Individual Decision



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

Thursday, 7th October, 2021

Ref:	Title	Portfolio Member	Page No.
ID 4079	West Berkshire Forward Plan - 9 November 2021 - 28 February 2022	Councillor Lynne Doherty	3 - 16





Agenda Item 1.

Individual Executive Member Decision

West Berkshire Council Forward Plan 9 November 2021 – 28 February 2022

Committee considering

report:

Individual Executive Member Decision

Date ID to be signed: 7 October 2021

Portfolio Member: Councillor Lynne Doherty

Forward Plan Ref: ID4079

1. Purpose of the Report

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

2. Recommendation

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

3. Implications

3.1 **Financial:** The Forward Plan has no financial implications.

3.2 **Policy:** The Forward Plan details the Policies to be adopted by

West Berkshire Council.

3.3 **Personnel:** The Forward Plan has no personnel implications.

3.4 **Legal:** The Forward Plan has no legal implications.

3.5 **Risk Management:** The Forward Plan has no risk management implications.

3.6 **Property:** The Forward Plan has no property implications.

3.7 **Other:** Not applicable.

4. Consultation Responses

Members:

Leader of Council: Councillor Lynne Doherty

Overview & Scrutiny

Management

Councillor Alan Law at Overview and Scrutiny Management

Commission meetings.

Commission Chairman:

Ward Members: All Members

Opposition Councillor Lee Dillon at Overview and Scrutiny Management

Spokesperson: Commission meetings.

Local Stakeholders: The West Berkshire Forward Plan will be published the first

working day after the Individual Decision is signed.

Officers Consulted: Flo Churchill, Sue Halliwell, Joseph Holmes, Andy Sharp,

Service Directors, Heads of Service, Group Executives.

Trade Union: Not sought.

5. Other options considered

5.1 Not applicable.

6. Introduction/Background

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

Scrutiny Management Commission has agreed that the key decision is urgent and cannot reasonably be deferred.

In addition The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 introduced an entirely new requirement for the Council to publish 28 clear days' notice of the intention to hold a private meeting (or part of a meeting) of the Executive. This 28 day notice must be reinforced by a five day notice which sets out the reasons for the meeting to be held in private, details of any propositions received as to why the meeting should be open, and the Council's response. The response will be provided by the Monitoring Officer. The regulations again provide for an urgency procedure, under which the Council can decide the matter with shorter than 28 or five days' notice, provided that it has first obtained the consent of the Chairman of the Overview and Scrutiny Management Commission.

7. Supporting Information

- 7.1 There are currently no confidential items.
- 7.2 In the event that an urgent item does arise the relevant notice will be published in accordance with the requirements.
- 7.3 Details of decisions that Full Council, the Governance and Ethics Committee, Licensing Committee, Overview and Scrutiny Management Commission and the Personnel Committee are going to take are also included for ease of reference. It should, however, be noted that the 2012 Regulations only apply to Executive meetings.
- 7.4 The following changes have been made to the Forward Plan for October 2021 since it was last published:

Change in Item for Executive 14 October 2021:

 Cultural Heritage Strategy – Action Plan (EX4120) has moved to Executive on 24 March 2022

Additional items for HSC on 10 November 2021:

- Protocol between Health Scrutiny Committee and Health Care Provider Commissioners (OSMC/HSC)
- Methodology for assessing substantial variations in service (OSMC/HSC)
- Methodology for determining topic for health scrutiny (OSMC/HSC)

Additional item for Executive and change on 18 November 2021:

- Social Value Policy (EX4153)
- Highway Asset Management Refresh (EX4048) has moved to Executive TBC

Additional Item for Council on 2 December 2021:

- First Homes Affordable Housing (C4151)
- 7.5 Publication of the Forward Plan remains a statutory requirement of the Local Authority. The Forward Plan, any General Exception Decision Notices and Notices of Private Decisions have to be available for inspection and also have to be published on the Council's website.

8. Conclusion

8.1 Publication of the Forward Plan is a statutory requirement and the Forward Plan for the period 9 November 2021 to 28 February 2022 is presented to the Leader of the Council for final sign off. It will be published on the Council's website.

9. Appendices

Appendix A – Data Protection Impact Assessment – Stage One

Appendix B - Equalities Impact Assessment – Stage One

Appendix C – West Berkshire Council Forward Plan – 9 November 2021 to 28 February 2022

Appendix D – Notice of Private Decisions (not required)

Subject to Call-In:		
Yes: No: 2	$ lap{d}$	
The item is due to b	pe referred to Council for final approval	
Delays in implemen	tation could have serious financial implications for the Council	
Delays in implemen	tation could compromise the Council's position	
	ewed by Overview and Scrutiny Management Commission or oups within preceding six months	\boxtimes
Item is Urgent Key	Decision	
Report is to note or	nly	
Officer details:		
Name:	Stephen Chard	
Job Title:	Democratic Services Manager	
Tel No:	(01635) 519462	
E-mail Address:	stephen.chard@westberks.gov.uk	

Appendix A

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	Resources
Service:	Strategy and Governance
Team:	Democratic Services
Lead Officer:	Stephen Chard
Title of Project/System:	Forward Plan
Date of Assessment:	28 September 2021

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
Will you be processing SENSITIVE or "special category" personal data?		\boxtimes
Note – sensitive personal data is described as "data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation"		
Will you be processing data on a large scale?		\boxtimes
Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both		
Will your project or system have a "social media" dimension?		\boxtimes
Note - will it have an interactive element which allow susers to communicate directly with one another?		
Will any decisions be automated?		\boxtimes
Note – does your systemor process involve circumstances where an individual's input is "scored" or assessed without intervention/review/checking by a human being? Will there be any "profiling" of data subjects?		
Will your project/system involve CCTV or monitoring of an area accessible to the public?		\boxtimes
Will you be using the data you collect to match or cross-reference against another existing set of data?		\boxtimes
Will you be using any novel, or technologically advanced systems or processes?		\boxtimes
Note – this could include biometrics, "internet of things" connectivity or anything that is currently not widely utilised		

If you answer "Yes" to any of the above, you will probably need to complete Data Protection Impact Assessment - Stage Two. If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix B

Equality Impact Assessment - Stage One

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

Name of policy, s	trategy or fu	ınction:	Forward Plan							
Version and relea applicable):	se date of it	em (if	Stephen Chard							
Owner of item be	ing assesse	d:								
Name of assesso	r:		Christine Elsasser 28 September 2021							
Date of assessme	ent:									
Is this a:			Is this:							
Policy		No	New or pro	posed	No					
Strategy		No	Already exi	sts and is being	No					
Function		No	Is changing]	No					
Service		No			<u> </u>					
	•	•		l outcomes of the penefit from it?	oolicy,					
Objectives:										
Outcomes:										
Benefits:										
service. Con negatively ar (Please demo	nsider how the day of the hour hour hour hour hour hour hour hour	hey may k rces of infi ideration o and Civil Pa	oe affected, was formation have of all strands — artnership, Pre	cy, strategy, function to the ther it is positive to de	ely or termine this.					
9										

Affected

Please provide an explanation for your answer:

None			
Further Comme	nts relating to the item:		
3 Result			
	spects of the policy, strategy, fund is delivered or accessed, that co	•	No
Please provide a	an explanation for your answer:		
	strategy, function or service have f people, including employees an	•	No

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

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

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

Name: Stephen Chard Date: 28 September 2021

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

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APPENDIX C

West Berkshire Council Forward Plan

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West Berkshire Council Forward Plan 9 November 2021 - 28 November 2022

Key: C = Council

DOD - Delegated Officer Decision

EX = Executive

GE = Governance and Ethics Committee

HWB = Health and Wellbeing Board

ID = Individual Decision

PC = Personnel Committee

JPPC = Joint Public Protection Committee

LC = Licensing Committee

OSMC = Overview & Scrutiny Management Commission

Reference	Item	Purpose	Decision	Month/Year	Executive	lin.	Date Report	Council	Governance and	USWC/HSC	Othor	Officer and Contact	Directorate	Lead Member	Consultee(s)	Part II	Call In
Reference	ten	Fui puse	Body	MOHUI/Tear	Executive		Published	Council	Ethics Committee	USINIC/HSC	Other	No No	Directorate	Leau Welliber	Consultee(s)	rait ii	Call III
.V.40.40	Highway Asset Managarant Plan Refeet	To assess the adoption of an adopt division	FV	Navarah an 0004	TDO		04/00/0004					Andrew Develde	Disease	Discouring and Transport		NI-	Van
EX4048	Highway Asset Management Plan Refresh	To approve the adoption of an updated Highways Asset Management Plan taking on board the latest national guidance and best practice.	EX	November 2021	TBC		24/08/2021					Andrew Reynolds	Place	Planning and Transport		No	Yes
X4112	Drug and Alcohol Behaviour Change Service Contract Award	To award the contract.	EX	November 2021	18/11/21 EX		10/11/2021					Zoe Campbell	Resources	Health and Wellbeing		No	No
EX4121	Environment Strategy Progress Report	To present the first annual progress report for the delivery of the Environment Strategy.	EX	November 2021	18/11/21 EX							Jenny Graham	Place	Environment and Waste		No	No
EX4140	Hackney Carriage Tariffs	To agree a revised hackney carriage fare scale following the statutory consultation if any objections are received and are not withdrawn.	EX	November 2021	18/11/21 EX							Moira Fraser	Place	Housing, Strategic Partnerships and Transformation		No	No
EX4155	Leisure contract - approval of procurement strategy	To approve procurement strategy for the Leisure contract	EX	November 2021	18/11/21 EX							Paul Martindill	People	Internal Goverance, Leisure and Culture			Yes
GE4116		To update G&E Committee on progress made on the outstanding recommendations from the Internal Audit review of The Effectiveness of the Governance and Ethics Committee.	GE	November 2021					15/11/21 GE			Shiraz Sheikh	Resources	Internal Governance, Leisure and Culture		No	Yes
D4081	West Berkshire Council Forward Plan 30 December 2021 - 30 April 2022	To agree the Forward Plan for the next four months.	ID	November 2021		25/11/2021	17/11/2021					Stephen Chard	Resources	Leader, District Strategy and Communications		No	No
ID4129	S106 Contributions policy	To adopt the new S106 Contributions policy.	ID	November 2021		29/11/2021	30/11/2021					Janet Weekes	Place	Planning and Transport		No	No
LC4042	Hackney Carriage and Private Hire Vehicle	To agree the policy post consultation.	LC	November 2021			20/01/2022				31/01/22 LC	Sean Murphy	Place	Planning and Transport			
PC4051	Driver and Operator Policy Results of the Employee Attitude Survey	To consider the results of the EAS including benchmarking data and comparisons with previous surveys.	PC	November 2021							12/11/21 PC	Abi Witting/Rebecca Bird	Resources	Internal Governance, Leisure and Culture			
PC4050	Recruitment and Pay Scales	To consider a sample of current recruitment activity in order to analyse where employees are being recruited to on the banding within pay scales. This information had been requested by the Personnel Committee.	PC	November 2021			08/07/2021				12/11/21 PC	Abi Witting	Resources	Internal Governance, Leisure and Culture			
EX4153	Social Value Policy	Executive to approve adoption of Social Value Policy.	EX	November 2021	18/11/21 EX							Karen Felgate	Resources	Finance and Economic Development		No	Yes
OSMC/HSC	Protocol between Health Scrutiny Committee and Health Care Provider Commissioners	To agree a protocol to establish agreed working principles governing the relationship between the scrutiny body and providers.commissioners of services that improve the health and well being of residents of West Berkshire.	OSMC/HSC	November 2021						10/11/21 HSC		Gordon Oliver	Resources	Internal Governance, Leisure and Culture		No	No
OSMC/HSC	Methodology for assessing substantial variations in service	To agree a methodology for assessing whether variations in services proposed by health providers are demmed to be 'substantial' and subject to health scrutiny.	OSMC/HSC	November 2021						10/11/21 HSC		Gordon Oliver	Resources	Internal Governance, Leisure and Culture		No	No
OSMC/HSC	Methodology for determining topic for health scrutiny	To agree a framework to help Members of the Health Scrutiny Committee determine which topics to select and which to reject.	OSMC/HSC	November 2021						10/11/21 HSC		Gordon Oliver	Resources	Internal Governance, Leisure and Culture		No	No
C4151	First Homes Affordable Housing	To get a Council Position on First Homes Affordable Housing following changes in National Policy	С	November 2021				02/12/2021 C				Janet Weekes/Bryan Lyttle	Place	Planning and Tranport		No	No
C4045	Statement of Gambling Principles	To review the statement of Gambling Principles by January 2022 when the current document is due for renewal.	С	December 2021			29/10/2021	02/12/21 C			08/11/21 LC	Sean Murphy	Place	Planning and Transport			
EX4146	Electric Vehicle Charging Points - Charging structure	To determine the charges to be set for members of the public using the electric vehicle charging points installed in Council Car Parks across West Berkshire	С	December 2021				2/12/2021 C				Adrian Slaughter	Place	Planning and Transport		No	Yes
C4154	2022/23 West Berkshire Council Timetable of Public Meetings	To recommend a timetable of public meetings for the 2022/23 Municipal Year.	С	December 2021			24/11/2021	02/12/21 C				Stephen Chard	Resources	Internal Governance, Leisure and Culture		No	No
C4156	Compton Neighbourhood Development Plan	To consider progressing the Compton NDP to referendum	С	December 2021		1		02/12/21 C				Umrah Mahadik	Place	Planning and Transport		No	No
EX4014	(To inform Members of the latest financial performance of the Council.	EX	December 2021	16/12/21 EX		08/12/2021					Melanie Ellis	Resources	Finance and Economic Development			
EX4015	Capital Financial Performance Report - Q2 of 2021/22	To present the Q2 capital financial performance for Members to note.	EX	December 2021	16/12/21 EX		08/12/2021					Shannon Coleman- Slaughter	Resources	Finance and Economic Development			
EX4001	Key Accountable Performance 2021/22: Quarter Two	To report Q2 outturns for the Key Accountable Measures which monitor performance against the 2021/22 Council Performance Framework. To provide assurance that the objectives set out in the Council Strategy and other areas of significant activity are being managed effectively. To present, by exception, those measures that are predicted to be 'amber' or 'red' and provide information on any remedial action taken and the impact of that action. To recommend changes to measures/targets as requested by services.	EX	December 2021	16/12/21 EX		08/12/2021			25/01/2022		Catalin Bogos	Resources	Internal Governance, Leisure and Culture		No	

West Berkshire Council Forward Plan 9 November 2021 - 28 November 2022

Key:	C = Council
	DOD - Delegated Officer Decision
	EX = Executive
	GE = Governance and Ethics Committee
	HWB = Health and Wellbeing Board
	ID = Individual Decision
	PC = Personnel Committee
	JPPC = Joint Public Protection Committee
	LC = Licensing Committee
	OSMC = Overview & Scrutiny Management Commission

	I==	I=			Leaves en							la: .a	I=:	le:	ls.	
EX4142	Local Flood Risk Management Strategy 2021- 2026	To approval the West Berkshire Local Flood Risk Management Strategy 2020-25	EX	December 2021	16/12/21 EX							Stuart Clark	Place	Planning and Transport	No	Yes
EX4149	Development of Newbury Sport Hub	Award of contract to Build 3G Artificial Grass Pitch, Clubhouse, Spectator Stand and Car Park (Sports Hub) at Newbury Rugby Club.	EX	December 2021	16/12/21 EX							Paul Martindill/Matt Pearce	Resources	Internal Governance, Leisure and Culture	No	No
ID4082	West Berkshire Council Forward Plan 2 February 2022 - 31 May 2022	To agree the Forward Plan for the next four months.	ID	December 2021		30/12/2021	20/12/2021					Stephen Chard	Resources	Leader, District Strategy and Communications	No	No
JPPC4063	Noise Policy - Annual Review	To note any changes to the Policy.	JPPC	December 2021			03/12/2021				13/12/2021 JPPC	Anna Smy	People	Housing, Strategic Partnerships and Transformation		_
JPPC4139	Training and Development Plan	To agree the plan for the forthcoming year.	JPPC	December 2021			03/12/2021				13/12/2021 JPPC	Toby Green	People	Internal Governance, Leisure and Culture		
JPPC4063	Noise Policy - Annual Review	To note any changes to the Policy.	JPPC	December 2021			03/12/2021				13/12/2021 JPPC	Anna Smy	People	Internal Governance, Leisure and Culture		
JPPC4131	Review of the Contaminated Land Strategies	To consider and where appropriate update thee Contaminated Land Strategies for all three	JPPC	December 2021			03/12/2021				13/12/2021 JPPC	Susanne McLaughlin	People	Internal Governance, Leisure and Culture		
JPPC4070	Public Protection Partnership Q2 2021/22 Performance Report	To consider the Quarter 2 Performance Report.	JPPC	December 2021							13/12/2021 JPPC	Sean Murphy/Moira Fraser/Anna Smy	People	Internal Governance, Leisure and Culture		
JPPC4071	RIPA Policy	To agree a policy following on from the recent audit of these processes.	JPPC	December 2021							13/12/2021 JPPC	Sean Murphy	People	Internal Governance, Leisure and Culture		
JPPC4072	CCTV Policy	To agree a policy.	JPPC	December 2021							13/12/2021 JPPC	Sean Murphy	People	Internal Governance, Leisure and Culture		
OSMC/HSC	Communications and Engagement Strategy -	To review progress in implementing the	OSMC/HSC	December 2021			02/12/2021			14/12/2021	0	Andy Sharp / Gabrielle		Leader, District Strategy and	No	No
OSMC/HSC	Operational Review Leisure Strategy	Communications and Engagement Strategy. To report the findings of the Scrutiny Review into the draft Leisure Strategy.	OSMC/HSC	December 2021			02/12/2021			14/12/2021		Mancini Paul Anstey	Resources Resources	Communications Internal Governance, Leisure and Culture	No	No
OSMC/HSC	Effective employee appraisal and the management training and development programme	To review the Council's current employee appraisal system and management training and development program.	OSMC/HSC	December 2021			02/12/2021			14/12/2021		Sarah Clarke	Resources	Internal Governance, Leisure and Culture	No	Yes
OSMC/HSC	. •	To consider how West Berkshire Council can work with the Canal and River Trust, Sustrans Environment Agency and other partners to repair / enhance the Kennet and Avon Canal Towpath and Thames Path.	OSMC/HSC	December 2021			02/12/2021			14/12/2021		Paul Hendry	Place	Transport and Planning	No	Yes
C4147	External audit appointment process – 2023/24 – 2028/29	To approve the process for appointing external auditors to the Council from 2023-29	С	December 2021				02/12/2021 C	15/11/21 GE			Shannon Coleman- Slaughter	Resources	Internal Governance, Leisure and Culture	No	No
GE3891	Annual Audit Letter	To present the Annual Audit Letter.	GE	January 2022			07/01/2022		17/01/22 GE			Joseph Holmes	Resources	Internal Governance, Leisure and Culture	No	Yes
GE4023	Strategic Risk Register Update Q2 2021/22	To provide an update on the Strategic Risk Register as at Q2 of 2021/22.	GE	January 2022			07/01/2022		17/01/22 GE			Catalin Bogos	Resources	Internal Governance, Leisure and Culture		+
GE4092	Internal Audit Interim Report 2021/22 Q2	To update the Committee on the outcome of Internal Audit work.	GE	January 2022			07/01/2022		17/01/22 GE			Julie Gillhespey	Resources	Internal Governance, Leisure and Culture		
GE4123	Treasury Management - Mid Year Report		GE	January 2022			07/01/2022		17/01/22 GE			Shannon Coleman- Slaughter	Resources	Finance and Economic Development		No
LC4046	Fees for Taxi and Private Hire Vehicles	To consider any issues arising from the consultation and their impact on the proposed fees which will be recommended to full Council for approval.	LC	January 2022			21/01/2022				31/01/22 LC	Julia O Brien	Place	Housing, Strategic Partnerships and Transformation		
LC4047	Fees for Private Hire Operators	To consider any issues arising from the consultation and their impact on the proposed fees which will be recommended to full Council for approval.	LC	January 2022			21/01/2022				31/01/22 LC	Julia O Brien	Place	Housing, Strategic Partnerships and Transformation		
OSMC/HSC		To review Executive decision EX3978.	OSMC/HSC	January 2022						26/01/2021		Joseph Holmes	Place	Planning and Housing	No	Yes
OSMC/HSC	London Road Industrial Estate Task Group Report - Feedback from Executive	To provide feedback from Executive on the findings of the scrutiny review into the London Road Industrial Industrial Estate development.	OSMC/HSC	January 2022						26/01/2021		Sarah Clarke	Resource	Internal Governance, Leisure and Culture	No	Yes
EX4016	Revenue Financial Performance Report - Q3 of 2021/22	To inform Members of the latest financial performance of the Council.	EX	February 2022	10/02/22 EX		02/02/2022					Melanie Ellis	Resources	Finance and Economic Development		
EX4143	West Berkshire Domestic Abuse Strategy 2021 2023	For Executive to approve our new DA Safe Accommodation Strategy which has been produced specifically to meet Part 4 of the Domestic Abuse Act 2021 and will coincide with our existing DA Strategy 2020-23 until combined at a later date	EX	February 2022	10/02/22 EX							Jade Wilder	People	Health and Wellbeing	No	No
ID4083	West Berkshire Council Forward Plan 15 March 2022 - 30 June 2022	To agree the Forward Plan for the next four months.	ID	February 2022		10/02/2022	02/02/2022					Stephen Chard	Resources	Leader, District Strategy and Communications	No	No