regular basis.

2.4.2 Introduction of a bus and taxi lane over the bridge together with licence plate recognition enforcement cameras. The Council obtained the powers to carry out this enforcement in its successful application to the Department for Transport (DfT) for decriminalised parking powers as part of the West Berkshire Clear Streets Parking Project. This means that the Council has the necessary powers to enforce this traffic offence.

2.5 Another decision that needs to be taken is whether or not cyclists will be permitted to use Park Way Bridge. This decision needs to be taken whether or not taxis are to be permitted to use the bridge. The advantage of permitting cyclists to use the bridge is that it supports policies to encourage more people to use this method of transport. A disadvantage is that the traffic signal settings are likely to require a longer all red clearance stage to allow for slow cyclists to get over the bridge safely when the lights have changed. However it is considered that this problem can be minimised by introducing advanced cycle stop lines. If the decision taken is to permit cyclists, then the solution in 2.4.2 above would require either a bus and cycle lane, or a bus, taxi and cycle lane.

2.6 It is considered that on balance Park Way Bridge should be a two-way shuttle working traffic signal controlled route for buses, taxis and cycles only with advanced cycle stop lines, a bus/taxi/cycle lane, and licence plate recognition cameras. This is therefore the recommended course of action. It is further recommended that capital bids are made for funding for the two-way shuttle working traffic signals and for the licence plate recognition cameras during the financial year 2010/11 in order that the traffic signals and cameras can be installed and operational in time for the opening of the Parkway development in Spring 2011. The estimated cost of installing the two-way shuttle traffic signals is £50,000 and for the licence plate recognition system is £40,000.

2.7 Summary of recommendations

2.7.1 **Park Way Bridge should be a two-way shuttle working traffic signal controlled route for buses, taxis and cycles only with advanced cycle stop lines, a bus/taxi/cycle lane, and licence plate recognition cameras.**

2.7.2 **Capital bids should be made for funding for the two-way shuttle working traffic signals and for the licence plate recognition cameras during the financial year 2010/11 in order that the traffic signals and cameras can be installed and operational in time for the opening of the Parkway development in Spring 2011.**

3. Removal of buses from pedestrianisation zone

- 3.1 If it is agreed that buses should use Park Way as the main public transport corridor for Newbury town centre, the opportunity arises to remove buses from the pedestrianisation zone. This has been a long held aspiration of the Newbury Town Centre Task Group and would make the environment for shoppers and visitors to the town a much more relaxed and enjoyable experience. If this opportunity were taken up the only motorised vehicles that would enter the zone during pedestrianisation hours would be emergency service vehicles, post vehicles and bullion vehicles. There are no plans to prevent cyclists from continuing to use the pedestrianisation zone. Taxis would still pass through and park in the rank in Market Place but this issue is discussed later in this report. All other through traffic would have access outside of pedestrianisation hours as would service vehicles. If buses are removed from the zone and reassigned to Park Way this would be at all times, as it would not be practical to have different bus routes at different times of the day.
- 3.2 It is recommended that buses be removed from all areas of the pedestrianisation zone (ie Bartholomew Street north, Mansion House Street, Market Place and Northbrook Street). This would have the added advantage, in addition to the environmental ones mentioned above, that buses would no longer pass through the rising bollards in Bartholomew Street north and so the bollards would remain in the up position for the majority of the time during pedestrianisation hours. The bollards would only lower when occasional emergency service, post office or bullion vehicles needed to enter the zone. This would have an immediate impact on reducing the number of incidents of vehicle strikes on these rising bollards that arise from drivers tailgating the buses. Since the bollards will be in the up position for most of the time during pedestrianisation hours drivers making mistakes and failing to read all of the advanced warning signs should not fail to see the bollards themselves and will not have their view of the bollards obscured by buses in front of them.
- 3.3 It would be possible for only Northbrook Street to become bus free and for buses to still use the route from the bus station via Market Street, Bartholomew Street north, Mansion House Street and Market Place. However it is considered that in order to make the best use of Market Place as a venue for events and as a pavement café area it would be preferable to remove buses completely from all areas of the pedestrianisation zone. Bus routes to the north would not be delayed when leaving the bus station, as the buses would turn right on leaving and proceed to either the A339 or to Park Way Bridge via Market Street, Cheap Street and Bear Lane. Delays at the Wharf Road/Bear Lane junction should also be significantly reduced because south bound through traffic would no longer be using this route. The only traffic using this junction would be to and from the car parks in Wharf Road. Buses leaving the bus station to travel to the south via Market Street and Bartholomew Street south would not be affected.
- 3.4 **Summary of recommendations**
- 3.4.1 **Buses should be removed from all areas of the pedestrianisation zone (ie Bartholomew Street north, Mansion House Street, Market Place and Northbrook Street).**

4. Removal of taxis from Market Place

4.1 In 3.3 above the merits of seeking to make best use of the environmentally enhanced Market Place for events and as a pavement café area is mentioned. It is considered that the presence of taxis in the rank in Market Place and the constant feeding of this rank by taxis entering from Wharf Street from the feeder rank via the rising bollards detracts from this aspiration. Also if buses were removed in order to give a predominantly pedestrian environment throughout the pedestrianisation zone hours, Market Place would be the only part of the zone where this would be undermined by the presence of taxis. Consequently it is recommended that the rank should be permanently removed and that taxis should be prevented from driving through Market Place during pedestrianisation hours.

4.2 There may be some opposition from groups representing people with mobility problems, or indeed from the people themselves, about the loss of a taxi drop off and pick up service in Market Place. In order to try to overcome these potential objections it is proposed that the feeder rank in Wharf Street should be converted to a formal rank where customers would be able to get a taxi. This rank is a very short distance from Market Place. This issue is discussed in further detail in section 5 below. It should also be pointed out that the rank in Market Place only holds four taxis but the rank that has been installed in Market Street, funded from the Cinema development, holds five taxis. A further rank that will hold four taxis is to be provided on the north side of Park Way Bridge as part of the Parkway development transportation works.

4.3 Summary of recommendations

4.3.1 The taxi rank should be permanently removed from Market Place and taxis should be prevented from driving through Market Place during pedestrianisation hours.

4.3.2 The feeder rank in Wharf Street should be converted to a formal rank where customers would be able to get a taxi.

5. Changes to the operational use of the current taxi feeder rank and introduction of a loading ban in Wharf Street

5.1 If the taxi rank is removed from and taxis are prevented from driving through Market Place the issue of how best to cater for taxi routes has to be addressed. As indicated above it is proposed that the feeder rank in Wharf Street should be converted to a formal rank where customers would be able to get a taxi. The Traffic Regulation Order aspects of this are easy to do but there are some operational aspects that need to be resolved in order for the rank to operate acceptably.

5.2 At present taxis feed into the rank from the east and exit to the west through the rising bollards into Market Place. If we go ahead with the proposal to prevent them from doing this they will have to leave the rank at the western end and U-turn back to Wharf Road where they will either be able to use Park Way Bridge for routes to the north or Wharf Road/Bear Lane for other routes. By permitting taxis to use the public transport route over Park Way Bridge as recommended in 2.6 there is no significant disadvantage from taking them out of Market Place from a traffic perspective. U-turning the taxis does not give rise to any significant concerns because the traffic flows on the adjacent section of Wharf Street are very light and

there is a turning head at the western end of the rank to assist this manoeuvre. This section of the road is two way in any case because of the requirement to maintain access and egress to the private car park immediately west of the turning head. Even when the bollards are in the down position outside of pedestrianisation hours the traffic flows will be fairly light if no through traffic is travelling south over Park Way Bridge because it is the public transport only route. Although not anticipated, if it proves to be problematic to operate the rank with U-turns out of it, the alternative solution would be to have taxis U-turning into the rank at its western end and exiting at its eastern end (ie reversing the direction of operation of the rank). It is therefore proposed that the rank is operated in its current direction and only reversed if this proves problematic. It may be possible to convert the feeder rank to a formal rank in advance of the other town centre traffic management proposals. However this would need careful consideration because traffic flows in Wharf Street will still be significant outside pedestrianisation hours whilst Park Way Bridge continues to have all traffic travelling over it in the southbound direction.

- 5.3 There are regular occasions when service vehicles park on the double yellow lines in Wharf Street in order that their drivers can deliver loads within the pedestrian zone by trolley or by hand. These vehicles cause obstruction and have to reverse out of Wharf Street if they are too large to use the turning head located near the rising bollards. This situation is not only considered undesirable from a road safety perspective but if allowed to continue could interfere with the u-turning movements from the taxi rank. Consequently it is proposed that a loading ban is introduced on the section of Wharf Street from its junction with Wharf Road to the site of the rising bollards to coincide with the operational time of the pedestrianisation zone. As most businesses within the pedestrianisation zone can only carry out servicing before the pedestrianisation start time or after it has ended, it is not considered unreasonable to impose this loading restriction in Wharf Street.
- 5.4 As with Bartholomew Street north the bollards would be in the up position for the majority of the time during pedestrianisation hours. Consequently with taxis prevented from using this route the risks of other vehicles tailgating them and striking the rising bollards would be substantially reduced at this location also.

5.5 Summary of recommendations

- 5.5.1 **The taxi rank in Wharf Street should continue to operate in the current direction and only be reversed if this proves to be operationally problematic.**
- 5.5.2 **A loading ban should be introduced in Wharf Street between its junction with Wharf Road and the site of the rising bollards to coincide with the operational time of the pedestrianisation zone.**

6. Changes to pedestrianisation zone timings

- 6.1 The issue of changing the timings of the pedestrianisation zone and the associated access difficulties has been the subject of much debate over the last two years. In particular it was reviewed in considerable detail at the Newbury Town Centre Task Group meeting on 23 July 2008. The pros and cons of the various possible permutations for pedestrian zone timings were covered in considerable detail in section 7 of the Newbury Town Centre Traffic Management Issues report to that meeting, identified as a background paper to this report.

- 6.2 At present there are three north to south routes available to all traffic in the am peak period (ie Northbrook Street, Park Way and A339) and two south to north routes (ie Northbrook Street and A339). In the pm peak there are two north to south routes available (ie Park Way and A339) and one south to north route (ie A339). If Park Way bridge is closed to all traffic except buses, taxis and cycles, this would reduce the available north to south routes in the am peak for other traffic to two (ie Northbrook Street and A339). There would be no change to south to north routes for other traffic because no traffic can travel north over Park Way Bridge. In the north to south direction during the pm peak the loss of Park Way Bridge for other traffic would reduce the available routes from two to just one (ie A339). In the south to north direction there would again be no change for other traffic with the single route of A339 being the only one available because Park Way Bridge is currently southbound only. Consequently if Park Way Bridge is to become a two way buses/taxis/cycles only route as recommended, it would be prudent to bring forward the end of the pedestrianisation zone time from 6.00 pm to 5.00 pm to make available replacement north to south and south to north routes in the pm peak in order to avoid unacceptable congestion.
- 6.3 The following factors need to be considered before this decision is confirmed however.
- 6.3.1 Pedestrians currently using the town centre would have become accustomed to a traffic-free area, and would not immediately be aware of the dangers of traffic if the restrictions are lifted at 5pm, and may initially be considered to be at a higher risk of accident compared with areas in which they are accustomed to expecting traffic.
- 6.3.2 A further consideration is the impact that the opening of Northbrook Street will have on the character of the town centre shopping area. There would be approximately 330 vehicles per hour as a combined total for both directions on Bridge Street, changing it substantially from a pedestrian dominated area to one for traffic between 5.00 pm and 6.00pm.
- 6.4 In 2007 the Council's traffic model consultants undertook some assessments to ascertain the impact of bringing forward the pedestrianisation end time from 6.00 pm to 5.00 pm. The key findings of this work at that time were that:
- Purely in terms of traffic flows and journey operating efficiency, the proposal to end pedestrianisation at the earlier time of 5.00pm appears to be workable with little or no adverse effects.
 - For those residing or working in the central, central-western and central-southern area, there are advantages in being able to avoid lengthy delays at the Robin Hood roundabout.
 - In almost all cases the journey time via the A339 is actually improved due to reduced traffic volumes created by other traffic diverting to the town centre routes, creating an incentive to remain on the A339. The same is also true for certain town centre movements (for example Market Street to Shaw Hill) and it is only locally based origin and destination zones that benefit from the alternative routes.

- 6.5 It is considered that the traffic patterns in Newbury have changed substantially since the decision was taken in the past to revise the pedestrianisation zone end time from 5.00 pm to 6.00pm. The peak period for pm traffic has become more spread with more workers varying their leaving times and more employers adopting flexible working arrangements. Consequently it is considered that historical problems of queues in Strawberry Hill are likely to be less acute because visitors and workers will vary their leaving times depending on traffic conditions.
- 6.6 The A339 is the main north/south route for through traffic and this should be encouraged. Recent improvements at the Robin Hood Roundabout Gyrotory have made both this junction and the A339 a more attractive route than the route through Northbrook Street for all but fairly specific local journeys. If we revert back to 5.00 pm for the pedestrianisation end time it would be necessary to monitor the situation carefully. If this change were to result queues in Strawberry Hill a possible solution to this would be to install traffic signals at the Old Bath Road/Oxford Street mini-roundabout junction and at the Old Bath Road/Strawberry Hill mini-roundabout junction at some future date.
- 6.7 With regard to the issues of initial risks to pedestrians and the changed environment between 5.00 pm and 6.00pm identified in 6.3.1 and 6.3.2 above it is considered that with sufficient advanced publicity and use of temporary signs these risks can be managed. Although there would be traffic present in the pedestrianised zone an hour earlier, the nature of the zone with its footways and carriageways at the same level, blockwork surfaces, deliberate lack of road markings, 20 mph speed limit, street furniture and trees will continue to give the impression that pedestrians are the dominant users of the zone and that drivers should exercise caution.
- 6.8 Weighing up the advantages and disadvantages of bringing forward the end of the pedestrianisation zone from 6.00 pm to 5.00 pm it is recommended that on balance the proposal is beneficial and that this should be done. This view is supported by the Newbury Town Centre Task Group. The key driver to implementing this change is getting buses and taxis out of the pedestrianisation zone which cannot be achieved until the alternative route for these vehicles is established over Park Way Bridge together with proposed new bus stops and the taxi rank in Park Way that are to be provided by the developer. Consequently it is further recommended that the change to 5.00 pm should be programmed to coincide with the opening of the new Parkway development.

6.9 **Summary of recommendations**

- 6.9.1 **The pedestrianisation zone end time should be brought forward from 6.00pm to 5.00pm.**

7. **Permanent traffic management solution for West Street**

- 7.1 Construction of the Broadway and northern end of Northbrook Street environmental enhancements commenced on 24 August 2009. The works were suspended for the Christmas / New Year shopping period and resumed on 01 February 2010. The project should be completed by early in April 2010.
- 7.2 Various consultations took place before this enhancement scheme commenced about whether or not the Broadway and Northbrook Street north of the junction with West Street should be pedestrianised to match the pedestrianisation zone to the

south. In the 23 July 2008 Newbury Town Centre Traffic Management Issues report to the Task Group it was pointed out that there would be considerable difficulties associated with pedestrianising this northern section of road because of the large number of private parking spaces accessed directly from Broadway, Northbrook Street, Albert Road and West Street. There is no obvious solution on how the private parking spaces accessed from Broadway, Northbrook Street and Albert Road could remain useable. Consequently the decision was taken that this environmental enhancement scheme would not include pedestrianisation.

- 7.3 Since the decision not to introduce pedestrianisation in Broadway and the northern end of Northbrook Street some stakeholders have suggested that consideration should be given to closing West Street at its junction with Northbrook Street. Given the private parking access problems associated with pedestrianising this northern section of Northbrook Street and Broadway discussed above, there are no benefits to be derived from closing this junction. On the contrary there are a number of problems that this would cause that are discussed below.
- 7.4 The rising bollards are located just south of the junction of West Street with Northbrook Street at the point where the pedestrianisation zone commences. Despite the extensive signing that warns drivers as they approach the pedestrianisation zone from routes north of the town significant numbers of vehicles continue to drive down Northbrook Street during pedestrianisation hours only to find that they cannot proceed further south of the rising bollards. West Street provides the escape route for these vehicles. If the junction were closed at Northbrook Street, these vehicles would have to undertake U-turns in order to exit to the north. This would be a most undesirable situation with resulting confusion for both drivers and pedestrians. The situation would be bad enough with cars making these U-turn movements but would be particularly problematic when HGV vehicles inadvertently entered from the north and had to turn around.
- 7.5 Closure of the junction of West Street where it joins Northbrook Street would require changing the one-way westbound operation of West Street to two-way operation with access from the junction with Strawberry Hill in order to maintain access to the private parking spaces and to allow servicing of the premises situated off of West Street. There are three concerns that arise from this change to two-way operation of West Street.
- 7.6 The first is that with the present one-way westbound arrangement there are four vehicle directional movements at the Strawberry Hill junction with West Street. These are north to south, south to north, east to north, and east to south. If two-way is introduced in West Street two additional movements of north to east and south to east would be introduced at the junction. The geometry of this junction is poor as it is situated on a double bend and visibility to the north is not ideal. Although this situation already exists it is considered that adding the extra north to east and south to east movements would add to the risks of accidents at the junction.
- 7.7 Secondly, the width of West Street is nominally 5 metres. Although it is possible for this width to accommodate two-way traffic it is considered that it is rather narrow for the number of vehicle movements that would occur.
- 7.8 The third concern is that there is no chance of providing a turning head at the western end of West Street. Although not many cars would need to access this end of West Street and would probably be able to turn around if they did, the situation

would be particularly difficult for larger service vehicles. These vehicles would either have to drive along West Street from the Strawberry Hill junction and reverse back when loading or unloading was complete or would have to reverse from the Strawberry Hill junction and drive out again when loading or unloading was complete. Both of these options would present unacceptable road safety risks. The McDonalds deliveries would be particularly hazardous because this would involve reversing the delivery vehicle over the whole length of West Street. There is an access to some premises on the north side of West Street approximately half way along it that vehicles might choose to use for turning but this is a private access and there would almost certainly be complaints from the occupiers if this occurred. As the Highway Authority we should not introduce a traffic management arrangement that would result in vehicles using private land for manoeuvring or turning.

7.9 In view of the fact that there are no benefits from closing West Street at its junction with Northbrook Street and that there are a number of problems that would arise if this were done, it is recommended that the current traffic management arrangements for West Street remain as they are now.

7.10 **Summary of recommendations**

7.10.1 The current traffic management arrangements for West Street should be retained as they are now and the junction of West Street with Northbrook Street should remain open.

8. **Consultation**

8.1 It is recommended that the proposed traffic management changes contained within this report should be discussed with the various interest groups and organisations that represent Newbury town centre stakeholders so that they have an opportunity to provide feedback on them. The groups and organisations that it is proposed should be contacted are:

- Newbury Town Centre Partnership
- Newbury Retail Association
- Newbury Town Council
- Newbury Town Centre Neighbourhood Action Group
- West Berkshire Disability Alliance and the Inclusive Transport Action Group
- West Berkshire Cycle Forum
- West Berkshire Taxi and Private Hire Association
- CABCO
- West Berkshire Executive Hire Association
- Newbury Buses
- Weavaway Travel
- Emergency Services
- Newbury Post Office
- Newbury Banks
- Newbury Building Societies.

8.2 It is also proposed that once finalised the details of the proposed traffic management changes should be put on the Council's Web site to inform individual stakeholders and give them an opportunity to comment on them if they wish to.

8.3 Ultimately the proposed traffic management changes will require statutory advertisement and consultation on revised Traffic Regulation Orders and there will therefore be further opportunities for stakeholders to formally respond at this statutory regulation stage.

9. Conclusions

9.1 All of the options discussed in this report are interrelated and need to be considered holistically in order that the correct decisions are made about what is best for the movement of traffic through the town centre, for the servicing needs of the business community, for the pick up and drop off needs of disabled persons, for the access and egress needs for properties situated within the pedestrianisation zone, and for pedestrians who would enjoy a virtually vehicle free environment within the pedestrianised zone during the day.

9.2 The Executive is requested to consider the implications of the various interrelated factors that have been discussed at length in this report and the recommendations summarised at the end of each section. The detailed recommendations are set out in the Recommended Action section of this report and the Executive is invited to resolve accordingly.

Appendices

None.

Consultees

Local Stakeholders: To be consulted as indicated in section 8 of this report and as a part of the statutory process for revising Traffic Regulation Orders for the various changes proposed.

Officers Consulted: John Ashworth; Mark Edwards; Bryan Lyttle; Jenny Noble; Gabrielle Esplin, Valerie Witton, Elaine Vincent.

Trade Union: Not applicable.

Title of Report:	Newbury Town Centre Traffic Management Issues - Second Report
Report to be considered by:	Executive
Date of Meeting:	13 January 2011
Forward Plan Ref:	EX2170

Purpose of Report:

For the Executive to consider the feedback received from the various interest groups and organisations consulted on the Council's proposals for revised traffic management in the town centre and to seek authority to proceed as recommended.

Recommended Action:

That the Executive resolves to approve the recommendations set out below:

1. To provide a new drop off and pick up facility in the Northcroft Lane car park adjacent to the Northbrook multi-storey car park and its facilities for use by Handybuses, Readibuses and other Community Transport and Taxis only.
2. To retain the existing bus stop on the east side at the northern end of Northbrook Street for use by Handybuses, Readibuses and other Community Transport.
3. To remove buses from all areas of the pedestrianisation zone (ie Bartholomew Street north, Mansion House Street, Market Place and Northbrook Street).
4. To convert Park Way Bridge to a two-way shuttle working traffic signal controlled route for buses, taxis and cycles only with advanced cycle stop lines and a bus / taxi / cycle lane.
5. To introduce additional full time taxi rank spaces on the west side at the northern end of Northbrook Street in the current bus stop.
6. To introduce part time taxi rank spaces in Bartholomew Street near Iceland at the existing bus stop operational from 5.00pm until 10.00 am.
7. To retain the existing raised platform, kassel kerbs and, if possible, the bus shelter at the proposed taxi rank near Iceland.

- 8. To introduce night time only taxi rank spaces in Bartholomew Street immediately south of the Iceland bus stop operational from 10.00 pm until 6.00 am.**
- 9. To introduce night time only taxi rank spaces in Bartholomew Street near the Dolphin Public House on the west side operational from 6.00 pm until 8.00 am.**
- 10. To introduce a night time only taxi rank in Cheap Street outside the main post office at the bus stop operational from 12.00 midnight until 6.00 am.**
- 11. To convert the feeder taxi rank in Wharf Street to a formal rank where customers would be able to get a taxi.**
- 12. To carry out the engineering improvements at the Wharf Street taxi rank as indicated on drawing number 81493/WTR/001 in Appendix D to make it more accessible to wheelchair users.**
- 13. To permanently remove the taxi rank from Market Place, to prevent taxis from driving through Market Place during pedestrianisation hours and to advise the petition organisers accordingly.**
- 14. To introduce a ban on loading at all times in Wharf Street between its junction with Wharf Road and the point where the block paving commences immediately west of the Museum, except for a short length on the south side between Wharf Road and the turning head, where loading would be permitted outside of the operational times of the pedestrianisation zone.**
- 15. To change the pedestrianisation zone end time from 6.00 pm to 5.00 pm.**
- 16. To retain the current traffic management arrangements for West Street and to keep the West Street junction with Northbrook Street open to traffic.**
- 17. To authorise officers to carry out statutory advertisements and consultations on all of the Traffic Regulation Orders that will be necessary to introduce the proposed traffic management changes and complement the Parkway development.**

18. Subject to there being no objections to the statutory advertisements and consultations on these Traffic Regulation Orders that cannot be overcome, to authorise officers to carry out all work necessary to implement all of the proposed changes in time for the opening of the Parkway development.

19. To authorise officers to refer any objections on these Traffic Regulation Orders that cannot be overcome to the Portfolio Member for Highways, Transport (Operational) and ICT for consideration by means of an Individual Decision report.

Reason for decision to be taken:

1. To introduce traffic management measures within the town centre to complement the Parkway development.
2. To enhance the town centre shopping experience for visitors.
3. To cater for the changes in traffic patterns that will result from the Parkway development.

Other options considered:

Options considered within the two reports to Executive.

Key background documentation:

1. Report to Executive dated 18 February 2010.
2. Report to Newbury Town Centre Task Group dated 28 September 2010.
3. Report to Newbury Town Centre Task Group dated 23 July 2008.

The proposals will also help achieve the following Council Plan Theme(s):

CPT1 - Better Roads and Transport

CPT2 - Thriving Town Centres

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:

- (a) rationalising the movement of traffic in Newbury town centre;
- (b) balancing the servicing needs of the business community, the accessibility needs of disabled persons or people with mobility difficulties, and the access and egress needs of properties within the pedestrianisation zone;
- (c) creating a virtually traffic free environment for pedestrians within the pedestrianised zone during the day thus enhancing the town centre experience for visitors.

Portfolio Member Details

Name & Telephone No.: Councillor David Betts - Tel (0118) 942 2485

E-mail Address: dbetts@westberks.gov.uk

Date Portfolio Member agreed report: 08 November 2010

Contact Officer Details	
Name:	Mark Cole
Job Title:	Traffic Services Manager
Tel. No.:	01635 519210
E-mail Address:	mcole@westberks.gov.uk

Implications

- Policy:** The recommendations within this report accord with existing Council policies and procedures.
- Financial:** All of the proposals in this report will be funded from existing budgets.
- Personnel:** There are no personnel issues arising from this report.
- Legal/Procurement:** Legal Services will process the necessary Traffic Regulation Orders. Procurement processes will be used for provision of the two-way shuttle traffic signals and for the licence plate recognition cameras.
- Property:** There are no property issues arising from this report.
- Risk Management:** A potential risk management issue has been identified in relation to pedestrians who may initially be at higher risk of an accident if the pedestrianisation end time is brought forward from 6.00pm to 5.00pm. However it is considered that this risk can be adequately managed with sufficient advanced publicity and use of temporary signs.
- Equalities Impact Assessment:** A Stage One EIA was released on 17 May 2010 and is attached as Appendix B. This indicated that a Stage Two EIA would be required and that this would be informed by the responses to feedback meetings with various interest groups and organisations. The Stage Two EIA, dated 11 October 2010, indicates what actions are proposed to overcome some negative effects of the proposals to certain groups of people and is attached as Appendix C to this report.
- Corporate Board's Recommendation:** All of the recommendations in the report were approved by Corporate Board at its meeting on 23 November 2010.

NOTE: The section below does not need to be completed if your report will not progress beyond Corporate or Management Board.

Is this item subject to call-in?	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
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 type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>

Executive Summary

1. Introduction

1.1 This report follows on from the first report to the Executive on 18 February 2010 and seeks to obtain final resolutions on a number of key issues concerning the management of traffic in Newbury town centre as we move towards the opening of the new Parkway development in Autumn 2011. Some additional proposals have been developed to seek to address concerns raised during a feedback process with interest groups and organisations that represent Newbury stakeholders. All of these issues are interrelated and need to be considered holistically in order for the correct decisions to be taken.

1.2 The essential firm decisions that need to be resolved are:

- Removal of buses from the pedestrianisation zone;
- Vehicles that should be permitted to use Park Way Bridge;
- Changes to the operational use of the current taxi feeder rank;
- Removal of taxis from Market Place;
- Introduction of a loading ban in Wharf Street;
- Changes to pedestrianisation zone timings;
- Permanent traffic management solution for West Street;

2. Proposals

2.1 Park Way Bridge should be converted to a two-way shuttle working traffic signal controlled route for buses, taxis and cycles only with advanced cycle stop lines and a bus / taxi / cycle lane with enforcement by means of licence plate recognition cameras.

2.2 Buses should be removed from all areas of the pedestrianisation zone.

2.3 Additional taxi ranks as identified in this report should be provided.

2.4 The feeder taxi rank in Wharf Street should be converted to a formal rank and engineering changes identified in this report should be adopted.

2.5 The taxi rank should be permanently removed from Market Place and taxis prevented from driving through Market Place during pedestrianisation hours.

2.6 The pedestrianisation zone end time should be changed from 6.00pm to 5.00pm.

2.7 The current traffic management arrangements for West Street and its junction with Northbrook Street should be retained as they are at present.

3. Conclusion

3.1 It is considered that if these proposals are all implemented, they will provide the best options for the movement of traffic through Newbury town centre, for the servicing needs of the business community, for the pick up and drop off needs of disabled persons, for the access and egress needs of occupiers of premises situated within the pedestrianisation zone, and for pedestrians who would enjoy a virtually traffic free environment during the day within the pedestrianisation zone. Furthermore it is considered that because all of the proposals are closely interrelated, they will need to be implemented at the same time, probably around mid October 2011.

Executive Report

1. Introduction

1.1 At its meeting on 18 February the Executive considered a number of traffic management issues that need to be resolved before the completion of the Parkway redevelopment. Some of these issues relate to existing problems that have been causing ongoing concerns and some of them are issues that have been considered by the Newbury Town Centre Task Group during the last two to three years.

1.2 The Executive resolved thirteen recommendations at the meeting with regard to such matters as:

- Removal of buses from the pedestrianisation zone;
- Vehicles that should be permitted to use Park Way Bridge;
- Changes to the operational use of the current taxi feeder rank;
- Removal of taxis from Market Place;
- Introduction of a loading ban in Wharf Street;
- Changes to pedestrianisation zone timings;
- Permanent traffic management solution for West Street.

1.3 A particular resolution (recommendation 10) was that the proposed traffic management changes contained within the report should be discussed with the various interest groups and organisations that represent Newbury town centre stakeholders so that they had an opportunity to provide feedback on them. The groups and organisations that it was agreed should be contacted and who subsequently were, are:

- Newbury Town Centre Partnership;
- Newbury Retail Association;
- Newbury Town Council;
- Newbury Town Centre Neighbourhood Action Group;
- West Berkshire Disability Alliance and the Inclusive Transport Action Group;
- West Berkshire Cycle Forum;
- West Berkshire Taxi and Private Hire Association;
- CABCO;
- West Berkshire Executive Hire Association;
- Newbury Buses;
- Weavaway Travel;
- Emergency Services;
- Newbury Post Office;
- Newbury Banks;
- Newbury Building Societies.

1.4 The report also indicated that the proposed changes to traffic management in the town centre would require statutory advertisement and consultation on revised Traffic Regulation Orders (TRO's) and that there would be further opportunities for stakeholders to formally respond at that stage. Authority was granted for the officers to carry out the statutory advertisements and consultations as necessary on revised TRO's. This was however subject to there being no significant objections or

comments at the feedback stage with the various interest groups and organisations listed above. There has been a considerable response from the stakeholders and consequently it is necessary for the Executive to review the feedback and make final decisions on how the Council should proceed with the town centre revisions to traffic management. Once the way forward is finally resolved the statutory advertisements and consultations on the necessary revised TRO's can commence.

2. Feedback from Interest Groups and Organisations

- 2.1 A table has been produced that contains all of the comments received from the various interest groups and organisations consulted as part of the feedback process described in 1.3 above. This table is contained in **Appendix A** and sets out in detail all of the issues raised together with officer responses. Many of the officer responses include recommendations for further proposals to help to alleviate concerns raised and to reduce negative impacts. The table was presented to the Newbury Town Centre Task Group at its meeting on 28 September 2010. The Task Group supported the further proposals contained within the table and agreed that all of the recommendations to the proposed traffic management changes contained in the first report to the Executive on 18 February 2010 should be proceeded with.
- 2.2 The specific key issues that have arisen from the feedback process are also summarised in later sections of this report together with a rationale for the proposed way forward. A Stage One Equalities Impact Assessment (EIA) was published in May 2010. In this EIA it was indicated that a Stage Two EIA would be required and that the feedback process would be used to inform the Stage Two EIA. The Stage One EIA is provided in **Appendix B** and the Stage Two EIA in **Appendix C**.

3. Removal of buses from pedestrianisation zone

- 3.1 The West Berkshire Disability Alliance (WBDA) have advised that the removal of buses from the pedestrianisation zone will be welcomed by many visually impaired people who find the continued presence of buses during the times that other vehicles are not permitted intimidating and dangerous. However they are concerned that many ambulant disabled people wishing to get from Park Way to Northbrook Street and other town centre locations will encounter difficulties. The Alliance has also raised concerns about the inability of wheelchair users to access buses in many parts of the town due to lack of kassel kerbs / boarding platforms and requested the provision of a drop off / pick up point near the public toilets at the Northbrook multi-storey car park.
- 3.2 Newbury Town Centre NAG suggested that one of the car parks in West Street could be used for drop off / pick up by Handybuses, Readibuses or Taxis and other vehicles equipped for carrying disabled passengers.
- 3.3 Newbury Buses are not happy about coming out of the pedestrianisation zone but have reluctantly accepted that this is an outcome that will be necessary if the Council is to provide the relaxed town centre experience for visitors that it is seeking to create. They have indicated that they will not object when the Traffic Regulation Orders (TRO's) are advertised but have requested additional bus stops at the northern end of Park Way.
- 3.4 The Local Police Area Commander has indicated his support for the removal of all traffic from the pedestrianised zone during the day.

- 3.5 Newbury Retail Association has no objection to removal of buses from the pedestrianisation zone but is opposed to Park Way Bridge being limited to buses, taxis and cycles only. The Association wants all traffic to be able to continue to use the bridge southbound as it does now.
- 3.6 Newbury Town Centre Partnership supports the Council's proposals to deliver a truly pedestrianised town centre.
- 3.7 Since the first report to the Executive in February a number of existing provisions have been clarified and additional measures have been considered or developed to help alleviate the concerns regarding removal of buses from the pedestrianised zone. These are as follows:
- The new bus stops that are proposed as part of the Parkway development are located at a convenient location close to the main access point in Park Way and these will have kassel kerbs;
 - Any bus stops that remain in use if the re-routing of buses goes ahead that still require upgrading will have kassel kerbs installed as soon as possible;
 - Ramp access into the new development is to be provided in reasonably close proximity to the bus stops and also near to Park Street;
 - Additional bus stops will be provided at the northern end of Park Way;
 - Seating is being provided within the streetscape of the Parkway development;
 - If buses are removed from the pedestrianised zone it will not be possible for all traffic to continue to use Park Way Bridge southbound as this would cause extensive congestion;
 - A drop off / pick up facility is proposed in Northcroft Lane car park at the junction with Pembroke Road adjacent to Northbrook multi-storey car park and its facilities, which is only slightly further from the location requested by the WBDA that could not be accommodated but closer than West Street to the town centre, the location suggested by Newbury Town Centre NAG. This facility would be available for use by Handybuses, Readibuses and other Community Transport and Taxis;
 - It is proposed that the existing southbound bus stop on the east side at the northern end of Northbrook Street should be retained for use by Handybuses, Readibuses and other Community Transport.
- 3.8 It is considered that based on the feedback received and the additional measures now proposed, there is no reason to move away from the original decision that the Executive made in February 2010 to remove buses from all areas of the pedestrianisation zone and it is recommended that this should go ahead.
- 3.9 **Summary of recommendations**
- 3.9.1 **A new drop off / pick up facility should be provided in Northcroft Lane car park adjacent to Northbrook multi-storey car park and its facilities for use by Handybuses, Readibuses, and other Accessible Community Buses and Taxis only.**

3.9.2 To retain the existing bus stop on the east side at the northern end of Northbrook Street for use by Handybuses, Readibuses, and other Accessible Community Buses.

3.9.3 Buses should be removed from all areas of the pedestrianisation zone (ie Bartholomew Street north, Mansion House Street, Market Place and Northbrook Street).

4. Vehicles that should be permitted to use Park Way Bridge

4.1 The Ambulance Service has indicated that it has no objections to any of the proposals providing that it retains access for all of its vehicles and they can use Park Way Bridge for emergency responses.

4.2 Revised Traffic Regulation Orders (TRO's) will need to be put in place to support all of the changes that are proposed for the town centre. These TRO's will permit all emergency service vehicles to use Park Way Bridge in both directions during emergency responses.

4.3 Newbury Buses has a concern regarding buses trying to pass each other in Wharf Road and with buses turning into Bear Lane. They are not convinced of the benefits of using Park Way Bridge and have suggested that buses from the north will terminate at Parkway and from the south terminate at the bus station. They say that having no cross town service would be significant and that it would not be beneficial to disrupt services. They are however keen to develop bus services in the area (eg a bus link to and from the railway station).

4.4 It is very common for buses to have to negotiate residential estates that are narrow, have tight bends and parked vehicles. Wharf Road has some bends but is not too narrow and there will be no parked vehicles to obstruct the route. It is not considered that turning movements at the junction with Bear Lane will be any more difficult than many other tight turns that buses would have to make.

4.5 It is considered that Park Way Bridge offers the best alternative for buses if they are removed from the pedestrianisation zone. It may be that Newbury buses will operate some services along the A339 but buses from the north will not be able to terminate at Parkway because they will not be able to turn round. They would have to drive over the bridge to turn round in the coach park and so it would be more sensible to continue south to other destinations or the bus station. The whole issue of cross town services will have to be discussed between WBC Transport Services officers and Newbury Buses staff if the decision is to go ahead with the bus proposals for the town. With the widespread changes that are coming to Newbury it is inevitable that there will be some disruption to bus services but again WBC Transport Services officers will work with bus operators to minimise this.

4.6 Newbury Town Council raised concerns regarding the volume of traffic that would be transferred to the A339 and regarding possible congestion in Wharf Street as a result of the Council's proposals.

4.7 It is known from experience that even when traffic queues back up on the A339, it still feeds through the traffic lights at the Sainsbury's roundabout reasonably quickly. There are often times when drivers use the route through Park Way and over the bridge when it is congested and sit in queues when the A339 is moving

freely. Since the Parkway project has been under construction it is evident that less traffic is using the Park Way route and the A339 has coped well. In addition the proposal to bring the end of pedestrianisation time forward to 5.00 pm will provide Northbrook Street as another peak time route. Taking all of these factors into consideration, it is considered that these concerns have been addressed.

- 4.8 There is no reason why there should be congestion in Wharf Street if the proposals are adopted. At present outside pedestrianisation hours traffic from all directions and from the Wharf car parks can use this route if required. With the proposed measures the only traffic using Wharf Street will be taxis, cycles, traffic from the Bear Lane direction or cars from the car parks that wish to use this route. There is no logical reason why traffic should divert from Bear Lane through Wharf Street because it will arrive back at the same point at the southern end of Market Place as it arrives at if it continues straight along Bear Lane. Consequently it is extremely unlikely that there will be any congestion in Wharf Street.
- 4.9 The Roads Policing team of Thames Valley Police has no objections to the proposals providing that the burden of enforcement is catered for through engineering and technology methods. It is proposed that two-way shuttle working traffic signals together with licence plate recognition cameras will be utilised to provide the technical solution to enforcement. Advanced stop lines are proposed to assist slower moving cyclists.
- 4.10 As indicated in Section 3 above, the Newbury Retail Association is opposed to Park Way Bridge being limited to buses, taxis and cycles only. The Association wants all traffic to be able to continue to use the bridge southbound as it does now.
- 4.11 Unfortunately this decision is not workable. If buses are removed from the pedestrianised zone, which is the consensus that came out of the public consultation on Newbury Vision 2025, it follows that they would need to relocate to Park Way. This is where new bus stops are to be provided as part of the S278 works for the Parkway development. It is known from previous experience during town centre projects that two way traffic lights on Park Way bridge causes extensive congestion if normal traffic is permitted to use the bridge.
- 4.12 The Taxi Trade has welcomed the opportunity to make use of Park Way Bridge.
- 4.13 The Royal Mail delivery office in Newbury has been advised that the Council wishes to remove its vehicles from the pedestrianised zone during the day. They have no objection to this but wish to use Park Way Bridge, which would be restricted to buses, taxis and cycles only because they consider it an important main route for their collection vehicles. They have said that denial of this access route will undoubtedly have significant impact on the collection service that they will be able to offer their many business customers in Newbury. They have indicated that for this reason they oppose this part of the Council's proposals and wish their opposition to be registered.
- 4.14 Under the Council's proposals Park Way Bridge would be converted to a two-way public transport corridor. This corridor would allow buses, taxis and cycles to use the route via a bus / taxi / cycle lane. This lane is required in order for the Council to carry out its own enforcement using the licence plate recognition cameras. The regulations that would come into place with the necessary TRO do not allow use by any other vehicles except emergency service vehicles when responding to

emergency calls. Consequently it will not be possible to agree to Royal Mail's request to permit their vehicles to use the bridge.

- 4.15 When the issue of what traffic should be permitted to use Park Way Bridge was considered in February it was decided that on balance a two-way shuttle working traffic signal controlled route for buses, taxis and cycles only with advanced cycle stop lines, a bus / taxi / cycle lane and licence plate recognition cameras was the best solution. It is considered that this is still the only workable option that can be adopted if buses are to be removed from the pedestrianised zone and this is therefore the recommended way forward.

4.16 **Summary of recommendations**

4.16.1 Park Way Bridge should be a two-way shuttle working traffic signal controlled route for buses, taxis and cycles only with advanced cycle stop lines, a bus / taxi / cycle lane and licence plate recognition cameras.

5. **Removal of taxis from Market Place**

- 5.1 This proposal has been the most controversial one and there has been a considerable volume of comments from stakeholders during the feedback process.

- 5.2 As would be expected the taxi trade is totally opposed to removal of the Market Place rank. A meeting was held on 10 June 2010 with representatives from West Berkshire Hackney and Private Hire Association (WBHPHA) and Cabco Hackney Carriage Drivers Association (CABCO) at the Council's offices to discuss the proposed traffic management changes and seek feedback. It was agreed at the meeting that WBHPHA and CABCO would provide a formal written response to the Council's proposals. This was duly received on 30 July 2010 in the form of minutes of the meeting together with a covering letter. The response contained fifty six comments, many of which were not relevant to the specific proposals regarding the changes to traffic management in the town centre. However these have all been included in the feedback table in **Appendix A**, together with officer responses so that Members have all of the information necessary to inform the final decision that they make regarding this particular issue. The covering letter is also included as **Appendix 2** to the table in **Appendix A**.

- 5.3 Attached to the written response was a petition containing 194 signatories that says:

"We the undersigned, wish to make a formal complaint against West Berkshire District Council ("WBC") in respect of their "Newbury Vision" plan to remove taxis from the market square taxi rank. We agree with the West Berkshire Taxi and Private Hire Association and the Cabco Association that this plan is not in the interests of the elderly with mobility issues, the disabled who will have further to travel to a taxi rank, or the public generally. We believe that moving the taxi rank to the wharf will increase the possibility of public disorder and will increase crime and fear of crime. We agree that moving the rank to the other end of the market square as shown on the drawing overleaf will be of benefit to Newbury town centre. WBC are instructed to log an individual formal complaint against this policy for each petitioner who affixes their signature below. Thank you."

The petition was subsequently presented to the Council on 4 August 2010. The drawing referred to in the petition has been included as **Appendix 1** to the table in **Appendix A** to this report.

- 5.4 This proposal from the taxi trade to move the existing rank to the northern end of Market Place is their Option 1 in their response. They propose that the relocated rank should operate as a permanent 24 hour rank. Their comments and officer responses to them regarding this option can be found in response numbers 64 to 73 in **Appendix A**.
- 5.5 Members are particularly asked to consider the fact that this proposal does not conform with the Council's current aspiration to remove all but emergency service vehicles during pedestrianisation hours and to encourage use of the Market Place for events and pavement cafés. There are currently two 64 chair license holders for the provision of pavement cafes at this end of Market Place and the rank in this location would not be conducive to the atmosphere that is being sought. It is accepted that these two license holders have so far failed to make use of their licenses but it is expected that this situation will change as economic conditions improve. There are also six license holders who are currently operating in Market Place, namely Paramount Restaurants (formerly Café Uno) – 16 chairs, Strada – 20 chairs, Pizza Express – 10 chairs, Hogs Head – 12 chairs, Corn Exchange – 20 chairs and Silva Robinson – 6 chairs. It is also anticipated that there will be more applications for pavement cafés, especially with the new Wetherspoons in Market Place.
- 5.6 It has been claimed by the taxi trade that if relocated there would be a visible line of sight from the front of the feeder rank to the back of the main rank, thus speeding flow of taxis at peak times. It is true that there would be a visible line of sight of the back of a rank positioned at the northern end of Market Place from the feeder rank. However when taxis left from the front of the Market Place rank and the others moved forward the first taxi waiting in the feeder rank would move forward but the next taxi would have to wait until the first one disappeared from view before proceeding. This would continue until the Market Place rank was full and the taxi at the back could be seen. This is no different from how the current traffic light system works. It is considered that to make best use of the environmentally enhanced Market Place for events and as a pavement café area it would not be appropriate for the rank to be relocated to the northern end of Market Place as requested by the taxi trade. Consequently it is recommended that this request should be declined.
- 5.7 Option 2 put forward by the taxi trade is to remove taxis from the Market Place rank in the daytime only and retain the rank outside of pedestrianisation hours (ie between 5.00 pm and 10.00 am). This proposal is supported by the WBDA. There are difficulties associated with this option however. During the day the feeder rank in Wharf Street would be used as a formal rank but at night it would be used as both a formal rank and a feeder rank to the Market Place rank. This would cause considerable confusion to customers and would make it difficult for taxi drivers trying to operate effectively.
- 5.8 Thames Valley Police have indicated that they cannot see a problem with the taxis being excluded from Market Place. They agree that the taxis should not be allowed during the pedestrianisation hours if the buses will cease to flow into the town during these times. They say that shoppers will become familiar with knowing where to obtain taxis home, namely the Wharf for Market Place and Northbrook Street for

the north end of the town and Parkway. They however wish to see retention of a rank at night and have suggested that provision of a night time only rank at the existing bus stop outside the main post office would be a viable and acceptable compromise. The issue of public disorder as mentioned in the petition is one that has been discussed by the police in their response but is not of particular concern providing there is some visibility of taxis at night when customers leave the pubs and clubs at closing time.

- 5.9 Turning to the issue of the comments in the petition relating to the Council's proposal to remove taxis from Market Place not being in the interests of the elderly with mobility issues, the disabled who will have further to travel to a taxi rank, or the public generally. It was acknowledged in the February report that there might be some opposition from groups representing people with mobility problems about the loss of the taxi rank in Market Place and in order to try to overcome these potential objections it was proposed that the feeder rank in Wharf Street should be converted to a formal rank where customers would be able to get a taxi. This rank is a short distance from Market Place.
- 5.10 Newbury Town Centre NAG is also opposed to removal of the Market Place rank. They have said that it would give disabled and elderly people a problem, it is a long way to walk to the feeder rank in the Wharf if you are incapacitated in any way and it is best to get people out of Market Place quickly. The Corn Exchange has indicated that it would be a more pleasant experience for its customers sitting outside but would make access harder for patrons with mobility problems who are used to being dropped off at the front door.
- 5.11 Since the Executive meeting in February investigations have been carried out to identify further opportunities to provide more taxi rank spaces around the town centre in addition to conversion of the feeder rank in Wharf Street in order to further address these legitimate concerns.
- 5.12 These investigations have identified or confirmed the following locations where additional taxi rank spaces could be provided whilst still catering for other uses such as loading and use by buses:
- Full time rank spaces on the west side at the northern end of Northbrook Street in the current bus stop (3 taxis);
 - Part time rank spaces in Bartholomew Street near Iceland in the existing bus stop (5 taxis) operational from 5.00pm until 10.00 am;
 - Night time only rank spaces in Bartholomew Street immediately south of the Iceland bus stop (3 taxis) operational from 10.00 pm until 6.00 am;
 - Night time only rank spaces in Bartholomew Street near the Dolphin Public House on the west side (5 taxis) operational from 6.00 pm until 8.00 am;
 - Night time only rank in Cheap Street outside the main post office at the bus stop (3 taxis) operational from 12.00 midnight until 6.00 am.

It is therefore recommended that these new rank spaces should be provided.

- 5.13 In the case of the proposal to convert the existing bus stop near Iceland to a taxi rank at all times except during pedestrianisation hours, the taxi trade have indicated that the existing raised platform should be retained. They believe that this will

provide good accessibility for disabled customers and would be usable for all types of taxis. The WBDA indicated in their response that the bus platform would need to be removed and the paving made good if the buses were going to be removed from the pedestrianisation zone. However they were not aware of the proposal to convert the bus stop for use by taxis because this proposal has arisen during review of the project proposals.

- 5.14 The Council's Access Officer has been consulted and has said that she is wholly in favour of this proposal as it will go some way to improving access to our taxi provision, that the kassel kerbs will be appropriate for side entry vehicles and that the rank would have sufficient dimensions to accommodate rear entry vehicles. She has added that it would not just be suitable for wheelchair access but could be used fully by all taxis with sufficient signage to raise awareness and that Iceland is a good location. If it is possible it is intended to retain the bus shelter because this would make this location an attractive rank between 5.00 pm and 10.00 am. The Access Officer also supports this proposition. It is therefore recommended that the raised platform and kassel kerbs are retained and if possible the bus shelter as well.
- 5.15 On the matter of the proposal to remove the rank from Market Place the Access Officer has rightly indicated that the management of this change will be crucial. She has suggested that the multi-storey car parks be utilised as drop off and pick up points with the connection to Shopmobility for scooter loan being encouraged. This would meet our requirement for the Disability Discrimination Act (DDA) for those with limited mobility but not a wheelchair user. Finally she has said that this information will need to be promoted to the taxi trade and to the wider service user to ensure a smooth transition.
- 5.16 The existing rank in Market Street that was installed using funding from the Cinema project holds 5 taxis and the signing has been enhanced to make its presence more obvious to customers. It is quite close to Market Place and the entrance to Kennet Centre in Market Street. Also the new rank that is to be provided in Park Way adjacent to the ramp access into the new Parkway development will hold 4 taxis. Finally there are two existing ranks at the northern end of Northbrook Street, one on the west side that holds 4 taxis and one on the east side that holds 5. Both of these ranks together with the new one that is proposed in the current Northbrook Street bus stop are well placed to serve the new Parkway development via the East Street access as well as Northbrook Street itself.
- 5.17 The WBDA, Newbury Town Centre NAG and the Taxi Trade have all identified the need for engineering changes to be carried out at the feeder rank in Wharf Street to make it accessible for wheelchair users. This is agreed by officers and outline design work has been carried out. As well as proposing improved access to the rank by providing a new short length of footway to link the route from Market Place to the existing traffic separation island, it is proposed that a new waiting / boarding area is created that will enable both side or rear access to taxis by wheelchair users. The current feeder rank holds about 10 taxis but is not at all user friendly, particularly for wheelchair users. The proposed facility addresses these difficulties but it does result in the number of taxis that can be accommodated reducing to 7. However it is considered that this is not a high price to pay in order to address the concerns about wheelchair access that have been raised, especially since additional taxi rank spaces are proposed elsewhere around the town centre. The

proposed layout for the conversion of the feeder rank to a formal rank is shown on drawing number 81493/WTR/001 in **Appendix D**.

- 5.18 Summarising the position, the current situation is that there are 28 taxi rank spaces in the town centre (4 in Market Place, 10 in Wharf Street, 5 in Market Street and 9 in Northbrook Street). It should be noted however that the Wharf Street rank is not a formal rank but a feeder rank. If the proposals are adopted and the new ranks are provided the position will remain the same during the day with 28 taxi rank spaces (7 in Wharf Street, 5 in Market Street, 12 in Northbrook Street, 4 in Parkway) but the Wharf Street rank will be a formal rank. Outside of the pedestrianisation hours however, there would be an additional 16 rank spaces (13 in Bartholomew Street and 3 in Cheap Street) giving a total of 44 taxi rank spaces.
- 5.19 An Option 4 has been put forward by the taxi trade as their preferred option. This is to introduce their Option 1 (to move the existing rank to the northern end of Market Place) for a 12 month trial period before making any final decisions. It is acknowledged that this option is the one that the taxi trade wish to put forward as their preferred one but as indicated above there are reasons why Option 1 is not considered appropriate. Consequently it is not considered appropriate to introduce this option on a trial basis either.
- 5.20 The option identified as Option 3 in the taxi trade's response is the Council's original option, which is to permanently remove the Market Place rank and convert the current feeder rank in Wharf Street to a permanent formal rank. As mentioned at the start of this section this option has not been well received by the taxi trade and by some stakeholders. The taxi trade have cited loss of earnings; problems for the elderly, the sick and the infirm; trouble from night time revellers in the Wharf; traffic risks; crime and fear of crime; taxis manoeuvring and reversing; the need to make engineering changes to the feeder rank; and loss of blue badge spaces in the Wharf car park as reasons against going ahead with this proposal.
- 5.21 It is considered that the Parkway development will bring changes to the town and if the traffic management proposals are adopted there would be an attractive vehicle free environment. There would be other options for taxis elsewhere in Newbury so there is no evidence to suggest that there would be any loss of earnings. It is considered that the comments about use of the Wharf Street rank causing trouble on busy nights and for big events, and increasing crime and fear of crime are overstated. If a big event was being held in Market Place it is likely that the Market Place rank would have been taken out of use in any case. If we are just referring to routine night time activity there is no reason to suppose that the Wharf Street rank would cause any more trouble than the existing Market Place rank. It is considered that traffic risks will be minor because with southbound traffic removed from Park Way Bridge vehicle movements will be fairly low in Wharf Street.
- 5.22 It is not considered necessary for blue badge spaces in the Wharf car park to be lost nor that it will be necessary for taxis to reverse. At night when numbers of people waiting for taxis are likely to be higher, taxi drivers will have the option of exiting through Market Place as well as via Wharf Road or Park Way Bridge. It is accepted that some engineering changes are required and these have been designed in outline as discussed above. It is therefore recommended that the feeder rank is converted to a permanent formal rank and that layout shown on drawing number 81493/WTR/001 in **Appendix D** should be adopted.

- 5.23 One final aspect of the proposal to change the feeder rank to a formal rank that should be mentioned is the future situation regarding the traffic light system that currently links the feeder rank in Wharf Street to the main rank in Market Place. There is no requirement to provide feeder ranks although WBC has provided one in Newbury because of the special circumstances of there being a main rank within a zone controlled by rising bollards fed from a rank outside and because historically more taxis than the current 4 were permitted in Market Place. However if all of the additional ranks are provided as now proposed, this traffic light system would no longer be required. Taxis would rank in various locations and move from rank to rank depending on passenger needs and no one rank would be deemed as a main rank. Feeder ranks are rarely provided in other towns and cities so Newbury would fall in line with the normal situation. Consequently it is intended that the traffic light system would be removed.
- 5.24 Additional rank spaces have now been proposed that will address many of the concerns, some of which are close to Market Place. Also it should be remembered that although there would be no rank in Market Place there is no reason why taxis cannot enter any areas of the pedestrianisation zone before 10.00 am or after 5.00 pm to drop off or pick up passengers. Indeed this applies to any vehicles. It is not an offence to drop off or pick up where there is restricted parking. It is only an offence to park. Taking into account all of the pros and cons as set out in this section, it is considered that it is still appropriate to proceed with the Council's proposal to permanently remove the Market Place rank and to convert the feeder rank in Wharf Street to a formal rank. It is therefore recommended that this option should be proceeded with and that all of the alternative options put forward by the taxi trade should be rejected. The petition organisers should be advised accordingly.
- 5.25 **Summary of recommendations**
- 5.25.1 **To introduce additional full time taxi rank spaces on the west side at the northern end of Northbrook Street in the current bus stop.**
- 5.25.2 **To introduce part time taxi rank spaces in Bartholomew Street near Iceland at the existing bus stop operational from 5.00pm until 10.00 am.**
- 5.25.3 **To retain the existing raised platform, kassel kerbs and, if possible, the bus shelter at the proposed taxi rank near Iceland.**
- 5.25.4 **To introduce night time only taxi rank spaces in Bartholomew Street immediately south of the Iceland bus stop operational from 10.00 pm until 6.00 am.**
- 5.25.5 **To introduce night time only taxi rank spaces in Bartholomew Street near the Dolphin Public House on the west side operational from 6.00 pm until 8.00 am.**
- 5.25.6 **To introduce a night time only taxi rank in Cheap Street outside the main post office at the bus stop operational from 12.00 midnight until 6.00 am.**
- 5.25.7 **To convert the feeder taxi rank in Wharf Street to a formal rank where customers would be able to get a taxi.**

5.25.8 To carry out the engineering improvements at the Wharf Street taxi rank as indicated on drawing number 81493/WTR/001 in Appendix D to make it more accessible to wheelchair users.

5.25.9 To permanently remove the taxi rank from Market Place, to prevent taxis from driving through Market Place during pedestrianisation hours and to advise the petition organisers accordingly.

6. Introduction of a loading ban in Wharf Street

6.1 There are regular occasions when service vehicles park on the double yellow lines in Wharf Street in order that their drivers can deliver loads within the pedestrianisation zone by trolley or by hand. These vehicles cause obstruction and have to reverse out of Wharf Street if they are too large to use the turning head located near the rising bollards. This situation is not only considered undesirable from a road safety perspective but if allowed to continue could interfere with the u-turning movements from the proposed taxi rank that would be created at the current feeder rank.

6.2 In February the Executive resolved to introduce a loading ban on the section of Wharf Street between Wharf Road and the rising bollards to coincide with the operational time of the pedestrianisation zone. There have been no comments received on this proposal from stakeholders except from the Head of Cultural Services. He has indicated that loading should be discouraged outside the Museum in order to:

- Remove the risk of physical damage to the historic buildings by Heavy Goods Vehicles (HGV's) loading and turning;
- Improve the visual presence of the Museum generally and the entrance specifically, which is often hidden by HGV's and vans parked to unload;
- Ensure the dropped kerb near the Museum entrance for wheelchair users is visible and accessible.

6.3 It will not be possible to implement a complete loading ban at all times in Wharf Street because there is a need to provide some loading provision for the businesses in this road and to keep carry distances to a reasonable length. Consequently it is intended that a short length of loading will be permitted on the south side outside of pedestrianisation zone times only between Wharf Road and the turning head near the rising bollards. This will cater for the loading need but also ensure that the Museum building is kept clear. The purpose of preventing loading during pedestrianisation zone times on this short length is to make this length of loading consistent with the loading permitted within the pedestrianisation zone, thereby encouraging businesses to arrange deliveries before 10.00 am and after 5.00 pm. It is therefore recommended that loading is prevented at all times in Wharf Street from Wharf Road to the start of the block paving just west of the Museum, except for the short length on the south side, where loading will be permitted outside of pedestrianisation times.

6.4 Summary of recommendations

6.3.1 To introduce a ban on loading at all times in Wharf Street between its junction with Wharf Road and the point where the block paving commences immediately west of the Museum, except for a short length on the south side between Wharf Road and the turning head, where loading would be permitted outside of the operational times of the pedestrianisation zone.

7. Change of pedestrianisation zone end time

7.1 Thames Valley Police was the only stakeholder to comment on the proposal to bring forward the pedestrian zone end time from 6.00 pm to 5.00 pm. The Town Centre Operational Policing Team said that this would cause potential for conflict with pedestrians who are used to the pedestrianisation lasting until 6.00 pm and allowing traffic to flow from 5.00 pm when shops will still be open would result in increased potential for that conflict to occur. However this issue was covered in the report to the Executive on 18 February 2010. The risk was identified but it was stated that the initial risks to pedestrians caused by the changed environment between 5.00 pm and 6.00 pm could be managed with sufficient advanced publicity and use of temporary signs. It was concluded that on balance the benefits for traffic flow of bringing forward the pedestrianisation end time justified this proposed change. The Local Police Area Commander subsequently commented that the risk presented by bringing forward the time of traffic flow to 5.00 pm will need to be proactively managed but clearly this is in hand.

7.2 All of the various issues and possible permutations for pedestrian zone timings were covered in considerable detail in the 18 February 2010 report to the Executive and in the 23 July 2008 report to the Newbury Town Centre Task Group that are listed as key background documentation to this report. These have not all been repeated again in this report because the Executive resolved in February to change the pedestrianisation end time from 6.00 pm to 5.00 pm and the Police are not opposed to this providing the change is managed adequately.

7.3 However it is worth reminding Members of the rationale for this proposed change. At present there are three north to south routes available to all traffic in the am peak period (ie Northbrook Street, Park Way and A339) and two south to north routes (ie Northbrook Street and A339). In the pm peak there are two north to south routes available (ie Park Way and A339) and one south to north route (ie A339). If Park Way Bridge is closed to all traffic except buses, taxis and cycles, this would reduce the available north to south routes in the am peak for other traffic to two (ie Northbrook Street and A339). There would be no change to south to north routes for other traffic because no traffic can travel north over Park Way Bridge. In the north to south direction during the pm peak the loss of Park Way Bridge for other traffic would reduce the available routes from two to just one (ie A339). In the south to north direction there would again be no change for other traffic with the single route of A339 being the only one available because Park Way Bridge is currently southbound only. Consequently if Park Way Bridge is to become a two way buses / taxis / cycles only route as recommended, it would be prudent to bring forward the end of the pedestrianisation zone time from 6.00 pm to 5.00 pm to make available replacement north to south and south to north routes in the pm peak in order to avoid unacceptable congestion. It is therefore recommended that the change should go ahead.

7.4 Summary of recommendations

7.4.1 To change the pedestrianisation end time from 6.00 pm to 5.00 pm.

8. Permanent traffic management solution for West Street

8.1 In the February report to the Executive consideration was given to the possibility of closing West Street at its junction with Northbrook Street because this had been suggested by some stakeholders. However a number of problems were identified with this proposal as follows:

- West Street provides the escape route for vehicles that continue to drive down Northbrook Street during pedestrianisation hours and arrive at the rising bollards;
- Closure of the junction of West Street where it joins Northbrook Street would require changing the one-way westbound operation of West Street to two-way operation with access from Strawberry Hill;
- The geometry of the junction of Strawberry Hill with West Street is poor as it is situated on a double bend and visibility to the north is not ideal. Changing West Street to two-way would add north to east and south to east movements that would increase the risks of accidents at the junction;
- The width of West Street is nominally 5 metres, which is too narrow to accommodate two-way traffic for the number of vehicle movements that would occur;
- There is no chance of providing a turning head at the eastern end of West Street that would be required for service vehicles;

8.2 There are no benefits from closing West Street at its junction with Northbrook Street. The Executive resolved in February that the current traffic management arrangements for West Street should remain as they are now. None of the interest groups or organisations have commented on this and so there is no reason to change the decision taken in February.

8.3 Summary of recommendations

8.3.1 To retain the current traffic management arrangements for West Street and to keep the West Street junction with Northbrook Street open to traffic.

9. Next steps

9.1 It is proposed that as soon as the Executive has confirmed how it wishes to proceed with the traffic management proposals for Newbury town centre, the proposals should be published on the Council's Web site to inform individual stakeholders. Following this Traffic Regulation Orders (TRO's) that will be required to effect the changes will need to be finalised and the statutory advertisement and consultation process commenced. There will be further opportunities for stakeholders to formally respond to the proposals at this statutory advertisement and consultation stage. Authority is therefore sought for carrying out the statutory advertisements and consultations on the TRO's required to deliver this project.

- 9.2 Subject to there being no objections to the statutory advertisements and consultations on these TRO's that cannot be overcome, officers would wish to proceed with all work necessary to implement all of the proposed changes in time for the opening of the Parkway development. Authority to proceed is therefore requested.
- 9.3 In the event that there are objections to the statutory advertisements and consultations, authority is sought for these to be referred to the Portfolio Member for Highways, Transport (Operational) and ICT for consideration by means of an Individual Decision report.
- 9.4 **Summary of recommendations**
- 9.4.1 **To authorise officers to carry out statutory advertisements and consultations on all of the Traffic Regulation Orders that will be necessary to introduce the proposed traffic management changes and compliment the Parkway development.**
- 9.4.2 **Subject to there being no objections to the statutory advertisements and consultations on these Traffic Regulation Orders that cannot be overcome, to authorise officers to carry out all work necessary to implement all of the proposed changes in time for the opening of the Parkway development.**
- 9.4.3 **To authorise officers to refer any objections on these Traffic Regulation Orders that cannot be overcome to the Portfolio Member for Highways, Transport (Operational) and ICT for consideration by means of an Individual Decision report.**

10. Conclusions

- 10.1 All of the options discussed in this report are interrelated and need to be considered holistically in order that the correct decisions are made about what is best for the movement of traffic through the town centre, for the servicing needs of the business community, for the pick up and drop off needs of disabled persons, for the access and egress needs for properties situated within the pedestrianisation zone, and for pedestrians who would enjoy a virtually vehicle free environment within the pedestrianised zone during the day.
- 10.2 In approving thirteen recommendations contained in the first report on these traffic management proposals for Newbury town centre on 18 February 2010 the Executive agreed that officers should discuss the proposals with various interest groups and organisations that represent Newbury town centre stakeholders to obtain feedback on them.
- 10.3 Following this discussion process there has been a considerable response from the stakeholders and consequently it has been necessary to respond to this feedback and to develop further proposals to seek to overcome concerns that have been raised. It should be pointed out that in developing further proposals it has been necessary to make compromises because different interest groups and organisations have different needs and views.

- 10.4 The Executive is requested to consider the implications of the various interrelated factors that have been discussed at length in this second report and the recommendations summarised at the end of each section. The detailed recommendations, that now total nineteen, are set out in the Recommended Action section of this report and the Executive is invited to resolve accordingly.
- 10.5 It is considered that because all of the traffic management proposals are closely interrelated, it will be necessary for all of them to be implemented at the same time. The exact date will be determined closer to the time that the retail element of the Parkway development nears completion but it is anticipated that this will be around mid October 2011.

Appendices

Appendix A – Feedback Responses from Interest Groups and Organisations.

Appendix B – Equality Impact Assessment – Stage One.

Appendix C – Equality Impact Assessment – Stage Two.

Appendix D – Wharf Street Taxi Rank Proposal – Proposed Layout.

Consultees

Local Stakeholders: Feedback has been obtained from interest groups and organisations that represent Newbury town centre stakeholders. Further stakeholder consultation will be carried out as a part of the statutory advertisement and consultation process required to introduce the Traffic Regulation Orders necessary for the various traffic management changes proposed.

Officers Consulted: John Ashworth; Mark Edwards; Bryan Lyttle; Jenny Graham; Melanie Ellis; Valerie Witton; Elaine Walker; David Appleton.

Trade Union: Not applicable.

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2020/21 Performance Report Quarter Two

Committee considering report:	Executive
Date of Committee:	17 December 2020
Portfolio Member:	Councillor Jo Stewart
Date Portfolio Member agreed report:	19 November 2020
Report Author:	Jenny Legge/Catalin Bogos
Forward Plan Ref:	EX3884

1 Purpose of the Report

- 1.1 To provide assurance that the core business and council priorities for improvement measures ([Council Strategy 2019-2023](#)) are being managed effectively.
- 1.2 To highlight successes, in particular maintained strong levels of performance for core business areas, supported by the actions taken by the Council, partner organisations and community groups to recover from Covid-19 crisis. In a few cases, where performance has fallen below the expected level, either as decisions of the Council to support the Covid-19 response or due to restrictions imposed due to the virus, details are provided, including any further actions.

2 Recommendations

- 2.1 To note strong progress and achievements despite challenges and constraints as a result of Covid-19.
- 2.2 To review the impact of the Council's conscious decision to provide additional support to residents and local businesses and any further actions planned, in particular for:
 - Council Tax collected as a percentage of Council Tax due
 - Non domestic rates collected as percentage non domestic rates due
- 2.3 The Executive to approve the inclusion of new measures emerging as a result of Strategic Goals being delivered (as recommended by the OSMC). The list of measures and further details are provided at Appendix E.

3 Implications and Impact Assessment

Implication	Commentary			
Financial:	To be highlighted and managed by individual services.			
Human Resource:	To be highlighted and managed by individual services.			
Legal:	To be highlighted and managed by individual services.			
Risk Management:	To be highlighted and managed by individual services.			
Property:	To be highlighted and managed by individual services.			
Policy:	To be highlighted and managed by individual services.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		

B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
Environmental Impact:		x		
Health Impact:		x		
ICT or Digital Services Impact:		x		
Council Strategy Priorities or Business as Usual:	x x			Supports all priorities and core business of the Council Strategy 2019-2023.
Data Impact:		x		
Consultation and Engagement:	The information provided for this report, has been signed off by the relevant Head of Service / Service Director and Portfolio Holder.			

4 Executive Summary

- 4.1 The measures shown in this report, monitoring performance from July to September 2020, have been affected by the local response required to manage Covid-19. A prompt and committed response at local level ensured that the strong performance of the Council's services has been maintained.
- 4.2 This paper provides updates for each component of the Council Strategy Delivery Plan:
- The influencer (external context) measures,
 - Targeted measures for each core business area,

- Targeted measures for each priority for improvement and
 - Corporate health (internal context) measures.
- 4.3 The **influencer measures** indicate that the expected downturn in the economy, due to Covid-19, has begun to produce some effects locally. However, in West Berkshire, overall some of the key economic indicators (economic activity, employment rate, business rated properties number) maintained pre-Covid strong levels. The impact is more manifest for sub-groups of population evidenced by a significant increase of benefits claimant count. Some of the social measures are impacted too. There is a significant reduction of recorded crime but also lower levels of referrals to children social care and safeguarding adult social care.
- 4.4 We are reacting to the changing economic and social landscape, to ensure that the negative impact in the district is minimised and that, where there is an impact, residents and businesses are supported and the district recovers as quickly as possible. The Council will continue to support local businesses, for example, by distributing government grants and offering advice and support, to ensure any impact on the local economy is minimised. We recognise even more the importance of communication within our communities, in maintaining those lines of communication that have been built and strengthened, and in so doing, better support each other and the district.
- 4.5 The majority of performance measures reflecting the **core business areas** are on track to achieve the targets for this year. This is evidenced by strong performance in areas such as timeliness of financial assessments (100%) and of making decisions on benefit claims (exceeding target), maintained strong recycling levels, timely response to major and minor planning applications. The notable exceptions are in the following areas impacted by conscious actions taken to respond to Covid-19:
- Council Tax collected as a percentage of Council Tax due
 - Non domestic rates collected as percentage non domestic rates due
- 4.6 The Council Strategy Delivery Plan includes the outcomes for our **priorities for improvement**, that are being sought often over a four year period and therefore this is a more challenging area. The majority of measures are however on track and delivery of outcomes continued this quarter (e.g. approved a prevention concordat for better mental health, implemented a confidential Employee Assistance Wellbeing Programme). There are some measures not reported due to data availability impacted by Covid-19 (e.g. education attainment, average traffic time). There are no areas of particular concern this quarter.
- 4.7 As some of the Strategic Goals are delivered, following the recommendations from the OSMC, this paper recommends additional performance measures to replace/detail them in terms of further outcomes delivery.
- 4.8 The Council's **corporate health indicators** highlight an end of Q2 forecast underspend of £1.5m, (full details are available in the quarterly financial report), an improved position regarding sickness absence and a stable staff turnover.

5 Supporting Information

Influencer measures

Refer to Appendix A for more detail

- 5.1 Non-targeted measures of volume are monitored to provide context to the work being carried out across council services.
- 5.2 In the area of economy, the medium and long term effects of Covid-19 are beginning to emerge, as are the impacts of the restrictions put in place to manage the situation and the local and regional recovery plans. At Q2 the influencer measures reflect a degree of stability at overall district level but would also suggest that the immediate impact of Covid-19 (from April to September 2020) is more significant for sub-groups of population. The Council has put in place prompt measures to support residents and the local economy and mitigate local impact wherever possible, and will continue to do so during the second lockdown.
- 5.3 The economic activity rate (chart 1) and unemployment rate (chart 2) appear to be maintaining the previously strong levels at Q1 2020/2 (nationally produced Q2 data not yet available).
- 5.4 The number of people claiming Jobseeker's Allowance (JSA) and Universal Credit (charts 5 & 6) has increased hugely, following the national trend. Although, September 2020 Office for National Statistics ([ONS](#)) statistics show that for the % of population in receipt of benefits where the principal reason is unemployment, West Berkshire (4%) performs better compared to the South East region (5.2%) or England average (6.3%). The number of people aged 18-24 claiming Universal Credit or Jobseeker's Allowance has [doubled in the UK in the last three months](#). The Council and the Newbury West Berkshire Economic Development Company launched a service to help local employers to [sign up to the Government's Kickstart Scheme on 2 September 2020](#), which provides funding to create new job placements for 16 to 24 year olds on Universal Credit who are at risk of long term unemployment. In addition, HM Revenue and Customs (HMRC) [statistics](#) show that in West Berkshire 28% (22,600) of the eligible employments have been furloughed by the end of July 2020. This places the district in the lowest quartile compared to the other counties and districts / unitary authorities in England.
- 5.5 As the number of claimants rise, to support children in poverty the government has provided [£400m for a winter grant scheme](#), which will be distributed by councils and provide financial support to those in need. The holiday food and activities programme will also be expanded and there is further funding for food banks, nationally.
- 5.6 The number of empty business rated premises continue to slightly rise (charts 7 and 8). As residents continue to work from home, rather than commute, it seems inevitable that the High Streets and businesses in West Berkshire will need to evolve, potentially with niche start-ups replacing large stores. This is echoed in the proposal to develop the Kennet Centre into homes, flexible shops, restaurants and co-working spaces, which in turn follows the development of the Iceland site into retirement homes. [The Local Data Company \(LDC\) and accountancy firm PwC](#) report that independent shops have been better able to survive during the lockdown, compared to chain stores. They have been

able to adapt and change their business models more quickly and have a smaller cost base to cover during periods of little or no trade.

- 5.7 Smaller businesses have also been able to benefit from Government grants during the first lockdown. During the second lockdown, [two new government grants will be made available](#) to support those businesses who have been most affected: one for those who have been required to close and another for those who remain open but are suffering particular hardship. In addition, the furlough scheme has been extended until March 2021.
- 5.8 As measures giving an indication of the activity in our town centres, the footfall and the number of parking tickets sold in the Council's managed car parks had started to get back to a more normal level (charts 9 & 10). It is anticipated that the November 2020 lockdown will impact these measures in Q3, although not all shops will have to close.
- 5.9 The number of planning applications (chart 13) is recovering well from the dip in Q1 2020/21, however, this may be due to a backlog where uncertainty halted people's plans. When looked at in the context of house prices (chart 11) and residential sales (chart 12), however it appears that there may be a shift in this industry.
- 5.10 Following the [national trend](#), there was a significant reduction in crime, particularly domestic burglary and theft of personal property during the March- June lockdown, when the populace were confined to their homes (chart 15). Domestic abuse incidents have fallen below levels over the same period last year or the previous two quarters.
- 5.11 Referrals to Children and Family Services were reduced across the board, as these mainly come from schools, early years providers and Family Hubs none of whom were fully operational during April – June 2020. These are now nearing normal levels for Q2.
- 5.12 As for children and young people in need, the overall number of older, vulnerable people receiving a long term service (LTS) from Adult Social Care (chart 31) and the number of new adult safeguarding enquiries (chart 30) are lower than usual.
- 5.13 The number of households in temporary accommodation (chart 35) is stable. The number of households prevented from becoming homeless is much higher compared to Q2 2019/20 as lockdown had eased and the service was able to catch up with prevention and relief cases. As restrictions were lifted, officers were able to carry out more intensive work with private landlords and lettings agents, for example. During the spring lockdown the government funded a scheme called 'Everyone in' to help councils provide emergency shelter to homeless people (chart 36).
- 5.14 As venues began to open again, volunteering in libraries and the countryside had begun to recover (charts 38-49). The [West Berkshire Community Hub](#) and local help groups will again be on hand to help residents during the second lockdown.
- 5.15 The number of permanent carriage repairs completed has followed the usual seasonal trend reducing over the summer months. The main factors that contributed to a more significant reduction this summer are the reduction of journeys being made and less cases of damage to the road being reported to the Council, whilst the Council's programme of road safety inspections continues as usual (chart 43).

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5.16 The number of highways related third party claims received (chart 44) is comparable to Q2 2019/20. Out of the 34 claims received, 26 have been successfully defended. The remaining 8 are pending resolution.

5.17 The number of flytips reported is higher than in the previous years (chart 46) and, as usual, relatively higher in Q2. This is consistent with the trend across most of the country and is linked to the Covid-19 pandemic. Available data shows that the majority of the incidents relate to 'small van load' fly-tip size. This would suggest that criminals and unlicensed waste carriers have been emboldened by the fact that there are not as many vehicles and people around to detect them. It is also feasible that more people have become used to the convenience of "doorstep" services being now more inclined to pay private collectors for picking up waste items (some of these collectors may then end up fly-tipping). Actions taken to discourage the activity include an intensive awareness campaign and an increase in enforcement activity.

Core Business Activities

Refer to Appendix B for Exception Reports

Please note:

R (red): year-end target will not be met

A (amber): behind schedule, but expected to achieve year-end target

G (green): year-end target will be met.

DNA: Data not available

DNP: Data not provided

Refer to Appendix C for technical conventions

Category	Measure	2020/21			Notes
		RAG	Q2 (YTD) Outturn	Target	
Protecting our children	Ofsted rating of at least Good for our Children and Family Service	G	Good - pending outcome of next inspection	Good	Performance against this indicator cannot be reported until such time as WBC receive an OFSTED Inspection. OFSTED Inspections are currently on hold due to Covid-19.

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Category	Measure	RAG	2020/21		Notes
			Q2 (YTD) Outturn	Target	
	% of Children in Care where the child has been visited in the past 6 weeks (or 12 weeks if this is the agreed visiting schedule)	A	84.6%	≥95%	YTD: 132 / 156 We are only classing a visit as 'statutory' if it is carried out face to face. However, where we include visits in all formats, we are at 98%.
Supporting education	% of maintained schools judged good or better by Ofsted	G	95.7%	≥93%	YTD: 66 / 69 No inspections have taken place since March 2020 due to COVID 19.
	% of applications receiving one of their three preferences for West Berkshire children (Primary Admissions)	G	Complete in Q1	≥95%	
	% of applications receiving one of their three preferences for West Berkshire children (Secondary Admissions)	G	Complete in Q1	≥95%	
Ensuring the wellbeing of older people and vulnerable adults	% of WBC provider services inspected by Care Quality Commission (CQC) and rated as good or better	R	66.7%	100%	Birchwood was due to be inspected in November 2020 but Care Quality Commission's activities were impacted significantly by Covid-19. Action plans have been developed and implemented and practices have been improved across all homes. Positively, Willows Edge was inspected in February 2020 and achieved 'Good' in all five areas. A public consultation was launched during Q2 on the proposal to close Walnut Close in early 2021 and relocate/redeploy existing residents and staff to one of our other three care homes. A decision to close the care home will result in its removal

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Category	Measure	RAG	2020/21		Notes
			Q2 (YTD) Outturn	Target	
					from the RAG report in due course.
	% of financial assessments actioned within 3 weeks of referral to the Financial Assessment & Charging Team	G	100.0%	≥98%	YTD: 1,081 / 1,081
Maintaining our roads	% of the principal road network (A roads) in need of repair	Annual	Annual - Reports in Q4	Top 25% nationally	
Collecting your bins and keeping the streets clean	% of household waste recycled, composted and reused	G	51.0% (E)	≥49.5% (≥2018/19 outturn)	Q2: 9,398 / 18,650 YTD: 19,302 / 37,883 Q2 2020/21 data is an estimate & will be updated at Q3. All results are subject to change once validated by DEFRA after Q4
	Maintain an acceptable level of litter, detritus and graffiti (as outlined in the Keep Britain Tidy local environmental indicators)	Annual	Reports at Q3 and Q4	Good	Tranche 1 of the LEQs survey not carried out due to Covid related pressures - only 2 tranches to be completed this year.
Providing benefits	Average number of days taken to make a full decision on new Housing Benefit claims	G	Av. 18.28	≤20 days	
Collecting Council Tax and Business rates	Council Tax collected as a percentage of Council Tax due	A	54.7%	≥98.8%	For comparison, Q2 2019/20 = (67,198,506/118,547,105) 56.7% The effects of Covid-19 have reduced the amount of Council Tax being paid. Over 2000 individuals requested payment holidays

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Category	Measure	RAG	2020/21		Notes
			Q2 (YTD) Outturn	Target	
	Non domestic rates collected as a percentage of non domestic rates due	R	50.8%	≥99%	For comparison, Q2 2019/20 = (54,738,978/89,881,263) 60.9% Covid-19 has had a massive effect on collection. Many businesses were closed between March and July and some have remained so.
Planning and housing	% of planning appeals won	G	67.3%	≥65% (England average)	Q2: 13 / 17 YTD: 18 / 26
	% of 'major' planning applications determined within 13 weeks or the agreed extended time	G	100.0%	≥90% (England average)	
	% of 'minor' planning applications determined within 8 weeks or the agreed extended time	G	89.8%	≥86% (England average)	
Supporting local employers	Placeholder: measure relating to the Economic Development core business	TBC	TBC	TBC	Alternative measure being considered by the Development and Planning service.

Please note:

R (red): year-end target will not be met

A (amber): behind schedule, but expected to achieve year-end target

G (green): year-end target will be met.

DNA: Data not available

DNP: Data not provided

Refer to Appendix C for technical conventions

5.18 Performance for the majority of core business activities has been on target.

5.19 In areas of service where the number of statutory, face-to-face visits carried out in a set timescale are targeted, the outturn in Q2 has been impacted as this activity was not

possible under Covid-19 restrictions. To mitigate this, social care services have used video meetings or telephone calls and when this is taken into consideration, the percentage of contact increases, for example Children subject to a Child Protection Plan that have been visited rises to 95%, compared to 88.5% seen face-to-face.

5.20 Action plans have been developed and implemented for Walnut Close and Birchwood Nursing Home. The service is now waiting for further inspections. In addition, during Q2, the Council launched a public consultation on a proposal to close Walnut Close in early 2021, and relocate/redeploy existing residents and staff to one of our other three care homes. Progressing with the decision to close the care home, following the outcome of the consultation, means that this care home will be removed from the RAG report in due course.

5.21 The amount of Council Tax collected has been affected by Covid-19 as over 2000 residents requested payment holidays and therefore these customers did not start paying until June or July. During this time 'soft' reminder letters have been issued, however arrangements were being coordinated with the Gold Command Group for restarting the 'normal' debt recovery action when appropriate, but also considering the announcement of a second national lockdown. [Nationally more than 2.5 million working age people across England claimed a council tax discount](#) between April and June 2020. [Data published](#) by the Ministry of Housing, Communities and Local Government shows that between Q1 this year and Q1 2019/20, in West Berkshire the total number of claimants (Pensioner and Working-Age) in receipt of a reduced council tax bill has increased by 0.09% compared with 4% nationally, placing the Council in the second best quartile.

5.22 The amount of non-domestic rates or "Business Tax" collected has also been reduced (50.8% collected by end of September compared to 60.9% for the same period last year) as businesses closed between March and July 2020, due to Covid-19. The Council took the decision not to collect Direct Debit payments in April and May and were therefore rescheduled to start in June or July. Additional relief has subsequently been awarded to those eligible retail businesses but other assistance for non-retail businesses is limited. Arrangements were being coordinated with the Gold Command Group for restarting the 'normal' debt recovery action when appropriate, but also considering the announcement of a second national lockdown.

National Benchmarking (April 2017- March 2019)

5.23 The latest available benchmarking data was reported at Quarter 4.

Please note for RAG outturn for the quarter:

R (red): year-end target will not be met

A (amber): behind schedule, but expected to achieve year-end target

G (green): year-end target will be met.

DNA: Data not available

DNP: Data not provided

Refer to Appendix C for technical conventions

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Category	Measure	2017/18 National Qtile/Rank	2018/19 National Qtile/Rank	2020/21 Target	2020/21	
					RAG	Q2 RAG Outturn
Supporting education	% of maintained schools judged good or better by Ofsted	2nd Qtile Rank 46/152 (August) (YE: 94.4%)	2nd Qtile Rank 38/152 (August) (YE: 95.7%)	≥93%	-	95.7%
	% of applications receiving one of their three preferences for West Berkshire children (Primary Admissions)	2nd Qtile Rank 62/152 (YE: 97.8%)	2nd Qtile Rank 51/152 (YE: 98.4%)	≥95%	G	98%
	% of applications receiving one of their three preferences for West Berkshire children (Secondary Admissions)	1st Qtile Rank 33/152 (YE: 97.9%)	1st Qtile Rank 27/152 (YE: 97.9%)	≥95%	G	98%
Maintaining our roads	% of the principal road network (A roads) in need of repair	2nd Qtile Rank 55/145 (YE: 3%)	1st Qtile Rank 17/146 (YE: 2%)	Top 25% nationally	Annual	Annual - reports at Q4
Collecting your bins and keeping the streets clean	% of household waste recycled, composted and reused	1st Qtile Rank 24/150 (YE: 51.5%)	1st Qtile Rank 31/148 (YE: 50.7%)	≥49.5% (≥ 2018/19 outturn)	G	51% (E)
Providing benefits	Average number of days taken to make a full decision on new Housing Benefit claims	3rd Qtile Rank 77/122 (YE: 19.54)	2nd Qtile Rank 54/122 (YE: 19.54)	≤20 days	G	18.28
Collecting Council Tax and Business rates	Council Tax collected as a percentage of Council Tax due	1st Qtile Rank 6/149 (YE: 98.8%)	1st Qtile Rank 6/123 (YE: 98.5%)	≥98.8%	A	54.7%
	Non domestic rates collected as percentage non domestic rates due	2nd Qtile Rank 55/151 (YE: 99.3%)	3rd Qtile Rank 82/151 (YE: 98.4%)	≥99%	R	50.8%

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Category	Measure	2017/18 National Qtile/Rank	2018/19 National Qtile/Rank	2020/21 Target	2020/21	
					RAG	Q2 RAG Outturn
Ensuring the wellbeing of older people and vulnerable adults	% of WBC provider services inspected by Care Quality Commission (CQC) and rated as good or better		England overall = 84%	100%	R	66.7%
Planning and housing	% of 'major' planning applications determined within 13 weeks or the agreed extended time	4th Qtile Rank 102/122 (YE: 78.6%)	4th Qtile Rank 108/122 (YE: 78.1%)	≥90% (England average)	G	100.0%
	% of 'minor' planning applications determined within 8 weeks or the agreed extended time	4th Qtile Rank 108/124 (YE: 74.6%)	4th Qtile Rank 102/123 (YE: 77.5%)	≥86% (England average)	G	89.8%

Please note for RAG outturn for the quarter:

R (red): year-end target will not be met

A (amber): behind schedule, but expected to achieve year-end target

G (green): year-end target will be met.

DNA: Data not available

DNP: Data not provided

Refer to Appendix C for technical conventions

5.24 In the majority of areas, we compare favourably with our peers in 2018/19, and in others we have improved our position on 2017/18.

5.25 However, in two areas we remain in the lowest quartile. The first is in the CQC rating of our provider services which was slightly below (83.3% in 2018/19) the national average of 84%. In practice, this showed that in 2018/19 one out of six settings was not rated as highly as desired. At the end of Q2 2020/21, the % of our provider services rated good or better was 66.7%. An improvement plan has been implemented and it is expected that our position will improve. Public consultation started in Q2 on the proposal to close one of the care homes in order to ensure that residents are receiving a better quality of service and also improve performance (and – see above – the care home will be removed from the RAG report in due course).

5.26 In terms of planning applications, the target in 2017/18 was set at 60% for major and 65% for minor applications. As part of the New Ways of Working review in 2018/19, it was noted that targets had been set below similar planning authorities, and they were increased to match the national averages of 88% and 85% respectively at Q2 2018/19. By Q4 2018/19 the service was achieving 93.3% and 96.3%, but this was not enough

to bring up the year-end figure and move us into the third quartile. For comparison, 23 authorities were reporting 100%, and the margins between the first and third quartile were slim. As at Q2 2020/21, performance improved to 100% for major planning applications and 89.8% for minor planning applications.

Council Strategy Priorities for Improvement:

Refer to Appendix B for Exception Reports

Table 1. Number of measures by priority of improvement and performance status

Priority for Improvement	RAG Status			
	Red	Amber	Green	Other
Ensure our vulnerable children and adults achieve better outcomes	0	0	6	2
Support everyone to reach their full potential	0	1	4	5
Support businesses to start develop and thrive in West Berkshire	0	0	4	0
Develop local infrastructure including housing to support and grow the local economy	0	0	5	7
Maintain a green district	0	0	7	0
Ensure sustainable services through innovation and partnerships	0	1	2	1
Total	0	2	28	15

Note:

Red: year-end target will not be met

Amber: behind schedule, but expected to achieve year-end target

Green: year-end target will be met.

Other: includes Annual (reported once a year), data not available, data not provided and targets to be confirmed

Ensure our vulnerable children and adults achieve better outcomes

5.27 The % of vulnerable adults who approach Adult Social Care from the community and are supported through the Three Conversations Model at the preventative level (Tier 1), thus not progressing to need more complex services before concluding the intervention has increased in the East and Central Teams, but not in the West of the district. The service is investigating the matter, but it is thought that Covid-19 impacted the number of enquiries.

5.28 % of older people (65+) who were still at home 91 days after discharge from hospital into reablement/rehabilitation services is less than expected, however this is a small cohort and is prone to fluctuation. The service is working with health colleagues to help people to return to their homes safely and in a timely manner, however this is also dependent on the demands placed on the partners by Covid-19.

Support everyone to reach their full potential

5.29 The Strategic Goal ‘Develop and adopt a prevention concordat for better mental health action plan with partners’ was achieved during quarter 2. Approval to sign up to the Prevention Concordat for Better Mental Health was signed off by the Health and Wellbeing Board on Thursday 24 September 2020. An action plan has been produced and the Mental Health Action Group are overseeing the delivery of the plan, linking in with other relevant partners.

5.30 Following the adoption of the Develop and adopt a Community Wellbeing Model (Strategic Goal), actions have been developed and require approval for inclusion in the Council Strategy Delivery Plan:

- a) Number of active Befrienders supporting residents in West Berkshire – target ≥ 40
- b) Number of West Berkshire residents being actively supported by a Befriender – target ≥ 40

5.31 The development and adoption of a community resilience index (based on proxy indicators) (Strategic Goal) has been delayed, as during quarter one the officer responsible was abstracted from normal duties to work in The Community Support Hub as part of West Berkshire Council’s Covid-19 response, and from then on the post has been vacant.

5.32 The Community Engagement Strategy (Strategic Goal) has been developed and was approved by the Executive Committee on 15 October 2020. A delivery plan will be submitted to the Customer First Programme Board for approval by the end of November 2020.

5.33 Attainment outturns for the academic year 2019/20 are not available due to Covid-19.

Support businesses to start develop and thrive in West Berkshire

5.34 Following the adoption of the West Berkshire Economic Development Strategy (Strategic Goal) on 30 April 2020, it was decided that it should be refreshed due to the impact of Covid-19 on businesses and employment and to take into account central government funding, innovative local approaches and close working with partners to aid businesses and residents.

5.35 The following activities require approval for inclusion in the Council Strategy Delivery Plan:

- c) Deliver the Economic Development Strategy refresh to reflect Covid-19 impact – target December 2020
- d) Deliver the Inward Investment Brochure – target December 2020
- e) Deliver the Newbury Town Centre Study – target December 2021

Develop local infrastructure including housing to support and grow the local economy

5.36 The Regulation 18 consultation to inform the submission of a New Local Plan for examination (Strategic Goal) is on track and in line with the Local Development Scheme agreed in April 2020. The infrastructure delivery plan (Strategic Goal), which is aligned

with the schedule for the submission of the Local Plan for examination, is also underway.

- 5.37 The methodology and baseline data to produce a traffic model for an average journey time has not yet been determined. The Officers who would work with consultants on this area of work were heavily involved in the response and recovery relating to Covid-19, for example by installing social distancing and active travel measures and will be so again in the second lockdown. It is considered that no meaningful monitoring can take place when traffic is disrupted by changing restrictions and working patterns.
- 5.38 The consultation on the West Berkshire Housing Strategy (Strategic Goal) took place between 18 September and 1 November 2020 and a report will be submitted to the Executive meeting on 11 February 2021 for consideration.
- 5.39 The West Berkshire Superfast Broadband project for premises to be able to receive services at 24Mb/s has been closed as planned at the end of September 2020 as the properties in the scope of the project have been reached.
- 5.40 The consultation on the West Berkshire Leisure Strategy (Strategic Goal) is open between 8 October and 19 November 2020 and a report will be submitted to the Executive meeting on 14 January 2021 for consideration.
- 5.41 The consultation on the West Berkshire Cultural Heritage Strategy (Strategic Goal) took place between 7 September and 18 October 2020 and a report will be submitted to the Executive meeting on 11 February 2021 for consideration.
- 5.42 To enable correct reporting and monitoring, the service has requested that the measure 'Complete phase 1 (feasibility study and options appraisal) of the review of culture and library services' be split into two parts, as follows:
- f) Complete phase 1 (feasibility study and options appraisal) of the review of library services
 - g) Complete phase 1 (feasibility study and options appraisal) of the review of culture services

Maintain a green district

- 5.43 The Strategic Goal of studying the feasibility and the cost and journey time benefits of installing infrastructure in Thatcham is on track with ongoing discussions with suppliers of real-time sensors.
- 5.44 The first draft of the Environment strategy delivery plan (Strategic Goal) has been taken to Environment Advisory Group. Further work is underway to improve the first draft, prior to wider circulation and comment.
- 5.45 The adoption of the Local Transport Plan (Strategic Goal) is on track, subject to funding being made available.
- 5.46 The Strategic Goals of studying the feasibility of and carrying out cost benefit analysis for large scale afforestation and natural regeneration in the rural area and urban tree planting, are on track to be achieved by the end of March 2021. Recruitment is

scheduled for quarter three to add capacity to the team in order to help deliver this project.

5.47 The start of feasibility study to review the municipal waste collection regime in the district, including a feasibility for separate food waste collection (Strategic Goal) was impacted by the Covid-19 emergency response, however is in progress and on track to be delivered on target. External advisors are being procured and the feasibility study will start during quarter three.

Ensure sustainable services through innovation and partnerships

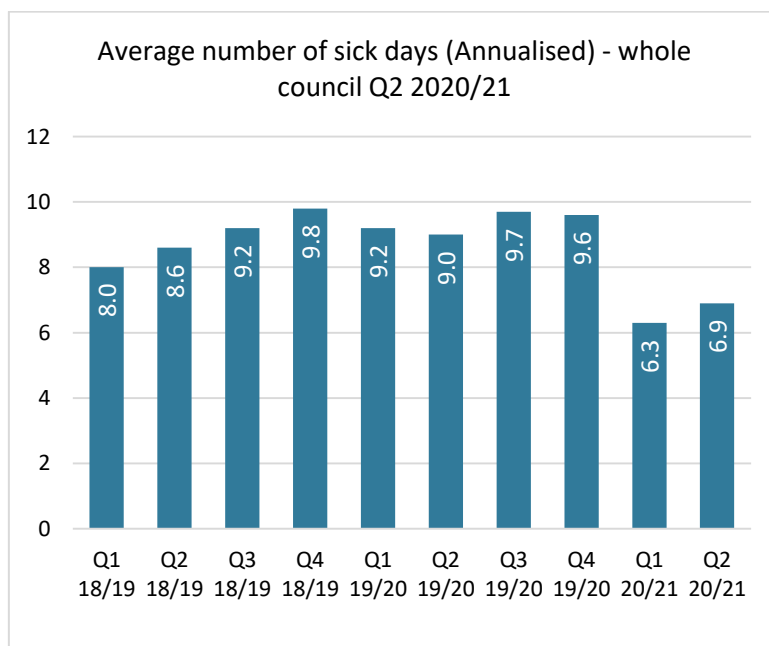
5.48 The development and adoption of a corporate approach to capture and respond to customer feedback, led by the Customer First Project Board, has commenced as the engagement strategy has been approved.

Corporate Health

5.49 The Q2 financial position shows a forecast under spend of £1.5m. Further details are provided in the Financial Monitoring Report.

5.50 As for Q2 2020/21, sickness levels are much lower than usual, but slightly higher than Q1. The rise may be due to children being back in school, however as many staff are working from home there is less opportunity to infect other colleagues, and staff may be inclined to work through incidents of mild sickness. We are continuing to monitor this and support our teams wherever we can.

5.51 Covid-19 self-isolation days lost are not included in the sickness figures. These are days where staff are not working due to self-isolation and cannot be recorded as sickness as this would trigger sick pay entitlements, which is not permissible under the Green Book and National Joint Council (NJC) for local government services guidance during Covid-19.



Proposals

5.52 To note key achievements and success as detailed above, in particular as a result of a strong recovery response to the Covid-19 crisis.

5.53 To review the actions taken to new areas of performance impacted by the Council's conscious decision to support residents and local businesses (refer to Appendix B for Exception Reports) with a focus on:

- Council Tax collected as a percentage of Council Tax due
- Non domestic rates collected as percentage non domestic rates due

5.54 The Executive to approve the inclusion of new measures emerging as a result of Strategic Goals being delivered (as recommended by the OSMC). The list of measures and further details are provided at Appendix E.

Actions from the Community Wellbeing Model (Strategic Goal) for approval for inclusion in the CSDP)

- a) Number of active Befrienders supporting residents in West Berkshire
- b) Number of West Berkshire residents being actively supported by a Befriender

Actions from the Economic Development Strategy (Strategic Goal) for approval for inclusion in the CSDP

- c) Deliver the Economic Development Strategy refresh to reflect Covid-19 impact
- d) Deliver the Inward Investment Brochure
- e) Deliver the Newbury Town Centre Study

6 Other options considered

None considered.

7 Conclusion

7.1 Quarter two results show that strong performance levels have been maintained and key services delivered to residents as part of the activities in the Core Business category. Services have put in place mitigation actions where Covid impacted the normal service delivery (e.g. ensured telephone and video contacts in cases where face to face statutory visits were not possible etc.).

7.2 Some of the improvement work that was delayed by the need to respond quickly to Covid-19, has regained momentum. Key outcomes continued to be delivered (e.g. approved a prevention concordat for better mental health, implemented a confidential Employee Assistance Wellbeing Programme). Focus had turned towards recovery, however there is again uncertainty, as the country heads in to a second lockdown, as to what the impact will be.

7.3 Action plans are in place to address performance of the measures rated Amber and Red and the Executive is asked to review and approve these actions and to note the overall performance reported.

8 Appendices

8.1 Appendix A – Influencer Measures Dashboard

8.2 Appendix B – Exception Reports

8.3 Appendix C – Technical Conventions

8.5 Appendix D – Requests for Approval of Measures for the Council Strategy Delivery Plan for reporting to Executive

Subject to Call-In:

Yes: No:

Officer details:

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Document Control

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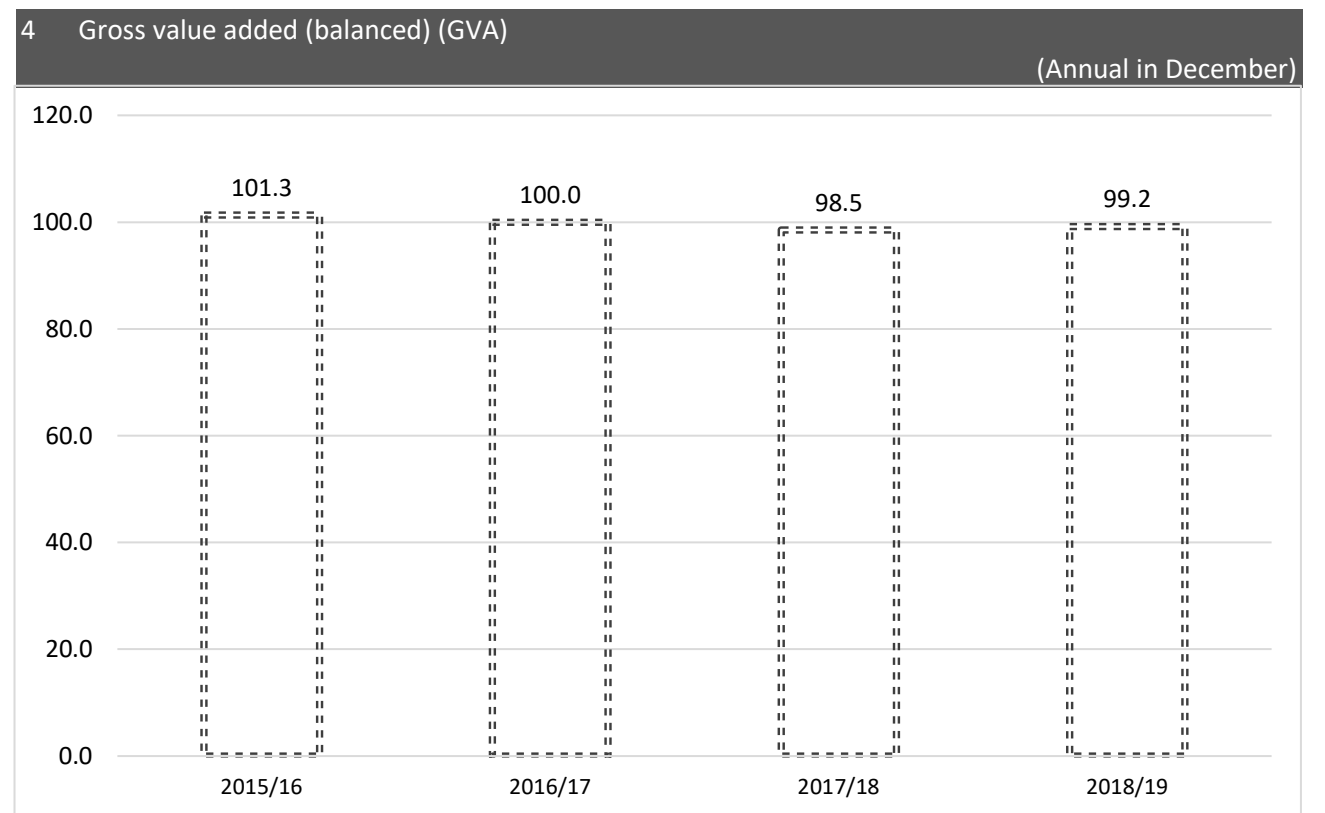
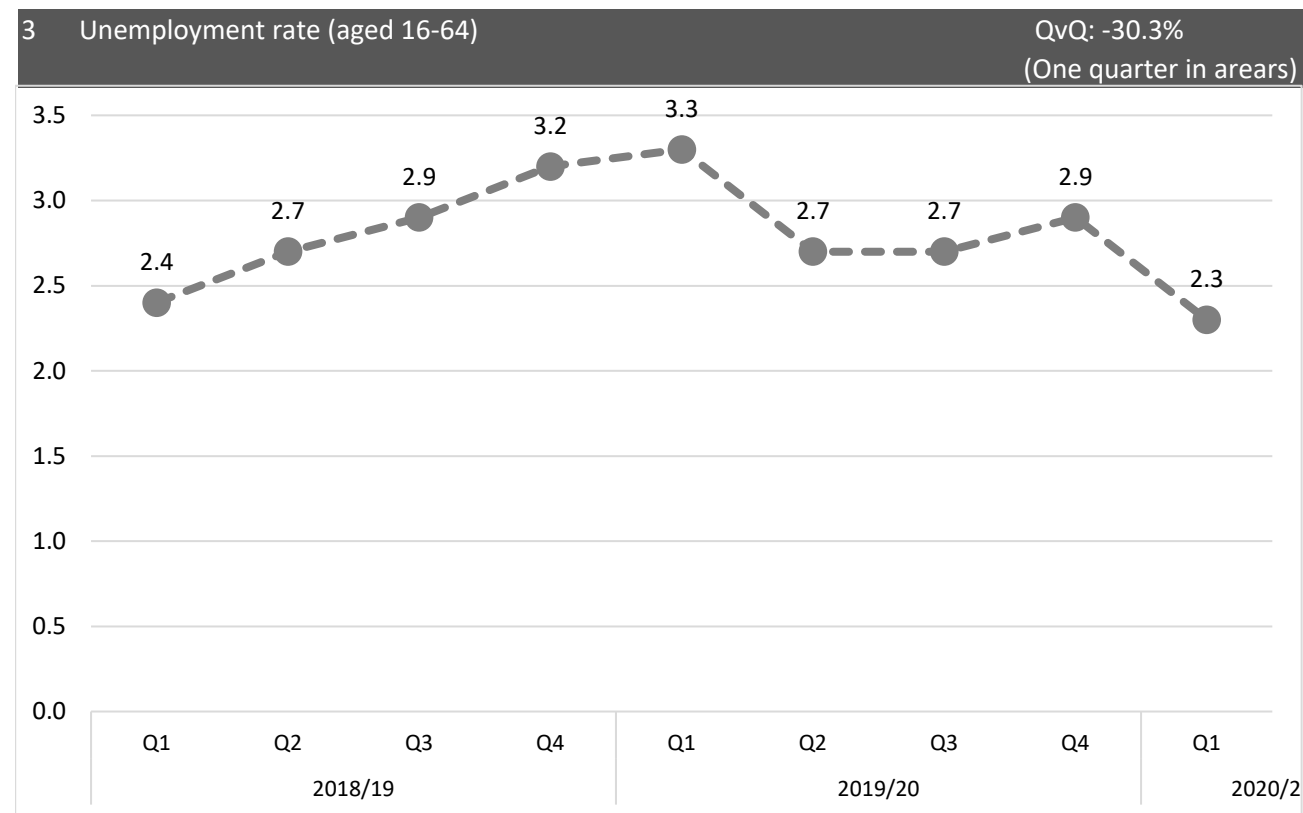
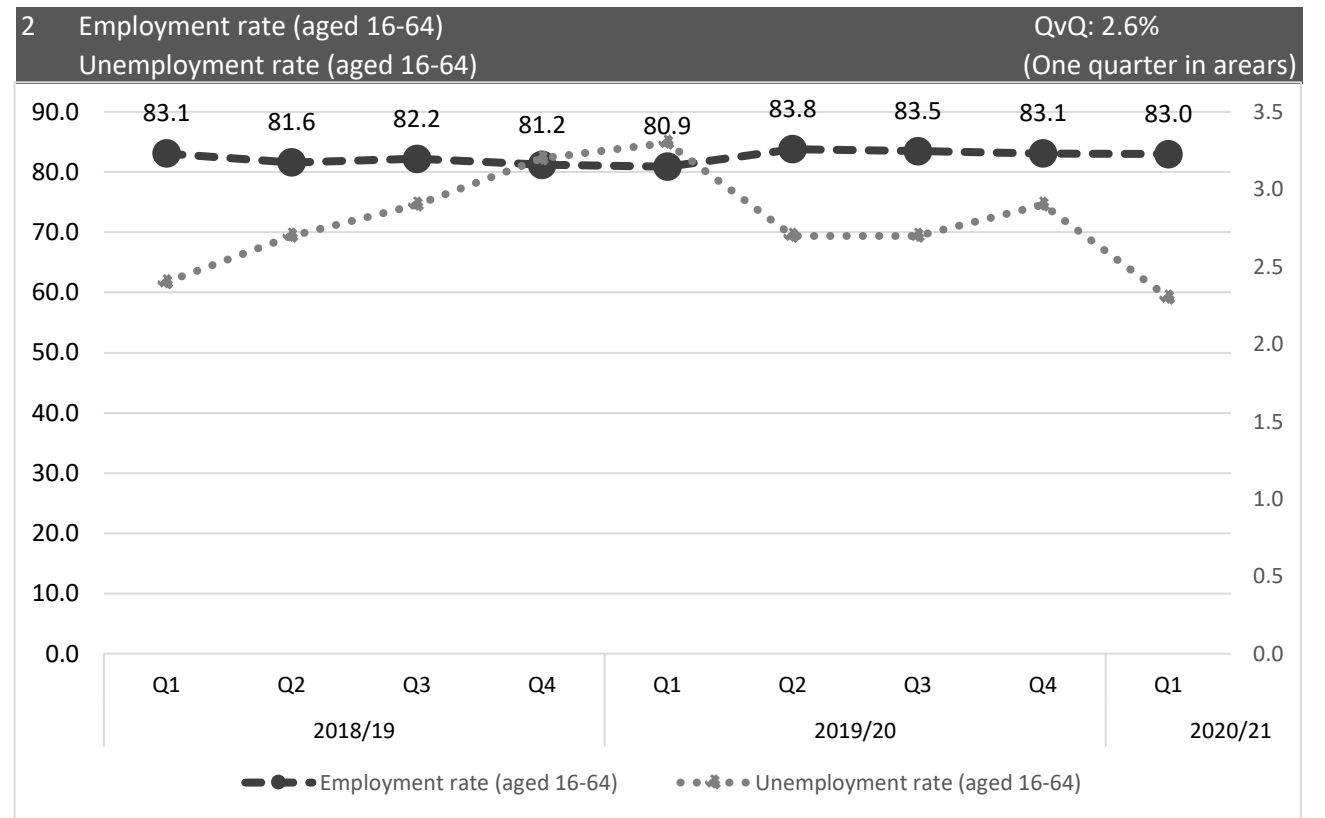
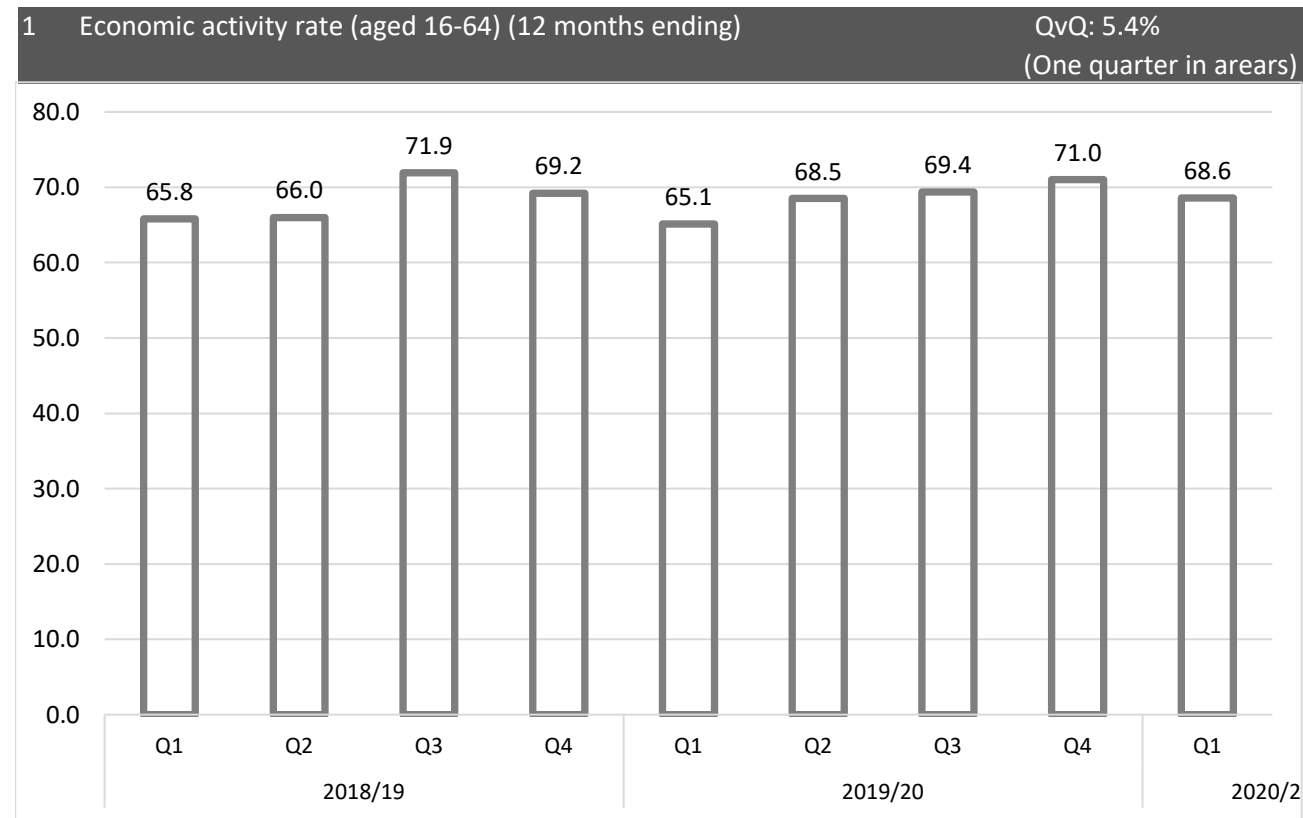
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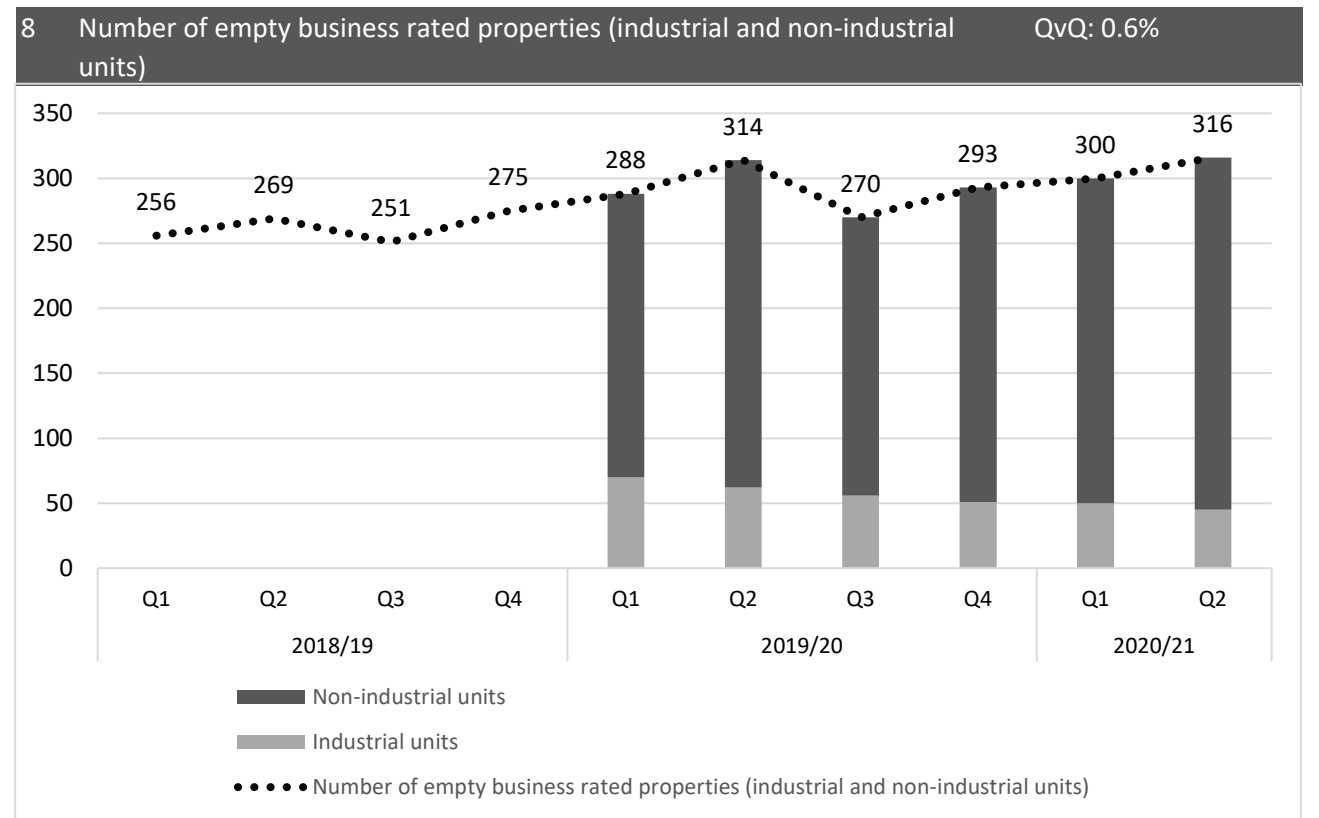
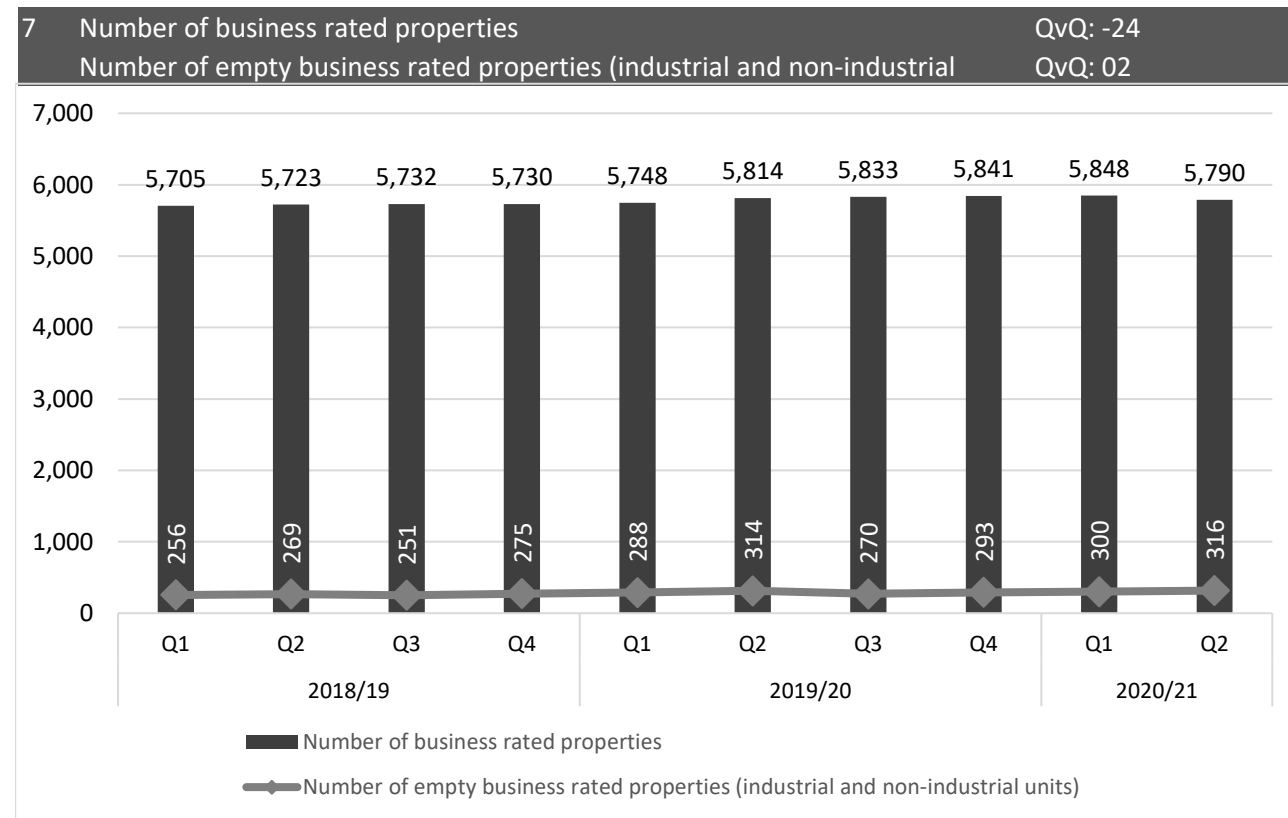
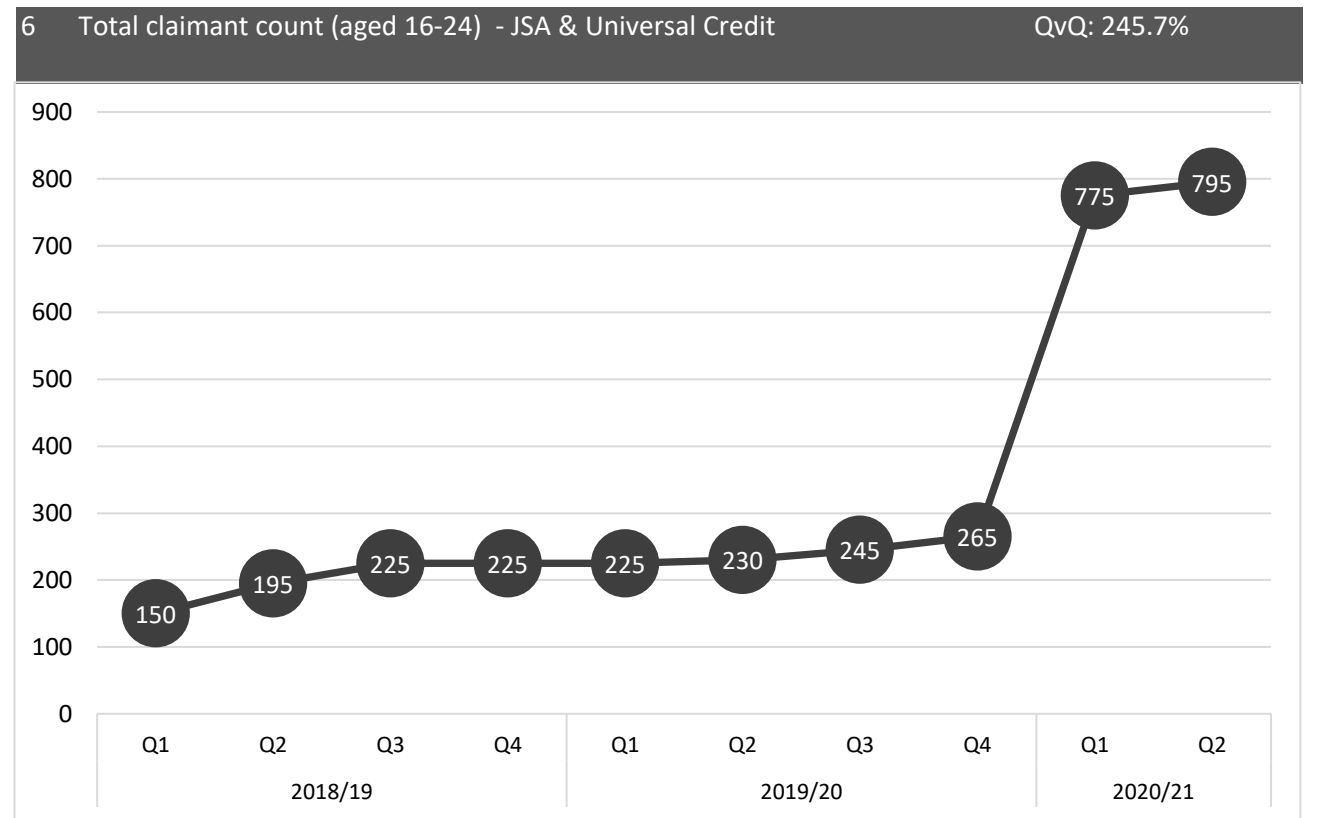
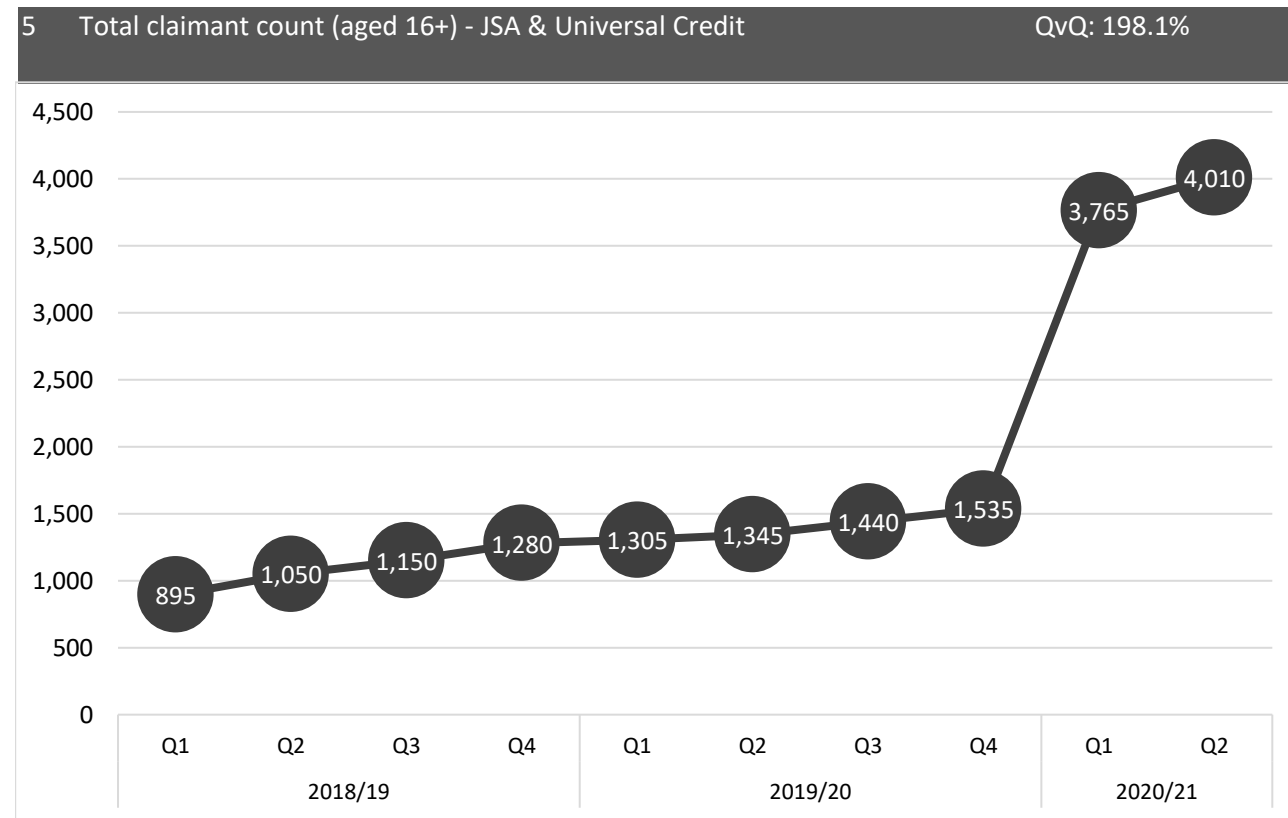
Appendix A: Influencer Measures Dashboard 2020/21 (current qtr v same qtr last year)

Economy (Grey) | Social Care (blue) | Environment (Green)



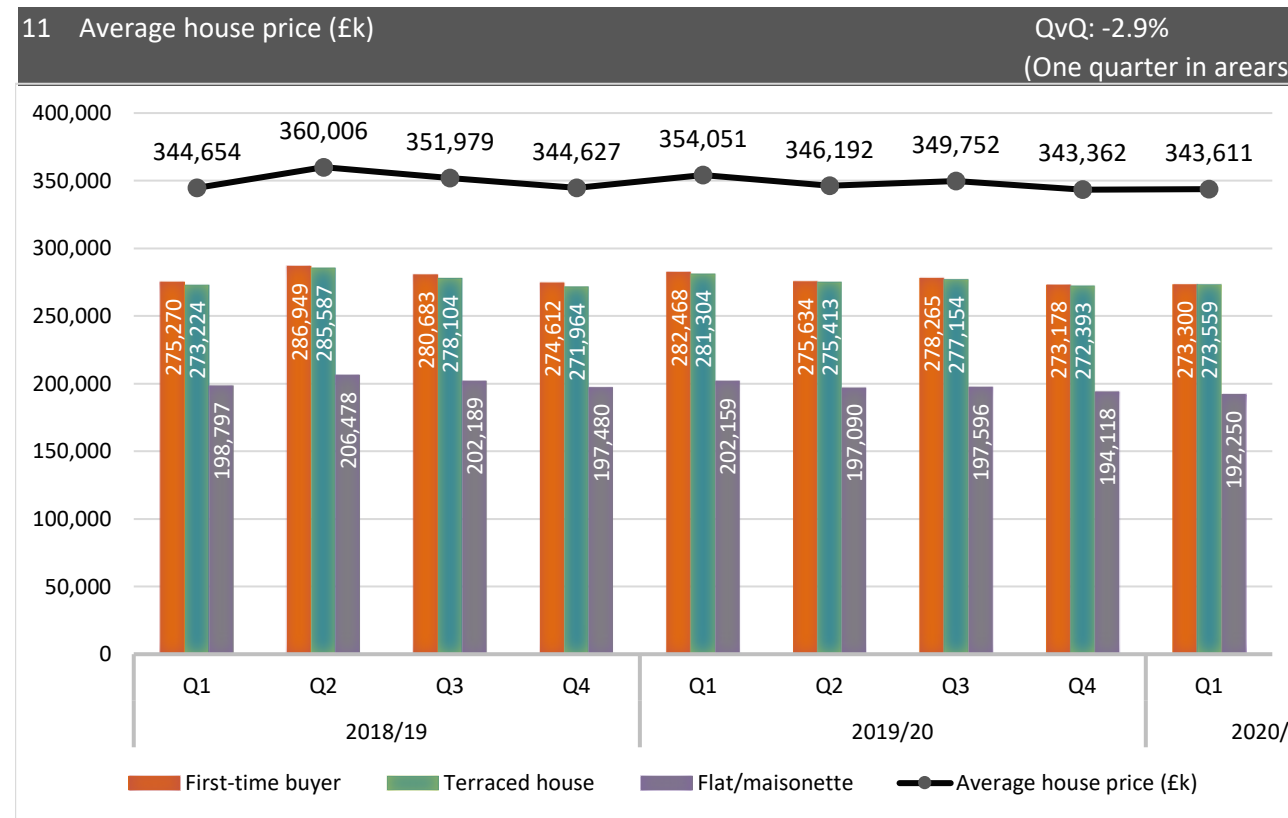
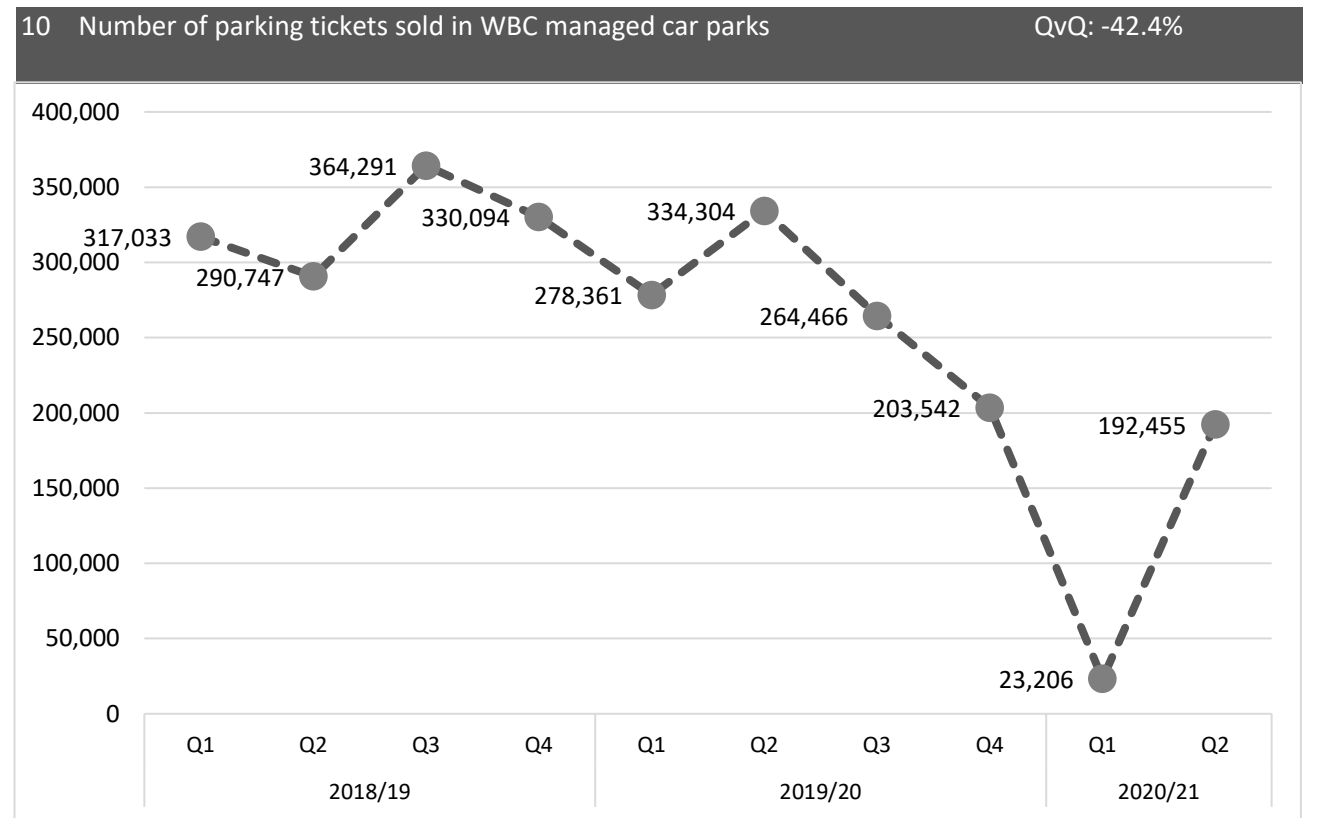
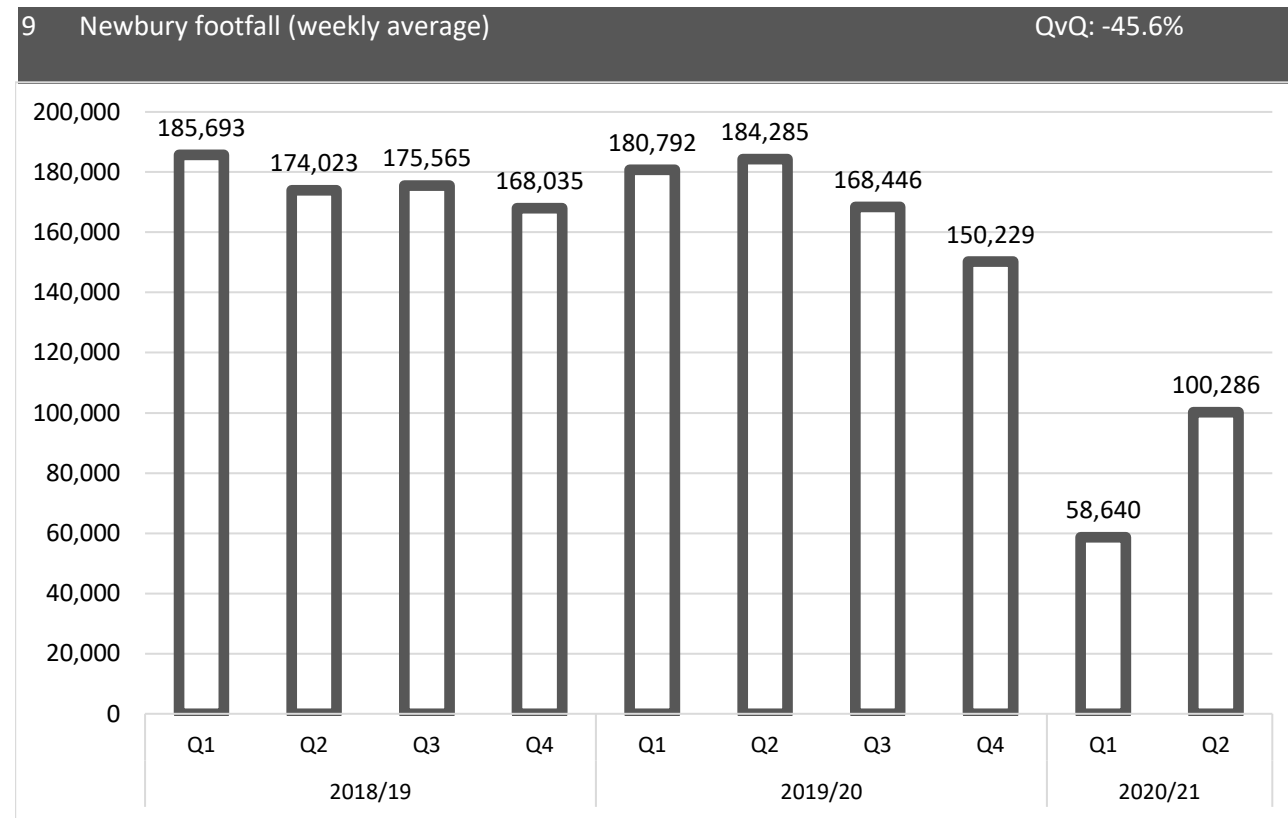
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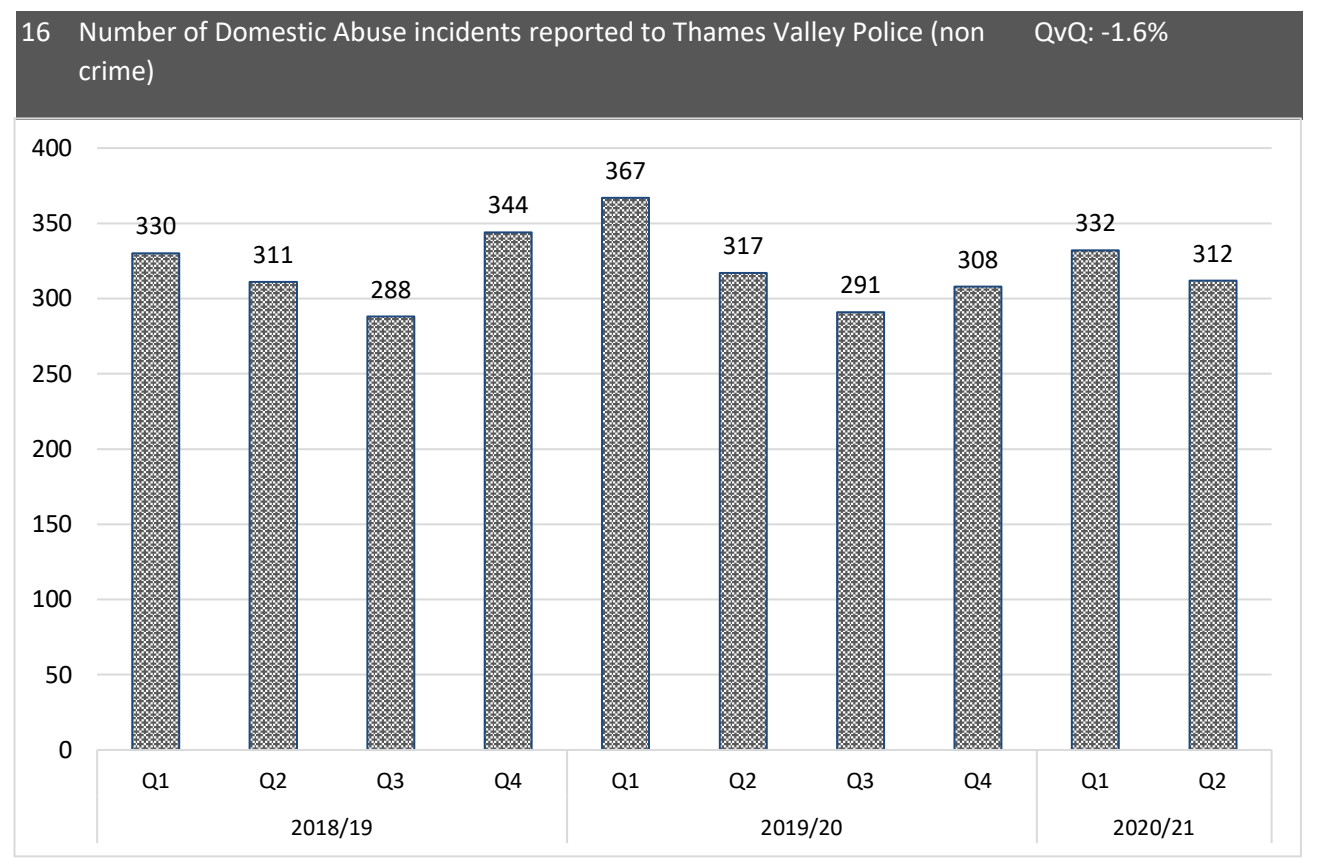
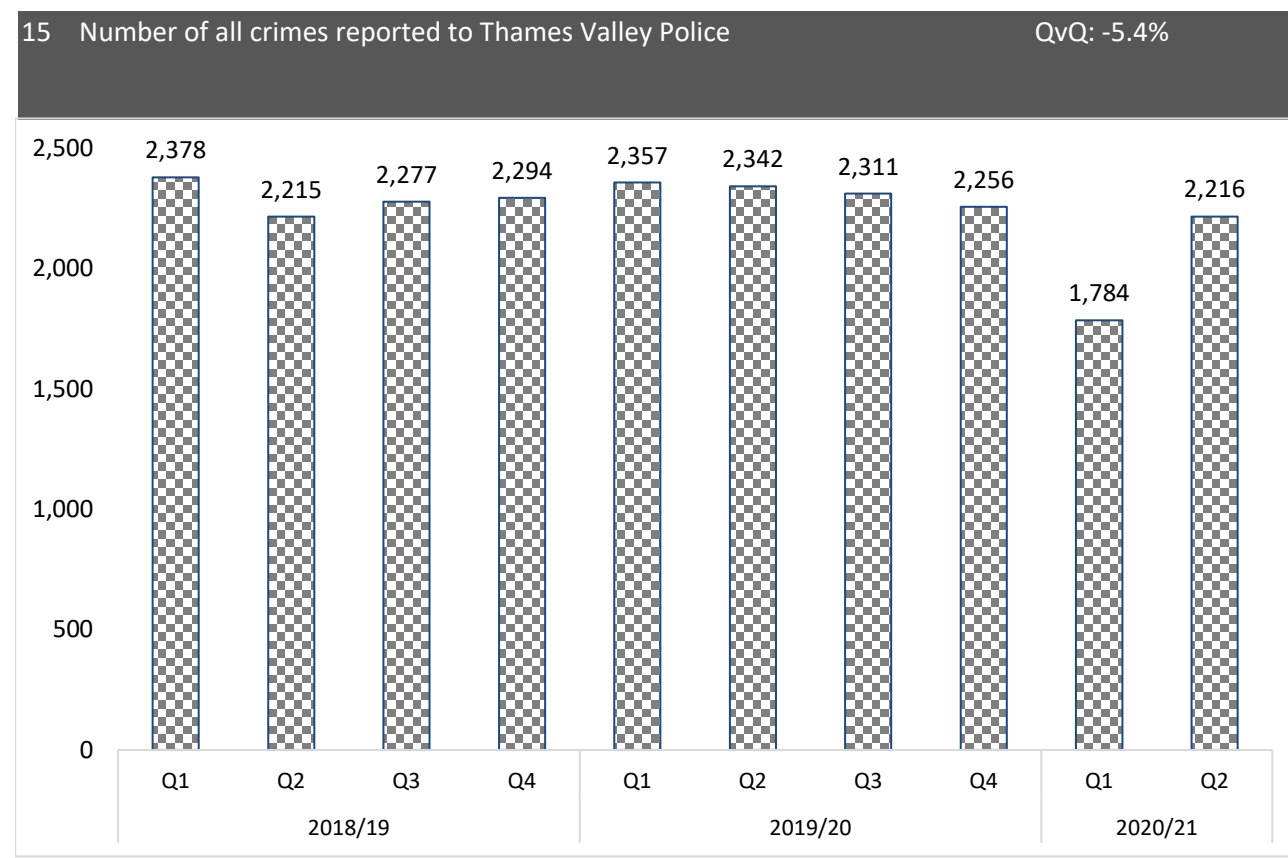
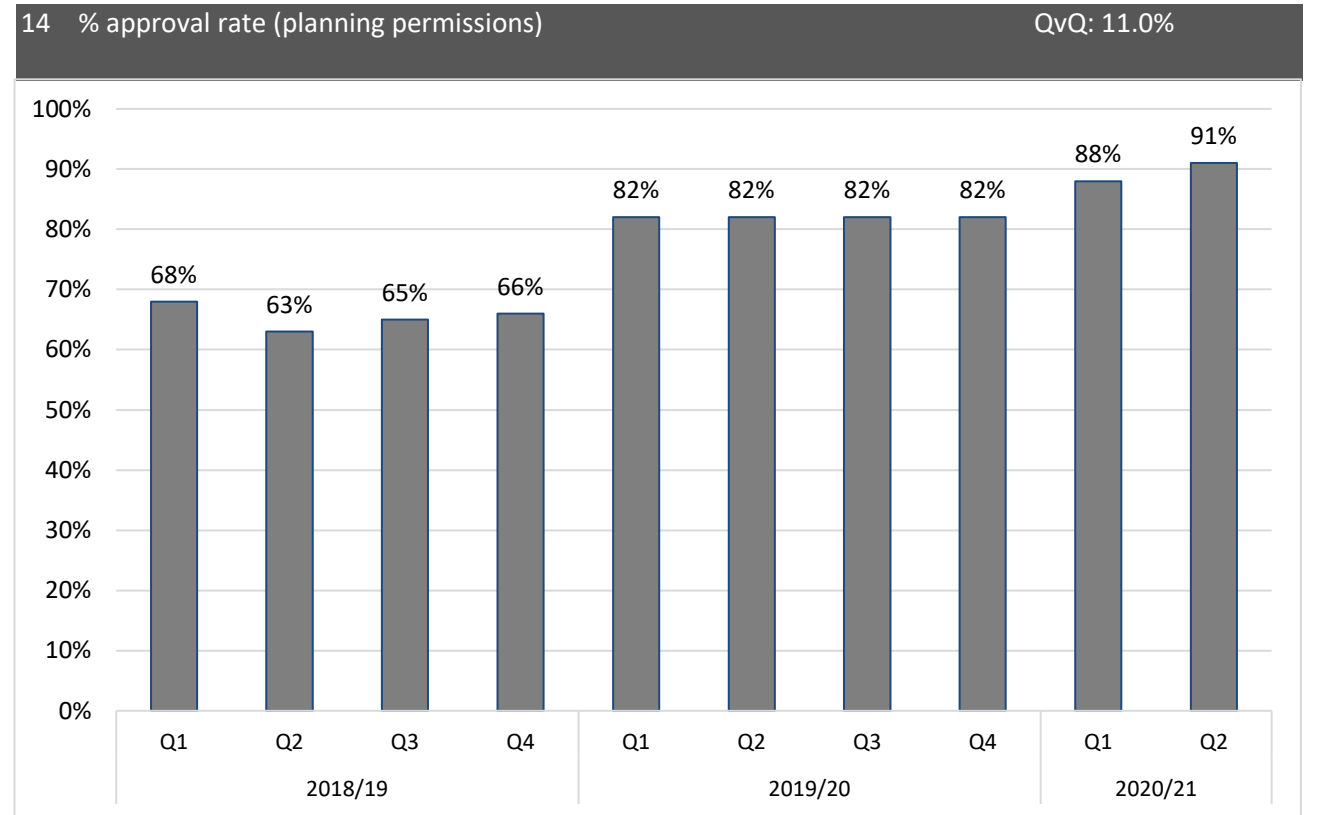
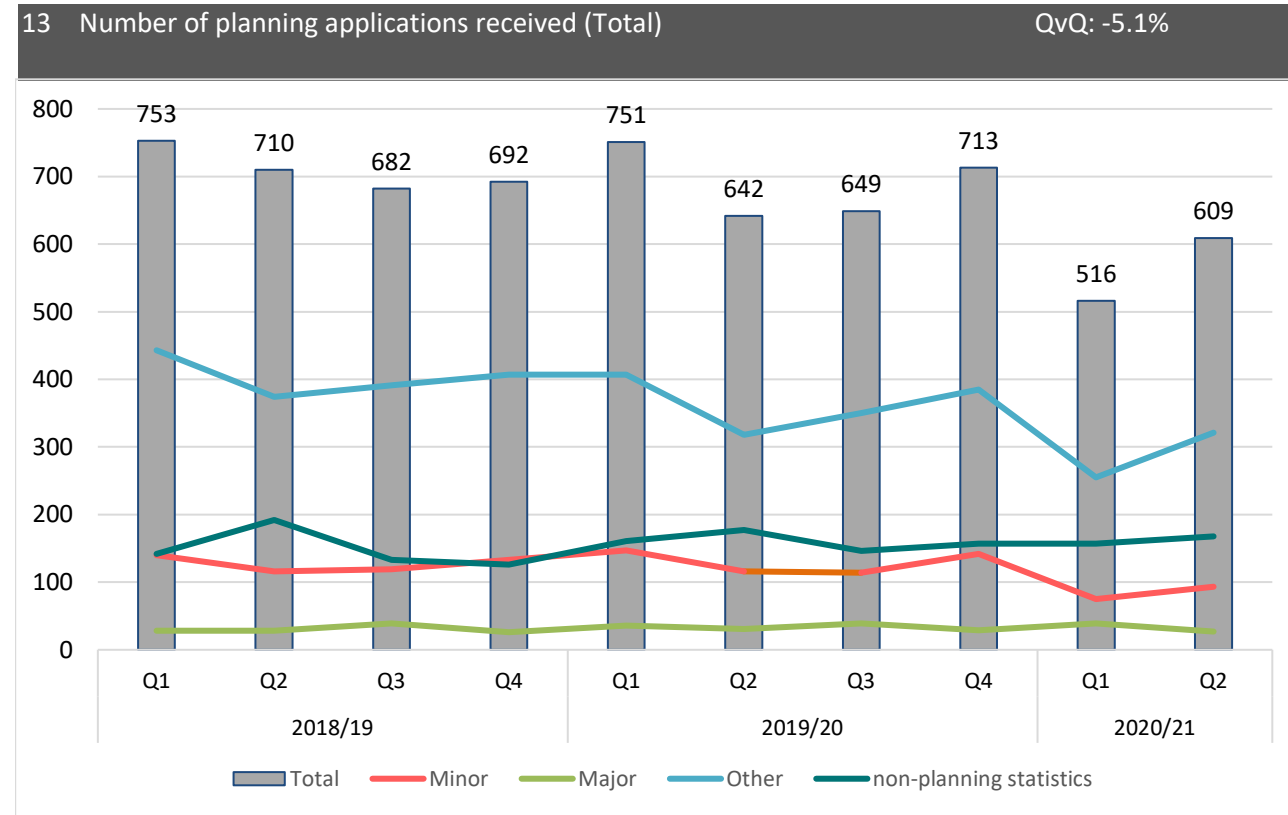
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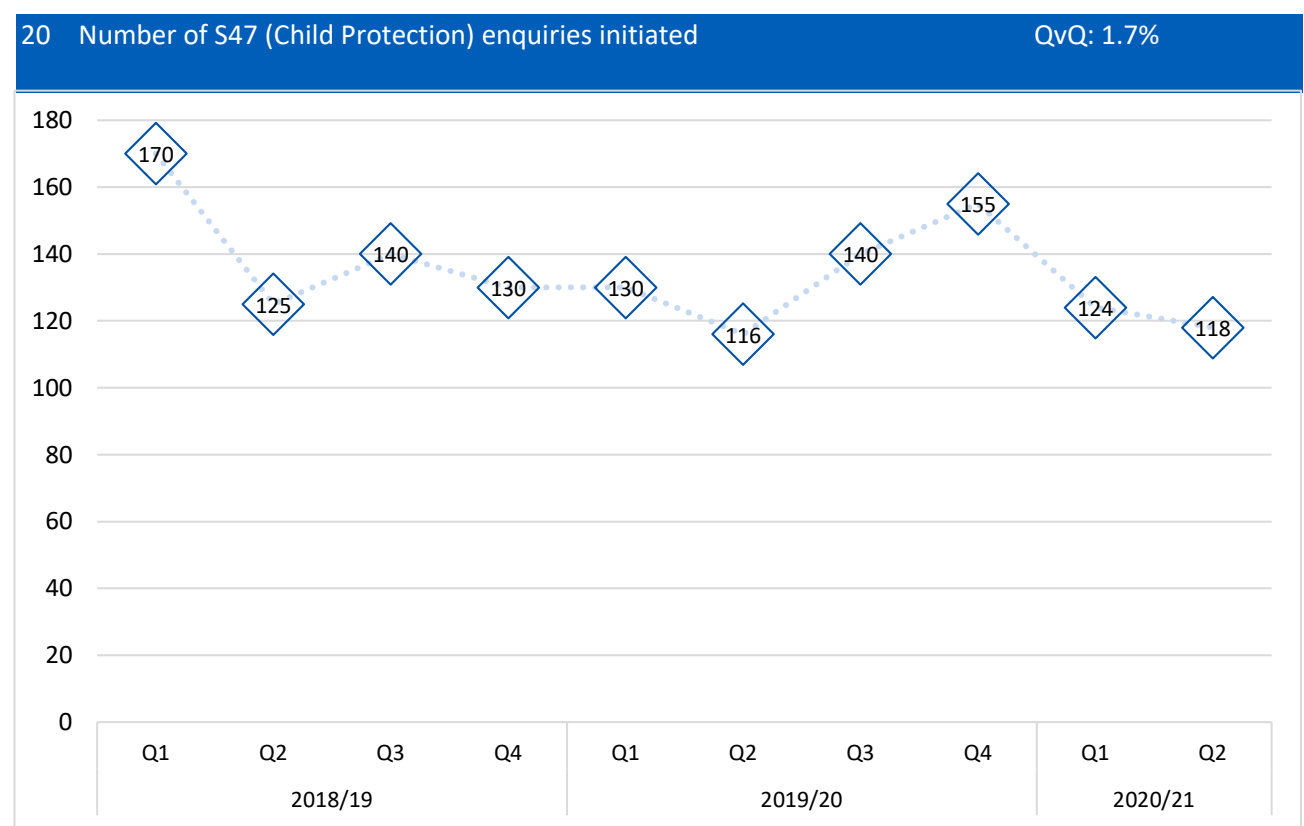
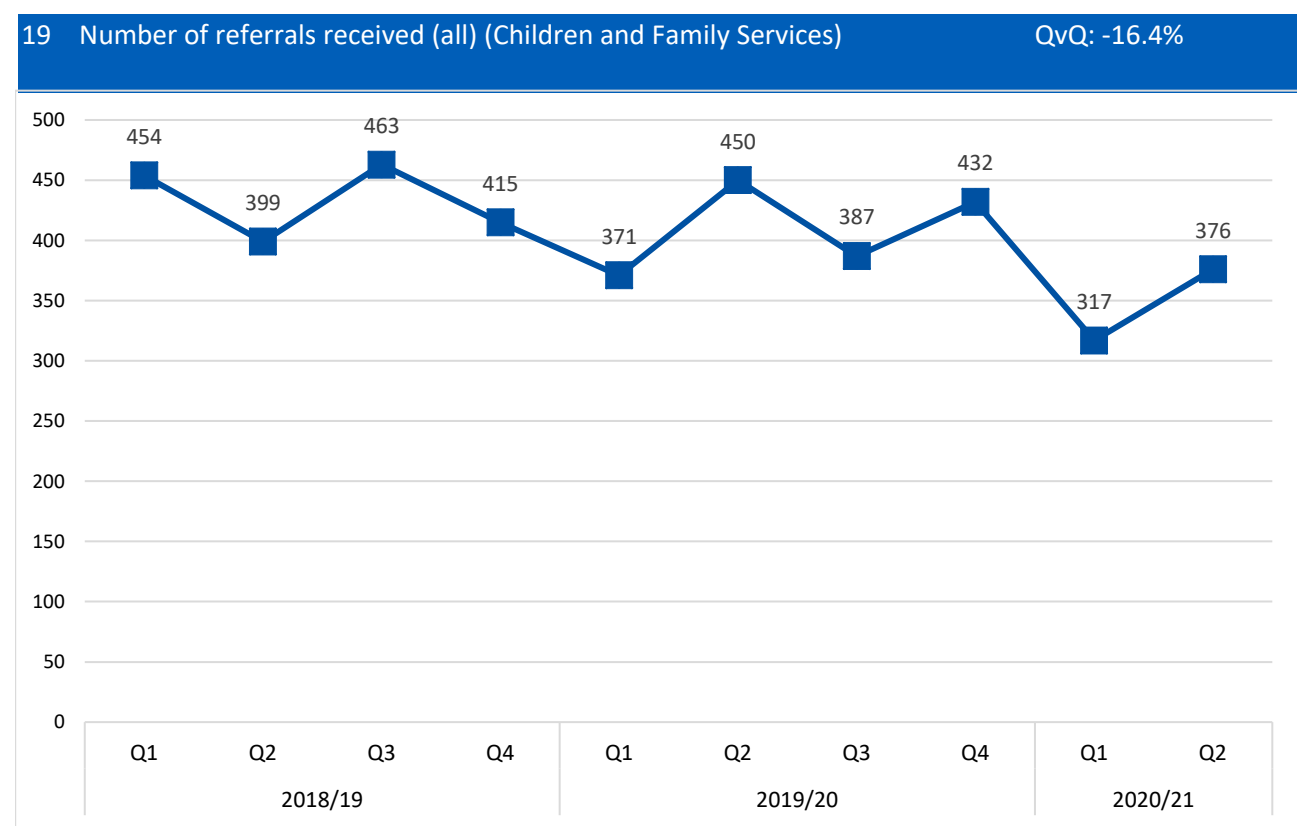
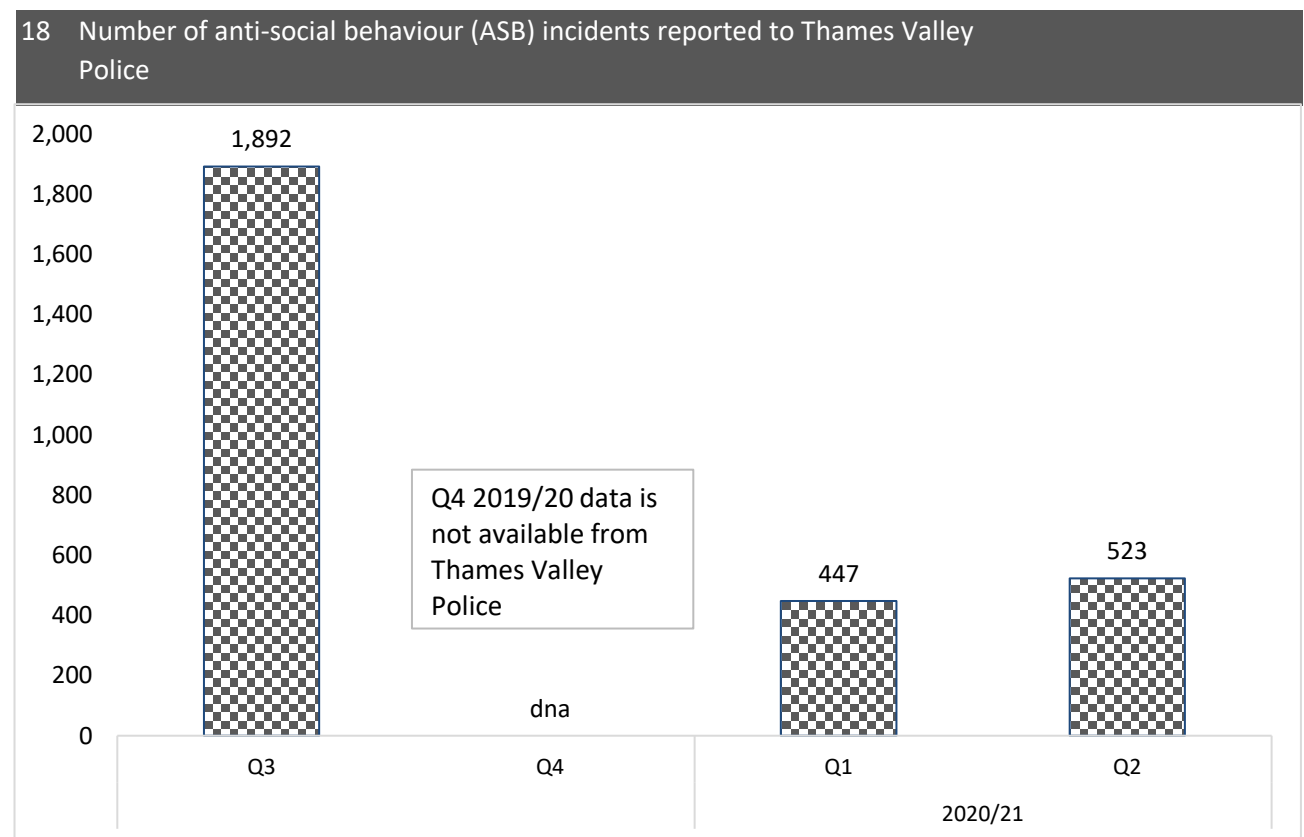
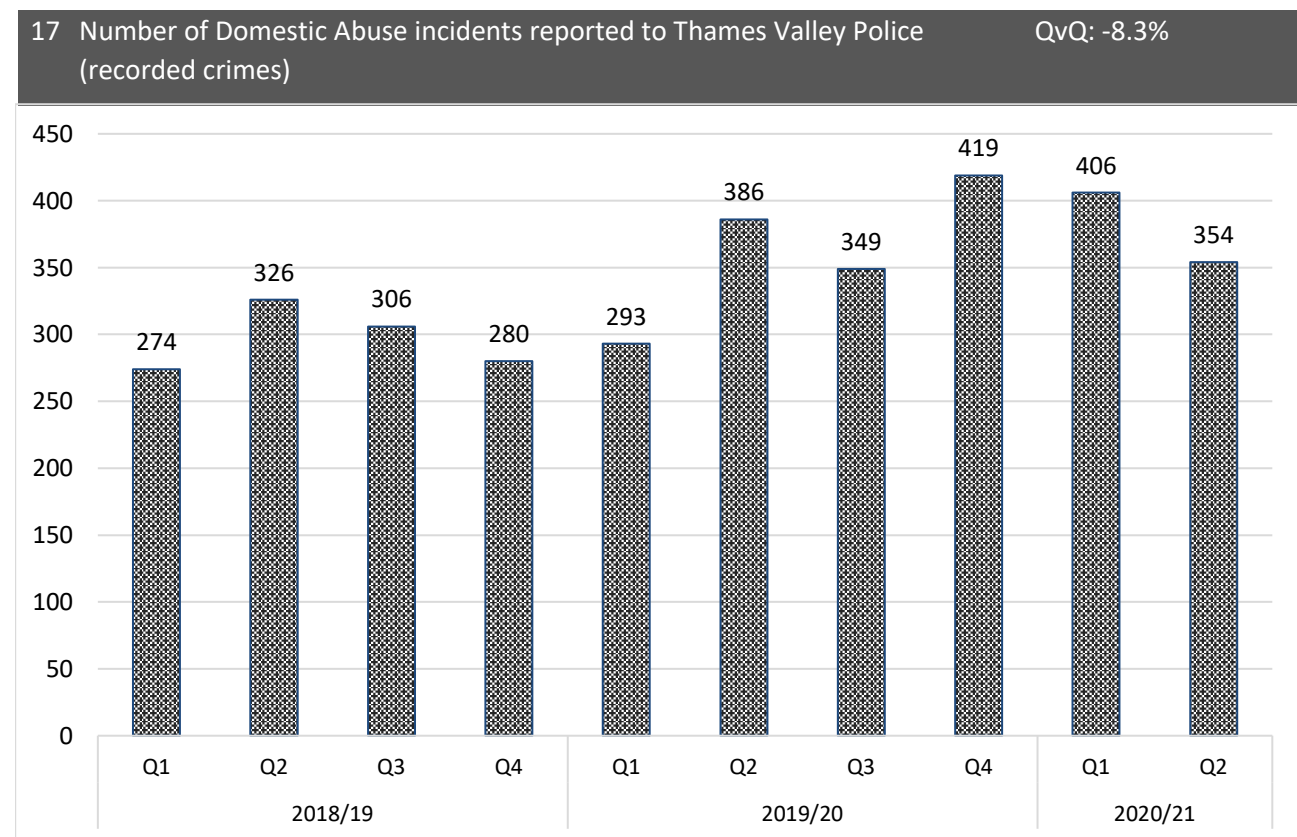
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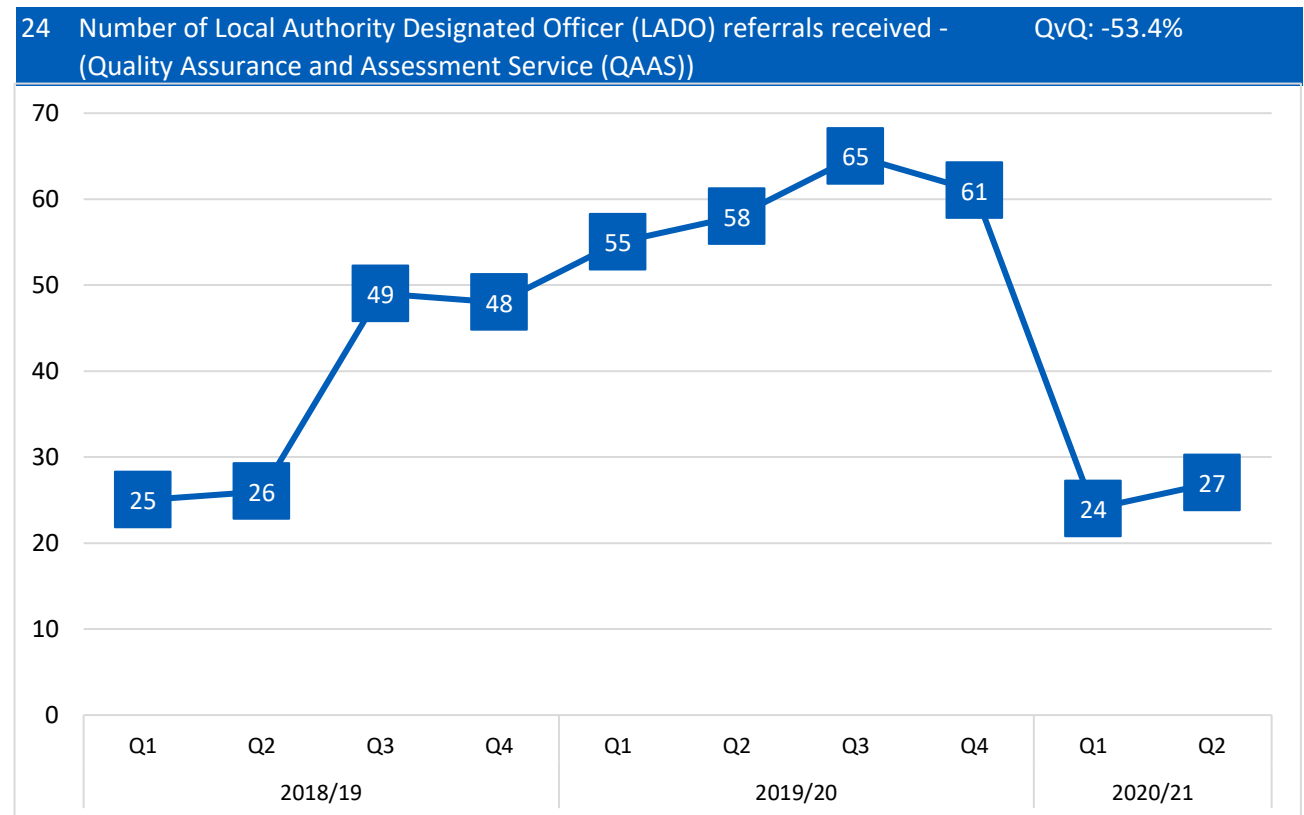
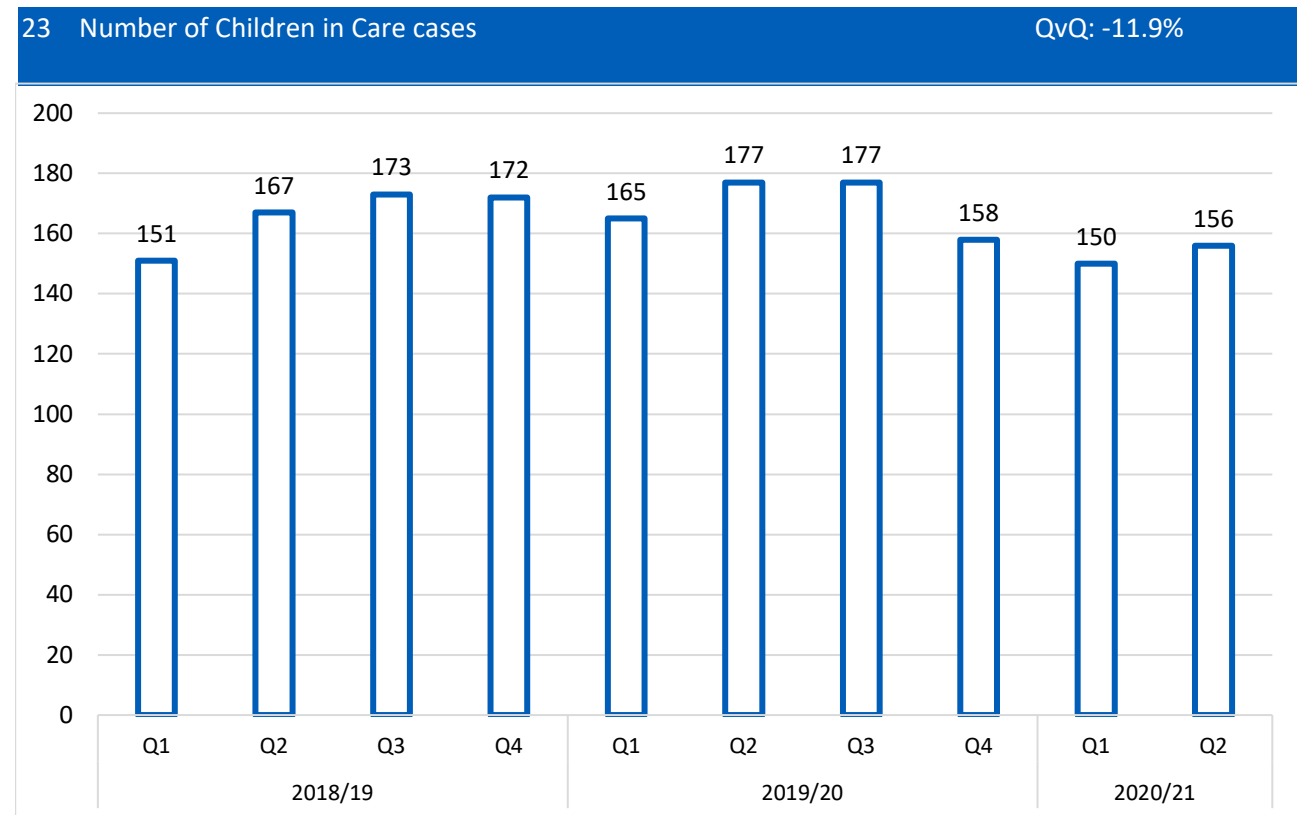
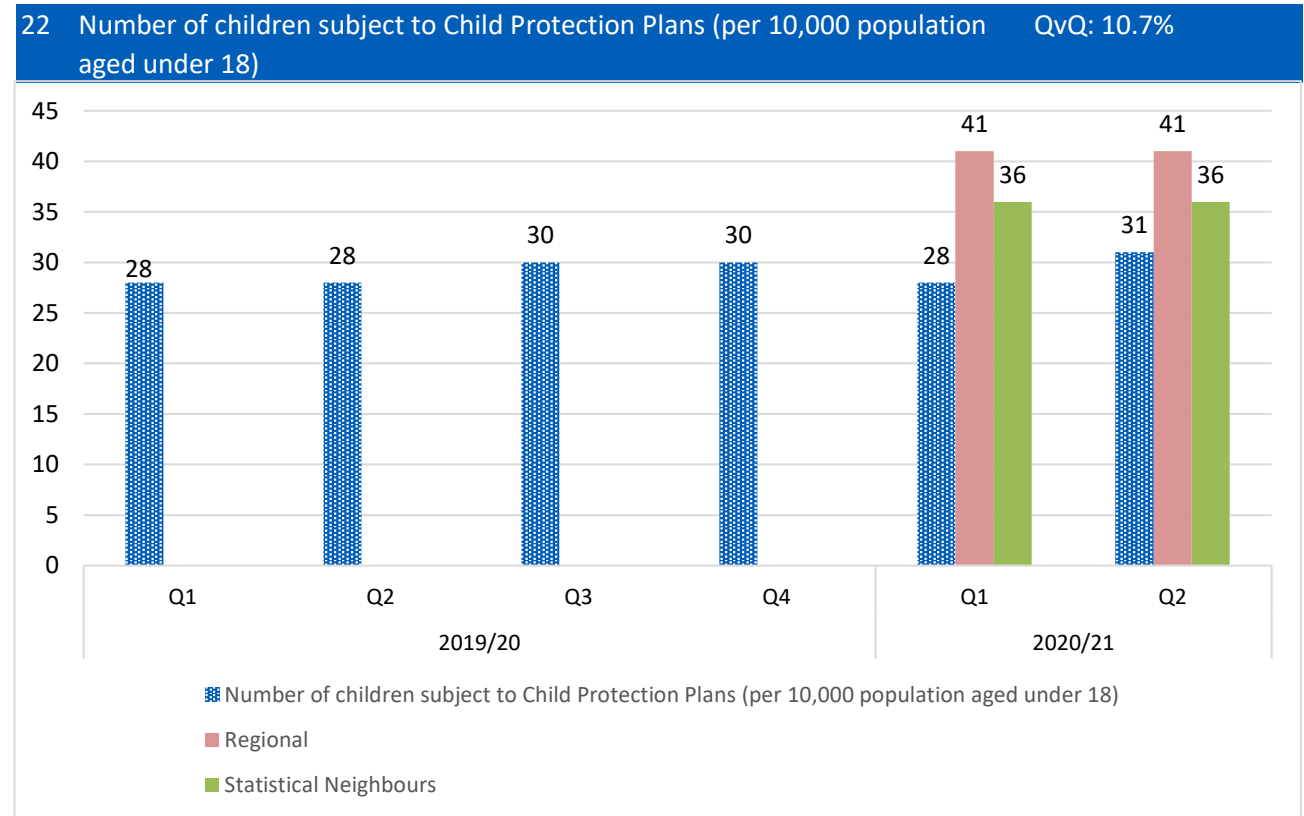
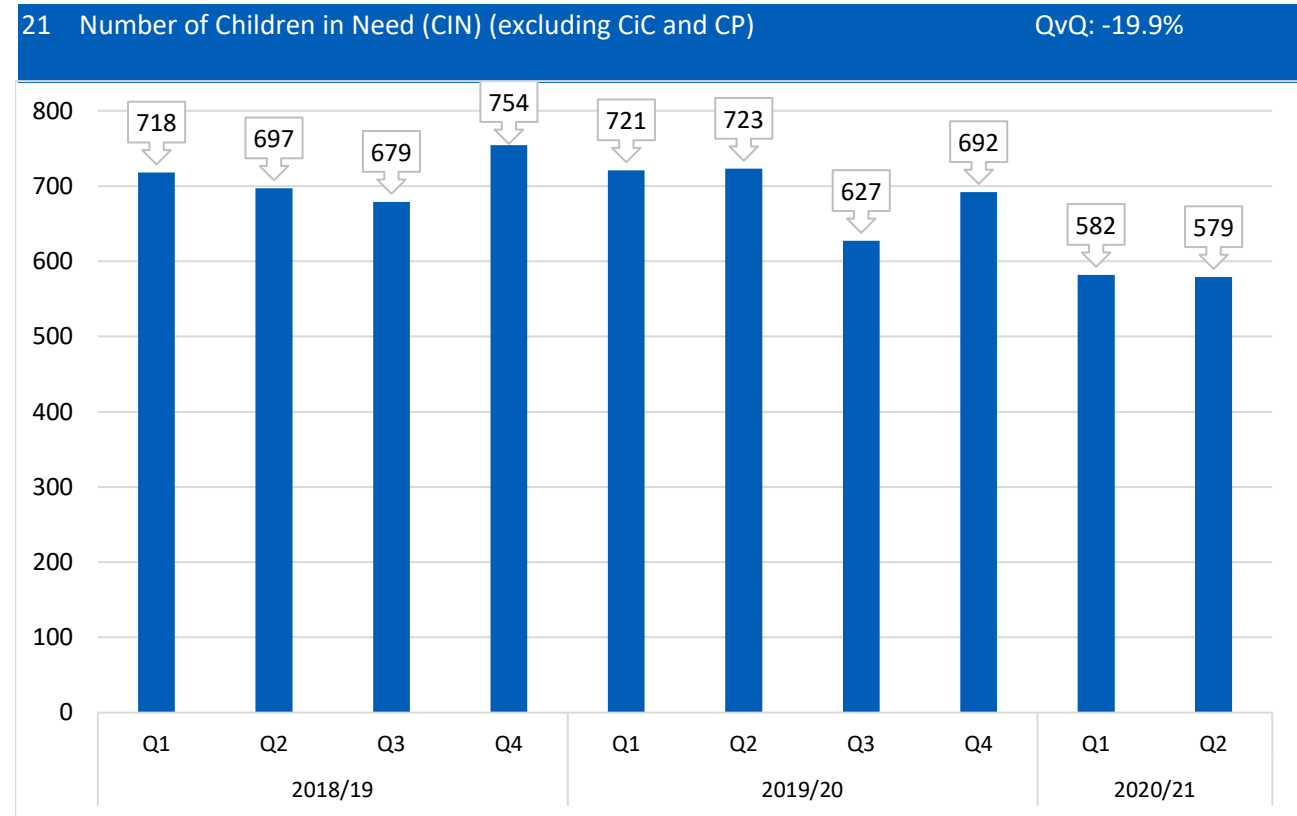
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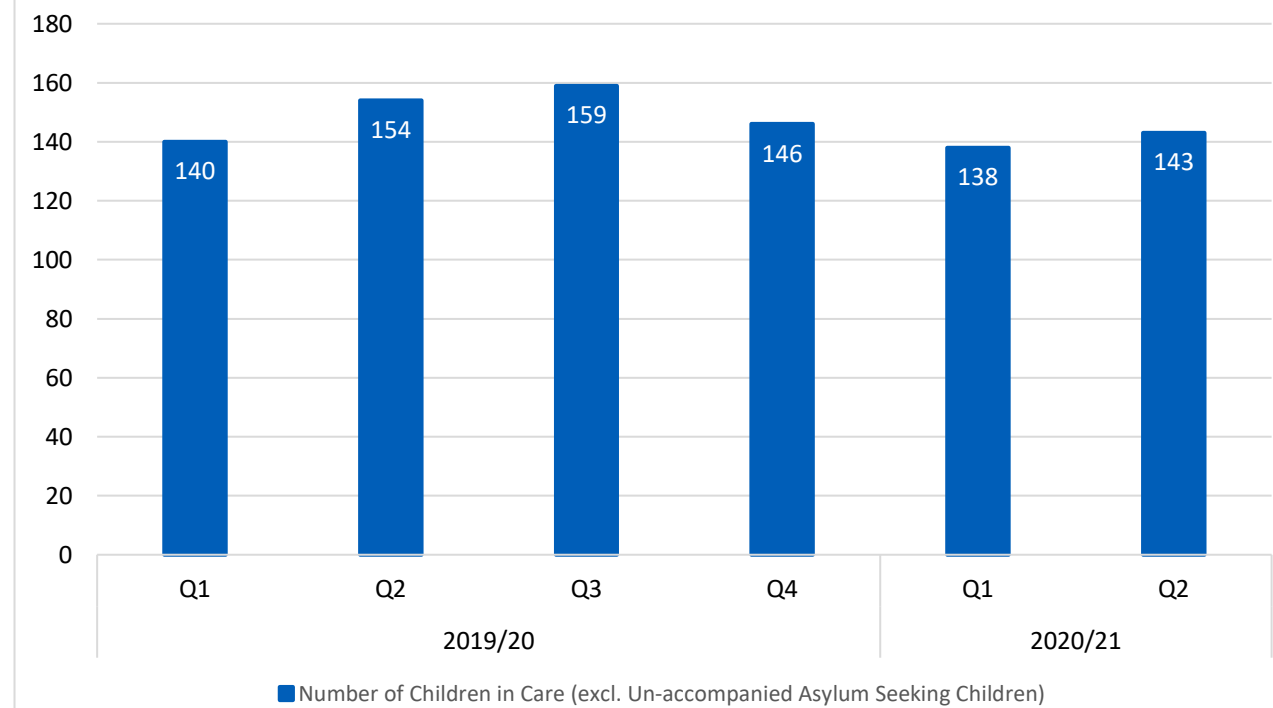
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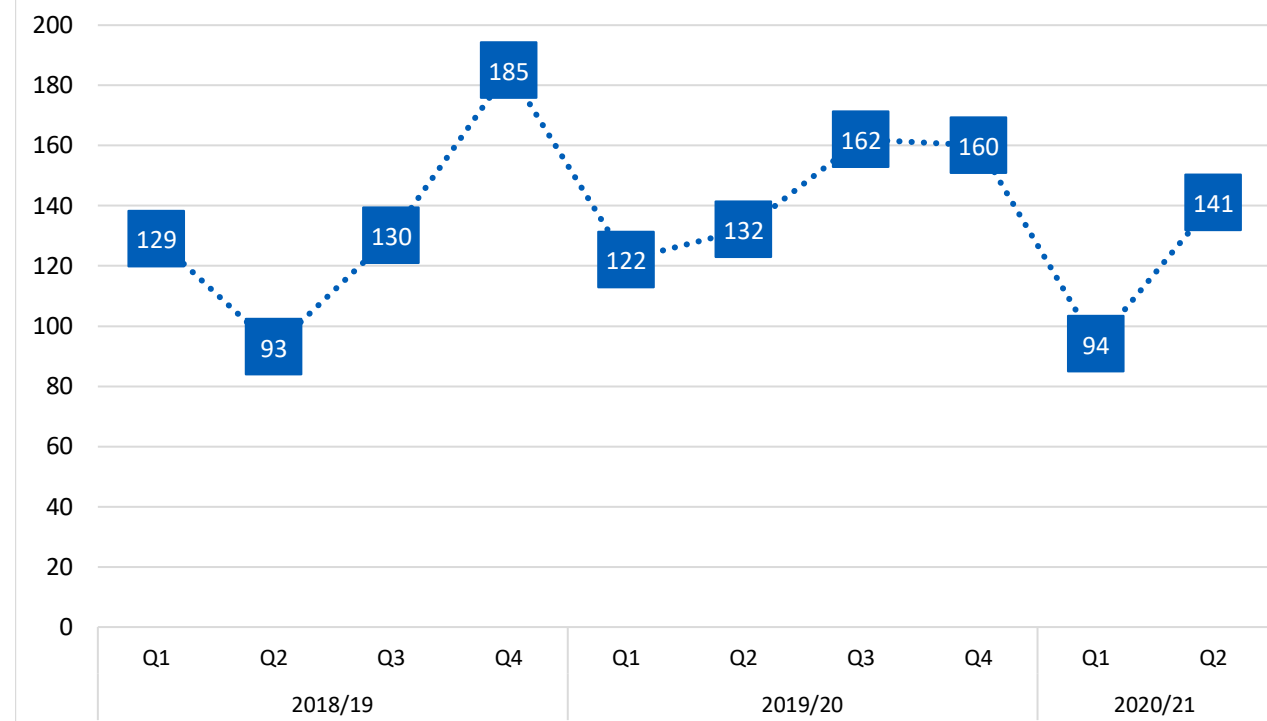
25 Level of first time entrants into the Youth Justice System (per 100,000 under 10 to 17 year olds) (12 month rolling) QvQ: -

**No data currently available as the PNC computers are not currently accessible at the Ministry of Justice

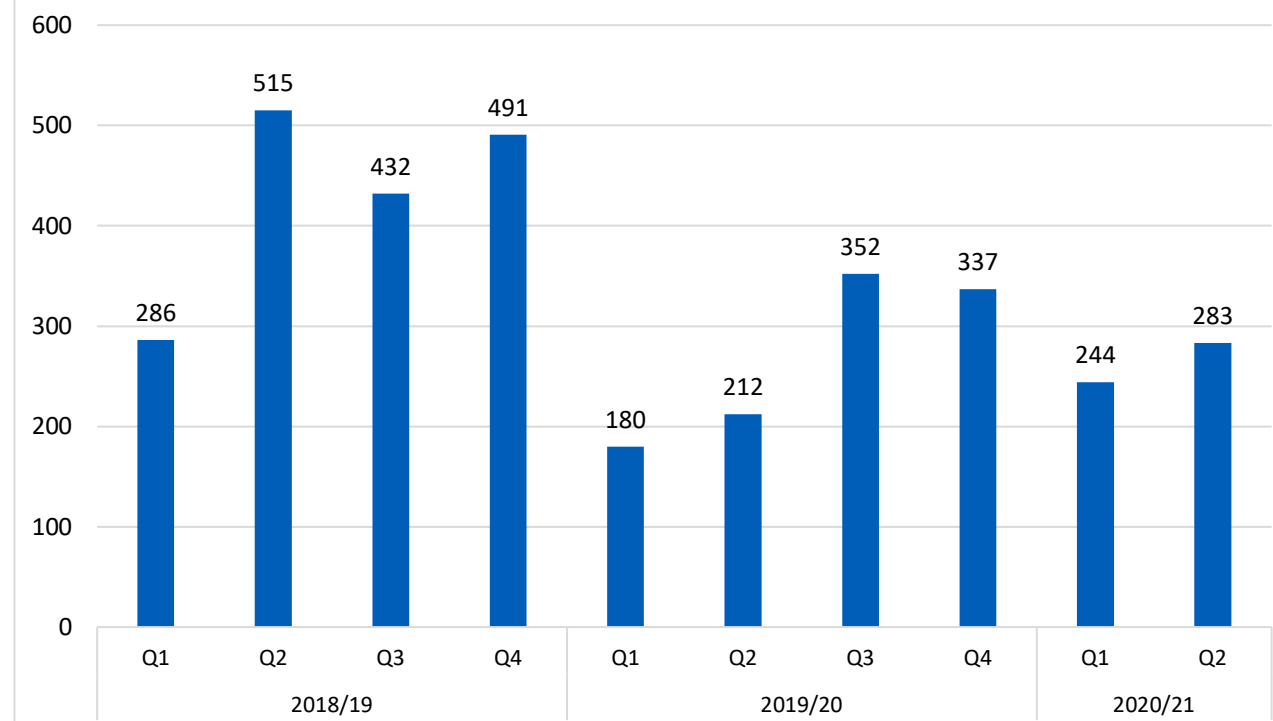
26 Number of Children in Care (excl. Un-accompanied Asylum Seeking Children) QvQ: -7.1%



27 Number of referrals to the Emotional Health Triage (EHT) QvQ: 6.8%

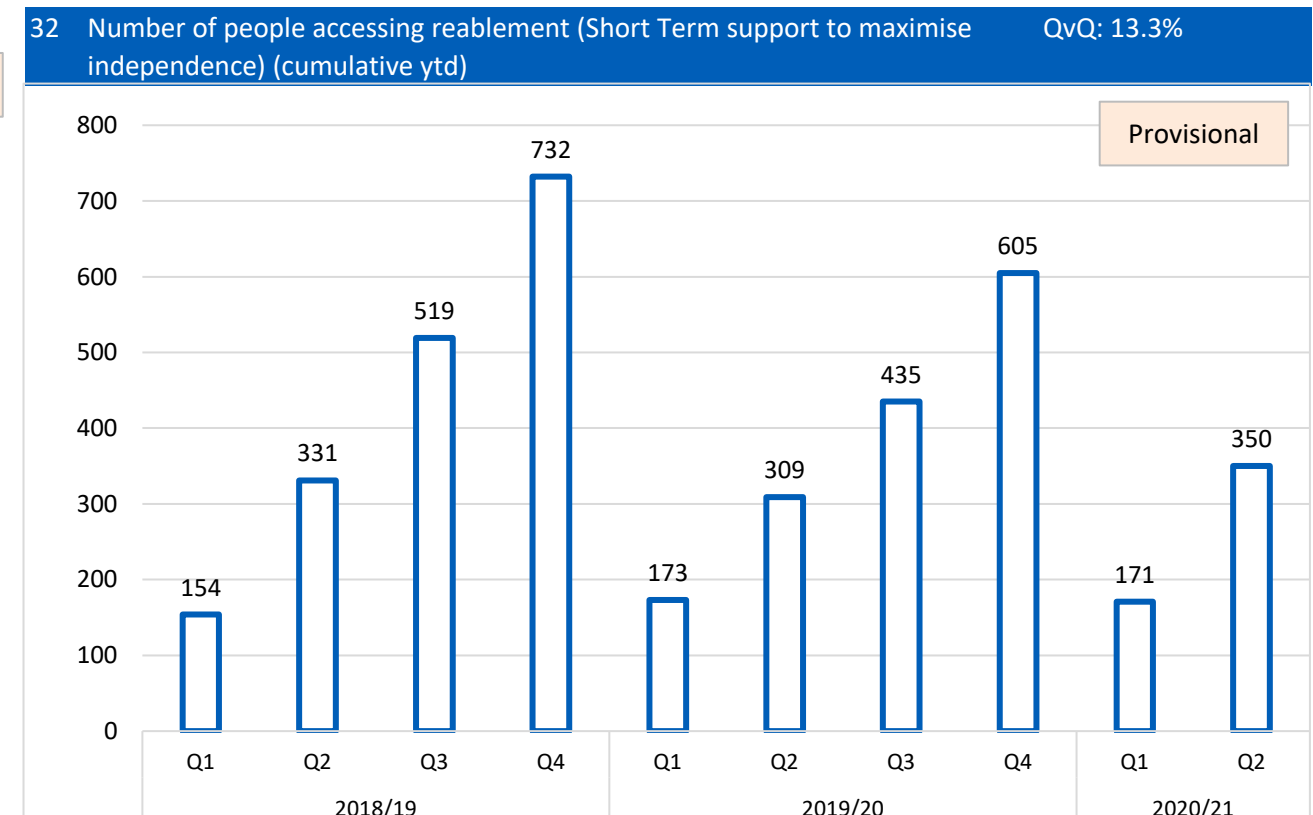
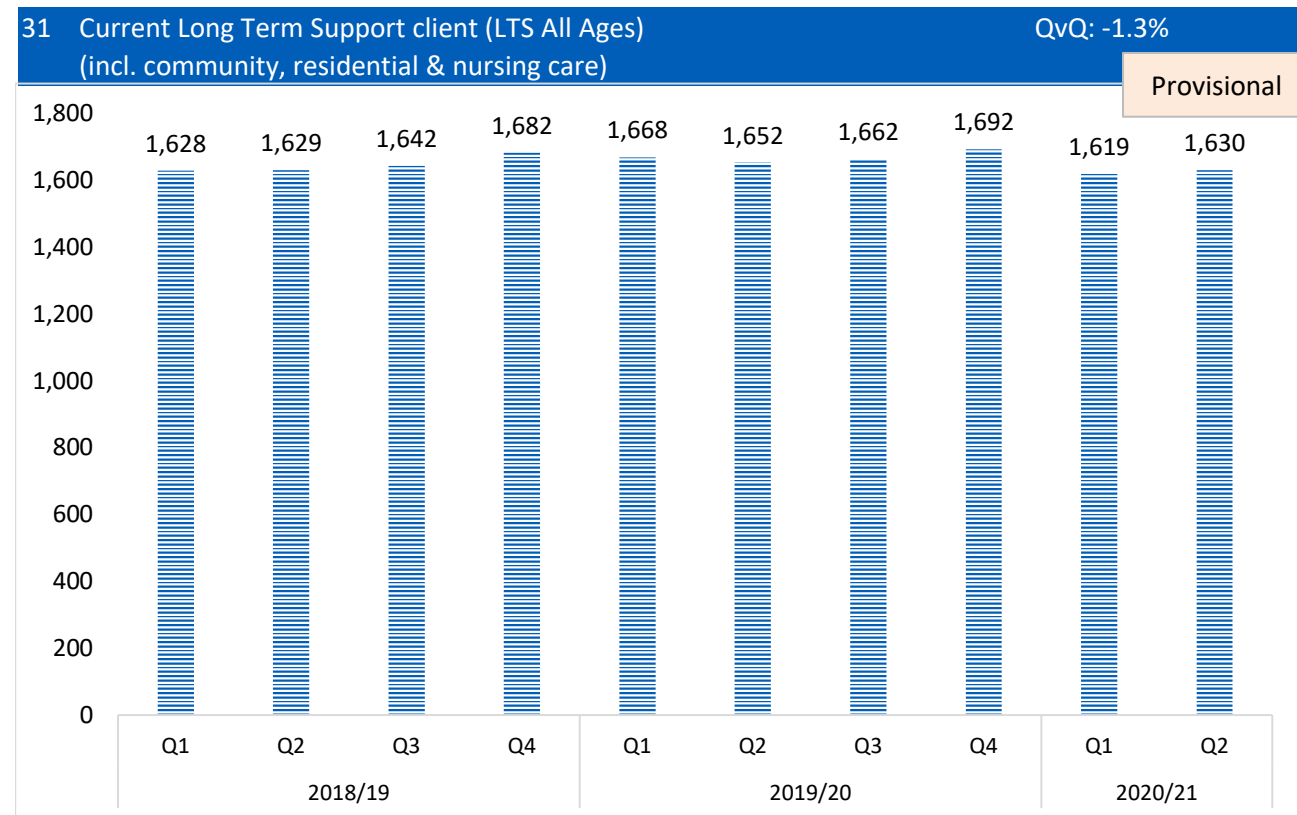
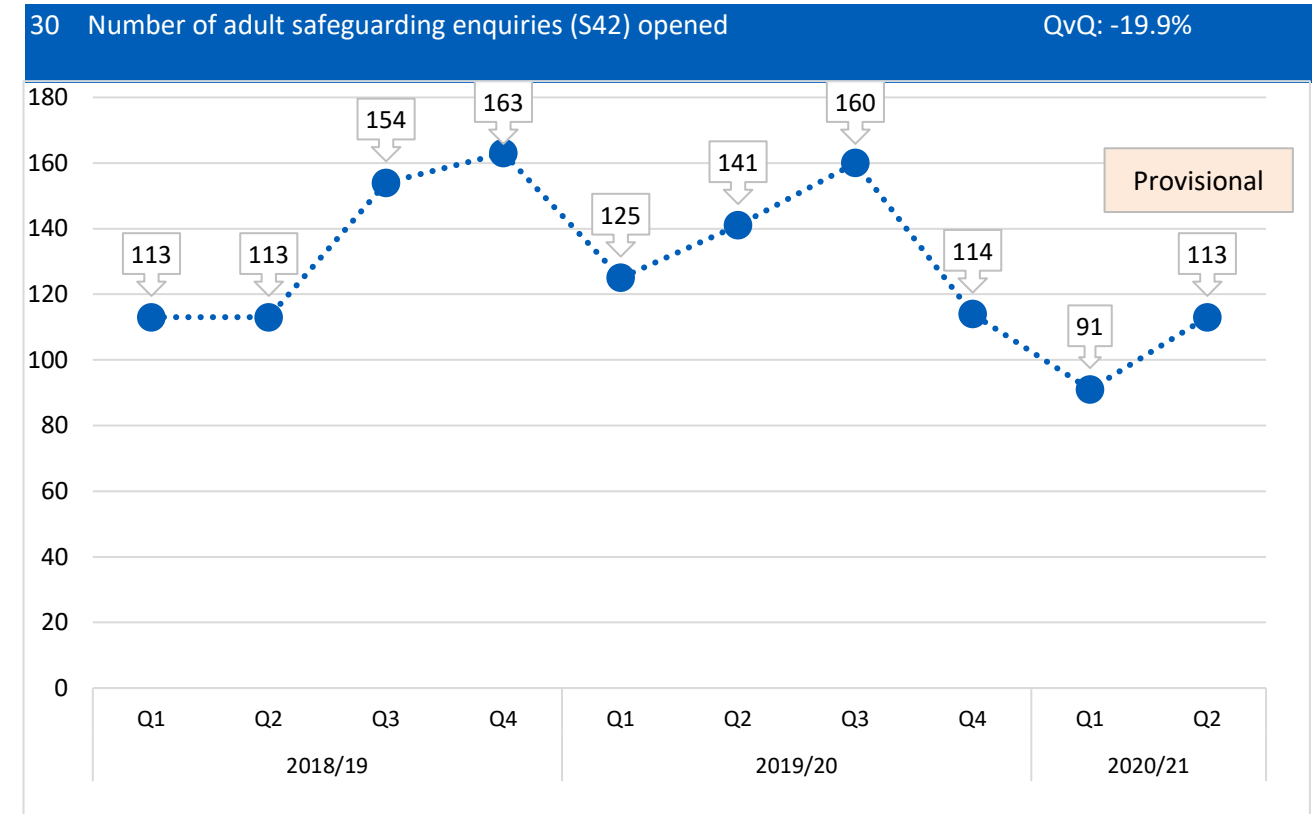
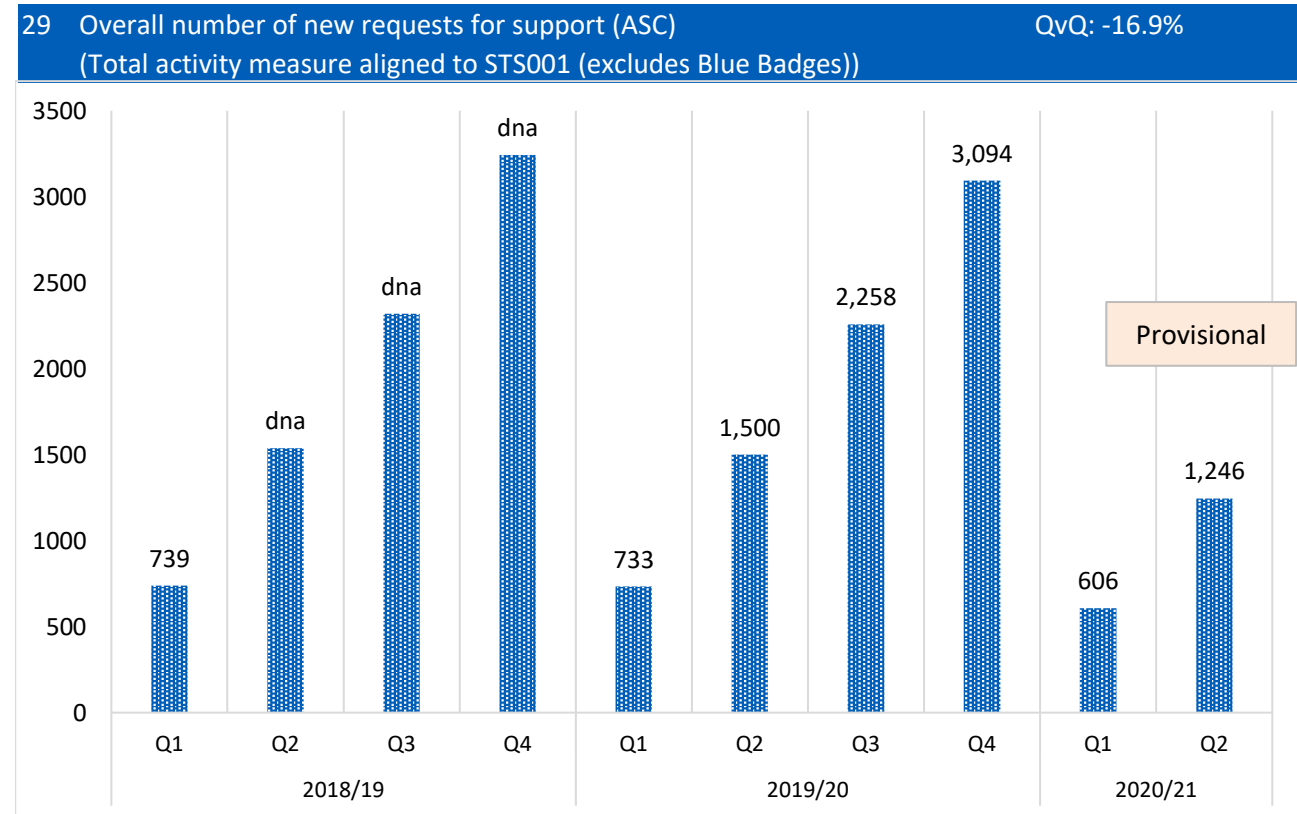


28 Number of active involvements receiving intervention from the Emotional health Academy (EHA)(Total CYP) QvQ: 33.5%



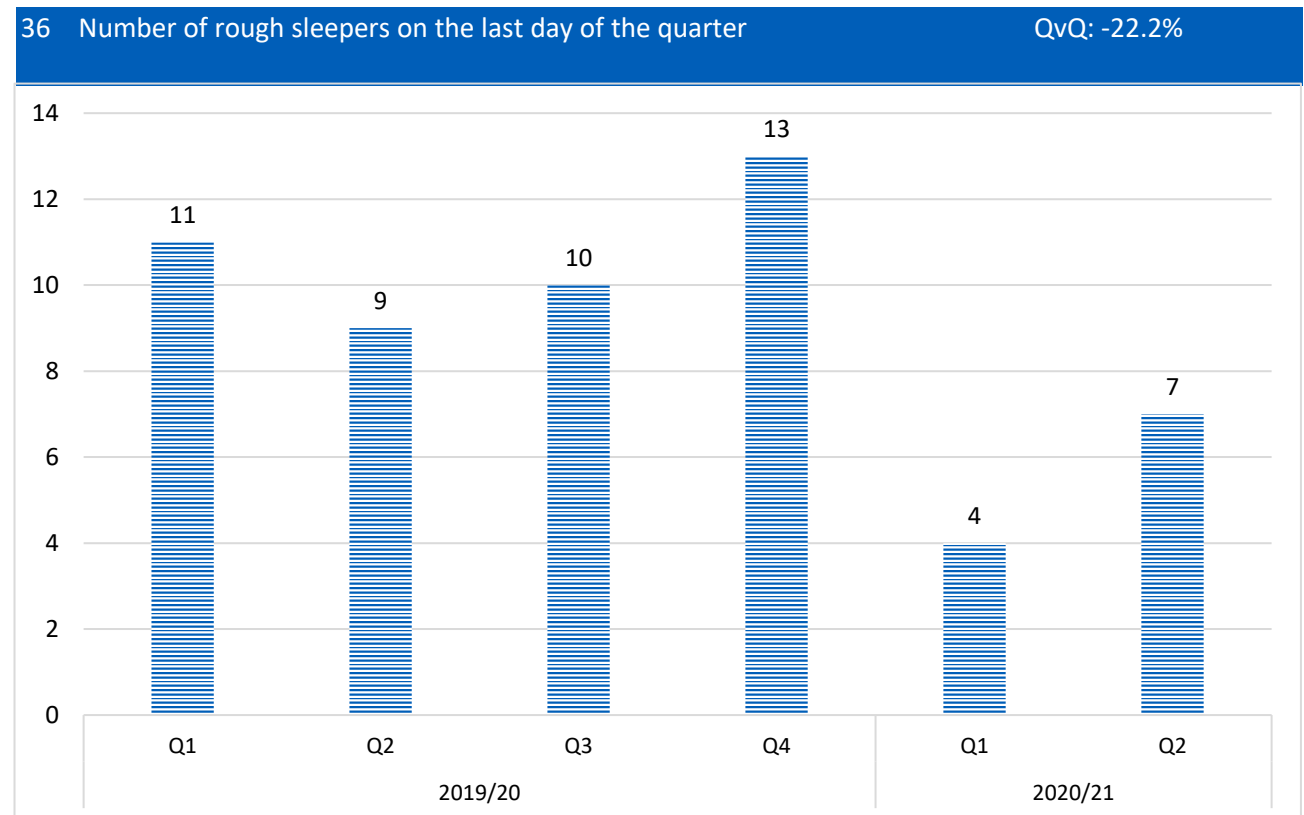
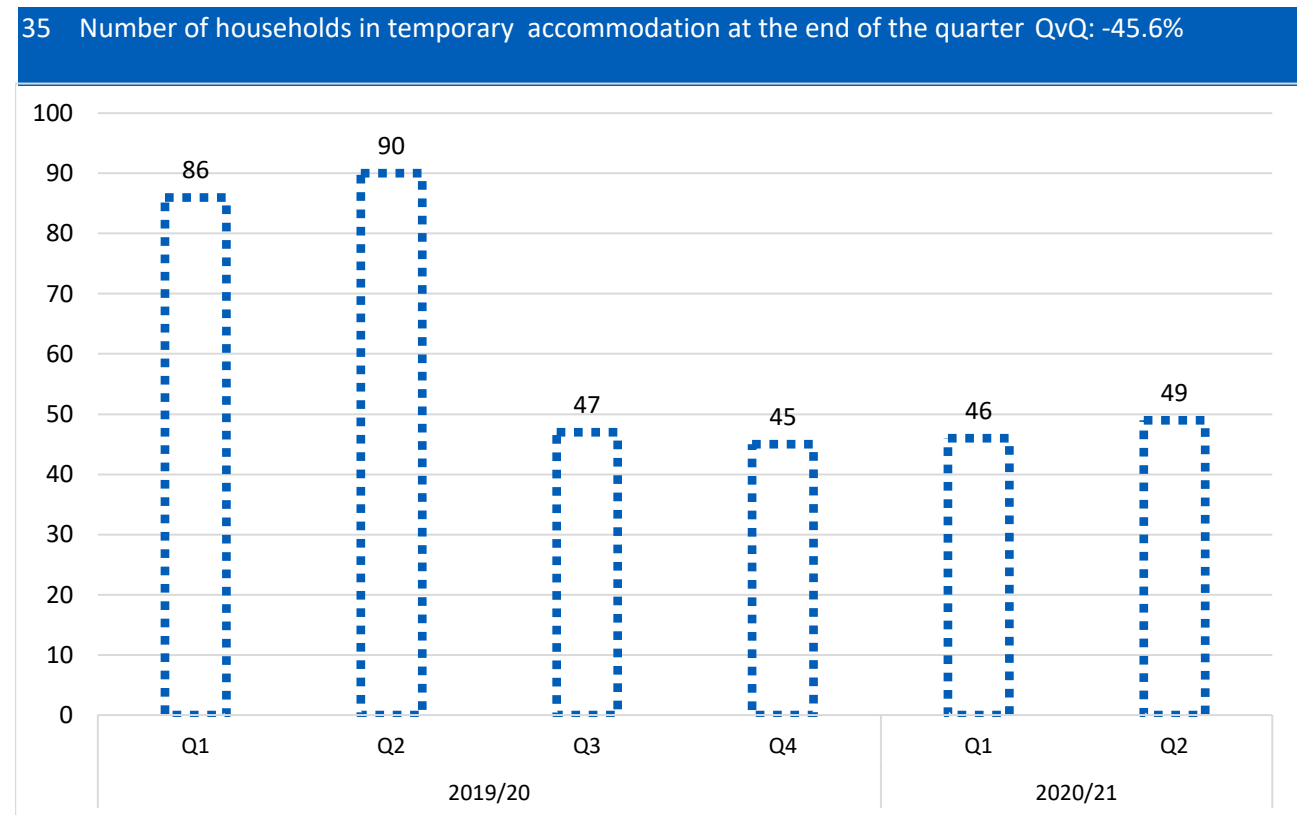
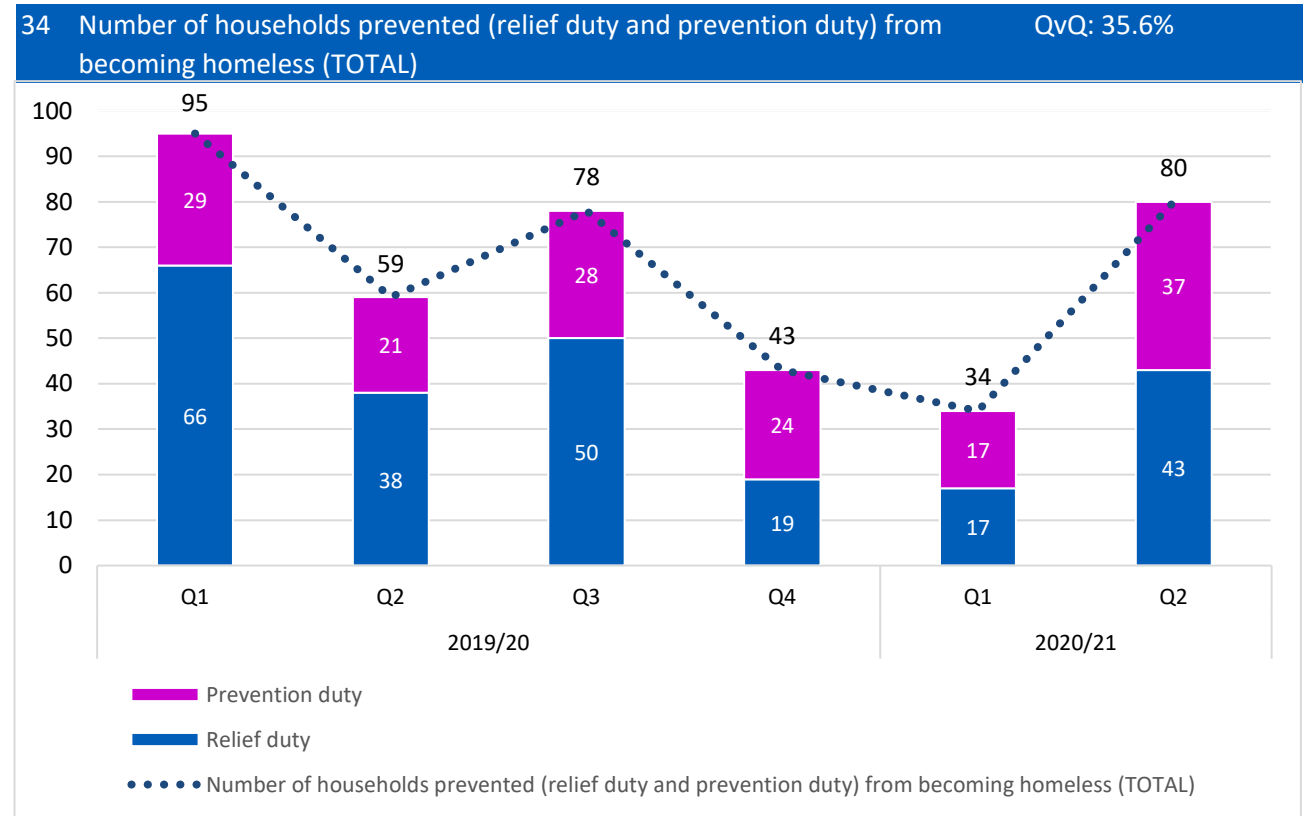
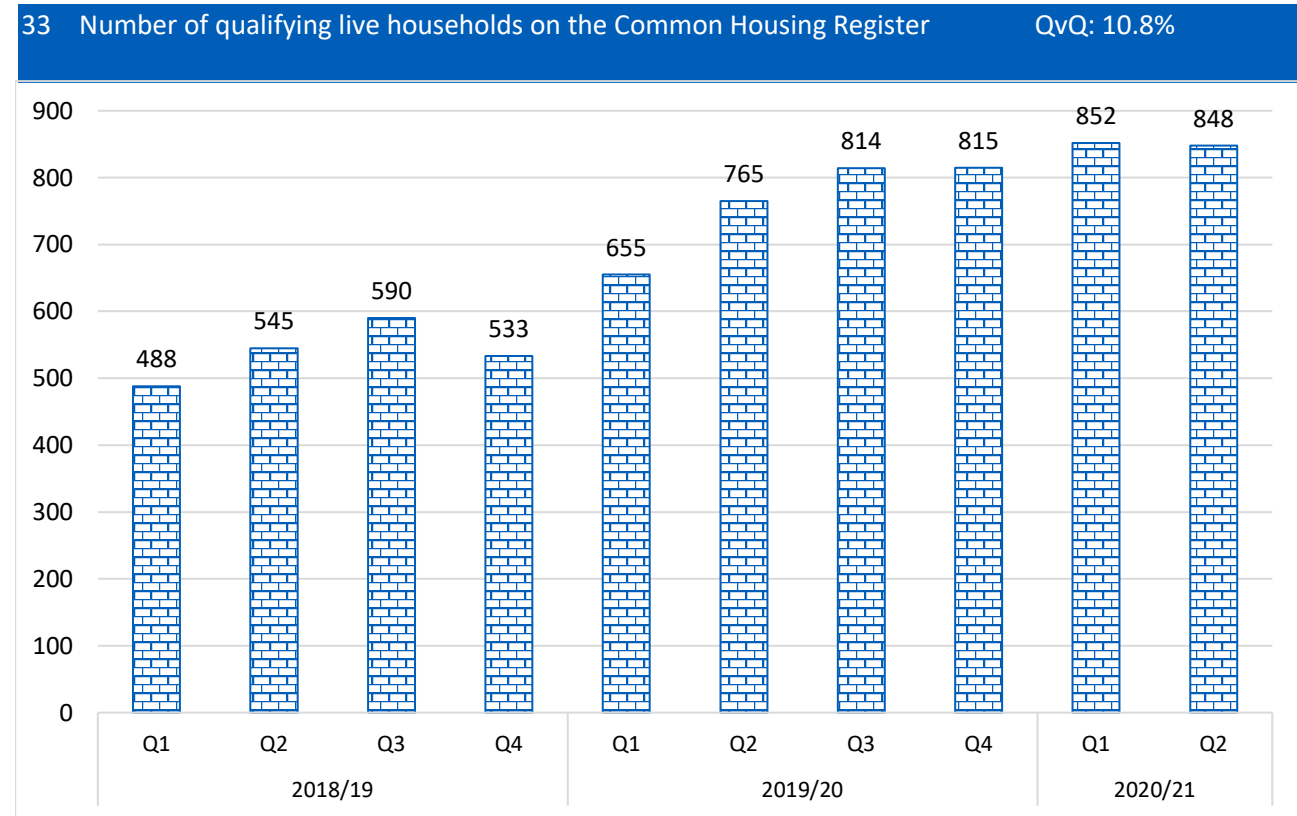
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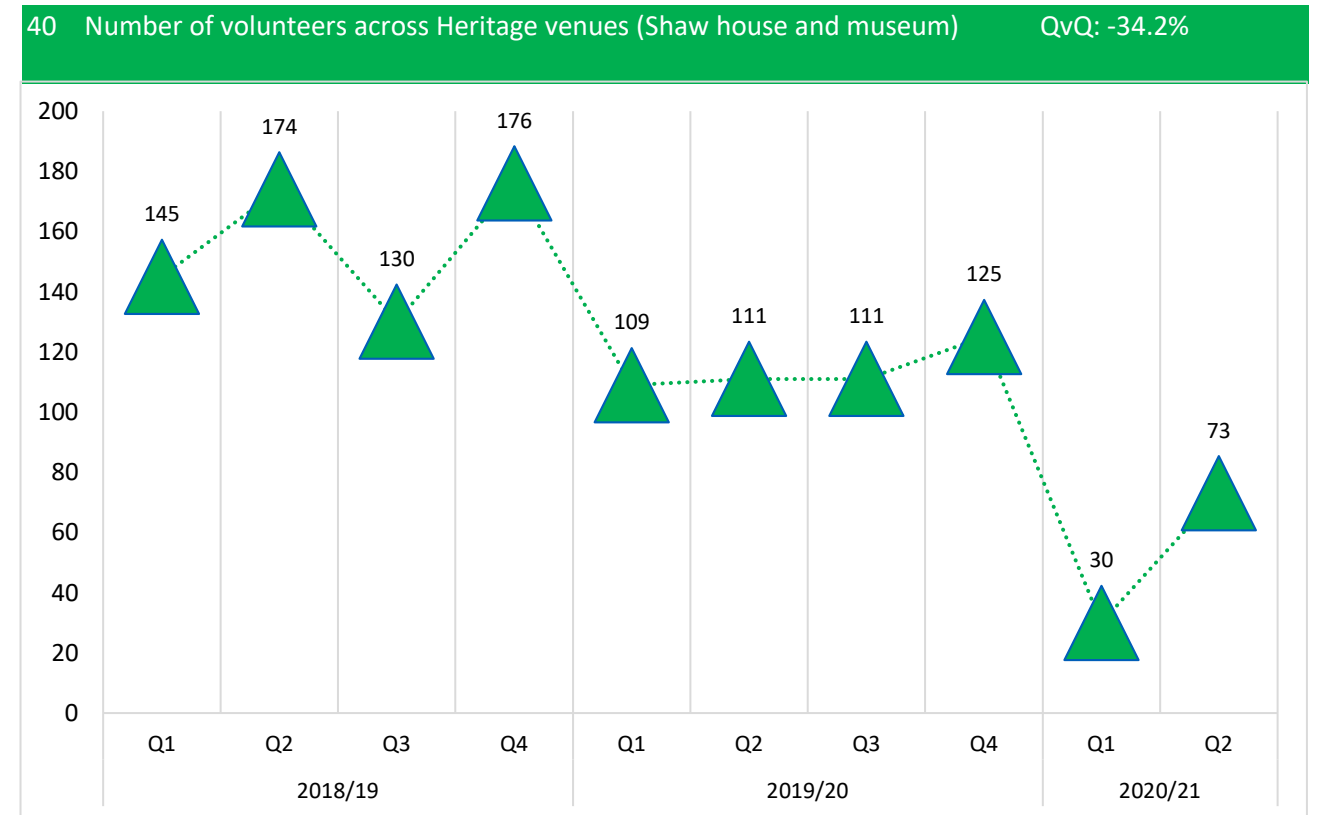
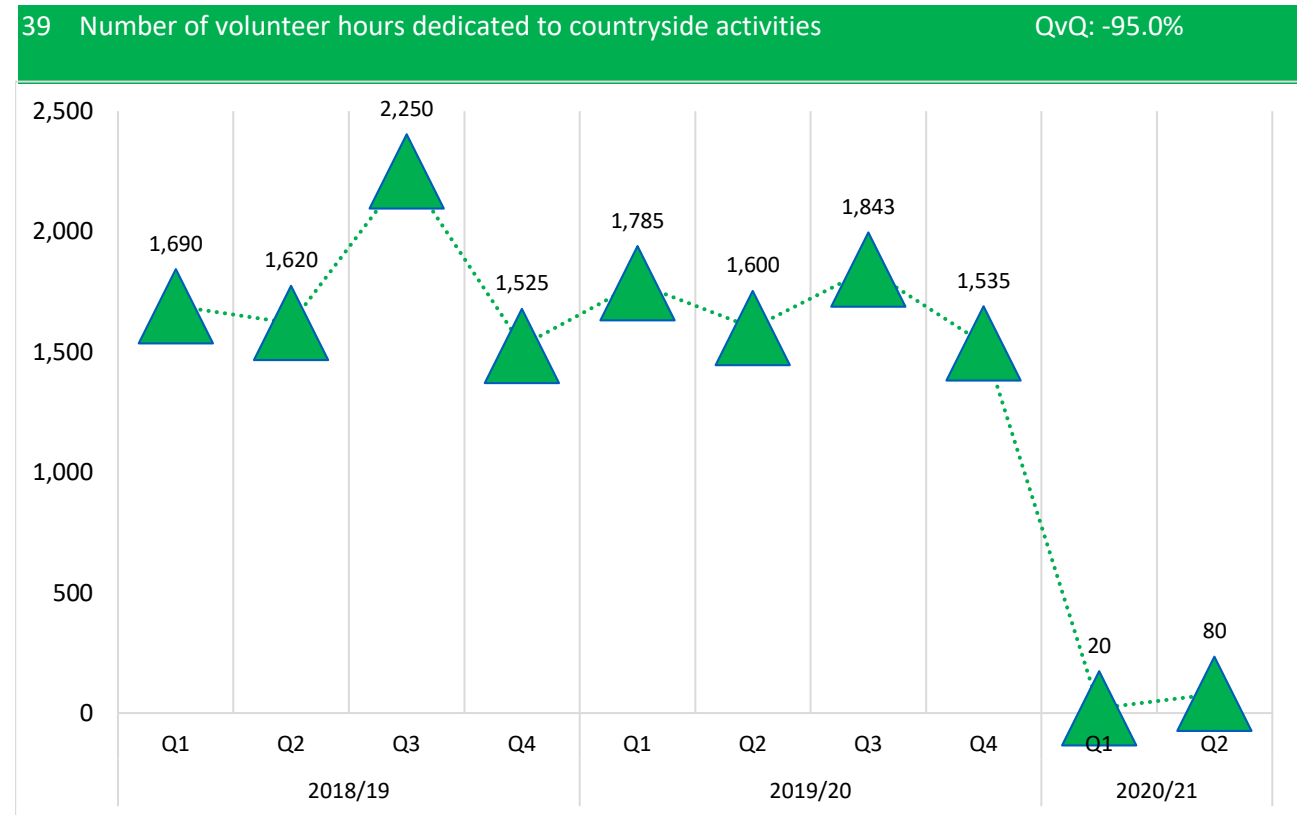
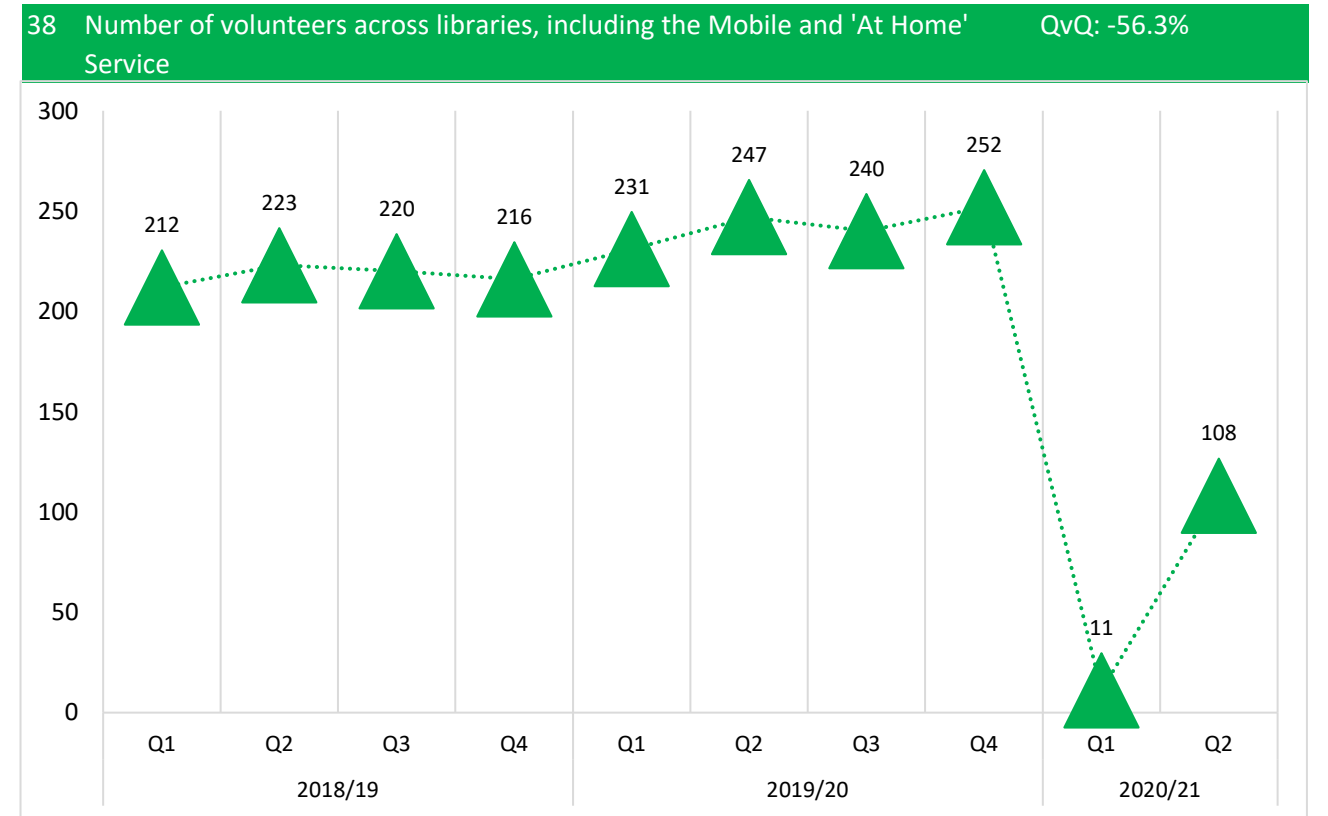
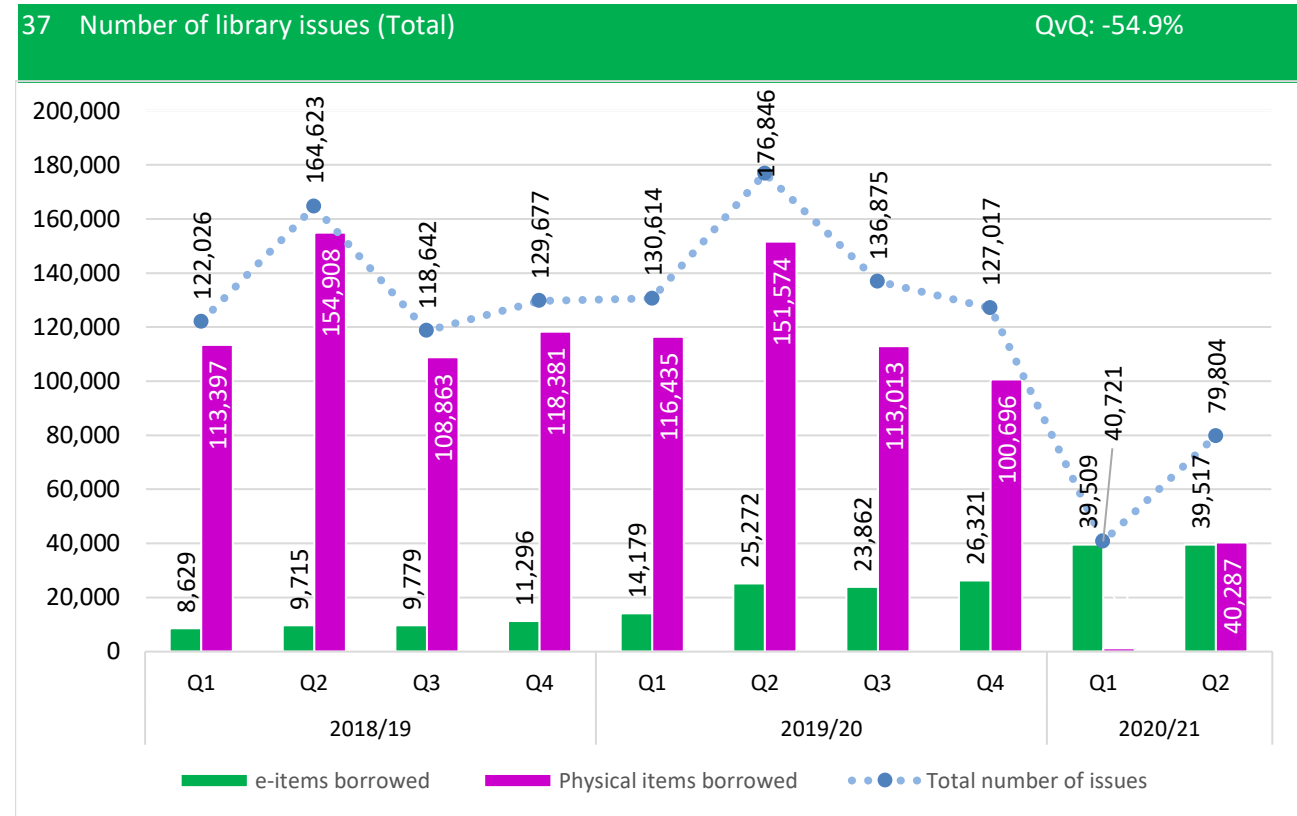
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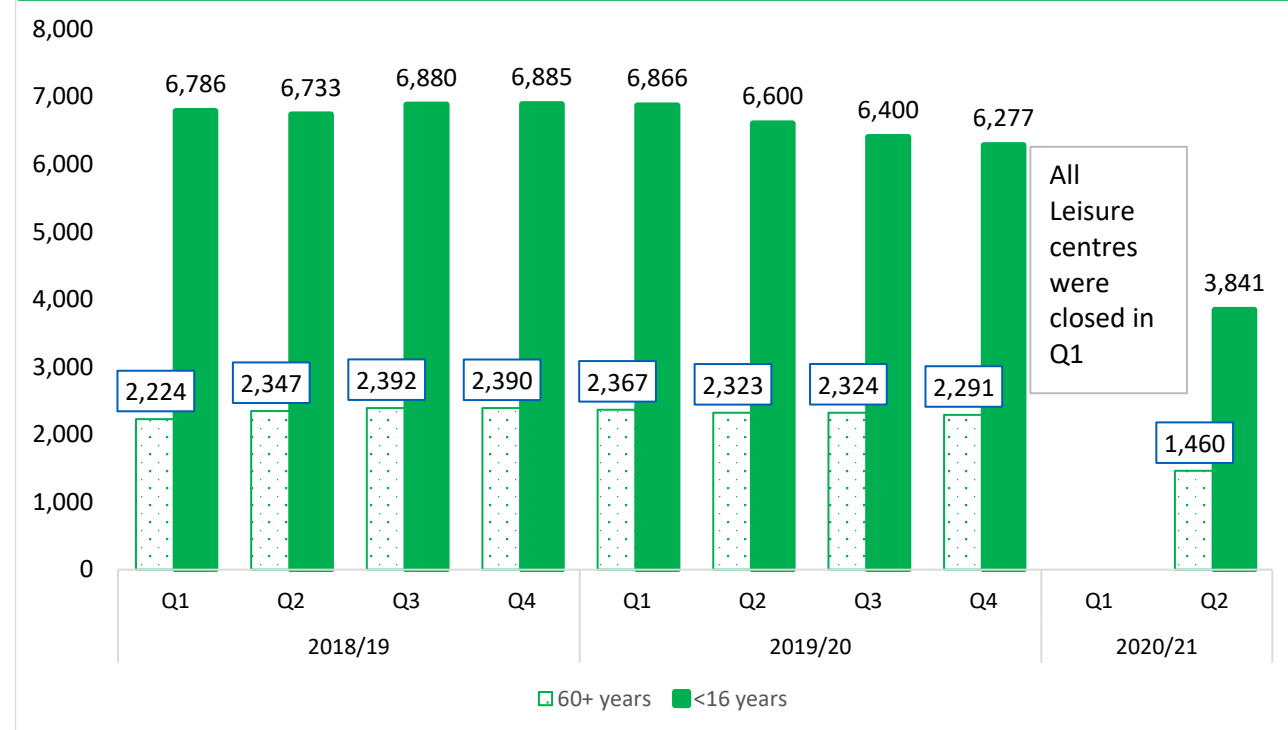
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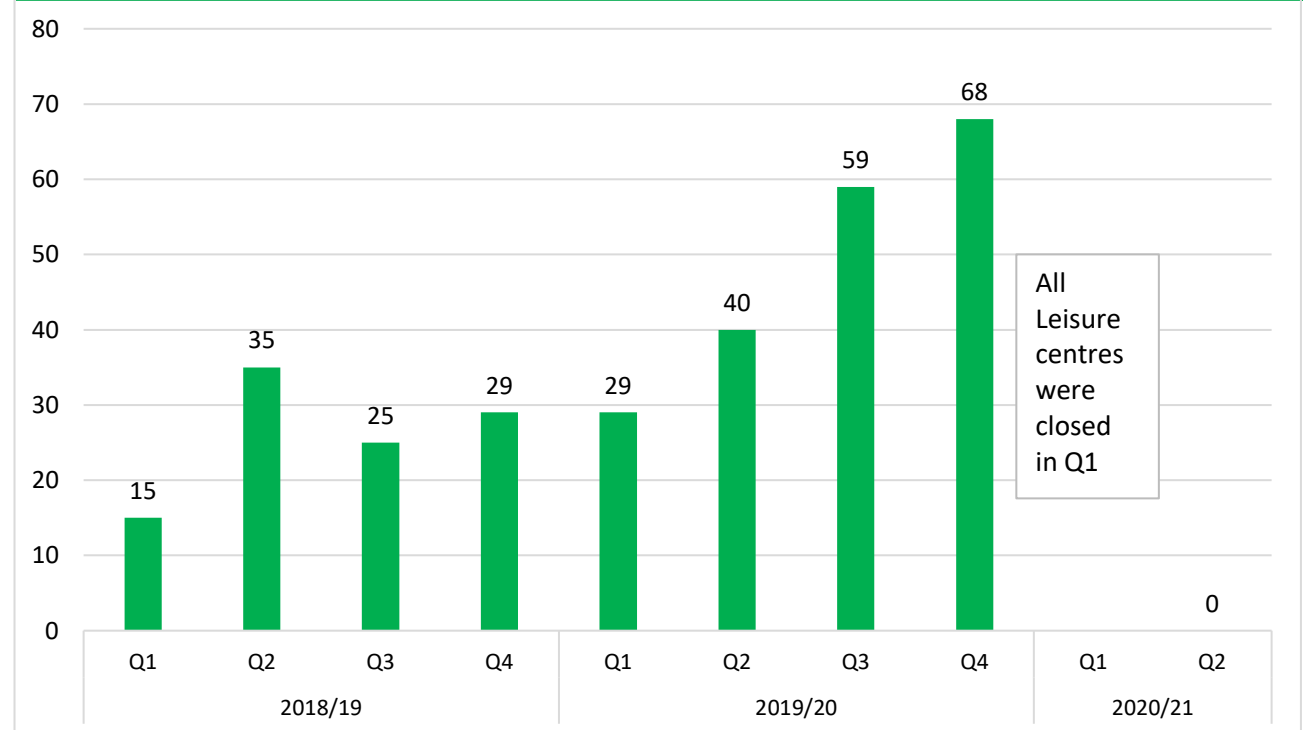
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41 Number of individuals aged 60 years and over who have used a sports or leisure centre in previous 12 months QvQ: -37.2%
 Number of individuals aged under 16 years who have used a sports or leisure centre in previous 12 months QvQ: -41.8%

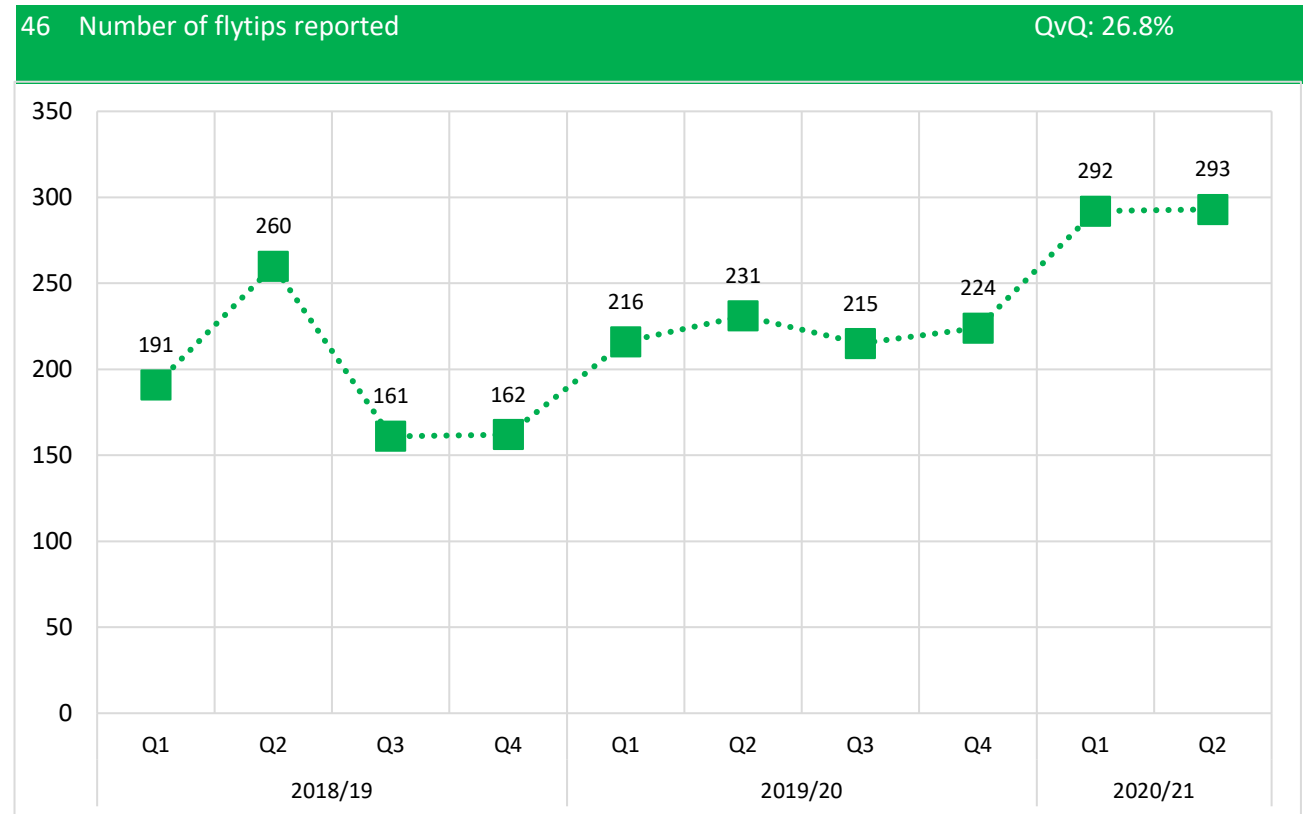
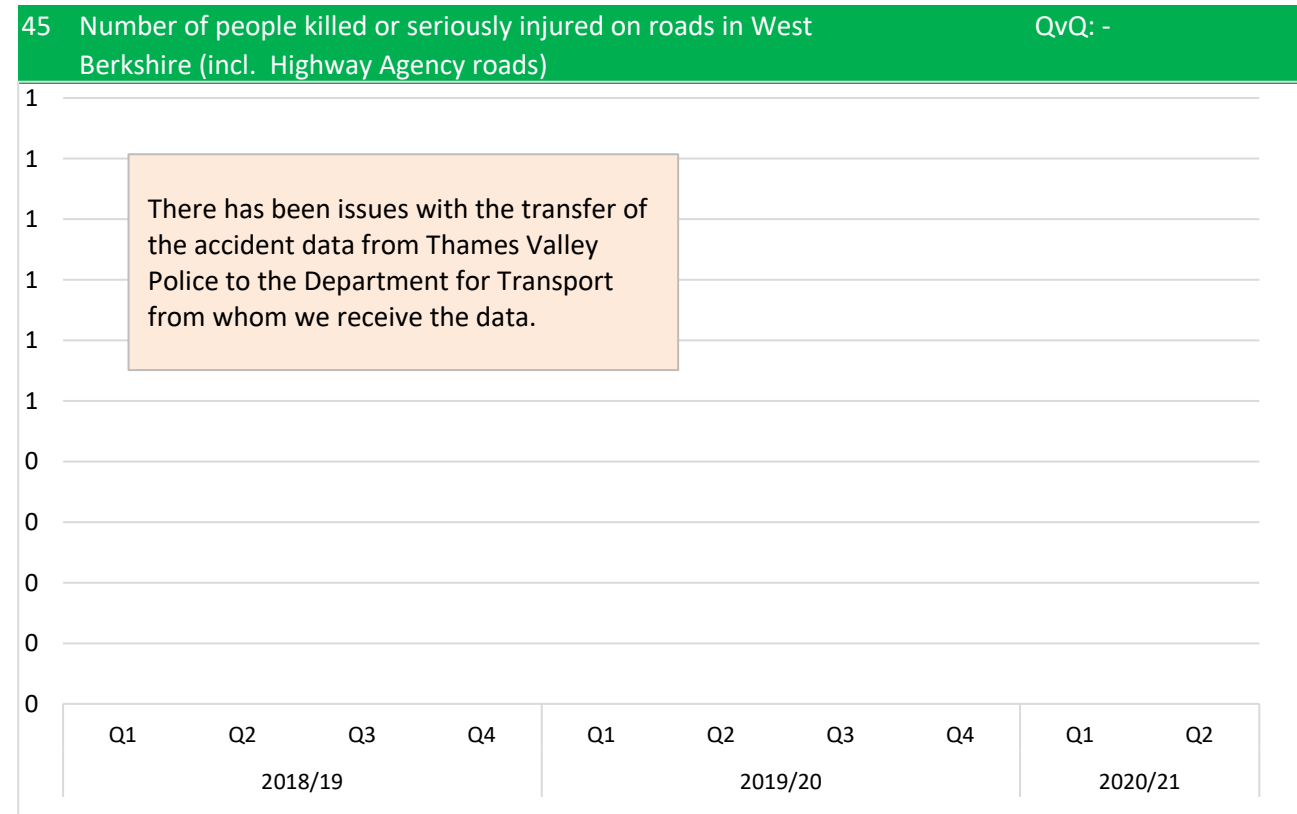
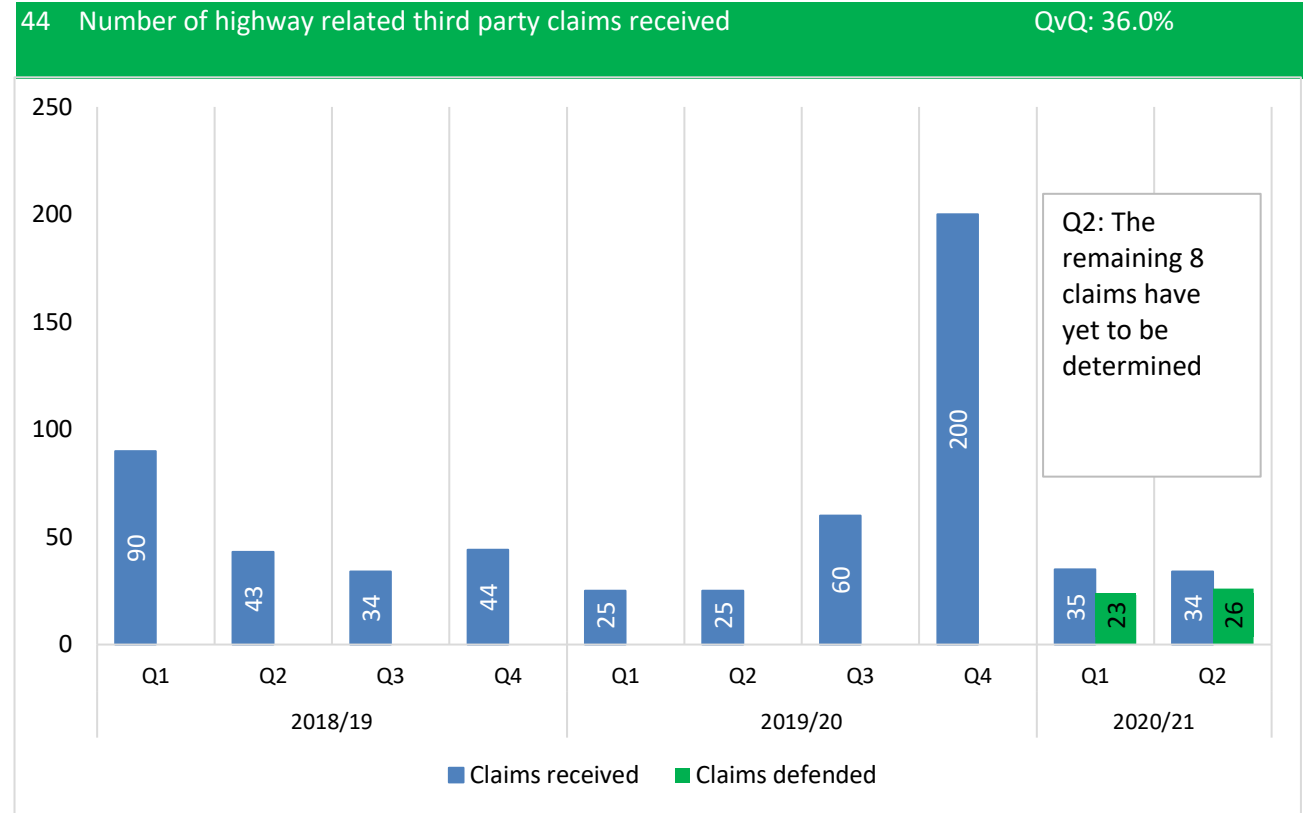
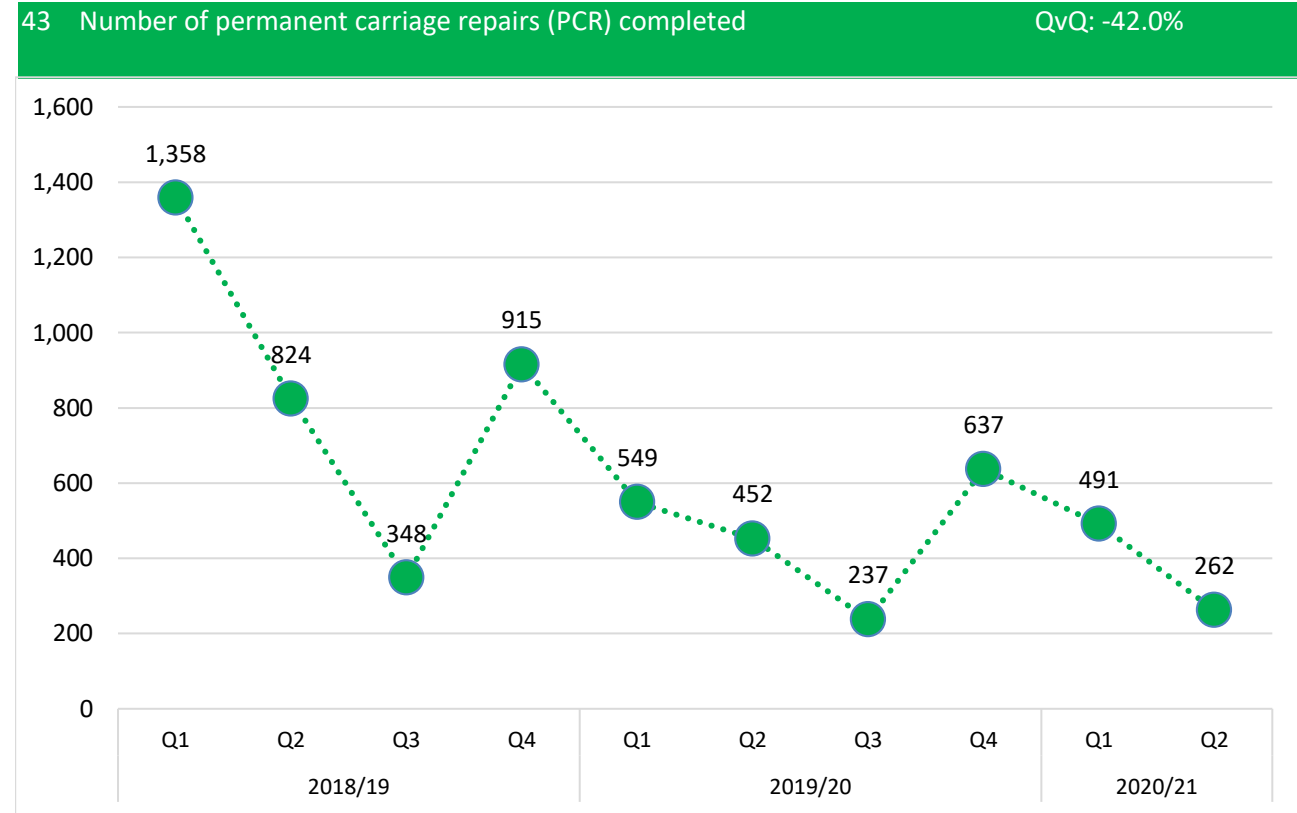


42 Number of Children in Care (and those care leavers aged 18 to 25 who left care due to age) who access a leisure centre QvQ: -100.0%



Appendix A: Influencer Measures Dashboard 2020/21 (current qtr v same qtr last year)

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Andy Sharp / Pete Campbell			Children and Family Service				Q2 2020/21	AMBER
Indicator Ref: CBacfs14			% of Children in Care where the child has been visited in the past 6 weeks (or 12 weeks if this is the agreed visiting schedule)				Type: Snapshot	
Executive	2018/19 Year End	2019/20 Year End	2020/21				Target	Polarity
			Q1	Q2	Q3	Q4		
RAG	■	■	◆	◆			≥95%	Higher is better
Qrtly outturn	-	-	-	-				
YTD outturn	94.8% (164/173)	91.8% (145/158)	42.0% (63/150)	84.6% (132/156)				
<p>REASON FOR AMBER:</p> <p>We are only classing a visit as ‘statutory’ if it is carried out face to face. Whilst the vast majority of visits are now being carried out ‘face to face’, there are some that are being conducted via video/telephone. This is therefore the reason that our performance is below the target set for the year. We have chosen not to exercise the ‘easements’ that have been afforded by the Coronavirus Act 2020, preferring to value ‘stat visits’ to those virtually. Where we include visits in all formats we are at 98%.</p> <p>REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN, ALTERNATIVE PLANS AND EXPECTED IMPROVEMENT:</p> <p>Visits are increasingly being carried out face to face and, provided that this can continue, performance against this indicator will improve. The target remains achievable by year end and no remedial action is required.</p> <p>IMPACT ON OTHER MEASURES: Not applicable</p> <p>STRATEGIC ACTIONS REQUIRED: None Required.</p>								

Andy Sharp / Paul Coe			Adult Social Care				Q2 2020/21	RED
Indicator Ref: CBgasc2			% of WBC provider services inspected by Care Quality Commission (CQC) that are rated good or better by CQC in the area of "safe"				Type: Snapshot	
Executive	2018/19 Year End	2019/20 Year End	2020/21				Target	Polarity
			Q1	Q2	Q3	Q4		
RAG	■	■	■	■			100%	Higher is better
Qrtly outturn	-	-	-					
YTD outturn	5/6 83.3%	4/6 66.7%	4/6 66.7%	4/6 66.7%				
REASON FOR RED:								
<p>Birchwood Nursing Home was re-inspected in July 2019 and achieved an overall rating of Requires Improvement (RI); published in September 2019. There were improvements within the 5 domains and 2 achieved a rating of Good, but this did not change the overall rating. The next Inspection is expected in November 2020.</p> <p>Walnut Close was inspected in September 2019 with a published report in December 2019. The Home achieved a rating of RI overall and in all domains with the exception of Caring. One issue for Walnut, causing breaches in regulation leading to an RI rating, related to the fabric of the building and internal maintenance which was deemed to be poor.</p>								
REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN, ALTERNATIVE PLANS AND EXPECTED IMPROVEMENT:								
<p>An external consultant was commissioned to review environment and practice in Birchwood and work directly with the home on specific areas of activity to improve the rating for 2020. This work began towards the end of 2019 and is ongoing during 2020. Further action plans have been developed and implemented.</p> <p>Similarities in practice apply across all our homes and it is reasonable to assume all will benefit from actions drawn from this work.</p> <p>Positively; Willows Edge was recently inspected (Feb 2020) and the overall outcome achieved was good in all five areas. It is clear that some of the recent work is having a positive impact.</p> <p>Focus in Q1 has been on adapting to and supporting the Coronavirus Pandemic.</p> <p>During the Covid pandemic, the CQC has been undertaking virtual assurance checks because site visits are not considered appropriate. These checks have</p>								

taken place for all four homes during the last two months and no concerns have been raised.

In Q2 2020/21, the Council started a public consultation regarding the proposal to close Walnut Close and to move residents and staff together to our other care homes to minimise disruption caused by such a move. The proposal to close the care home is based on challenges posed by the condition and layout of the building that have been highlighted even more during the response to the pandemic and additional efforts made to ensure infection control.

FINANCIAL IMPLICATIONS:

Both Birchwood and Walnut Close had a high number of COVID infections. 2 impacts - closed to new admissions and high number of deaths means occupancy has decreased during Q1. However, as part of the public consultation about the closure of Walnut Close, it is highlighted that vacancies in the Council's care homes means that there is an opportunity to minimise the impact on residents and staff by ensuring they move together in the alternative homes. The consultation includes early 2021 as the suggested care home closure timeframe.

IMPACT ON OTHER MEASURES: None

SERVICE PLAN UPDATES REQUIRED: None, as this is already incorporated in the ASC Service Plan and monitored through the Council Delivery Plan.

STRATEGIC ACTIONS REQUIRED: None

Joseph Holmes / Andy Walker			Finance & Property				Q2 2020/21	AMBER
Indicator Ref: CBgfp13			Council Tax collected as a percentage of Council Tax due				Type: Snapshot	
Executive	2018/19 Year End	2019/20 Year End	2020/21				Target	Polarity
			Q1	Q2	Q3	Q4		
RAG	★	★	★	◆			≥ 98.8%	Higher is better
Qrtly outturn								
YTD outturn	98.55% (111,577,534 / 113,220,427)	98.5% (116,717,237 / 118,541,476)	27.9% (34,483,678 / 123,527,421)	54.71% (67,700,626 / 123,748,322)				
REASON FOR AMBER:								
<p>Figures for comparison Q2 2019/20 (118,547,105/67,198,506) = 56.68%</p> <p>The effects of Covid-19 have reduced the amount of Council Tax being paid. Over 2000 accounts requested payment holidays and therefore many customers did not start paying until June or July. As we are playing 'catch up' with these accounts over time collection should improve.</p> <p>The Council also decided not to issue any 'arrears' letters or to use any enforcement action between April and August.</p> <p>I don't think that we are also fully aware of people's income in terms of the furlough scheme and possible changes in income. I.e., we have seen a slight increase in benefit caseload but not to a degree that was perhaps expected.</p> <p>Throughout this period payment by Direct Debit has remained stable at around 70.4%.</p>								
REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN, ALTERNATIVE PLANS AND EXPECTED IMPROVEMENT:								
<p>Over the past 2 months 2500 'soft' reminder letters have been issued. Payments are being monitored to see their effect.</p> <p>Ministry of Justice has provided court dates to start in January 2021 so that legal action can re-commence.</p> <p>Arrangements are being coordinated (via Gold meeting) for restarting the 'normal' debt recovery action when appropriate.</p>								
IMPACT ON OTHER MEASURES: Reduction in income / cashflow								
STRATEGIC ACTIONS REQUIRED: Possible review, subject to decision being made about returning to 'normal' debt recovery action.								

Joseph Holmes / Andy Walker			Finance & Property				Q2 2020/21	RED
Indicator Ref: CBgfp14			Non domestic rates collected as percentage non domestic rates due				Type: Snapshot	
Executive	2018/19 Year End	2019/20 Year End	2020/21				Target	Polarity
			Q1	Q2	Q3	Q4		
RAG	■	★	■	■			≥ 98.9%	Higher is better
Qrtly outturn								
YTD outturn	98.43% (89,938,381/ 88,326,834)	98.9% (88,068,975/ 89,028,134)	27.27% (15,038,824/ 55,154,964)	50.75% (27,154,565/ 53,506,113)				
REASON FOR RED:								
<p>Q2 comparison 2019/2020 = 54,738,978 / 89,881.263 = 60.9%</p> <p>Covid-19 has had a massive effect on collection. Many businesses were closed between March and July and some have remained so. Direct Debits payments were not collected in April and May and were therefore rescheduled to start in June or July. Additional relief has subsequently been awarded to those eligible retail businesses but other assistance for non-retail businesses is limited</p> <p>The Council also decided not to issue any 'arrears' letters or to use any enforcement action between April and August.</p> <p>REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN, ALTERNATIVE PLANS AND EXPECTED IMPROVEMENT:</p> <p>Recently 888 'soft' reminder letters have been issued. Payments are being monitored daily to see their effect.</p> <p>Ministry of Justice has provided court dates to start in January 2021 so that legal action can re-commence.</p> <p>Arrangements are being coordinated (via Gold meeting) for restarting the 'normal' debt recovery action when appropriate.</p> <p>This is very much dependent upon the Covid-19 situation, should further restrictions apply elements of recovery may have to be reviewed.</p> <p>Businesses hardest hit appear to be those in the hospitality and events industry where no relief can be awarded.</p> <p>FINANCIAL IMPLICATIONS: Reduced income and cash flow.</p> <p>IMPACT ON OTHER MEASURES: None</p> <p>SERVICE PLAN UPDATES REQUIRED: None</p> <p>STRATEGIC ACTIONS REQUIRED: None</p>								

Andy Sharp / Matt Pearce		Building Communities Together Team (BCT)				Q2 2020/21	AMBER	
Indicator Ref: PC2bct2		Develop and adopt a community resilience index (based on proxy indicators) (Strategic Goal)				Type: Project		
Executive	2018/19 Year End	2019/20 Year End	2020/21				Target	Polarity
			Q1	Q2	Q3	Q4		
RAG	New measure for 2020/21		◆	◆			March 2021	n/a
Qrtly outturn			-	-				
YTD outturn			Behind schedule	Behind schedule				
REASON FOR AMBER:								
New measure for 2020/21.								
In quarter one until early June 2020, the officer responsible for the community resilience index work was abstracted from normal duties to work in The Community Support Hub as part of West Berkshire Council's Covid-19 response, from then on the post has been vacant.								
In quarter two the 'Engaging and Enabling our Communities' project, being led by the Head of Public Health and Wellbeing and which went to the Executive Committee on 15 October 2020, was initiated. A project manager is to be appointed. The community resilience index work will form part of this project.								
REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN, ALTERNATIVE PLANS AND EXPECTED IMPROVEMENT:								
Updates will be provided as the project progresses and reported on as part of the BCT Team performance monitoring.								
IMPACT ON OTHER MEASURES:								
Other KPIs are linked to the development of the community resilience index but these are not due to be reported on until 2021/22. Therefore there may be an impact on planned KPIs if there is a delay in the progress of the 'Engaging and Enabling our Communities' project.								
STRATEGIC ACTIONS REQUIRED: None.								

Andy Sharp / Matt Pearce			Building Communities Together Team (BCT)				Q2 2020/21	AMBER
Indicator Ref: SITbct8			Develop a Community Engagement Framework with our statutory partners and community and voluntary organisations				Type: Project	
Executive	2018/19 Year End	2019/20 Year End	2020/21				Target	Polarity
			Q1	Q2	Q3	Q4		
RAG	New measure for 2020/21		◆	◆			March 2021	n/a
Qrtly outturn			-	-				
YTD outturn			Behind schedule	Behind schedule				
REASON FOR AMBER:								
New measure for 2020/21.								
In quarter one, and until early June the officer was abstracted from normal duties to work in The Community Support Hub as part of West Berkshire Council's Covid-19 response.								
In quarter two, the work was delayed due to the officer going on maternity leave; an officer is expected to be in post early November 2020. The work is now to be subsumed into the 'Engaging and Enabling our Communities' project, which is being led by the Head of Public Health and Wellbeing and which went to the Executive Committee on 15 October 2020. A project manager is to be appointed.								
REMEDIAL MANAGEMENT ACTION BEING UNDERTAKEN, ALTERNATIVE PLANS AND EXPECTED IMPROVEMENT:								
Updates will be provided as the project progresses and reported on as part of the BCT Team performance monitoring.								
IMPACT ON OTHER MEASURES: None.								
STRATEGIC ACTIONS REQUIRED: None.								

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Technical Conventions

This report sets out the Council's progress against its Priorities for Improvement set out in the [Council Strategy](#). Performance is presented by priority and augmented with Influencer measures to further describe the operating environment and / or challenges.

Activities are monitored within the council priorities and RAG rated by projected year end performance, e.g. a prediction of whether the target or activity will be achieved by the end of the financial year (or, for projects, by the target date):

Red (R)	Indicates that we have either not achieved (or do not expect to achieve) the activity or target by year end, or the specified target date.
Amber (A)	Means we are behind schedule, but still expect to achieve or complete the measure or activity by year end, or the specified target date.
Green (G)	Means we have either achieved or exceeded (or expect to achieve or exceed) what we set out to do.
Annual	Indicates that the measure that can only be reported against at a particular point in time e.g. at quarter 4.
Baseline	Means that the measure is not targeted and the results are provided as a baseline for future monitoring.
Data not available (dna)	Indicates that the quarterly data is not yet available and will be updated at a later date, usually the following quarter.
Data not provided (dnp)	Means that data has not been provided and will be updated at a later date, usually the following quarter
(E)	Indicates a result is an estimate and will be updated during the year, as and when data becomes available.
(P)	Means a result is provisional and subject to further validation e.g. from an external body, and will be updated during the year, as and when data becomes available.

Where a measure is reported as 'amber' or 'red', an exception report is provided. This identifies the reasons for this assessment and shows what remedial action has been put in place to either bring the measure back on target or to mitigate the consequence of it not being achieved; and whether any Strategic action is required.

Benchmarking

Where possible our progress is compared to all English single tier and county councils, where available, by quartile and rank. Due to the timescales involved in central government publication these are usually available 6-12 months in arrears.

Influencer Measures

Non-targeted measures are reported to either illustrate the demand on a service or provide context for the demand, e.g. economic activity.

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Portfolio Member	Ref.	Title	2018/19			2019/20			2020/21			Comments		
			Target	RAG / Yearend Outturn		Target	RAG / Yearend Outturn		Target	Q1 RAG/Outturn	Q2 (YTD) RAG/Outturn			
COUNCIL STRATEGY PRIORITIES FOR IMPROVEMENT (2019-2023)														
Protected and Cared for														
PRIORITY FOR IMPROVEMENT: Ensure our vulnerable children and adults achieve better outcomes														
▶ COMMITMENT: 1.5 Support more vulnerable young adults into employment														
PRIORITY FOR IMPROVEMENT: Support everyone on their learning journey to achieve their best														
▶ COMMITMENT: 2.3 Help people to help themselves and others														
Howard Woollaston	PC2phwb50	Number of active Befrienders supporting residents in West Berkshire (Strategic Goal - Community Wellbeing Model)	-	-	-	-	-	-	≥40	★	27	★	40	For approval as a proposed KPI as a measure for the Community Wellbeing Model (Strategic Goal) - target ≥40 - reporting as a Council Strategy Delivery Plan measure
Howard Woollaston	PC2phwb51	Number of West Berkshire residents being actively supported by a Befriender (Strategic Goal - Community Wellbeing Model)	-	-	-	-	-	-	≥40	★	27	★	44	For approval as a proposed KPI as a measure for the Community Wellbeing Model (Strategic Goal) - target ≥40 - reporting to the Executive
PRIORITY FOR IMPROVEMENT: Support businesses to start, develop and thrive in West Berkshire														
▶ COMMITMENT: 3.1 Improve the help and guidance for start-ups and existing small businesses to grow, including facilitation access to business incubators or similar resources and initiatives														
Ross Mackinnon	OFB1dp44	Deliver the Inward Investment Brochure	-	-	-	-	-	-	Dec-20	-	Measure added at Q2 2020/21	★	On track	Request for approval of KPI reporting to the Executive - target December 2020
Ross Mackinnon	OFB1dp45	Deliver the Newbury Town Centre Study	-	-	-	-	-	-	Dec-21	-	Measure added at Q2 2020/21	★	On track	Request for approval of KPI reporting to the Executive - target December 2021 Consultant appointed October 2020 on track for delivery by July 2021
Ross Mackinnon	OFB1dp43	Deliver the Economic Development Strategy refresh to reflect Covid-19 impact	-	-	-	-	-	-	Dec-20	-	Measure added at Q2 2020/21	★	On track	Request for approval of KPI reporting to the Executive - target December 2020

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2020/21 Revenue Financial Performance Quarter Two

Committee considering report:	Executive
Date of Committee:	17 December 2020
Portfolio Member:	Councillor Ross Mackinnon
Date Portfolio Member agreed report:	26 November 2020
Report Author:	Melanie Ellis
Forward Plan Ref:	EX3908

1 Purpose of the Report

- 1.1 To report on the in-year financial performance of the Council's revenue budgets.

2 Recommendation

- 1.1 To note the Quarter Two forecast of £1.5m under spend.

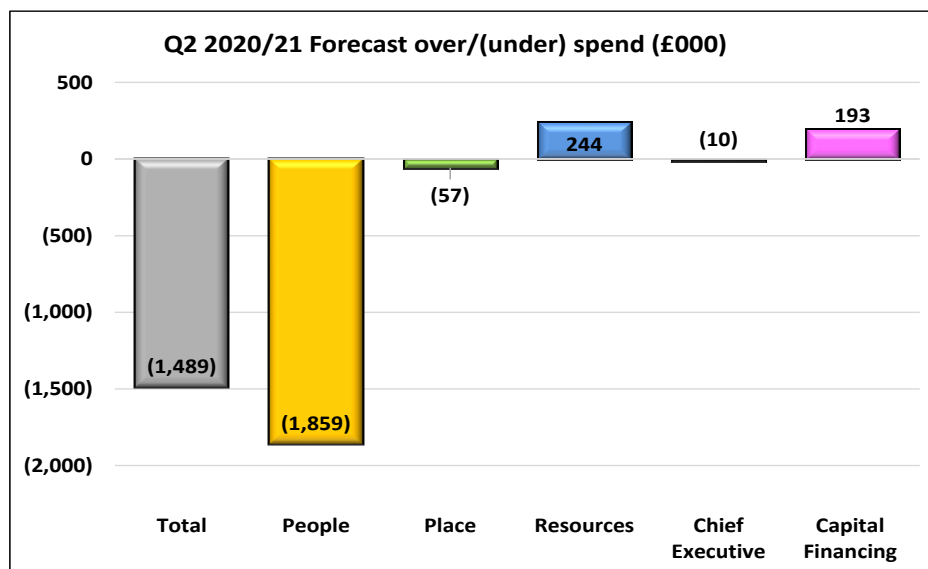
3 Implications and Impact Assessment

Implication	Commentary
Financial:	The Quarter Two forecast is an under spend of £1.5m. Any under spend at year end will be added to the Council's reserves. Any under spend arising from the Covid grant funding will be set off against the Collection Fund deficit.
Human Resource:	None
Legal:	None
Risk Management:	Risks to next years' budget are included where relevant in the report. Where identified these will form part of the budget build process for 2021/22.
Property:	Impact on income due to an unlet commercial property.
Policy:	No

	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		Y		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		Y		
Environmental Impact:		Y		
Health Impact:		Y		
ICT Impact:		y		
Digital Services Impact:		y		
Council Strategy Priorities:		y		Business as usual
Core Business:		y		
Data Impact:		y		
Consultation and Engagement:	Budget holders, Heads of Service and Directors.			

4 Executive Summary

4.1 The Quarter Two forecast is an under spend of £1.5m, which is 1.1% of the Council’s 2020/21 net revenue budget of £131m. The two main services contributing to this are Adult Social Care (ASC) and Children & Family Services (CFS).



4.2 The People Directorate is forecasting an under spend of £1.86m, with the principle under spends arising from ASC £1m, CFS £639k and Education £197k.

In ASC, long term services (LTS) are forecast to be £1.4m under spent. ASC has seen a high number of deaths in the first six months of 2019/20. We recorded the deaths of 295 people who were in receipt of services commissioned by ASC. This compares with 199 deaths in the same period during 2018/19. This is an additional 96 deaths in the first half of the year. Deaths have been seen both in care homes and in community settings. The increased number of deaths will have been largely driven, but not solely, due to Covid-19 and may have been a combination of both direct and indirect impacts. Covid-19 will also have had further impacts, such as on the circumstances, behaviours and choices of service users and their families.

There are 78 clients in step down placements and the forecast assumes that half of them will require a LTS. The service has taken action to suppress demand including use of technology enabled care, reinforcing the 3 conversations model, maximising external funding streams and ensuring supply and demand are better aligned. Short term services (STS) are largely in line with budget. There is an income pressure of £387k in the four council care homes due to falling occupancy. A number of assumptions have been made regarding the impact of Covid-19 on budgets and these are detailed in the report.

- In CFS, the forecast under spend of £639k is largely in placements, where since the end of the financial year 2019/20, there has been a decrease in the number of clients. Decreases have mainly been in Unaccompanied Asylum Seeking Children (UASC) and In-house fostering. The Quarter Two forecast allows for an increase to client numbers during the financial year, as there is evidence among neighbouring

2020/21 Revenue Financial Performance Quarter Two

authorities of a noticeable increase in children entering care as a result of Covid-19 pressures on households and UASC presentation in the UK has not declined overall. Client numbers have been increasing over the last three years, but 2020/21 has seen a significant reduction to date. This is being taken into account for 2021/22.

- 4.3 The Place Directorate is forecasting an under spend of £57k. The main variances are:
- In Public Protection & Culture, a forecast over spend of £61k arising from income pressures in Shaw House, building control and libraries.
 - In Transport & Countryside, a forecast under spend of £104k mainly from increased energy from waste and garden waste subscriptions are anticipated to exceed target.
- 4.4 The Resources Directorate has a £244k forecast over spend. The main areas are under achievement of income in Finance and Property from commercial property, and in Strategy and Governance from land charges, graphics and digital transformation.
- 4.5 The Capital Financing Quarter Two forecast position is a £193k over spend. £100k relates to a corporate commercialisation target and £93k to under recovery of write back targets. Neither are achievable and will be reviewed as part of the 2021/22 budget build.
- 4.6 The 2020/21 savings and income generation programme of £3.2m, is 88% Green, 8% Amber and 4% Red.

Covid-19 impact on the 2020/21 budget

- 4.7 There continues to be significant impact on the 2020/21 budget due to Covid-19. To date, the Council has been awarded four tranches of un-ringfenced emergency expenditure grant from Central Government to mitigate the impact of Covid-19 totalling £9.56m. There will be emergency grant for lost income, with an estimated total of £2.08m. In addition, there have been a number of specific grants received.
- 4.8 The latest assessment is that the funding provided by Government and the income scheme below are sufficient for the 2020/21 Financial Year based on current estimates. Clearly, these can fluctuate, and will in light of further impacts from the Covid-19 outbreak. The Council also has general reserves to support further impacts and these are above the minimum level set by the s151 officer.
- 4.9 The COVID emergency grants will fund service Covid related expenditure, lost income and unmet savings. These are being estimated, recorded and reported to GOLD. The latest forecast through to March 2021 is that these pressures amount to £9.94m for 2020/21 which the emergency expenditure and income grant will offset. The assumptions in budget monitoring is that there will be enough grant to cover all expenditure losses but that income may not be fully compensated. The longer term position will require further analysis and announcements from Central Government on the funding position for Local Government, before the impact on 2021/22 and beyond is known.
- 4.10 The Council has now submitted seven forecasts to Central Government on the Covid-19 financial impact and claimed against the income guarantee scheme for April to July.

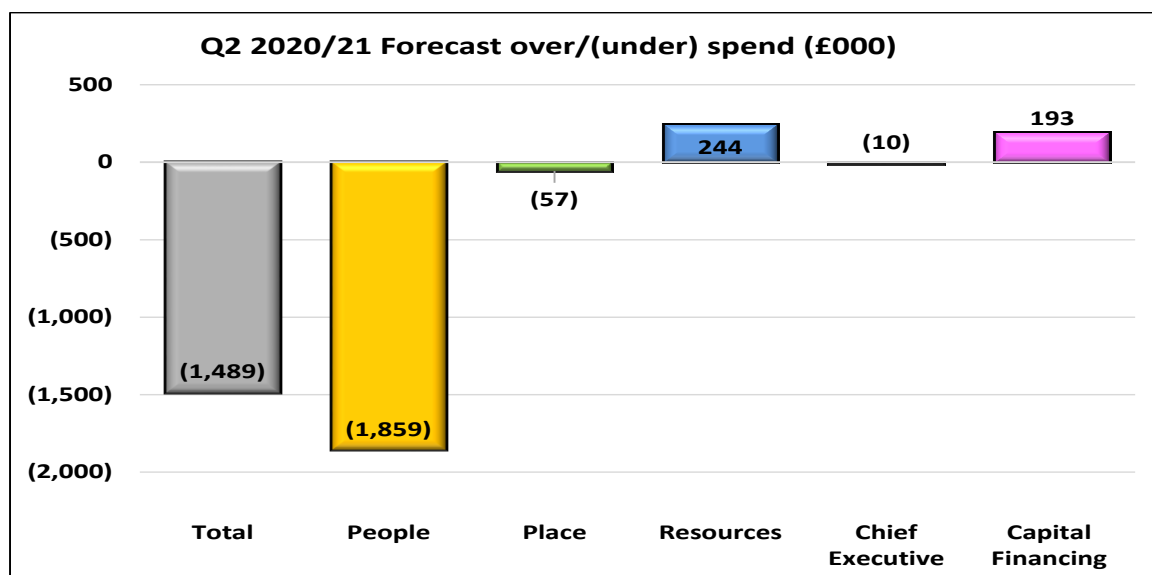
Conclusion

4.11 The Council is forecasting an under spend of £1.5m, which is a positive reflection on the management of adult and children social care. The £3.2m savings and income generation programme is forecasting 88% achieved at Quarter Two. The Covid-19 grant funding received from Government to date, and the Council's level of general fund reserves mean that the Council is well placed to focus its efforts on response and recovery from the Covid-19 into next financial year. Any Covid-19 grant under spend will be used to offset Collection Fund deficit.

5 Supporting Information

Introduction

5.1 The Quarter Two overall forecast is an under spend of £1.5m. This is 1.1% of the Council's 2020/21 net revenue budget of £131m.



5.2 The Directorate forecasts are shown in the chart below, showing the forecast under spend increasing by £0.9m since last quarter.

Directorate Summary	Current Net Budget	Net Forecast	Forecast (under)/over spend				Change to Service Forecast from Last Quarter	Current Quarter % over / (under) spend
			Quarter One	Quarter Two	Quarter Three	Quarter Four		
			Service Forecast	Service Forecast	Service Forecast	Service Over/ (under)		
	£000	£000	£000	£000	£000	£000	£000	%
People	76,317	75,507	(810)	(1,859)	0	0	(1,049)	(2.4)%
Place	31,143	31,086	(101)	(57)	0	0	44	(0.2)%
Resources	11,679	11,923	230	244	0	0	14	2.1%
Chief Executive	759	749	(10)	(10)	0	0	0	(1.3)%
Capital Financing	11,197	11,297	100	193	0	0	93	1.7%
Total	131,095	130,562	(590)	(1,489)	0	0	(898)	(1.1)%

5.3 The Service forecasts are shown in the following chart:

	Current Net Budget	Net Forecast	Forecast over/ (under) spend				Change to Service Forecast from Last Quarter
			Quarter One	Quarter Two	Quarter Three	Quarter Four	
			Service Forecast	Service Forecast	Service Forecast	Over/ (under) spend	
	£000	£000	£000	£000	£000	£000	£000
Adult Social Care	50,508	49,920	(588)	(1,026)	0	0	(438)
Children & Family Services	17,167	16,920	(247)	(639)	0	0	(392)
Executive Director	336	340	3	4	0	0	1
Education DSG funded	(444)	(444)	0	0	0	0	0
Education	8,830	8,851	22	(197)	0	0	(219)
Public Health & Wellbeing	(80)	(80)	0	0	0	0	0
People	76,317	75,507	(810)	(1,859)	0	0	(1,049)
Executive Director	197	197	0	0	0	0	0
Development & Planning	3,180	3,166	(76)	(14)	0	0	62
Public Protection & Culture	3,895	3,956	75	61	0	0	(14)
Transport & Countryside	23,871	23,767	(99)	(104)	0	0	(5)
Place	31,143	31,086	(101)	(57)	0	0	44
Executive Director	195	215	0	20	0	0	20
Commissioning	799	761	(58)	(38)	0	0	20
Customer Services & ICT	2,983	3,043	59	60	0	0	1
Finance & Property	2,674	2,812	123	138	0	0	15
Human Resources	1,714	1,691	(10)	(23)	0	0	(13)
Legal and Strategic Support	3,314	3,401	115	87	0	0	(28)
Resources	11,679	11,923	230	244	0	0	14
Chief Executive	759	749	(10)	(10)	0	0	0
Capital Financing	11,197	11,297	100	193	0	0	93
Capital Financing	11,197	11,297	100	193	0	0	93
Total	131,095	130,562	(590)	(1,489)	0	0	(898)

NB: Rounding differences may apply to the nearest £k.

People Directorate

5.4 The Directorate is forecasting an under spend of £1.86m, against a budget of £76m. This is an increase of £1m from last quarter. At Quarter One, there was no funding agreement in place beyond September for hospital discharge patients, so increased costs were forecast from October. Funding extensions have since been announced. Client numbers have also remained lower than budget.

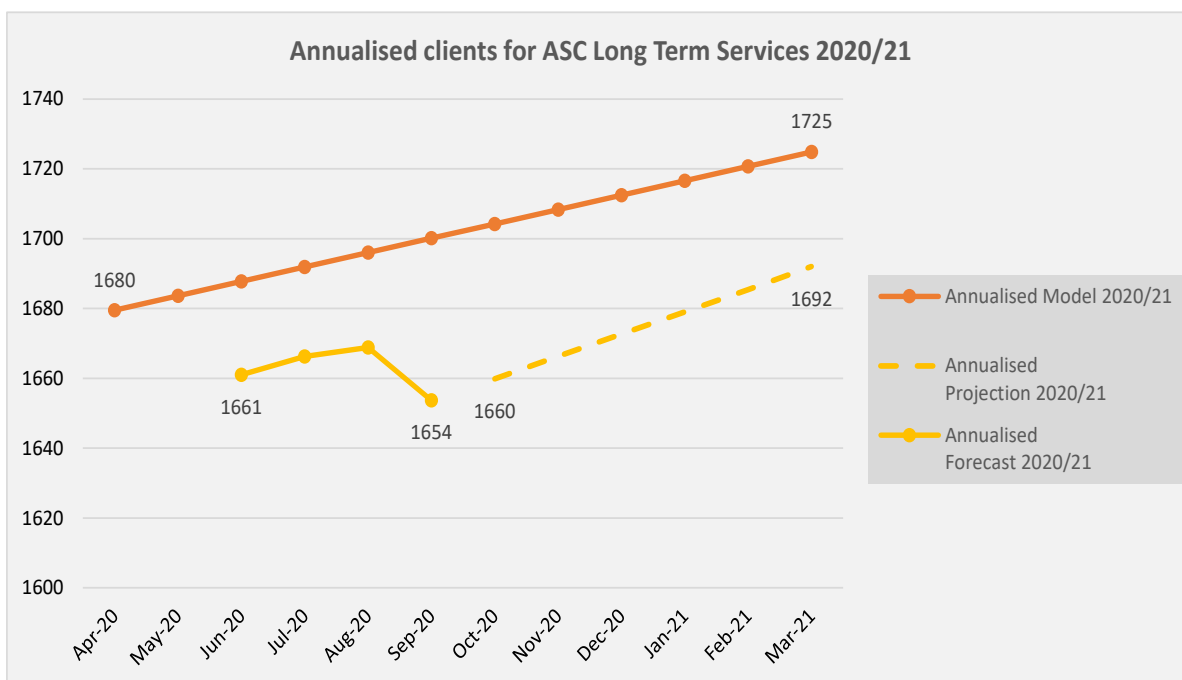
- In ASC, the forecast under spend of £1m, has increased by £0.4m since last quarter.

Long term services (LTS) are forecast to be £1.4m under spent. ASC has seen a high number of deaths in the first six months of 2019/20. The deaths of 295 people were recorded who were in receipt of services commissioned by ASC. This compares with 199 deaths in the same period during 2018/19. This is an additional 96 deaths in the first half of the year. Deaths have been seen in both care homes and in community settings. Of the 96 additional deaths, 58 were in receipt of a Long-term Service and 38 were in receipts of a Short-term Service.

2020/21 Revenue Financial Performance Quarter Two

The increased number of deaths will have been largely driven, but not solely, due to Covid-19 and may have been a combination of both direct and indirect impacts. Covid-19 will also have had further impacts, such as on the circumstances, behaviours and choices of service users and their families.

There are 78 clients in step down placements and the forecast assumes that half of them will require a LTS. The service has taken action to suppress demand including use of technology enabled care wherever possible, reinforcing the 3 conversations model, maximising external funding streams and ensuring supply and demand are better aligned.



Assumptions have been made regarding the impact of Covid-19 on budgets. It is assumed that the second wave of Covid will not have the same impact as the first wave, as a result of the additional measures put in place such as testing, infection control and heightened awareness. It is assumed that services that were previously unavailable will be operational for the second half of the financial year. WBC care homes are anticipating being back to their modelled occupancy rates by December, reducing the number of beds purchased on the open market.

Short term services (STS) are largely in line with budget. Within this area there is a forecast under spend in Maximising Independence budgets, due to costs being covered by Health Covid-19 funding for the first six months of 2020/21. However, an increase to costs in this area has been assumed for the remainder of the year. Other STS are over spending, after accounting for health and grant funding. This is due to the number of people in step down placements who are forecast to require additional costs for short term services before they are moved onto a long term service. Two college placements have been extended due to Covid-19, leading to increased short term costs.

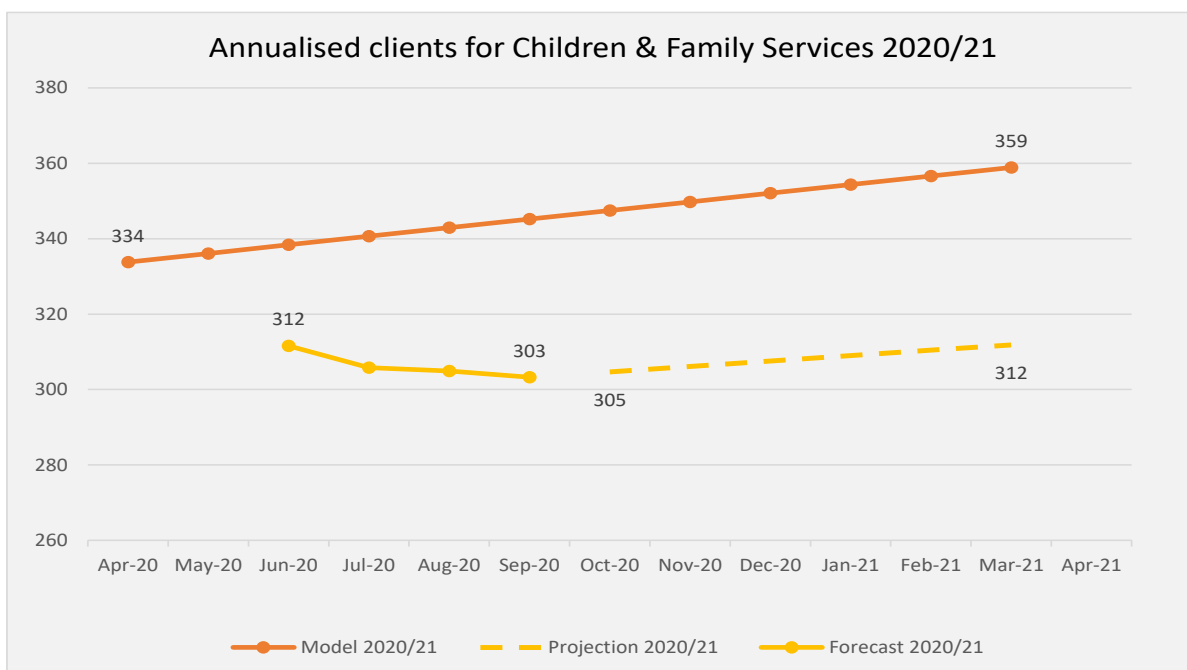
2020/21 Revenue Financial Performance Quarter Two

In Provider Services, there is an income pressure of £387k in the four council care homes due to falling occupancy. Options are being explored to address both these concerns.

- In CFS, the forecast under spend of £639k is largely in placements, where since the end of the financial year 2019/20, there has been a decrease in the number of clients. Decreases have mainly been in Unaccompanied Asylum Seeking Children (UASC) and In-house fostering. West Berkshire typically experience UASC presentations via freight transport, which is noticeably less during the Covid-19 period. With regards to other services, there has been a conscious effort by the service to provide effective support and earlier help to prevent entry to care.

Client numbers have also decreased in adoption placements and residence orders, but have increased in residential, care leavers, kinship, independent fostering agencies and special guardianship.

2020/21 has seen a significant overall reduction to date and this is being taken into account for 2021/22. In Quarter Two, the number of clients has continued to decrease but the ongoing forecast allows for an increase to client numbers during the remainder of the financial year, as there is evidence among neighbouring authorities of a noticeable increase in children entering care as a result of Covid-19 pressures on households and UASC presentation in the UK has not declined overall.



- Education is forecasting an under spend of £197k, compared to a £22k over spend forecast last quarter. Home to School Transport has a forecast under spend of £98k, partly due to previously suspended services and partly due to routes being retendered and renegotiated. External funding of £50k has been received towards the Mental Health School team project and LAC Mental Health project and trading income is over achieving by £40k. Other small under spends make up the balance.
- Education DSG is reported on line for the Council as any over or under spends are ring-fenced within the grant. However, in 2020/21 funding is £2m lower than

expenditure requirements and there is a £200k over spend forecast leading to a £2.2m in-year shortfall. This is in addition to the £1.7m brought forward deficit, taking the total forecast DSG deficit at year end to £3.9m. The pressures are mostly in High Needs but also in Early Years.

The Department for Education recognises the position that many authorities are in, and are expecting to work with authorities during 2020 to 2022 to agree a plan of action to recover the deficits.

- The Public Health grant budget is on line, however the longer term implications of Covid-19 are not yet known. Any pressures in this area are dependent on increases to the grant and what additional commitments are placed on Public Health.

Place Directorate

5.5 The Place Directorate is forecasting an under spend of £57k against a budget of £31m. The under spend has reduced by £44k since last quarter.

- In Development and Planning, the forecast under spend of £14k, has reduced from £76k last quarter. There are under spends from vacant posts and additional income from temporary accommodation rental. Development Control is still forecasting an under achievement of income, and since last quarter CIL income is also forecast to be lower than expected.
- In Public Protection & Culture, there is a forecast over spend of £61k, a minor change from last quarter. There are income pressures in Shaw House, building control and libraries and all these areas are being reviewed for 2021/22 implications.
- In Transport & Countryside, there is a forecast under spend of £104k, a slight overall increase from last quarter. Forecast savings in the waste service have increased from £100k to £250k this quarter due to increased use of energy from waste and higher than forecast garden waste subscriptions, as more data is now available on these areas. There is a £66k saving in traffic management from reduced costs and increased income. There is a shortfall of £100k in parking income mainly due to the closure of Market Street car park. Covid-19 related loss of income is expected to be grant funded. The grounds maintenance budget is over spent by £44k due to work to address Ash Die Back disease. A savings target of £68k from the implementation of solar panels on Council buildings will not be achieved this year due to delays.

Resources Directorate

5.6 The Directorate has a £244k forecast over spend against a budget of £12m. This is a similar position to last quarter. The main variances are:

- In Finance and Property, there is an overall over spend of £138k largely due to an income shortfall from a vacant commercial property,
- Strategy and Governance is forecasting an over spend of £87k from unachievable income in legal, graphics and digital transformation,
- Other services are forecasting minor over and under spends.

Chief Executive

5.7 An under spend of £10k is being forecast in the contingency budget, unchanged from last quarter.

Capital Financing

5.8 The Capital Financing Quarter Two forecast position is a £193k over spend against a £111m budget. This is an increase of £93k from last quarter. The overspend consists of

- a £100k corporate commercialisation target that is not achievable and will be removed as part of the 2021/22 budget build,
- a £93k under recovery of write back targets, partly attributable to Covid economic conditions and partly related to new payment arrangements. This target will be reviewed as part of budget build.

Covid-19 impact on the 2020/21 budget

5.9 There continues to be a significant impact on the 2020/21 budget due to Covid-19. To date, the Council has been awarded four tranches of un-ringfenced emergency expenditure grant from Central Government to mitigate the impact of Covid-19 totalling £9.56m. There will be emergency grant for lost income, with an estimated total of £2.08m. In addition, there have been a number of specific grants received. All grants are summarised in the table below; in excess of the below the Council has also distributed £37.8m of business rates relief bringing the total of Government funding for Covid-19 to the Council of £91.2m.

Covid grant funding	Q1	Q2	Q3 est	Q4 est	2020/21
	2020/21	2020/21	2020/21	2020/21	Total
	£k	£k	£k	£k	£k
Non-ringfenced emergency expenditure grant	7.56	1.04	0.96	-	9.56
Income compensation scheme for lost sales, fees & charges	-	1.27	0.48	0.34	2.08
Business grants and discretionary grants distributed April -August	29.31	0.17	-	-	29.48
Council Tax Hardship Fund	0.55	-	-	-	0.55
Business grants and discretionary grants distributed November onwards	-	-	5.37	-	5.37
Bus services support grant	0.11	-	-	-	0.11
Reopening High streets safely fund	0.14	-	-	-	0.14
Home to school transport	-	0.13	-	-	0.13
Emergency active travel fund	-	0.12	0.50	-	0.62
Infection control fund	0.70	0.70	1.41	-	2.81
Support to Clinically Extremely Vulnerable individuals fund	-	-	0.06	-	0.06
Test and trace service support grant	0.54	-	-	-	0.54
Test and trace support payment scheme	-	-	0.11	-	0.11
Contain outbreak mgt fund	-	-	1.27	-	1.27
Emergency assistance grant for food and essential supplies	-	0.10	-	-	0.10
Winter grant scheme	-	-	0.28	-	0.28
Additional support for rough sleepers	-	-	0.18	-	0.18
Wellbeing for Education return grant	-	0.03	-	-	0.03
Surge funding compliance and enforcement	-	-	0.06	-	0.06
TOTAL GRANT FUNDING	38.91	3.56	10.68	0.34	53.49

5.10 The COVID emergency grants will fund service Covid related expenditure, lost income and unmet savings. These are being estimated, recorded and reported to GOLD. The latest forecast through to March 2021 is that these pressures amount to £9.94m for 2020/21 which the emergency expenditure and income grant will offset.

Emergency grant funding	Q1 2020/21	Q2 2020/21	Q3 2020/21	Q4 2020/21	2020/21 Total
	£m	£m	£m	£m	£m
Covid emergency expenditure grant	7.56	1.04	0.96	-	9.56
Covid emergency income grant	-	1.27	0.48	0.34	2.08
TOTAL EMERGENCY GRANT	7.56	2.30	1.45	0.34	11.65
Expenditure	1.59	1.57	1.52	1.10	5.78
Income losses	1.72	1.19	0.81	0.44	4.16
TOTAL FUNDING REQUIRED	3.32	2.76	2.32	1.54	9.94
NET SURPLUS					1.71

5.11 Surplus funds that are non-ringfenced will be held against collection fund deficits and future covid costs in 2021/22.

5.12 Funds will be transferred to services on a quarterly basis. The assumptions in budget monitoring is that there will be enough grant to cover all expenditure losses and most income losses. The longer term position will require further analysis and announcements from Central Government on the funding position for Local Government, before the impact on 2021/22 and beyond is known.

5.13 All other grants are being spent in line with their specific conditions.

5.14 The funding received from Government to date, and the Council's level of general fund reserves mean that the Council is well placed to focus its efforts on response and recovery from the Covid-19 in the current financial year.

5.15 The table below sets out some of the key items raised during Covid-19 and the response provided through the Council.

Item	Response
Additional expenditure pressures – especially: <ul style="list-style-type: none"> - Adult Social Care - Leisure services - Community Hub - Housing 	Government have provided non ring-fenced funding of £9.6m to support the Council in its response to Covid-19. This figure has been received in four separate tranches and the Council monitors this on a weekly basis. The latest assessment is that the funding provided by Government and the income scheme below are sufficient for the 2020-21 Financial Year based on current estimates. Clearly, these can fluctuate, and will in light of further impacts from the Covid-19 outbreak. The Council also has general reserves to support further impacts and these are above the minimum level set by the s151 officer.

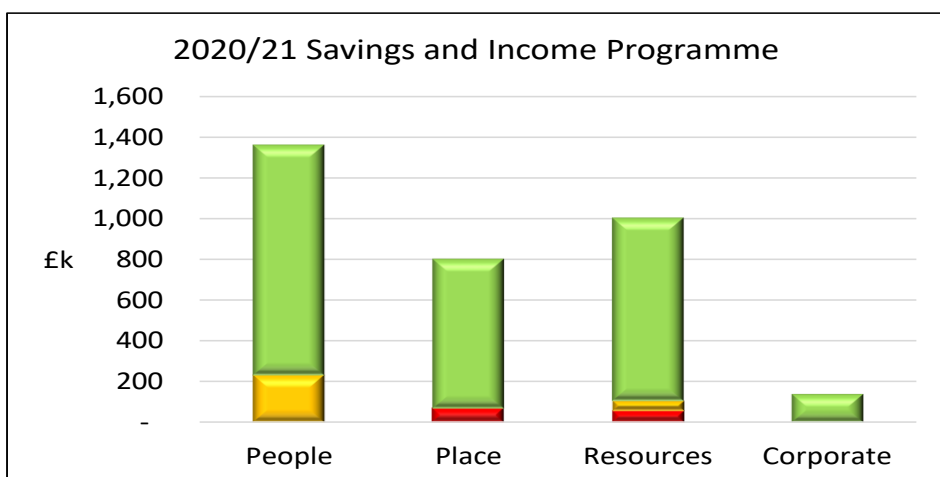
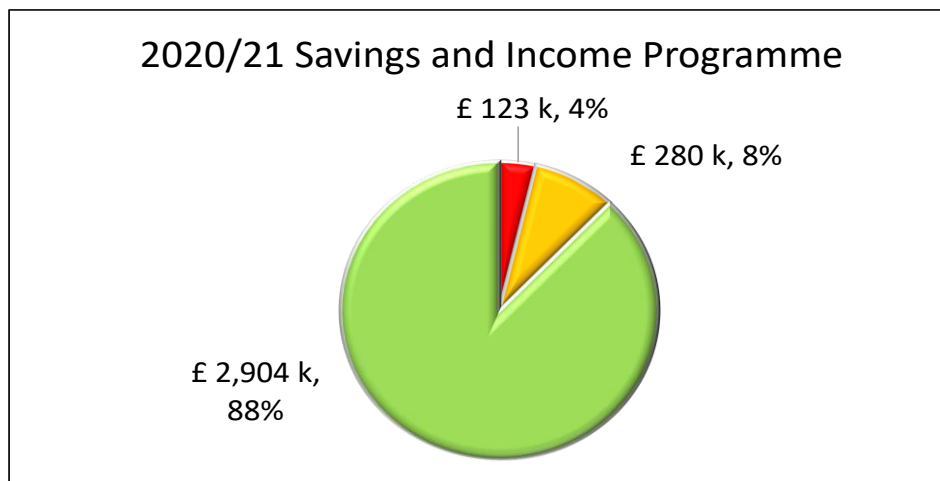
2020/21 Revenue Financial Performance Quarter Two

Item	Response
<p>Income pressures, the most significant being:</p> <ul style="list-style-type: none"> - Car parking income - Adult Social Care - Other Sales, fees and charges 	<p>Government have provided an income share scheme.</p> <ul style="list-style-type: none"> - The Council funds the first 5% of losses - The Council shares 25% and Government 75% of all further losses.
<p>Cashflow risks</p>	<p>Government provided up front funding of, for example, business grants and paused the payment required for business rates</p>
<p>Specific grants provided by Government for key areas of activity, as shown above</p>	<p>These funds are being applied to support service specific pressures and/or to provide services through the grant.</p>
<p>Losses on Council Tax and Business Rates</p>	<p>The Council Tax collection rate has held up well to date; collection is marginally down, but the Council did offer the ability to amend the two months of non Council Tax payment to early in the financial year.</p> <p>The Council made a quick early decision in March to suppress business rates recovery and the initial direct debit to support businesses. The Government have also provided a significant amount of business rates reliefs.</p> <p>The Government have announced that the collection fund deficit can be spread across a three year period rather than one year. This option will be considered as part of the budget setting process for the March Council.</p>
<p>Impact on 2021-22 budget setting</p>	<p>The long term flow of changed costs and lost income is difficult to estimate in detail. However, the budget for the year ahead is being prepared with adjustments for Covid-19.</p> <p>The Government has also paused the roll out of the fair funding review and further retention of business rates which reduces by just over £1m the savings requirement for 2021-22 on the assumption that all changes are paused, including the rest of business rates baselines.</p>

5.16 The longer term position will require further analysis and announcements from Central Government on the funding position for Local Government, before the impact on 2021/22 and beyond is known. The Government have announced a pause to the fair funding review for 2021/22 and so the Council is planning for a similar financial settlement for 2021/22 as it received in 2020/21.

2020/21 Savings and income generation programme

5.17 In order to meet the funding available, the 2020/21 revenue budget was built with a £3.2m savings and income generation programme. The programme is monitored using the RAG traffic light system. The status of the programme is shown in the following charts:



5.18 Unachieved red savings are as follows:

- £68k in Planning & Public Protection from phase 2 solar panels on Council buildings. This work has been delayed but is expected to be achieved in 2021/22.
- £55k in Strategy & Governance: £45k from income generation in legal will not be achieved due to Covid-19 and £10k from training income.

5.19 Amber savings are as follows:

- £80k in ASC. This represents 13% of a range of savings that are otherwise met. Work is ongoing to achieve the remainder of the savings but has been slowed due to Covid-19.
- £100k in CFS. This saving was expected to be achieved as a result of increased income. In May 2019 the Home Office announced an increase in the daily sum that can be claimed per asylum seeker child in local authority care. We calculated that

£100k could be released from the existing UASC budget because of this additional income. This has not been possible due to the decrease in UASC cases.

- £50k in Education as Covid-19 has led to delays in health funding assessments for disabled children.
- £40k in Finance & Property. Implementation of the VAT reclaim on mileage project has become a lower priority as mileage claims are greatly reduced.
- £10k in HR relating to an efficiency target yet to be achieved.

Proposals

5.20 To note the Quarter Two forecast.

6 Other options considered

6.1 None.

7 Conclusion

7.1 The Council is forecasting an under spend of £1.5m, which is a positive reflection on the management of adult and children social care. The £3.2m savings and income generation programme is forecasting 88% achieved at Quarter Two. The Covid-19 grant funding received from Government to date, and the Council's level of general fund reserves mean that the Council is well placed to focus its efforts on response and recovery from the Covid-19 into next financial year. Any Covid-19 grant under spend will be used to offset Collection Fund deficit.

8 Appendices

8.1 Appendix A – Forecast position

8.2 Appendix B – Budget changes

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 Committee or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

Document Control

Document Ref:		Date Created:	
Version:		Date Modified:	
Author:			
Owning Service			

Change History

Version	Date	Description	Change ID
1			
2			

Appendix A – Forecast position

	Budget				Forecasted Performance						
	Original Budget 2020/21 £	Changes in year 2020/21 £	Funding Released from Reserves 2020/21 £	Revised Budget 2020/21 £	Expenditure			Income			Net
					Annual Expenditure Budget for 2020/21 £	Annual Expenditure Forecast for 2020/21 £	Expenditure Variance for 2020/21 £	Annual Income Budget for 2020/21 £	Annual Income Forecast for 2020/21 £	Income Variance for 2020/21 £	Net Variance £
Adult Social Care	50,220,510	0	287,920	50,508,430	73,203,400	70,775,510	-2,427,890	-22,694,970	-21,293,480	1,401,490	-1,026,400
Childrens and Family Services	17,102,250	-11,660	76,260	17,166,850	19,139,320	18,241,520	-897,800	-1,972,470	-1,714,020	258,450	-639,350
Executive Director - People	249,440	0	87,000	336,440	336,440	340,580	4,140	0	0	0	4,140
Education (DSG Funded)	-444,000	0	0	-444,000	108,034,100	108,105,840	71,740	-108,478,100	-108,549,840	-71,740	0
Education	8,829,540	0	0	8,829,540	12,221,200	11,776,090	-445,110	-3,391,660	-3,143,540	248,120	-196,990
Public Health & Wellbeing	-80,000	0	0	-80,000	5,951,590	6,451,930	500,340	-6,031,590	-6,531,930	-500,340	0
People	75,877,740	-11,660	451,180	76,317,260	218,886,050	215,691,470	-3,194,580	-142,568,790	-141,232,810	1,335,980	-1,858,600
Corporate Director - Economy & Environment	197,080	0	0	197,080	197,080	197,080	0	0	0	0	0
Development and Planning	3,070,650	32,820	76,270	3,179,740	6,535,760	6,367,360	-168,400	-3,356,020	-3,201,550	154,470	-13,930
Public Protection and Culture	3,903,550	-8,400	0	3,895,150	9,261,680	9,238,820	-22,860	-5,366,530	-5,282,300	84,230	61,370
Transport and Countryside	23,795,330	-51,840	127,700	23,871,190	34,805,930	34,751,660	-54,270	-10,934,740	-10,985,310	-50,570	-104,840
Place	30,966,610	-27,420	203,970	31,143,160	50,800,450	50,554,920	-245,530	-19,657,290	-19,469,160	188,130	-57,400
Executive Director - Resources	120,870	73,980	0	194,850	194,850	214,850	20,000	0	0	0	20,000
Commissioning	814,420	-18,900	3,820	799,340	10,300,370	10,311,570	11,200	-9,501,030	-9,549,930	-48,900	-37,700
Customer Services and ICT	2,970,540	0	12,380	2,982,920	3,837,330	3,824,740	-12,590	-854,410	-782,080	72,330	59,740
Finance and Property	2,823,670	-150,020	0	2,673,650	47,421,350	56,808,110	9,386,760	-44,747,700	-53,995,980	-9,248,280	138,480
Human Resources	1,723,870	-10,200	0	1,713,670	2,113,600	2,103,160	-10,440	-399,930	-412,990	-13,060	-23,500
Legal and Strategic Support	3,004,900	101,240	207,960	3,314,100	3,999,740	4,004,480	4,740	-685,640	-603,110	82,530	87,270
Resources	11,458,270	-3,900	224,160	11,678,530	67,867,240	77,266,910	9,399,670	-56,188,710	-65,344,090	-9,155,380	244,290
Chief Executive	833,510	-74,020	0	759,490	769,490	756,990	-12,500	-10,000	-7,500	2,500	-10,000
Chief Executive	833,510	-74,020	0	759,490	769,490	756,990	-12,500	-10,000	-7,500	2,500	-10,000
Capital Financing & Management	11,196,770	0	0	11,196,770	11,974,340	11,673,340	-301,000	-777,570	-283,570	494,000	193,000
Movement Through Reserves	-117,000	117,000	0	0	0	0	0	0	0	0	0
Risk Management	0	0	0	0	0	0	0	0	0	0	0
Capital Financing and Risk Management	11,079,770	117,000	0	11,196,770	11,974,340	11,673,340	-301,000	-777,570	-283,570	494,000	193,000
Total	130,215,900	0	879,310	131,095,210	350,297,570	355,943,630	5,646,060	-219,202,360	-226,337,130	-7,134,770	-1,488,710

Appendix B – Budget Changes

Service	Original Net Budget £000	Budget changes not requiring approval £000	Approved Budget B/F from 2019/20 £000	Other budget release from reserves £000	Approved by S151 & Portfolio Holder £000	Requiring Executive Approval £000	Approved Budget C/F to 2021/22 £000	Current Net Budget £000
Adult Social Care	50,221		288					50,508
Children and Family Services	17,102	(12)	76					17,167
Executive Director	249		87					336
Education DSG funded	(444)							(444)
Education	8,830							8,830
Public Health & Wellbeing	(80)							(80)
Communities	75,878	(12)	451	0	0	0	0	76,317
Executive Director	197							197
Development & Planning	3,071	33	76					3,180
Public Protection & Culture	3,904	(9)						3,895
Transport & Countryside	23,795	5	71					23,871
Place	30,967	29	147	0	0	0	0	31,143
Executive Director	121	74						195
Commissioning	814	(19)	4					799
Customer Services & ICT	2,971		12					2,983
Finance & Property	2,824	(150)						2,674
Human Resources	1,724	(10)						1,714
Legal and Strategic Support	3,005	93	85	131				3,314
Resources	11,459	(12)	101	131	0	0	0	11,679
Chief Executive	834	(74)						759
Capital Financing & Management	11,197							11,197
Movement through Reserves	(117)	117						0
Capital Financing	11,080	117	0	0	0	0	0	11,197
Total	130,216	48	699	131	0	0	0	131,095

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Capital Financial Performance Report Quarter Two 2020/21

Committee considering report:	Executive
Date of Committee:	17 th December 2020
Portfolio Member:	Councillor Ross Mackinnon
Date Portfolio Member agreed report:	26 th November 2020
Report Author:	Andy Walker
Forward Plan Ref:	EX3909

1 Purpose of the Report

The financial performance report provided to Members on a quarterly basis reports on the under or over spends against the Council's approved capital budget. This report presents the Quarter Two financial position.

2 Recommendations

No recommendations have been made within this report. Members are to note:

- (a) The forecast financial position as at Quarter Two.
- (b) The proposed re-profiling of expenditure from 2020/21 into 2021/22.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	<p>At the end of Quarter Two expenditure of £44.5 million has been forecast against a revised budget of £56.9million, an overall forecast underspend of £12.4 million.</p> <p>£7.3 million of expenditure is proposed by Capital Strategy Group (CSG) to be re-profiled from 2020/21 into 2021/22 and later financial years and Appendix B provides more detail of the projects impacted. The remaining forecast underspend will be kept under close review by CSG to determine whether any further re-profiling is required before year end.</p>

Human Resource:	Not applicable			
Legal:	Not applicable			
Risk Management:	Any further significant delays in project delivery impact on the provisional budget for 2021/22 and subsequent years.			
Property:	Not applicable			
Policy:	Not applicable			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		
Health Impact:		X		
ICT Impact:		X		

Digital Services Impact:		X		
Council Strategy Priorities:		X		
Core Business:		X		
Data Impact:		X		
Consultation and Engagement:	<p>Joseph Holmes, Executive Director for Resources, s151 Officer</p> <p>Shannon Coleman-Slaughter – Chief Financial Accountant</p> <p>Capital Strategy Group (CSG)</p>			

4 Executive Summary

4.1 At the end of Quarter Two expenditure of £44.5 million has been forecast against a revised budget of £56.9 million, an overall forecast underspend of £12.4 million of which £7.3m has been proposed to be re-profiled into 2021/22 and later financial years.

Directorate Summary	Quarter Two			Change from Forecast in Q1	Proposed Re-profiling	Forecast spend as a % of budget
	Budget at Q2	Forecast Spend in Year	Forecast (under)/Over Spend			
	£'000	£'000	£'000	£'000	£'000	%
People	£18,136	£14,681	(£3,455)	(£795)	£2,508	80.9%
Place	£31,162	£24,459	(£6,703)	(£3,423)	£4,120	78.5%
Resources	£7,592	£5,404	(£2,188)	(£2,152)	£694	71.2%
Chief Executive	£0	£0	£0	£0	£0	
Totals	£56,890	£44,544	(£12,346)	(£6,370)	£7,322	

4.2 The main contributing factors to the forecast position are:

- (a) Education Services is forecasting a £3.2 million underspend driven primarily by a delay in the Eastern Area PRU project (£1,493k) through delays in agreeing new lease terms with the Parish Council, and a forecast underspend against the planned maintenance budget (£455k) and project feasibility (£483k). The planned maintenance budget has been impacted by the COVID pandemic with delays in feasibility studies and commencement of works and the current construction industry market environment.
- (b) Transport and Countryside are forecasting a £5.6 million underspend primarily relating to the Robinhood Roundabout and A4 development (£1.5 million). The project is funded from section 106 funding which has yet to be received creating a delay in commencing the project. Newbury Station Car Park project now not proceeding as originally planned (£1,784k). A number of projects across the transport programme have forecast underspends due to delays in commencing projects through the national COVID lockdown.

4.3 There has been a total of £7.3 million of the forecast underspend proposed to be re-profiled into 2021/22 or later financial years summarised in the table below and Appendix B provides more detail on the projects impacted. The remaining forecast underspend will be kept under close review by CSG to determine whether any further re-profiling is required before year end.

Directorate Summary	Number of projects	Re-profiling amount £000
People	7	2,508
Place	12	4,120
Resources	13	694
Totals	32	7,322

- 4.4 A future risk identified relating to the COVID pandemic is the potential for engaged suppliers to default on contractual obligations through financial difficulties. Budget managers and CSG are closely monitoring these risks to highlight projects with potential suppliers of concern and where there is a risk of default and/or the potential to retender agreed contracts at potentially higher cost.

5 Supporting Information

Introduction

- 5.1 A capital budget for 2020/21 of £42.5 million was set by Council in March 2020 with funding of £21.4 million from external grants, £6.2 million of section 106 contributions (s106) and Community Infrastructure Levy (CIL), with £14.8 million of expenditure planned to be funded from external borrowing. The repayment of principal sums and interest on loans used to fund capital expenditure are met from the revenue budget for capital financing and risk management. Forecast spend against this budget is reported in the Revenue Financial Performance Report.
- 5.2 During the financial year budget changes may occur, mainly as a result of budgets brought forward from prior financial years, additional grants, s106 and CIL allocations received in year and expenditure re-profiled in future financial years. Changes of less than £250k can be approved by the s151 Officer in conjunction with the portfolio holder, all other changes must be approved by Capital Strategy Group (CSG) and reported to Executive as set out in the Council's Financial Regulations. As part of the budget monitoring process, the forecast year end position of the capital projects is reviewed and proposals for unutilised budgets to be re-profiled into subsequent financial years is reviewed by Capital Strategy Group (CSG). Appendix A provides a breakdown of budget changes as at Quarter Two.

Background

- 5.3 Total forecast capital expenditure for financial year 2020/21 as at Quarter Two is £44.5 million against a revised capital programme of £56.9 million, generating a forecast underspend position of £12.4 million.

5.4 The main contributing factors to the forecast position are:

Directorate Summary	Quarter Two					
	Budget at Q2	Forecast Spend in Year	Forecast (under)/Over Spend	Change from Forecast in Q1	Proposed Re-profiling	Forecast spend as a % of budget
	£'000	£'000	£'000	£'000	£'000	%
People	£18,136	£14,681	(£3,455)	(£795)	£2,508	80.9%
Place	£31,162	£24,459	(£6,703)	(£3,423)	£4,120	78.5%
Resources	£7,592	£5,404	(£2,188)	(£2,152)	£694	71.2%
Chief Executive	£0	£0	£0	£0	£0	
Totals	£56,890	£44,544	(£12,346)	(£6,370)	£7,322	

- (a) Education Services is forecasting a £3.2 million underspend driven primarily by a delay in the Eastern Area PRU project (£1,493k) through delays in agreeing new lease terms with the Parish Council, and a forecast underspend against the planned maintenance budget (£455k) and project feasibility (£483k). The planned maintenance budget has been impacted by the COVID pandemic with delays in feasibility studies and commencement of works and the current construction industry market environment.
- (b) Transport and Countryside are forecasting a £5.6 million underspend primarily relating to the Robinhood Roundabout and A4 development (£1.5 million). The project is funded from section 106 funding which has yet to be received creating a delay in commencing the project. Newbury Station Car Park project now not proceeding as originally planned (£1,784k). A number of projects across the transport programme have forecast underspends due to delays in commencing projects through the national COVID lockdown.

5.5 There has been a total of £7.3 million of the forecast underspend proposed to be re-profiled into 2021/22 or later financial years summarised in the table below and Appendix B provides more detail on the projects impacted. The remaining forecast underspend will be kept under close review by CSG to determine whether any further re-profiling is required before year end.

Directorate Summary	Number of projects	Re-profiling amount £000
People	7	2,508
Place	12	4,120
Resources	13	694
Totals	32	7,322

5.6 A future risk identified relating to the COVID pandemic is the potential for engaged suppliers to default on contractual obligations through financial difficulties. Budget managers and CSG are closely monitoring these risks to highlight projects with potential

suppliers of concern and where there is a risk of default and/or the potential to retender agreed contracts at potentially higher cost.

The People Directorate

People	Quarter Two			Change from Forecast in Q1	Proposed Re-profiling
	Budget at Q2	Forecast Spend in Year	Forecast (under)/Over Spend		
	£'000	£'000	£'000	£'000	£'000
Adult Social Care	£2,190	£1,895	(£295)	£27	
Children & Family Services	£20	£20	£0	£0	
Education Services	£15,926	£12,766	(£3,160)	(£822)	£2,508
Totals	£18,136	£14,681	(£3,455)	(£795)	£2,508

5.7 The directorate is forecasting capital expenditure of £14.7 million against a £18.1 million budget. The forecast underspend position of £3.4 million is mainly attributable to Education Services. The Education Services forecast position is being driven by key underspends against:

- (a) Delays in the Eastern Area PRU (£1,493k) development as lease negotiations with the Parish Council remain ongoing.
- (b) The planned maintenance budget (£455k) has been impacted by the COVID pandemic with delays in feasibility studies (£483k) and commencement of works along with the current construction industry market environment.

The Place Directorate

Place	Quarter Two			Change from Forecast in Q1	Proposed Re-profiling
	Budget at Q2	Forecast Spend in Year	Forecast (under)/Over Spend		
	£'000	£'000	£'000	£'000	£'000
Development & Planning	£4,478	£3,403	(£1,075)	(£1,419)	
Public Protection & Culture	£2,458	£2,472	£14	£146	
Environment	£24,226	£18,584	(£5,642)	(£2,150)	£4,120
Totals	£31,162	£24,459	(£6,703)	(£3,423)	£4,120

5.8 The directorate is forecasting capital expenditure of £24.5 million against a budget of £31.2 million. The forecast underspend position of £6.7 million is through:

- (a) Transport and Countryside: A delay in the Robinhood Roundabout and A4 development through delayed receipt of section 106 funding (£1.5 million).
- (b) Transport and Countryside: A number of projects across the transport programme have forecast underspends due to delays in commencing projects through the national COVID lockdown.

- (c) Development and Planning are forecasting a £294k overspend relating to purchases of temporary accommodation along with delays in delivering Four Houses Corner redevelopment £1,062k and Disabled Facilities programme £306k.

The Resources Directorate

Resources	Quarter Two				Proposed Re-profiling
	Budget at Q2	Forecast Spend in Year	Forecast (under)/Over Spend	Change from Forecast in Q1	
	£'000	£'000	£'000	£'000	£'000
Customer Services & ICT	£4,877	£3,116	(£1,761)	(£1,721)	£694
Finance & Property	£2,312	£1,886	(£426)	(£427)	
Strategy & Governance	£403	£402	(£1)	(£4)	
Totals	£7,592	£5,404	(£2,188)	(£2,152)	£694

- 5.9 The directorate is forecasting capital expenditure of £5.4 million against a budget of £7.6 million. The main driver of the forecast directorate underspend relates to Customer Services & ICT projects (£1,761k) and relates to forecast underspends against a range of projects requiring to be re-visited due to office accommodation review which is underway along with a forecast underspend in delivering Superfast Broadband Infrastructure (£896k). The forecast underspend in Finance & Property mainly relates to COVID restrictions in delivering the corporate buildings capital maintenance programme.

Proposals

No proposals are made within this report. Report is to note only.

6 Other options considered

No other options were considered.

7 Conclusion

- 7.1 At Quarter Two expenditure of £44.5 million has been forecast against the revised budget of £56.9 million, resulting in a forecast underspend of £12.4 million of the approved Capital Programme of which £7.3m has been proposed to be re-profiled to 2021/22 or later financial years.

8 Appendices

Appendix A – Budget Changes as at Quarter Two

Appendix B – Re-profiling as at Quarter Two

Subject to Call-In:

Yes: No: X

- 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 Committee or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only X

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Author:			
Owning Service			

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2020/21 Budget Changes as at Quarter Two

Service Area	Original Budget 2020/21 £000	Budget Agreed by CSG to be Re-profiled from 2019/20 £000	Other Changes to 2020/21 Budget £000	Revised Budget for 2020/21 £000	Explanation of Other Agreed Changes	Approved by CSG
PEOPLE DIRECTORATE						
Adult Social Care	£1,388	£226	£577	£2,190	Revenue contribution to capital (RCCO) ref Modernising ASC - £84k/ Notrees Heating - £170k. Care director V6 - £323k	30.04.20
Children & Family Services	£20	£0	£0	£20		
Education Services	£14,375	£1,551	(£0)	£15,926		
Total for People Directorate	£15,783	£1,777	£577	£18,136		
PLACE DIRECTORATE						
Development and Planning	£1,703	£2,664	£111	£4,478	Housing ICT System - £111k	27.02.20
Public Protection & Culture	£1,160	£1,094	£204	£2,458	PPP One System - £204k	27.02.20
Environment	£19,499	£1,556	£3,171	£24,226	New DFT Challenge Funding (£3.048)/ Local Cycling and Walking Infrastructure Delivery Plan (£124k)	16.07.20
Total for Place Directorate	£22,362	£5,313	£3,487	£31,162		
RESOURCES DIRECTORATE						
Customer Services and ICT	£2,041	£2,836	£0	£4,877		
Finance & Property	£2,108	£135	£69	£2,312	RCCO for Income Manager - £70k	30.04.20
Strategic & Governance	£237	£166	£0	£403		
Total for Resources Directorate	£4,386	£3,136	£69	£7,592		

2020/21 Reprofiting at Quarter Two

Scheme Name	Budget 2020/21 £'000	Q2 Expenditure Forecast £'000	Q2 Variance between Forecast & Budget (Underspend)/Overspend £'000	Reprofile Amount £'000
Highwood Copse	£3,533	£3,410	(£123)	£123
The Willink - Feasibility	£2,183	£1,700	(£483)	£483
Speenhamland - 2FE Project	£685	£470	(£215)	£215
East Area PRU	£1,513	£20	(£1,493)	£1,000
Parsons Down Rationalisation	£249	£110	(£139)	£139
Calcot Schools Remodelling	£109	£16	(£93)	£93
Education - Pmp	£2,649	£2,194	(£455)	£455
COMES Total	£10,921	£7,920	(£3,001)	£2,508
A4 Faraday Rd Improvements	£320	£0	(£320)	£320
Village Speed Limits	£30	£15	(£15)	£15
Local Sfty Acc Reduct	£75	£60	(£15)	£15
Robin Hood Roundabout & A4	£1,500	£5	(£1,495)	£1,495
Kings Road Link, Newbury	£1,000	£250	(£750)	£750
Aldermaston Footways	£287	£50	(£237)	£237
Sandleford Access Improvements	£1,000	£700	(£300)	£300
On Street Electrical Charge Point	£173	£50	(£123)	£123
Aldermaston Lift Bridge Replacement	£600	£0	(£600)	£600
Local S106 Highway Improvements	£100	£50	(£50)	£50
Cycle Parking at Schools	£75	£10	(£65)	£65
Solar PV Initiative	£670	£520	(£150)	£150
ENVTC Total	£5,830	£1,710	(£4,120.00)	£4,120

Capital Financial Performance Report Quarter Two 2020/21

Scheme Name	Budget 2020/21 £'000	Q2 Expenditure Forecast £'000	Q2 Variance between Forecast & Budget (Underspend)/Overspend £'000	Reprofile Amount £'000
Telephony Infrastructure (SIP and MPLS)	£50	£0	(£50)	£50
Contact Centre Systems Enhancements	£90	£0	(£90)	£90
Cyber Security Enhancements	£20	£0	(£20)	£20
Remote Working Infrastructure Maintenance	£45	£25	(£20)	£20
Network Infrastructure (Core Switches)	£70	£0	(£70)	£70
Network Infrastructure (WiFi Provision)	£15	£0	(£15)	£15
Telephony Infrastructure (VoIP Corporate Offices)	£45	£0	(£45)	£45
Telephony Infrastructure (VoIP Outlying Offices)	£20	£0	(£20)	£20
Telephony Infrastructure (Unified Communications Core Infrastructure)	£60	£0	(£60)	£60
Telephony Infrastructure (Unified Communications Software)	£114	£0	(£114)	£114
Refresh Multifunctional Devices Fleet	£125	£0	(£125)	£125
Upgrade Internet Bandwidth	£15	£0	(£15)	£15
ICT Helpdesk System	£50	£0	(£50)	£50
RESCSI Total	£719	£25	(£694)	£694
Grand Total	£17,470	£9,655	(£7,815)	£7,322

Treasury Management Mid Term Report Financial Year 2020/21

Committee considering report:	Executive
Date of Committee:	17 December 2020
Portfolio Member:	Councillor Ross Mackinnon
Date Portfolio Member agreed report:	26 November 2020
Report Author:	Shannon Coleman-Slaughter
Forward Plan Ref:	EX3989

1 Purpose of the Report

The Chartered Institute of Public Finance and Accountancy’s Treasury Management in the Public Services: Code of Practice (the CIPFA Code) requires the Council to approve treasury management semi-annual and annual reports. This report provides an overview of the treasury management activity for financial year 2020/21 as at 30th September 2020.

2 Recommendation

There are no recommendations made within this report. This report is to note only.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	The Treasury function is responsible for the daily cash flow management of the Council. Income from investments contributes to the Council’s annual budget. The first two quarters of financial year 20/21 have been economically turbulent, the long term economic outlook is uncertain. The Council has seen a reduction on returns on investments but this has been offset from reduced borrowing costs, resulting in no negative impact on the revenue budget as at the end of September 2020.
Human Resource:	Not applicable

Legal:	Not applicable			
Risk Management:	All investments are undertaken with a view to minimising the risk of financial loss. The Investment and Borrowing Strategy approved by the Council sets parameters to ensure this.			
Property:	Not applicable			
Policy:	Not applicable			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
Environmental Impact:		X		
Health Impact:		X		
ICT Impact:		X		
Digital Services Impact:		X		

Council Strategy Priorities:	X			The treasury function supports the delivery of the Council Strategy through the financing of the Council's approved Capital Programme and monitoring of Council cash flows in support of core activities.
Core Business:		X		
Data Impact:		X		
Consultation and Engagement:	Joseph Holmes – Director of Resources Cllr Ross Mackinnon – Portfolio Holder for Finance Treasury Management Group			

4 Executive Summary

- 4.1 The Council's Investment and Borrowing Strategy for 2020/21 was approved at a meeting on 5th March 2020. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates.
- 4.2 On 31st March 2020, the Council had a Capital Financing Requirement (CFR) of £239 million (i.e. the underlying need to borrow for capital purposes is measured by the CFR, while usable reserves and working capital are the underlying resources available for investment). On 9th October 2019 the PWLB raised the cost of certainty rate borrowing to 1.8%. A wide ranging consultation on the Public Works and Loan Board (PWLB) closed on 31st July 2020 with the announcement and implementation of the revised lending terms expected in the latter part of this calendar year or early next year. The Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council's long-term plans change being a secondary objective. In keeping with this objective, with short-term interest rates remaining much lower than long-term rates and temporary investments earning Bank Rate or lower, it has been considered to be more cost effective in the near term to use borrowed rolling temporary / short-term loans. At 30th September 2020 the Council held £221.8 million of loans, (an increase of £2.4 million compared to 31st March 2020, as part of its strategy for funding previous and current years' capital programmes. The Council's borrowing position is summarised in the table below.

Borrowing Position	31.3.20	Net Movement	30.9.20	30.9.20	30.9.20
	Balance		Balance	Weighted Average Rate	Weighted Average Maturity
	£000	£000	£000	%	(years)
Public Works Loan Board	202,362	-2,925	199,436	3.34%	31.5
PFI Debt	12,971	-361	12,610	6.10%	11.0
Community Bond	0	785	785	1.20%	5.0
Local authorities (short-term)	4,000	5,000	9,000	0.03%	0.1
Total borrowing	219,333	2,499	221,832		

- 4.3 As PWLB funding margins have lurched quite substantially and there remains a strong argument for diversifying funding sources. During the first two quarters of the financial year West Berkshire became the first Council to successfully launch a community bond designed to fund green initiatives in support of the Council Strategy. As at the end of September £785k had been raised against the target £1million. Moving forward the Council will evaluate and pursue these lower cost solutions and opportunities with its external treasury advisor Arlingclose.
- 4.4 The Council holds invested funds, representing income received in advance of expenditure plus balances and reserves held. During the year, the Council's investment balances ranged between £32 million as at 31st March 2020 to £40 million as at the end of September due to timing differences between income and expenditure. The investment position is shown in the table below.

Treasury Investment Position	31.3.20	Net	30.9.20	30.9.20	30.9.20
	Balance	Movement	Balance	Income Return	Weighted Average Maturity
	£m	£m	£m	%	days
Banks & building societies (unsecured)	26.3	-13.6	12.6	0.81	55
Government (incl. local authorities)	1.0	26.0	27.0	0.62	147
Money Market Funds	5.0	-4.9	0.1	0.01	1
Total investments	32	7	40	0.68	117

- 4.5 In respect of the economic outlook moving forward the corporate world is still adjusting to the economic shock of the coronavirus pandemic, as a result investment income is set against a very different economic backdrop. Bank Rate, which was 0.75% in January/February 2020, now stands at 0.1%. Interest earned from short-dated money market investments is expected to be significantly lower by the end of March 2021. Anticipated shortfalls in investment income are currently being offset through cheaper than budgeted borrowing costs, through the strategy of undertaking short-term borrowing.

5 Supporting Information

Introduction

- 5.1 The Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice (the CIPFA Code) which requires the Council to approve treasury management semi-annual and annual reports. This report provides

an overview of the treasury management activity for financial year 2020/21 as at 30th September 2020.

- 5.2 The Council's treasury management strategy for 2020/21 was approved at a meeting on 5th March 2020. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk remains central to the Council's Investment and Borrowing Strategy.

Background

- 5.3 Economic Conditions: The spread of the coronavirus pandemic dominated during the period as countries around the world tried to manage the delicate balancing act of containing transmission of the virus while minimising negative impacts on national economies. Over the past six months:
- (a) The Bank of England (BoE) maintained Bank Rate at 0.1% and its Quantitative Easing programme at £745 billion. The potential use of negative interest rates was not ruled in or out by BoE policymakers.
 - (b) Government initiatives continued to support the economy, with the furlough (Coronavirus Job Retention) scheme keeping almost 10 million workers in jobs, grants and loans to businesses and 100 million discounted meals being claimed during the 'Eat Out to Help Out' (EOHO) offer.
 - (c) GDP growth contracted by a massive 19.8% (revised from first estimate -20.4%) between April and June (Office for National Statistics), pushing the annual growth rate down to -21.5% (first estimate -21.7%). Construction output fell by 35% over the quarter, services output by almost 20% and production by 16%. Recent monthly estimates of GDP have shown growth recovering, with the latest rise of almost 7% in July.
 - (d) The headline rate of UK Consumer Price Inflation (CPI) fell to 0.2% year/year in August, further below the Bank of England's 2% target, with the largest downward contribution coming from restaurants and hotels influenced by the EOHO scheme. The Office for National Statistics' preferred measure of CPIH which includes owner-occupied housing was 0.5% y/y.
 - (e) Financial markets: Equity markets continued their recovery, with the Dow Jones climbing to not far off its pre-crisis peak, albeit that performance being driven by a handful of technology stocks including Apple and Microsoft, with the former up 75% in 2020. The FTSE 100 and 250 have made up around half of their losses at the height of the pandemic in March. Central bank and government stimulus packages continue to support asset prices, but volatility remains.
 - (f) Ultra-low interest rates continued, keeping gilts yields low but volatile over the period with the yield on some short-dated UK government bonds remaining negative. The 5-year UK benchmark gilt yield started and ended the June–September period at -0.06% (with much volatility in between). The 10-year gilt yield also bounced around, starting at 0.21% and ending at 0.23% over the same

period, while the 20-year rose from 0.56% to 0.74%. 1-month, 3-month and 12-month bid rates averaged 0.02%, 0.06% and 0.23% respectively over the period.

- (g) There continues to remain much uncertainty around the extent the losses banks and building societies will suffer due to the impact from the coronavirus pandemic. For UK institutions there is also the further added complication of the end of the Brexit transition period on 31st December and any potential trade deal with the European Union.

5.4 Local Context: Borrowing Strategy over the period 1.4.2020 – 30.9.2020

- (a) On 31st March 2020, the Council had a Capital Financing Requirement (CFR) of £239 million (i.e. the underlying need to borrow for capital purposes is measured by the CFR, while usable reserves and working capital are the underlying resources available for investment).
- (b) On 9th October 2019 the PWLB raised the cost of certainty rate borrowing to 1.8%. A wide ranging consultation on the Public Works and Loan Board (PWLB) closed on 31st July 2020 with the announcement and implementation of the revised lending terms expected in the latter part of this calendar year or early next year. The consultation titled “Future Lending Terms” allows stakeholders to contribute to developing a system whereby PWLB loans can be made available at improved margins to support qualifying projects. It contains proposals to allow Councils that are not involved in “debt for yield” activity to borrow at lower rates as well as stopping local authorities using PWLB loans to buy commercial assets primarily for yield. The consultation also broaches the possibility of slowing, or stopping, individual authorities from borrowing large sums in specific circumstances.
- (c) At 30th September 2020 the Council held £221.8 million of loans, (an increase of £2.4 million compared to 31st March 2020, as part of its strategy for funding previous and current years’ capital programmes. The Council’s borrowing position is summarised in the table below.

Borrowing Position	31.3.20	Net Movement	30.9.20	30.9.20	30.9.20
	Balance		Balance	Weighted Average	Weighted Average
	£000		£000	Rate	Maturity
				%	(years)
Public Works Loan Board	202,362	-2,925	199,436	3.34%	31.5
PFI Debt	12,971	-361	12,610	6.10%	11.0
Community Bond	0	785	785	1.20%	5.0
Local authorities (short-term)	4,000	5,000	9,000	0.03%	0.1
Total borrowing	219,333	2,499	221,832		

- (d) The Council’s chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council’s long-term plans change being a secondary objective. In keeping with this objective, with short-term interest rates remaining much lower than long-term rates and temporary investments earning Bank Rate or lower, it

has been considered to be more cost effective in the near term to use borrowed rolling temporary / short-term loans.

- (e) As PWLB funding margins have lurched quite substantially and there remains a strong argument for diversifying funding sources. During the first two quarters of the financial year West Berkshire became the first Council to successfully launch a community bond designed to fund green initiatives in support of the Council Strategy. As at the end of September £785k had been raised against the target £1million. Moving forward the Council will evaluate and pursue these lower cost solutions and opportunities with its external treasury advisor Arlingclose.

5.5 Other Debt Activity

- (a) Although not classified as borrowing, the Council also has a Private Finance Initiative (PFI) in respect of the Padworth Waste Recycling Facility. This debt, which is included in the total borrowing shown on the Council's balance sheet, stood at £12.8 million at end of September 2020. (Repayments of this debt are included in the monthly waste contract charges, which are paid from the revenue budget for waste management).

5.6 Treasury Management Strategy over the period 1.4.2020 – 30.9.2020

- (a) On 1st April 2020 the Council received central government funding to support small and medium businesses during the coronavirus pandemic through grant schemes. £29.3m was received, temporarily invested in short-dated, liquid instruments such as call accounts and Money Market Funds. £28.8m was disbursed by the end of September 2020.
- (b) The Council holds invested funds, representing income received in advance of expenditure plus balances and reserves held. During the year, the Council's investment balances ranged between £32 million as at 31st March 2020 to £40 million as at the end of September due to timing differences between income and expenditure. The investment position is shown in the table below.

Treasury Investment Position	31.3.20	Net	30.9.20	30.9.20	30.9.20
	Balance	Movement	Balance	Income Return	Weighted Average Maturity
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Banks & building societies (unsecured)	26.3	-13.6	12.6	0.81	55
Government (incl. local authorities)	1.0	26.0	27.0	0.62	147
Money Market Funds	5.0	-4.9	0.1	0.01	1
Total investments	32	7	40	0.68	117

- (c) Both the CIPFA Code and government guidance requires the Council to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

5.7 Non-Treasury Investments

- (a) The definition of investments in CIPFA's revised Treasury Management Code now covers all the financial assets of the Council as well as other non-financial assets which the Council holds primarily for financial return. For Councils this is replicated in the Investment Guidance issued by the Ministry of Housing, Communities and Local Government (MHCLG), in which the definition of investments is further broadened to also include all such assets held partially for financial return. The Council also holds £61 million of such investments in respect of directly owned commercial and investment property. These investments at the end of September generated £590k of investment income for the Council after taking account of direct costs, representing a rate of return of 0.96%.

Proposals

There are no proposals included within this report. Report is to note only.

6 Other options considered

No other options have been considered.

7 Conclusion

- 7.1 In respect of the economic outlook moving forward the corporate world is still adjusting to the economic shock of the coronavirus pandemic, as a result investment income is set against a very different economic backdrop. Bank Rate, which was 0.75% in January/February 2020, now stands at 0.1%. Interest earned from short-dated money market investments is expected to be significantly lower by the end of March 2021. Anticipated shortfalls in investment income are currently being offset through cheaper than budgeted borrowing costs, through the strategy of undertaking short-term borrowing.

8 Appendices

None

Subject to Call-In:

Yes: No: X

Report is to note only X

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Item 15:

Member Questions to be answered at the Executive meeting on 17 December 2020.

Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.

(a) **Question submitted by Councillor Carolyne Culver to the Portfolio Holder for Internal Governance:**

"Please can the Executive member for internal governance outline how the council will encourage greater diversity among candidates in future elections?"

(b) **Question submitted by Councillor Steve Masters to the Portfolio Holder for Finance and Economic Development:**

"Could the Executive member for Finance please confirm that the £660 Billion figure he quoted during the debate on Universal Basic Income at the last full council meeting was a gross figure or a net figure?"

(c) **Question submitted by Councillor Steve Masters to the Portfolio Holder for Leader of the Council:**

"Can the Strong Leader give examples of when the Green group have 'Run straight to the press'?"

(d) **Question submitted by Councillor Lee Dillon to the Portfolio Holder for Leader of the Council:**

"Following the removal of an opposition member from the LRIE project board, how will the Council ensure that opposition members are now kept up to date on LRIE?"

(e) **Question submitted by Councillor Erik Pattenden to the Portfolio Holder for Children, Young People and Education:**

"How much additional support has been given to schools and nurseries in West Berkshire to protect teaching and support staff from coronavirus?"

(f) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Adult Social Care:**

"How much Continuing Healthcare Funding is provided to West Berkshire Council by the Berkshire West CCG?"

(g) **Question submitted by Councillor Alan Macro to the Portfolio Holder for Adult Social Care:**

"Where does the level of Continuing Healthcare Funding place the Berkshire West CCG in the national rankings?"

(h) **Question submitted by Councillor Tony Vickers to the Portfolio Holder for Planning and Housing:**

"When and how will the Council start the process of enabling the Local Plan to take account of its Master Plan for LRIE?"

Item 15:

Member Questions to be answered at the Executive meeting on 17 December 2020.

Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.

(i) **Question submitted by Councillor Martha Vickers to the Portfolio Holder for Transport and Countryside:**

"Will the administration join us in writing to the Secretary of State for Transport, Grant Shapps MP, and the Home Office Minister responsible for safeguarding women and children, Victoria Atkins MP, to request that the Rail to Refuge scheme be made permanent?"

(j) **Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Internal Governance:**

"What steps will the council take to increase the number of candidates applying for senior officer roles?"

(k) **Question submitted by Councillor Adrian Abbs to the Portfolio Holder for Finance and Economic Development:**

"Does the council have plans to move from the Market Street office within the next 10 years?"