

# Notice of Meeting

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# Executive

**Thursday 14th December 2023 at 5.00 pm**

in the Council Chamber, Council Offices,  
Market Street, Newbury

**Note:** This meeting can be streamed live here: <https://www.westberks.gov.uk/executive/live>

Date of despatch of Agenda: Wednesday, 6 December 2023

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Sadie Owen (Principal Democratic Services Officer) on 01635 519052 e-mail: [sadie.owen1@westberks.gov.uk](mailto:sadie.owen1@westberks.gov.uk)

Further information and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)



WestBerkshire  
C O U N C I L

## Agenda - Executive to be held on Thursday, 14 December 2023 (continued)

<b>To:</b>	Councillors Lee Dillon (Chairman), Jeff Brooks, Heather Codling, Martin Colston, Iain Cottingham, Denise Gaines, Stuart Gourley, Janine Lewis, Alan Macro and Tony Vickers
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# Agenda

## Part I

	<b>Pages</b>
1. <b>Apologies for Absence</b> To receive apologies for inability to attend the meeting (if any).	7 - 8
2. <b>Minutes</b> To approve as a correct record the Minutes of the meeting of the Executive held on 2 November 2023, and of the meeting of the Extraordinary Executive held on 23 November 2023.	9 - 22
3. <b>Declarations of Interest</b> 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' <a href="#">Code of Conduct</a> .	23 - 24
4. <b>Public Questions - REPORT TO FOLLOW</b> 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.	
5. <b>Petitions</b> 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.	25 - 26

## Items as timetabled in the Forward Plan

	<b>Pages</b>
6. <b>Capital Financing Report Financial Year 2023/24 Quarter Two (EX4363)</b> Purpose: the capital financing performance report provided to Members presents the provisional outturn position for financial year 2023/24 against the Council's approved capital programme. This report focuses on the capital financing and future borrowing requirement generated by the Quarter Two forecast position.	27 - 44



**Agenda - Executive to be held on Thursday, 14 December 2023 (continued)**

7. **2023/24 Revenue Financial Performance Quarter Two (EX4362)** 45 - 72  
Purpose: to report on the financial performance of the Council's revenue budgets. This report is Quarter Two for the 2023/24 financial year. The report is highlighting the financial position at each quarter of the financial year and impact on the Council's General Fund position. This allows the Executive and Scrutiny Commission to consider the implications and the actions being taken to mitigate and manage the position.
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8. **2023/24 Performance Report Quarter Two (EX4351)** 73 - 84  
Purpose: to provide assurance that the priority areas in the Council Strategy 2023-2027 are being managed effectively, and where performance has fallen below the expected level, present information on the remedial action taken and the impact of that action. To ensure effective oversight to Councillors, staff and residents regarding progress made towards the achievement of the outcomes detailed in the Council Strategy Delivery Plan.
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9. **Newbury Town Centre Pedestrianisation Extension Trial (EX4416)** 85 - 98  
Purpose: the report addresses the Council Strategy commitment to conduct a trial extension to the pedestrianisation timings in Newbury Town Centre. This will remove traffic from this core area during the evenings to create more space for pedestrians, areas for seating and planting, 'spill-out' space for cafés and restaurants and flexibility for larger events. Removal of traffic in the evenings will also improve pedestrian safety.
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10. **Equality, Diversity and Inclusion Framework (EX4354)** 99 - 242  
Purpose: to present a new Equality, Diversity and Inclusion (EDI) Framework for agreement.
- 
11. **Contract Award for the Provision of Bus Service Network Contract (EX4398)** 243 - 264  
Purpose: the paper seeks Executive approval, in accordance with its delegated authority, to award a Bus Services Network Contract covering the period from 2 September 2024 for a period of five years to 1 September 2029, with the option to agree a further three-year extension to 1 September 2032.
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12. **Rural England Prosperity Fund Business Grant Scheme (EX4467)** 265 - 276  
Purpose: the report puts forward a proposal on how to design and administer the rural business grant scheme which forms the main part of West Berkshire's Rural England Prosperity Fund investment plan. The scheme is aimed at promoting diversification and stimulating growth in small rural businesses.
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13. **Senior Management Restructure (Resources) (EX4471)** 277 - 286  
Purpose: the report sets out the implication for the Executive of the consultation proposals for the Resources Management team restructure. The Senior Management Restructure (SMR) 2019 report set out a variety of changes to the Council's management structure. These have only been partially implemented in the Resources Directorate to date. During November and early December a consultation took place within the Resources directorate concerning future senior management arrangements on a similar basis to the SMR 2019 report.
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14. **Response to Council Motion on the 'Rwanda Scheme' (EX4466)** 287 - 294  
Purpose: to provide the Executive with further information to enable it to consider a motion relating to the plans to send asylum seekers to Rwanda for claims to be processed.
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15. **Awareness Days (EX4458)** 295 - 302  
Purpose: to provide an overview of the programme of Awareness Days which it is proposed West Berkshire Council supports in 2024.
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16. **Members' Questions - REPORT TO FOLLOW**  
Members of the Executive to answer questions submitted by Councillors in accordance with the Executive Procedure Rules contained in the Council's Constitution.
17. **Exclusion of Press and Public**  
RECOMMENDATION: That members of the press and public be excluded from the meeting during consideration of the following items as it is likely that there would be disclosure of exempt information of the description contained in the paragraphs of Schedule 12A of the Local Government Act 1972 specified in brackets in the heading of each item. [Rule 8.10.4 of the Constitution refers.](#)

## Part II

18. **Contract Award for the Provision of Bus Service Network Contract (EX4398)** 303 - 326  
*(Paragraph 6 – information relating to proposed action to be taken by the Local Authority)*  
Purpose: the paper seeks Executive approval, in accordance with its delegated authority, to award a Bus Services Network Contract covering the period from 2 September 2024 for a period of five years to 1 September 2029, with the option to agree a further three-year extension to 1 September 2032.



19. **Senior Management Restructure (Resources) Potential Redundancy (EX4471)** 327 - 332

*(Paragraph 1 – information relating to an individual)*

*(Paragraph 2 – information identifying an individual)*

*(Paragraph 3 – information relating to financial/business affairs of particular person)*

*(Paragraph 4 – information relating to terms proposed in negotiations in labour relation matters)*

Purpose: the report sets out the implication for the Executive of the consultation proposals for the Resources Management team restructure. The Senior Management Restructure (SMR) 2019 report set out a variety of changes to the Council's management restructure. These have only been partially implemented in the Resources Directorate to date. During November and early December a consultation took place within the Resources directorate concerning future senior management arrangements on a similar basis to the SMR 2019 report.

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 Sadie Owen on telephone (01635) 519052.



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Executive – 14 December 2023

## **Item 1 – Apologies for absence**

Verbal Item

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## DRAFT

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

## EXECUTIVE

### MINUTES OF THE MEETING HELD ON THURSDAY, 2 NOVEMBER 2023

**Councillors Present:** Lee Dillon (Chairman), Jeff Brooks, Heather Codling, Martin Colston, Iain Cottingham, Denise Gaines, Stuart Gourley, Janine Lewis, Alan Macro and Tony Vickers

**Also Present:** Councillors Ross Mackinnon, Dominic Boeck, Howard Woollaston, David Marsh, Carolyne Culver, and Adrian Abbs

**Officers Present:** Paul Coe (Executive Director – Adult Social Care), AnnMarie Dodds (Executive Director – Children and Family Services), Joseph Holmes (Executive Director – Resources), Clare Lawrence (Executive Director – Place), Nigel Lynn (Chief Executive), Sadie Owen (Principal Democratic Services Officer), Benjamin Ryan (Democratic Services Officer) and Nicola Thomas (Service Lead – Legal & Democratic)

**Also Present:** Councillor Clive Hooker

**Apologies for inability to attend the meeting:** Councillors Richard Somner and Jo Stewart

#### PART I

##### 1. **Apologies for Absence**

Councillor Lee Dillon welcomed the new Executive Director for Children and Family Services, AnnMarie Dodds to her first meeting of Executive.

A minute's silence was held in memory of David and Celia Barlow of Hampstead Norreys who had been murdered by terrorists whilst on honeymoon in Uganda.

Councillor Dillon noted that Councillor Adrian Abbs had become an independent councillor and thanked him for his efforts over the past four and a half years. Councillor Stuart Gourley was welcomed as a new member to the Executive.

Apologies were received from Councillors Richard Somner and Jo Stewart.

##### 2. **Minutes**

The Minutes of the meeting held on 21 September 2023 were approved as a true and correct record and signed by the Leader.

##### 3. **Declarations of Interest**

There were no declarations of interest received.

##### 4. **Public Questions**

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

##### 5. **Petitions**

There were no petitions presented to the Executive.

##### 6. **New Procurement Strategy 2023 -2027 (EX4408)**

Councillor Jeff Brooks introduced and proposed a report (Agenda Item 6) and commended it to the Executive.

## EXECUTIVE - 2 NOVEMBER 2023 - MINUTES

Councillor Lee Dillon noted that some case studies illustrating Social Value had been added to the Strategy.

Councillor Ross Mackinnon commented that the report was very high level and was unlikely to be understood by members of the public. Councillor Brooks responded that the Strategy would be bought to life and made accessible now that the high-level document had been written.

Councillor Mackinnon suggested that the content of the Strategy was light and lacked substance. Councillor Brooks commented that work was monitored at all times, with regular meetings of the Procurement Board and that the Procurement and Commissioning department continued to provide a good service, as had been acknowledged by Councillor Mackinnon when in Administration.

Councillor Adrian Abbs requested that biodiversity be reflected in the Social Value aspect of the Strategy. Councillor Brooks agreed to the request.

Councillor Carolyne Culver referred to the 'Category Management' section of the report and in particular the statement that 'good progress had been made in some of the high spending corporate areas' and requested an example. Councillor Culver further queried whether there was performance management of Council contracts as she was aware of some resident dissatisfaction with the waste and leisure contracts. Councillor Brooks responded that performance would be managed by relevant departments and fed back to the procurement team, and referred to the reduction in agency and temporary staff as an example of an area where progress was being made.

Councillor Dillon seconded the recommendations within the report and commented that where there was concern in relation to a specific contract the Administration would welcome Scrutiny Commission reviewing that contract.

**RESOLVED that:** Executive

- Review and approve the updated Procurement Strategy.

### 7. **Environment Strategy Annual Progress Report (EX4450)**

Councillor Lee Dillon clarified that the report had been incorrectly marked as 'to note' but would require a vote to approve the proposed actions detailed within the recommendations.

Councillor Stuart Gourley introduced and proposed a report (Agenda Item 6) and echoed the thanks of Councillor Dillon to Councillor Adrian Abbs. Councillor Gourley highlighted the fact that good progress was being made on the delivery plan and in reaching net zero as a Council by 2030. Councillor Gourley noted that the Climate Emergency Declaration had recently been enhanced, that a new sustainability impact tool would be introduced in the near future and that a new blue and green infrastructure framework was being developed. Councillor Gourley commented that he was keen to receive ideas and to engage with stakeholders across West Berkshire to continue to improve the district and make West Berkshire a cleaner and greener, more prosperous area to live and work.

Councillor Ross Mackinnon congratulated Councillor Gourley on his appointment and queried how many of the actions detailed under section 2(b) of the report were currently being undertaken and how many were new. Councillor Gourley responded that declaring an ecological emergency was new but that many of the others were already in place or being updated.

Councillor Mackinnon suggested that former Councillors Steve Ardagh-Walter and Lynne Doherty should have also been recognised for their work and progress made in relation

## EXECUTIVE - 2 NOVEMBER 2023 - MINUTES

to the Environment Strategy. Councillor Mackinnon referred to page 9 of the annual progress report and noted that 16% and 88% when added together equated to more than 100% and requested an explanation. Councillor Gourley agreed to investigate and revert to Councillor Mackinnon.

Councillor Dominic Boeck congratulated Councillor Gourley on his appointment and noted that there were a number of errors throughout the report, and agenda, noting section 5.5 which had omitted the word 'centre'.

In response to a query from Councillor Boeck, Councillor Gourley explained that green and blue infrastructure referred to rivers and green open spaces and that a framework was being developed to help manage and maintain them as assets for the district.

Councillor David Marsh welcomed Councillor Gourley to his role and commented that there did not appear to be any mention of traffic free zones as had been outlined in the Administration's manifesto. Councillor Gourley assured Councillor Marsh that the Administration was still committed to the pledge but that it was likely that it would appear in a Transport Strategy.

Councillor Adrian Abbs requested that the Progress Report contain some illustrative graphs.

Councillor Carlyne Culver congratulated Councillor Gourley on his appointment and thanked Councillor Abbs and officers for all their work. Councillor Culver referred to Steve Ardagh-Walter's previous 'Draft Busters' initiative and urged the Administration to also support the scheme. Referring to the ten sites identified to receive solar PV, Councillor Culver requested that care homes also be included within the scheme.

In response to a query, Councillor Gourley reported that the Rural England Prosperity Fund Business Grant Scheme would be decided by an Individual Executive Member Decision the following month.

Councillor Gourley agreed to revert to Councillor Culver in relation to the number of successful applicants that would be proceeding with the Solar Together initiative.

Councillor Martin Colston seconded the recommendations within the report.

### **RESOLVED that:** Executive

- Note the Annual Progress Report on the Environment Strategy (as included in Appendix C) and agree its publication on the Council's website, and
- Consider and agree the following actions which were set out in support of the declaration of an ecological emergency (at the Full Council meeting held on 5th October 2023):
  - Ensure the Environment Strategy and the Environment Strategy Delivery Plan emphasise the importance of ecological protection alongside Net Zero. *This will be achieved through an update of the Environment Strategy and associated Delivery Plan as set out in the new Council Strategy.*
  - Work with local authorities and other partners in the development of a Local Nature Recovery Strategy for Berkshire ensuring the opportunities for biodiversity protection and recovery in West Berkshire are maximised.
  - Introduce a 'Sustainability impact assessment tool'. This will ensure ecological, climate and other sustainability priorities such as health and wellbeing are at the forefront of the decision making and project planning processes within the Council.
  - Develop a Green and Blue Infrastructure framework for the Council to highlight our priorities for ensuring the environment is managed for biodiversity and our residents.

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- Work with residents and campaign groups to encourage action for nature, by promoting relevant initiatives using council communication channels and public education opportunities.

The above actions will form part of the Environment Strategy Delivery Plan. Monitoring of progress will be included in the Annual Progress Reports published each autumn.

### 8. **Review of the Newbury Sports Hub Development (EX4449)**

Councillor Janine Lewis introduced and proposed a report (Agenda Item 8), noting that the Sports Hub project was closed but that an annual Stage E Review of the Playing Pitch Strategy would be undertaken and that its findings would be used to inform the future provision of playing pitches in West Berkshire, including potential pitch provision at the identified Sports Hub site.

Councillor Iain Cottingham seconded the recommendations within the report.

Councillor Ross Mackinnon suggested that residents could have been using a great facility at the Sports Hub had it not been for a failed judicial review funded and encouraged by Liberal Democrat members, and suggested that the Administration was wasting money by installing a grass pitch at Faraday Road which was likely to be ripped up and replaced with a 3G stadium at a later date.

Councillor Lee Dillon explained that the costs of the new sports facility would be funded through grants, there would be no rental fee payable to a third party and that there were ambitious plans for Bond Riverside to deliver economic and residential benefits.

Councillor David Marsh noted the huge amount of time and money that had been wasted on the project and commented that he strongly supported the report. Councillor Marsh suggested that the Administration would need to undo the reputational damage caused to the Council by the decisions made by the Western Area Planning Committee and District Planning Committee which had been unconstitutional.

On the request of Councillor Dillon, Councillor Marsh withdrew this comment.

Councillor Howard Woollaston expressed disappointment that a scheme which would have allowed for up to eighty hours of community sport a week was being stopped, particularly when compared with the facility at Faraday Road which only allowed for six hours of play a week, had no facilities and only minimal parking. He commented that demand for pitches was at an all-time high and urged the Executive to reject the report and proceed with the scheme.

Councillor Adrian Abbs acknowledged that he had made a donation to help fund football in general rather than a specific court case but noted that the money had not been used.

Councillor Abbs commented that very few residents within his ward had wanted the Sports Hub, however recognised that the Rugby Club was a benefit to the community and that the possibility of an all-weather pitch there would be desirable.

As Chair of Scrutiny Commission, Councillor Carlyne Culver thanked officers for providing the information requested at the Scrutiny Commission meeting and noted that the Scrutiny Commission would be reviewing the current report at its meeting on 28 November. Councillor Culver commented that she had grave concerns about the decisions made by previous planning committees and suggested that lessons should be learned as there were a number of contradictions and inconsistencies in past papers relating to the Sports Hub.

Nicola Thomas, Service Lead (Legal and Democratic) clarified that the process adopted by Western Area Planning Committee had been in no way unconstitutional and that the planning approval had been approved in accordance with legislation.

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### **RESOLVED that:** Executive

- Considers the evidence provided in answer to the questions of the Scrutiny Commission.
- Notes the financial implications associated with progressing or not progressing the project, with particular reference to the impact on the revenue account.
- Notes that it is proposed that a new annual Stage E review of the Playing Pitch Strategy (PPS) will be undertaken imminently, and this will provide up-to-date data, with regard to the supply and demand of playing pitches in West Berkshire. This review will inform the refresh of the PPS Action Plan.
- In line with the Council Strategy, created by the new administration, and the changing financial environment, it is recommended that the Sports Hub project is closed, in its current proposed form. Pitch provision at the identified site could remain under consideration as part of the refresh of the PPS Action Plan, following the Stage E Review, and the findings of the review will be used to inform the future provision of playing pitches in West Berkshire.

### **9. Response to Council Motion on 20mph Speed Limits (EX4435)**

Councillor Denise Gaines introduced and proposed a report (Agenda Item 9), which had been written in response to a motion proposed by Councillor Adrian Abbs at Council on 23 March 2023. It was noted that the motion was not approved in its original form but with some amendments due to resourcing issues.

Councillor Alan Macro welcomed the selection of Theale as a pilot scheme but noted that it was a village and not a town.

Councillor Adrian Abbs commented that residents wanted control and that if over 50% of a street wanted a reduced speed limit, then it should be granted. Councillor Gaines responded that speed limits would not be imposed without consultation and would always be based on the agreement of more than 50% of the local residents. It was noted that it was not always possible to impose 20mph limits outside schools due to the type of road in which they were located.

Councillor Ross Mackinnon commended the report and recommendations as set out.

Councillor Dominic Boeck observed that there needed to be pragmatism and that expectations should not be that speed limits of 20 mph would provide a blanket solution. He suggested that there should be general encouragement of all motorists to abide by the existing speed limits.

Councillor David Marsh commended the author of the report but suggested that roads outside schools should be a priority, regardless of their type and appealed for consistency.

Councillor Howard Woollaston welcomed the report and asked that Lambourn be considered for a scheme.

Councillor Carolyn Culver noted that a large number of complaints received from residents related to speeding and welcomed the report, requesting more urgency in implementing the recommendations. Councillor Gaines noted that whilst it would be desirable to impose limits to a variety of areas, there were financial implications that would affect the process.

Councillor Tony Vickers seconded the recommendations within the report.

Councillor Lee Dillon encouraged all members that were interested in 20mph zones to contact the Transport Advisory Group.

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### RESOLVED that:

- New criteria for 20mph speed limits or 20mph zones are agreed with members over the course of the current financial year.
- Following an initial pilot scheme in Theale and adoption of the new criteria, Officers produce a detailed cost estimate for rolling out 20mph speed limits as described in paragraphs 5.18 to 5.22 and prepare a capital funding bid accordingly, with a view to implementing 20mph speed limits on roads which meet the new criteria over the course of the following 3-4 years, or as finances allow;
- The Executive considers the future role of the Speed Limit Task Group;
- The Executive and the Senior Leadership Team support a Constitutional change to remove the requirement for a formal Councillor resolution in order for Officers to be permitted to advertise Traffic Regulation Orders.

### 10. **Contracts for Award Under Delegated Authority from Executive (EX4407)**

Councillor Jeff Brooks introduced and proposed a report (Agenda Item 10), which related to only one contract, for Supported Living Schemes and Floating Support Services for Adults with Learning Disabilities and/or Autism and noted that whilst authority for the decision was being delegated, there would be thorough scrutiny throughout the tender and procurement process.

Councillor Alan Macro seconded the recommendations within the report.

Nicola Thomas clarified that the recommendation being considered should read: 'Executive to delegate authority to an individual (Service Lead or Service Director) to proceed with the award of the contract in table [4.7] in consultation with the relevant Portfolio Holders, the s.151 Officer and Monitoring Officer following the completion of the appropriate tender process and Procurement Board approval of a Contract Award report'.

Councillor Ross Mackinnon commented that the level of detail available to opposition Members and the public was limited and so that he hoped that the Executive had scrutinised the contract appropriately.

#### **Recommendation** (Vote to be taken in Part II):

Executive to delegate authority to an individual (Service Lead or Service Director) to proceed with the award of the contract in table [4.7] in consultation with the relevant Portfolio Holders, the s.151 Officer and Monitoring Officer following the completion of the appropriate tender process and Procurement Board approval of a Contract Award report.

### 11. **Night Warden Service (EX4456)**

Councillor Alan Macro introduced and proposed a report (Agenda Item 11), noting that whilst it was not pleasant to have to propose the closure of a service, the Night Warden Service was expensive and supported only very few residents. It was highlighted that there were no clients currently using the service as they were all being supported in alternative, more cost-effective manners.

Councillor Ross Mackinnon commented that the report suggested that there were still some clients using the service. Councillor Macro clarified that information received that day confirmed that there were no longer any clients.

Councillor Mackinnon queried whether there should have been a more widespread consultation. Councillor Macro responded that he was happy with the level of consultation that had been undertaken.

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Councillor Dominic Boeck queried what would happen if there were future clients whose needs could not be met by alternative options. Councillor Macro responded that the report outlined several alternative options to cater for their needs.

**Recommendation** (Vote to be taken in Part II):

- To proceed with de-commissioning the service to achieve in year financial savings and financial savings in 2024/25.
- To authorise the payment of redundancy costs, in the event that it is not possible to redeploy staff.

### 12. **Property Investment Strategy Review (EX4402)**

Councillor Iain Cottingham introduced and proposed a report (Agenda Item 12), which recommended disinvestment from the commercial property portfolio over the medium financial term in order to generate capital receipts, due to the financial difficulties facing the Council. Councillor Cottingham referred to the Government urging local authorities not to take excessive risk with taxpayers' money and commented that this was such a risk and hence the proposal to disinvest.

Whilst Councillor Ross Mackinnon recognised the logic of the proposal, he suggested that capital values were currently at their lowest since the commercial property portfolio had been established and suggested that it was madness to consider selling at the bottom of the market. Further Councillor Mackinnon suggested that the numbers detailed within the table at section 7.3 of the report appeared to be incorrect, as they suggested annual savings of £6.9m, which did not seem feasible given current interest rates.

Councillor Cottingham clarified that the Executive was not proposing a 'fire sale' but would be following a phased approach and utilising some of the capital towards transformation.

Joseph Holmes, Executive Director (Resources), clarified that the Minimum Revenue Provision (MRP) amount represented the cumulative amount over three years and that the table detailed the net value of £1.3m per annum. It was explained that it was a cumulative amount rather than annual sum. Councillor Mackinnon suggested that the table was incorrect as it was not possible to save £6.9m annually when the balance was only £51m, and further suggested that without clarification the Executive should not vote on the paper.

Councillor Cottingham commented that the Executive were voting on the strategy to divest in principle with particular reference to one asset rather than to all of the assets.

Councillor Mackinnon commented that the Executive had been commercially inept in publishing the value of the assets and should have retained the information as confidential. Councillor Cottingham commented that the valuations had been produced by third party consultants, provided only an indication and a book value estimate and would be easily accessible on the internet anyway.

Councillor David Marsh commented that he had always opposed the concept of the commercial property portfolio and felt that it was the wrong way to invest money, and that there was no social value to West Berkshire to continue with the investment.

Councillor Howard Woollaston commented that he understood the rationale of disposing of assets to fund the Council's capital account however questioned the timing given the particularly poor market. Councillor Woollaston requested that there be clear timescales as to when capital was specifically required, with an appropriate schedule to sell accordingly. Councillor Cottingham repeated that the process would not be a 'fire sale' and that the Executive were aware of the need to obtain the best possible value for the

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residents of West Berkshire, however noted that sale of the property was one of the few levers available to the Executive to balance the budget.

Councillor Boeck reminded Members that the Liberal Democrats had supported the strategy to invest in commercial property throughout. Councillor Dillon clarified that he had also requested that there be investment in Social Housing, but that he was now in favour of disinvesting in order to minimise the risks to the Council.

Councillor Jeff Brooks seconded the recommendations within the report and commented that there would not be an actual loss in the sale of the property and that it was the best option to minimise the financial risk to the Council.

**Recommendation** (Vote to be taken in Part II):

- The Council disinvests from the commercial property portfolio over the medium financial term (MTFS) in order to generate capital receipts.
- Resulting capital receipts should be applied to future capital financing of the approved capital programme and agreed transformation projects with a view to generating longer term revenue savings.
- Approve the proposed disposal in the Part Two appendix E.

### 13. **The future of West Street House (EX4319)**

Councillor Iain Cottingham introduced and proposed a report (Agenda Item 13) which outlined the options available for the future of the West Street House site.

Councillor Howard Woollaston suggested that it would be a waste of taxpayers money to attempt to improve the EPC rating sufficiently to enable a commercial lease of the property. Councillor Woollaston suggested that the best value for money would be obtained by submitting a pre-application to indicate the demolition and redevelopment of the property.

Councillor Adrian Abbs suggested that the option to convert the property into residential units and then use as affordable housing appeared to be missing from the options outlined.

Councillor Jeff Brooks seconded the recommendations within the report noting the level of flexibility available within the options outlined.

**Recommendation** (Vote to be taken in Part II):

To resolve to delegate to the Executive Director of Resources, having consulted the Executive Portfolio Holder for Finance and Corporate Services:

- (a) Place WSH on the open market for the sale of the freehold of the asset, in its current condition, use (office) and with vacant possession;
- (b) To run in parallel an exercise to submit a pre-application to offer a strong indication of the potential for the demolition of WSH and redevelopment;
- (c) In circumstances where the freehold sale is proving to be prolonged, and the pre-application offers positive outcome, WBC to:
  - obtain planning consent for demolition and redevelopment for residential use;
  - then proceed with the demolition of WSH;
  - then place WSH on the open market as a vacant brownfield development site with consent attached for residential development.

### 14. **Members' Questions**

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



**15. 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 Paragraphs 1, 2,3, 4 and 6 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.

**16. Contracts for Award Under Delegated Authority from Executive Board (EX4407)**

*(Paragraph 6 – information relating to proposed action to be taken by the Local Authority)*

The Executive considered an exempt report (Agenda Item 16) which provided details of forthcoming supply, service and works contract awards that would have a contract value in excess of £2.5m and as such would require approval from the Executive during the next quarter.

**RESOLVED** that the recommendations in the exempt report be agreed.

**Other options considered:** the approval of a consolidated contract award report is considered the most efficient way of meeting the governance requirements of the Constitution, therefore no alternative proposals are being made.

**17. Night Warden Service (EX4456)**

*(Paragraph 1 – information relating to an individual, Paragraph 2 – information identifying an individual, Paragraph 3– information relating to financial/business affairs of a particular person and Paragraph 4 – information relating to terms proposed in negotiations in labour relation matters)*

The Executive considered an exempt report (Agenda Item 17) concerning the proposed de-commissioning of the Night Warden Service, noting potential staff redundancy costs associated with ceasing the service and the responses from the consultation exercise with staff and service users.

**RESOLVED** that the recommendations in the exempt report be agreed.

**Other options considered:** to continue as we are and do nothing.

**18. Property Investment Strategy (EX4402)**

*(Paragraph 3– information relating to financial/business affairs of a particular person)*

The Executive considered an exempt report (Agenda Item 18) seeking approval to dispose of a specific property purchased in 2018 as part of the Property Investment Strategy.

**RESOLVED** that the recommendation in the exempt report be agreed.

**Other options considered:** to do nothing. For the reasons detailed within the report this is not recommended.

**19. The future of West Street House (EX4319)**

*(Paragraph 3– information relating to financial/business affairs of a particular person)*

The Executive considered an exempt report (Agenda Item 19) which outlined the options available for the future of the West Street House site.

**RESOLVED** that the recommendations in the exempt report be agreed.

**Other options considered:** as detailed in the exempt report.

**EXECUTIVE - 2 NOVEMBER 2023 - MINUTES**

*(The meeting commenced at 5.00 pm and closed at 8.00 pm)*

**CHAIRMAN** .....

**Date of Signature** .....

## DRAFT

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

# EXTRAORDINARY MEETING OF EXECUTIVE MINUTES OF THE MEETING HELD ON THURSDAY, 23 NOVEMBER 2023

**Councillors Present:** Lee Dillon (Chairman), Jeff Brooks, Heather Codling, Martin Colston, Iain Cottingham, Denise Gaines, Stuart Gourley, Janine Lewis, Alan Macro and Tony Vickers

**Also Present:** Councillors Ross Mackinnon, Dominic Boeck, Richard Somner, Jo Stewart, Howard Woollaston, David Marsh, Carolyne Culver and Adrian Abbs

**Officers Present:** Paul Coe (Executive Director – Adult Social Care), AnnMarie Dodds (Executive Director – Children and Family Services), Joseph Holmes (Executive Director – Resources), Clare Lawrence (Executive Director – Place), Nigel Lynn (Chief Executive), Sadie Owen (Principal Democratic Services Officer), Benjamin Ryan (Democratic Services Officer) and Nicola Thomas (Service Lead – Legal & Democratic)

**Also Present:** Councillor Clive Hooker

### 1. Apologies for Absence

Councillor Lee Dillon congratulated Councillors Richard Somner and Jo Stewart on their recent marriage.

There were no apologies for absence.

### 2. Declarations of Interest

There were no declarations of interest received.

### 3. Medium Term Financial Strategy and 2024-25 revenue budget proposal consultations (EX4440)

Councillor Iain Cottingham introduced and proposed a report (Agenda Item 3), noting that the Council was facing financial pressure in both the current year and the forthcoming year of 2024/25. Councillor Cottingham noted that a rigorous process had been undertaken to identify areas of efficiency and cost savings to reduce the financial deficit and these were outlined within the report. It was noted that a number of the proposed savings required public consultation, which, if agreed, would take place between 27 November 2023 and 11 January 2024.

Councillor Ross Mackinnon commented that Table 1.3 of the report forecast £7.3m of savings that did not require consultation but did not provide many specific details and queried whether any of the savings were from Councillor Tony Vickers' portfolio. Councillor Vickers responded that he was not aware of any savings.

Councillor Lee Dillon clarified that full details of all savings would be provided at the Budget Council meeting in 2024, and that the current report was intended to publicise those savings that required consultation.

In response to a query from Councillor Mackinnon, Councillor Cottingham clarified that parking fees would be re-structured upwards.

Councillor Mackinnon queried whether the Executive would assure the public that they would not proceed with certain savings if the consultation findings presented significant

## EXECUTIVE - 23 NOVEMBER 2023 - MINUTES

opposition. Councillor Dillon commented that the Executive would not pre-empt the findings of any consultation but would consider any views expressed.

Councillor Mackinnon referred to a proposal to reduce funding for bridge maintenance and suggested that this would have an impact on the safety of residents. Councillor Dillon provided assurances that none of the proposals would put residents at too great a risk.

Councillor Dominic Boeck queried what proportion of the £1.3m commercial property portfolio revenue would be used for capital for transformation projects. Councillor Cottingham responded that the Executive were looking to dispose of two assets, one from the Commercial property portfolio, and another owned in West Berkshire. He noted that Councillor Howard Woollaston would have sight of the estimate values, which would be discussed at a meeting of the Property Investment Board the following day.

Councillor Boeck noted that current revenue was £1.3m per annum. He queried if the entire portfolio was sold, what proportion would be allocated to transformation. Councillor Boeck commented that at present the £1.3m was assured, but that any money put into transformation would not create assured revenue. Councillor Cottingham responded that consultants had advised that the market average receipt value was 70% and that if revenue fell to that amount, it would only just cover the cost of servicing the debts, the interest and capital repayments, and the cost to protect the assets. As a consequence, the Executive were looking to divest of the assets from a risk perspective. It was noted that potential transformation projects which were anticipated to deliver had already been identified.

Councillor Jo Stewart noted the proposals relating to Adult Social Care that were going to consultation and requested that residents be made aware of the implications for each of the suggested savings. Councillor Stewart queried which residents would specifically be impacted by the reductions in Adult Social Care Transport services funding, and how would it be ensured that those residents' health and lifestyle were not affected detrimentally. Councillor Alan Macro responded that the proposal would affect those residents transported to the day care centres, but that most had funds provided to them under the disability element of their Personal Independence Payments (PIP) specifically for transport. Councillor Macro commented that the Council was not obliged to make the payments and that most other local authorities did not provide a free service.

With reference to Willows Edge Care Home, Councillor Stewart queried what the estimated saving represented, whether it was an annual saving and whether, if the home was closed, alternative accommodation would be found for those displaced clients. Councillor Macro commented that it was a dynamic situation but that it was hoped that residents could be re-located to Birchwood Care Home, and that everything would be done to try and keep staff and clients together. Councillor Cottingham added that the current cost of a bed at Willows Edge was £1,600 per week, but that on the open market it would be approximately £1,150, which equated to a £450 saving.

Councillor Stewart queried why there was a proposal to increase fees at Adult Social Care homes to above the rate of inflation. Councillor Cottingham noted that whilst the increase was above inflation it would still deliver less than the cost to the Council to provide the service. Councillor Macro noted that the proposal was similar to that included as a measure within the previous Administration's budget and which had not been consulted on.

Councillor Dillon commented that the report provided a summary of the proposed consultations and that when they were published there would be substantially more detail to support each proposal.

## EXECUTIVE - 23 NOVEMBER 2023 - MINUTES

Councillor Woollaston queried the level of Council Tax that was being forecast. Joseph Holmes, Executive Director Resources, referred to the Government's Autumn Statement of the previous day and noted that it had contained no specific details relating to Council Tax, but that the assumptions within the report were based on previous government assumptions of 2.99% Council Tax and 2.00% Adult Social Care precept. Councillor Woollaston suggested that at a time when finances were so difficult it was odd to allocate £1m to reserves. Councillor Dillon clarified that reserves needed to be increased in order to manage any additional 'in-year' pressures.

Councillor Richard Somner noted that under section 6 of the report there were few measures listed to increase revenue, and queried whether planning application fees should be consulted on too rather than waiting until the Budget meeting. Councillor Vickers responded that the Council had no discretion in relation to planning fees as they were set by central government.

Councillor Somner suggested that the proposed reductions to dog waste collection and grass cutting were likely to lead to a re-negotiation of the grounds maintenance contract and cautioned against the risks related to this.

Councillor Somner suggested that a reduction to the opening hours of Household Waste Recycling Centres underpinned the need to retain a booking system. Councillor Stuart Gourley assured Councillor Somner that there was no plan to change the booking system.

Councillor Somner expressed concern in relation to flooding and road maintenance related to a reduction in gully emptying. Councillor Denise Gaines acknowledged the concern but commented that not all gullies required clearing every year and that the plan was to utilise artificial intelligence to employ a more forensic approach to clearing and to bridge maintenance.

Councillor Somner queried whether Members would have sight of the consultations prior to publication and hoped that that they would be well publicised. Councillor Vickers commented that he was keen to reach those residents not digitally enabled and would be looking to communicate with all aspects of the community effectively.

Councillor David Marsh sympathised with the financial situation and was pleased to note the proposed consultations, but echoed Councillor Mackinnon's comments and urged that the Administration take note of the consultation responses. Councillor Dillon responded that the results of the consultation would be reviewed and studied, but that the Council was also under a legal obligation to set a balanced budget.

Councillor Marsh urged not to award an increase to Member allowances in 2024/25.

Councillor Dillon commented that he was a member of the Strategic South East Leaders organisation and that the Local Government Finance Minister was due to attend its conference on 9 December where it was intended to lobby for longer term finance settlements for local authorities.

Councillor Adrian Abbs referred to Chart 1.2 (Annualised client numbers for Long Term Services) in the report and commented that the start and end dates did not appear to align. Joseph Holmes clarified that the dates were annualised in the New Year when inflation and contracts increased. Councillor Abbs suggested that the information could be presented in a simpler format.

Councillor Abbs queried the accuracy of the yearly forecast and suggested that error margins should be reduced, which would then reduce the level of reserves required.

Councillor Carolyn Culver referred to section 5.5 of the report and queried what was meant by a 'hard reset of business rates baseline'. Joseph Holmes clarified that in 2013

**EXECUTIVE - 23 NOVEMBER 2023 - MINUTES**

the Government had allowed the Council to retain a set amount of business rates collected. Over the years the size of collections had increased and consequently there was a risk that the Government would undertake a fair funding review and set a higher level of business rate which would mean that the Council would not be able to retain the current amounts.

In response to a query from Councillor Culver it was clarified that a forecast level of 0 in 2026/27 for Adults Social Care discharge fund was based upon Government assumptions.

It was confirmed that the consultation responses would be available for the Scrutiny Commission’s special budget meeting on 6 February.

Councillor Jeff Brooks assured Councillor Mackinnon that all the specific information relating to the £7.3m of savings referred to in Table 1.3 of the report would be detailed within the Budget papers. Councillor Brooks noted that tough decisions were having to be made and that it was recognised that it was also difficult for staff. Councillor Brooks noted that the paper represented a work in progress and seconded the recommendations within the report.

**RESOLVED that:** the Executive

- Approve a consultation exercise on the specific budget proposals identified within the report at para 5.25.
- Note the report.

*(The meeting commenced at 5.00 pm and closed at 6.10 pm)*

**CHAIRMAN** .....

**Date of Signature** .....

Executive – 14 December 2023

## **Item 3 – Declarations of Interest**

Verbal Item

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Executive – 14 December 2023

## **Item 5 – Petitions**

Verbal Item

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# Capital Financing Report Financial Year 2023/24 Quarter Two

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<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 December 2023
<b>Portfolio Member:</b>	Councillor Iain Cottingham
<b>Date Portfolio Member sent to/agreed report:</b>	24 November 2023
<b>Report Author:</b>	Shannon Coleman-Slaughter
<b>Forward Plan Ref:</b>	EX4363

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## 1 Purpose of the Report

The capital financing performance report provided to Members presents the provisional outturn position for financial year 2023/24 against the Council's approved capital programme. This report focuses on the capital financing and future borrowing requirement generated by the Quarter Two forecast position.

## 2 Recommendations

### 2.1 Members are asked:

- (a) To note the quarter two underspend position of £15.4 million and reprofiling proposals of £10.7 million. Reprofiling proposals are included in appendix C.
- (b) To note the budget changes included in the quarter two position detailed in appendix A, which include revisions for schemes approved by Executive at quarter one as well as other variation to grant funded schemes. The changes result in a net increase in expenditure budgets of £4.4 million and an increase in the Council funded element of the programme of £2.2m million.

### 2.2 Members are asked to approve the following recommendation:

- (a) The transfer of £164k of software licence costs from the ICT revenue budgets to be added to the cost of the 2023/24 council funded ICT capital programme:

The Council already capitalise core Microsoft licence costs and the recommendation is to adopt a consistent approach for other similar system licence costs. This would require an uplift in council funded capital expenditure in the current financial year of £164k, with ongoing capitalisation to apply in subsequent financial years, as appropriate (appendix B).

### 3 Implications and Impact Assessment

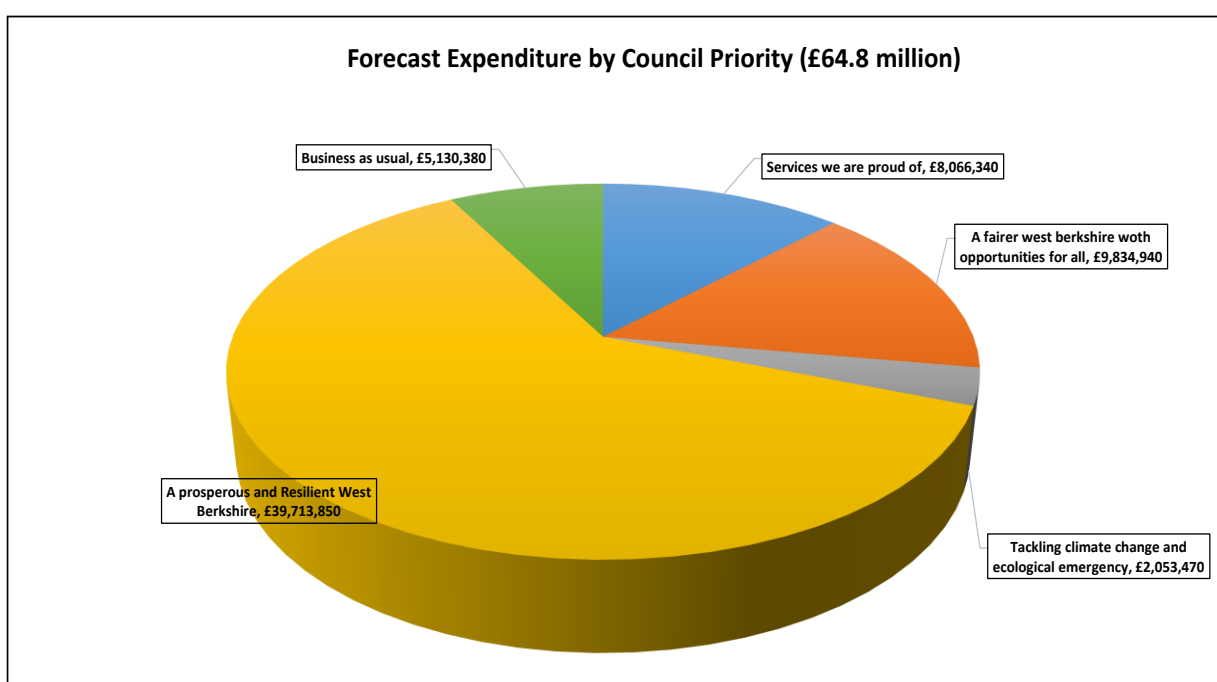
Implication	Commentary
<p><b>Financial:</b></p>	<p>The forecast outturn position is expenditure of £64.8 million against a planned programme budget of £80.2 million, an overall forecast underspend of £15.4 million. £10.7 million of future expenditure is proposed to be reprofiled into financial year 2024/25.</p> <p>Public Work Loan Board (PWLB) rates remain more than 5% compared to a recent historic borrowing average of 2 - 3%. In a rising interest environment, the Council will face risks of increased cost on any new external borrowing undertaken. The Council has sought to mitigate risk and keep interest costs low through a strategy of internal borrowing (utilisation of own resources and short-term borrowing). The Investment and Borrowing Strategy for financial year 2023/24 which supports delivery of the capital programme has been set with the same underlying principles.</p>
<p><b>Human Resource:</b></p>	<p>Not applicable</p>
<p><b>Legal:</b></p>	<p>The Prudential Code requires authorities to look at capital and investment plans in light of overall organisation strategy and resources to ensure that decisions are made with sufficient regard to the long term financing implications and risks to the Council. To demonstrate that local authorities have fulfilled these objectives, the code sets out a number of indicators, although the Code does not include suggested indicative limits or ratios. Local Authorities are to set their own limits and ratios, subject to controls under section 4 of the Local Government Act 2003. The Council's capital programme is a key driver of the treasury management activity.</p>
<p><b>Risk Management:</b></p>	<p>The Council is also exposed to inflationary cost pressures across the capital programme as a whole. Furthermore, any rise in PWLB borrowing rates resulting from increases in Bank rate will result in increased interest cost on any new borrowing undertaken. Both of these external risks are largely outside the Council's ability to control, although the Council will take appropriate advice from our external treasury consultants, to determine the optimum time and structure for any new borrowing to be undertaken.</p>

<b>Property:</b>	Not applicable			
<b>Policy:</b>	Not applicable			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
<b>Environmental Impact:</b>		X		
<b>Health Impact:</b>		X		
<b>ICT Impact:</b>		X		
<b>Digital Services Impact:</b>		X		
<b>Council Strategy Priorities:</b>		X		
<b>Core Business:</b>		X		

<b>Data Impact:</b>		X		
<b>Consultation and Engagement:</b>	Joseph Holmes – Executive Director for Resources and s151 Officer.  Capital Strategy Group (CSG).			

## 4 Executive Summary

4.1 The capital programme enables delivery of key Council schemes focused on supporting the approved Council Strategy. As at quarter two £64.8 million of expenditure has been forecast across capital schemes for financial year 2023/24.



4.2 As part of the forecast outturn position, £10.7 million of future planned expenditure is proposed to be reprofiled into financial year 2024/25, a detailed breakdown of which is included in Appendix C. This is comprised of £5.0 million of Council funded expenditure (i.e. to be financed through external borrowing) and £5.6 million of externally funded expenditure.

4.3 In respect of financing the capital programme, as at 31<sup>st</sup> March 2023, the Council's total level of long term borrowing to fund capital spend stood at £181.9 million.

4.4 Whilst the Bank of England (BoE) kept Bank Rate unchanged at 5.25% in September, this followed a consecutive series of rate increases which have seen rates rise from a low of 0.25% in December 2021. Movement in Bank Rate has been driven by high levels of inflation and this has been reflected in increases in Local Government borrowing costs through increases in PWLB borrowing rates. At the time of writing, rates for a 25 year annuity loan are comfortably in excess of 5%, compared to a recent historic borrowing average of 2-3%.

- 4.5 The Council will face risks of increased cost on any new external borrowing undertaken to support delivery of planned capital works, in addition to general cost inflationary pressures as inflation remains high. The BoE consider the current inflationary situation to be a consequence of supply issues - and so higher prices - caused by the Covid pandemic, the Russian invasion of Ukraine – which led to large increases in energy and food prices - and a fall in number of people looking for work – which has kept wage demands higher. The headline rate of Consumer Prices Index (CPI) inflation was 6.7% in the year to August 2023, down slightly from July but still significantly higher than the BoE target rate of 2%. The rate of ‘core’ inflation (a measure excluding trends in energy, food, alcohol and tobacco) rose by 6.2% in the 12 months to August 2023. The BoE is forecasting inflation will still be around 5% by the end of 2023, beginning to fall in 2024 and to reach their 2% target in the first half of 2025.
- 4.6 The capital programme approved by Council Committee in March 2023 was set with the expectation to undertake new external borrowing to support delivery. Currently the Council has sought to mitigate risk through a strategy of not undertaking long term borrowing in respect of PWLB financing and, instead focusing on supporting delivery of the capital programme through short term borrowing and cash balances. The strategy of keeping borrowing and investments below their underlying levels, sometimes known as internal borrowing, has reduced risk and helps keep interest costs low. The Investment and Borrowing Strategy for financial year 2023/24 has been set with the same underlying principles.
- 4.7 Capital financing costs are incurred a year in arrears hence the cost of financing 2023/24 capital expenditure will fall into financial year 2024/25. Capital expenditure in the current financial year will result in an increased borrowing requirement of £34.3 million. This assumes a requirement to maintain minimum investment balances of £10 million.

## 5 Supporting Information

### Introduction

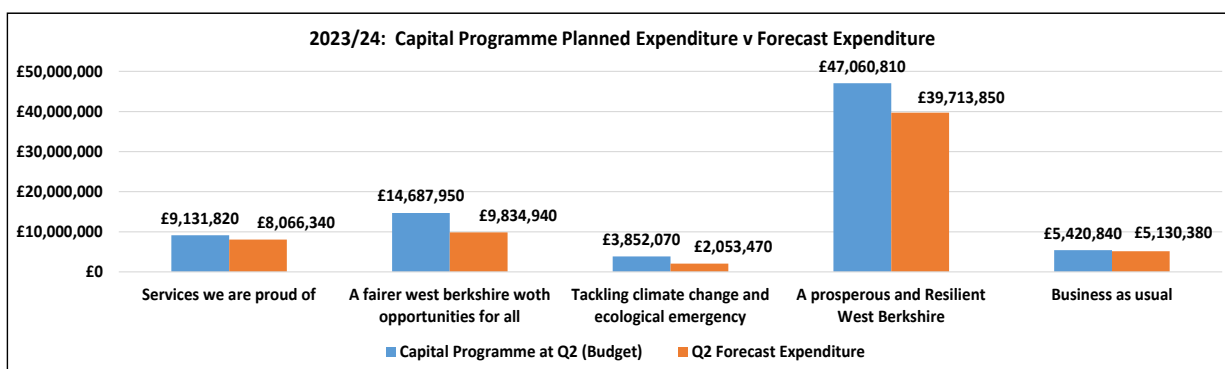
- 5.1 Capital expenditure and its supporting financing have financial consequences for the Council for many years into the future. Expenditure is therefore subject to both a national regulatory framework and to local policy framework.

### Background

- 5.2 The 2023/24 capital programme was agreed by Council in March 2023 with a gross expenditure budget of £69.5 million split between externally funded expenditure of £38.8 million and £30.7 million of Council funded expenditure (i.e. application of capital receipts and 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. Included within the capital programme for 2023/24 was £22.8 million of expenditure reprofiled from the 2022/23 approved capital programme, with an additional £16.4 million of expenditure subsequently reprofiled into 2023/24 at the end of 2022/23. During the financial year budget changes may occur, mainly as a result of budgets brought forward from prior financial years, additional grants, s106 and Community Infrastructure Levy (CIL) allocations received in year or expenditure re-profiled in future financial years. 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 is reviewed by CSG. As at quarter two the revised capital programme budget pre-proposed reprofiling into financial year 2024/25 is £80.2 million. A detailed breakdown of budget changes is included in appendix A.

5.3 The capital programme is planned and mapped against the Council's currently approved Council Strategy. At quarter two, expenditure of £64.8 million has been forecast to be incurred against the revised capital programme of £80.2 million, generating a forecast underspend of £15.4 million.



5.4 Forecast expenditure indicates an overall programme delivery of 80.8%, with reprofiling proposals of £10.7 million (13.3% of the revised programme) and an underspend (post reprofiling) of £4.7m (5.9%). From a directorate and service level perspective the forecast position is as follows:

Directorate	Approved Programme (inc reprofiling from 2022/23)	Quarter Two Budget	Quarter Two Forecast Expenditure	Forecast (Under)/Over spend at Quarter Two	Expenditure Reprofiling at Quarter Two	Revised Budget	Adjusted Outturn Position
People	£31,283,590	£25,193,130	£17,631,720	(£7,561,410)	£3,882,740	£21,310,390	(£3,678,670)
Place	£45,653,680	£44,410,400	£36,910,560	(£7,499,840)	£6,640,540	£37,769,860	(£859,300)
Resources	£10,867,450	£10,549,960	£10,256,700	(£293,260)	£130,000	£10,419,960	(£163,260)
Total Council	£87,804,720	£80,153,490	£64,798,980	(£15,354,510)	£10,653,280	£69,500,210	(£4,701,230)

### The People Directorate

5.5 The Directorate is forecasting total expenditure of £17.6 million against a budget of £25.2 million, creating an underspend of £7.6 million at outturn, before adjustment for reprofiling. £3.9 million of future anticipated expenditure is proposed to be reprofiled into financial year 2024/25 of which £1.7 million is funded externally and £2.2 million is proposed funding through Council Borrowing.



## Capital Financing Report Financial Year 2023/24 Quarter Two

People Directorate	Approved Programme (inc reprofiling from 2022/23)	Quarter Two Budget	Quarter Two Forecast Expenditure	Forecast (Under)/Over spend at Quarter Two	Expenditure Reprofiling at Quarter Two	Revised Budget	Forecast (Under)/Over spend adjusted for Re-Profiling
Adult Social Care	£5,117,630	£5,341,220	£2,631,300	(£2,709,920)	£1,272,990	£4,068,230	(£1,436,930)
Children's & Family Services	£30,000	£30,000	£	(£30,000)	£	£30,000	(£30,000)
Education	£14,224,770	£12,151,480	£8,732,680	(£3,418,800)	£2,609,750	£9,541,730	(£809,050)
Communities & Wellbeing	£11,911,190	£7,670,430	£6,267,740	(£1,402,690)	£	£7,670,430	(£1,402,690)
<b>Total Directorate</b>	<b>£31,283,590</b>	<b>£25,193,130</b>	<b>£17,631,720</b>	<b>(£7,561,410)</b>	<b>£3,882,740</b>	<b>£21,310,390</b>	<b>(£3,678,670)</b>

- 5.6 In Adult Social Care, underspends are forecast on Care Home Feasibility (£182k) and Care Home works at Notrees (£584k) and Willows Edge (£491k), as projects have been placed on hold. In addition, the Walnut Close Supported Living scheme is being deferred to 24/24 for which £750k of related reprofiling has been requested. The other key variance in Adult Social Care relates to the upgrade to the Care Director system (£523k). It should be noted that continuation of that scheme still to be determined. Presently, proposals from the Service anticipate reprofiling of this underspend into 24/25.
- 5.7 Children & Family Services have in year provision of £30k budgeted for potential adaptations/building works to foster homes. This is a demand led budget and currently is forecast to not be spent in year. No reprofiling request has been made by the service.
- 5.8 Education services are forecasting variances across several schemes where spend has been delayed due to impact of internal staff shortages or contractor availability. Of these, key underspends include Education Planned Maintenance (enhancement works across various School sites) of £1.2m and Brookfields Schools Accessibility (£506k). Other significant underspends include Brookfields School Accessibility (£506k – due to tendering delays) and Castle Schools Ways of Working Facility (£456k – scheme paused to evaluate additional pupil place demand). Except for the Castle Schools project, all of these schemes have been proposed for reprofiling at quarter two.
- 5.9 Communities & Wellbeing have forecast a quarter one underspend of £1.4 million. This is primarily due to the Newbury Sports Hub scheme being halted. A year end underspend of £1.3m has been forecast with no reprofiling proposed for that particular scheme.

### The Place Directorate

- 5.10 The Directorate is forecasting total expenditure of £36.9 million, creating an underspend of £7.5 million. Of this, £6.6 million is proposed for reprofiling into financial year 2024/25, of which £3.9 million is externally funded and £2.7 million is due to be funded through Council borrowing.

## Capital Financing Report Financial Year 2023/24 Quarter Two

Place Directorate	Approved Programme (inc reprofiling from 2022/23)	Quarter Two Budget	Quarter Two Forecast Expenditure	Forecast (Under)/Over spend at Quarter Two	Expenditure Reprofiling at Quarter Two	Revised Budget	Forecast (Under)/Over spend adjusted for Re-Profiling
Development & Regulation	£13,893,310	£15,321,590	£12,901,270	(£2,420,320)	£2,663,350	£12,658,240	£243,030
Environment	£31,760,370	£29,088,810	£24,009,290	(£5,079,520)	£3,977,190	£25,111,620	(£1,102,330)
Directorate Totals	£45,653,680	£44,410,400	£36,910,560	(£7,499,840)	£6,640,540	£37,769,860	(£859,300)

5.11 Development & Regulation are forecasting a net underspend for the year of £2.4 million, with in-year savings on Four Houses Corner (delays caused by discovery of slow worms on site) and delays affecting the London Road Industrial Estate scheme (£705k). Reprofiling of these budgets to 2024/25 has been requested. The net position for Development & Regulation as a whole is reflective of a £243k forecast overspend on Disabled Facilities works, driven by increased demand and rise in operational costs.

5.12 The Environment Service are projecting an in-year underspend of £5.1m across a number of projects, the largest of which is a £1.5m variance on works to improve Theale Station; delivery has been delayed by the external partner (Great Western Railway) and a request has been submitted to re-profile. In addition, a £930k underspend on the district wide Bus Service Improvement Plan has been forecast and proposed for reprofiling to 2024/25. Delay is due to a variety of factors including ongoing discussion with a Parish Council (Pangbourne Bus Turning Circle), delay in finalising consultancy requirements (Calcott) and at Robin Hood Roundabout – the latter site also subject to a separate programme of capital works (£484k) where contractor start date has slipped to 2024/25. Other notable underspends are primarily attributable to a shortage of staff time to progress, including Faraday Road Improvements (£320k) and Active Travel Infrastructure (£279k), among others. Reprofiling has been requested.

### The Resources Directorate

5.13 The Resources Directorate is forecasting total expenditure of £10.2 million against a budget of £10.5 million, generating a forecast underspend of £293k. Reprofiling of budget to 2024/25 totalling £130k has been proposed, after which the Directorate would be underspent by £163k.

Resources Directorate	Approved Programme (inc reprofiling from 2022/23)	Quarter Two Budget	Quarter Two Forecast Expenditure	Forecast (Under)/Over spend at Quarter Two	Expenditure Reprofiling at Quarter Two	Revised Budget	Forecast (Under)/Over spend adjusted for Re-Profiling
ICT	£7,573,600	£7,160,060	£7,004,430	(£155,630)	£130,000	£7,030,060	(£25,630)
Finance & Property	£2,573,860	£1,897,620	£1,897,790	£170	£	£1,897,620	£170
Strategy & Governance	£719,990	£1,492,280	£1,354,480	(£137,800)	£	£1,492,280	(£137,800)
Directorate Totals	£10,867,450	£10,549,960	£10,256,700	(£293,260)	£130,000	£10,419,960	(£163,260)

5.14 The ICT Service is projecting an underspend of £156k. Variances are projected across several distinct project areas, such as Telephony Infrastructure (£100k underspend), and other planned updates (improvements for Remote Working £10k; Helpdesk System £18k and Data Warehouse Capacity £20k) have been purposefully scaled back to help

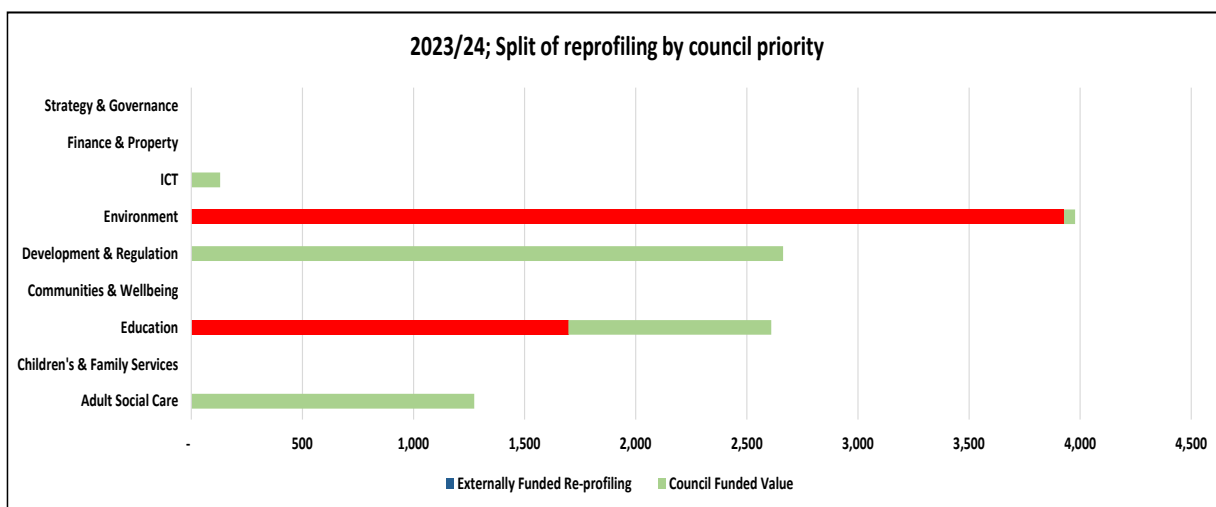
reduce costs of the Council funded capital programme, due to the absence of available external funding. Other key variances include deferment of works to Refresh DC and AC Generator, for which a £100k underspend is proposed for reprofiling to 2024/25. These savings offset an overspend of £75k due to higher demand for Corporate IT Replacement equipment.

5.15 The Strategy & Governance Service is forecasting a £138k underspend against two projects: Education Management System (£135k) and the Schools Participatory Budget Exercise (£3k). No reprofiling has been proposed.

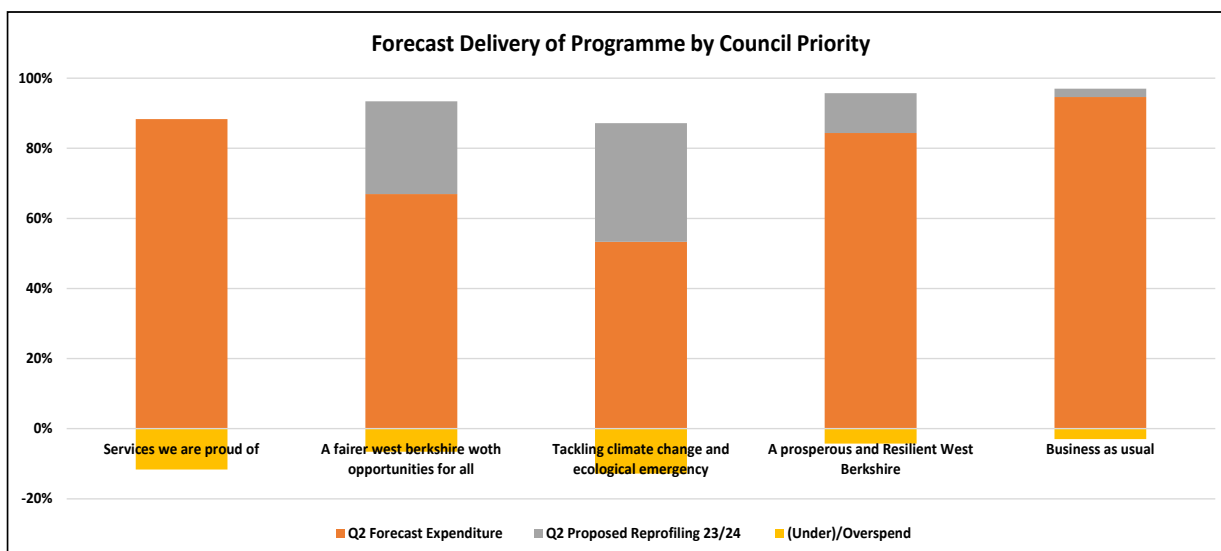
**Proposals**

5.16 The Council finances capital a year in arrears in accordance with the approved Investment & Borrowing Strategy. The Investment & Borrowing Strategy for financial year 2023/24 was approved by Council in March 2023. Expenditure against the capital programme incurred in 2023/24 will be financed in financial year 2024/25.

5.17 Appendix C details the reprofiling proposals as at quarter two. Total reprofiling proposals of £10.7 million will adjust the currently forecast underspend position from £15.4 million to a revised underspend of just over £4.7 million. Proposed reprofiling is split between external funding of £5.7 million and Council funding of £5.0 million. The graphic below details proposed reprofiling by service split between external and Council funding.



5.18 In respect of overall programme delivery, 80.8% of the programme is forecast to be delivered, 13.3% of planned expenditure reprofiled into financial year 2024/25. 5.9% of the programme relates to projects that are forecast to be underspent at the year end and do not require reprofiling. The graphic below details percentage delivery on a Council priority basis.



5.19 Reprofiting throughout the financial year is incorporated into the annual capital programme budget setting process to ensure all capital financing assumptions remain robust and sustainable.

## 6 Other options considered

Not applicable.

## 7 Capital Financing Implications

- 7.1 The capital programme is subject to a number of financial risks. Construction inflation (8.5% in the 12 months to March 2023 compared to an assumed level of 2%) potentially resulting in current contracts being subject to a reduction in scope to deliver within agreed financial terms and tender cost for new projects subject to significant increases. The scale of the programme itself is also dependant on sufficient resourcing both internally and externally being available to support delivery. At quarter two £10.7 million of expenditure is proposed to be reprofiled into 2024/25 which equates to 13.3% of the current 2023/24 capital programme.
- 7.2 All capital expenditure must be financed, the CIPFA Prudential Code requires authorities to look at capital and investment plans in light of overall organisation strategy and resources to ensure that decisions are made with sufficient regard to the long term financing implications and risks to the Council. A key indicator is the Council's Authorised Limit for external for debt which was approved at Council in March 2023, at £378.9 million for the current financial year. As well as the level of borrowing needed to fund capital expenditure, the Limit also allows for debt embedded in the Waste PFI contract and any temporary borrowing which is required for cash flow purposes during the year.
- 7.3 As at 31<sup>st</sup> March 2023, the Council's total level of long term borrowing to fund capital spend stood at £181.9 million. During financial year 2022/23 a strategy of not undertaking long term borrowing in respect of PWLB financing was pursued, (enabled by in year reprofiling of expenditure), instead focusing on supporting delivery of the capital programme through short term borrowing and cash balances. The strategy of keeping borrowing and investments below their underlying levels, sometimes known as

'internal borrowing', in order to reduce risk and keep interest costs has minimised the impact of rising PWLB rates on the Council. This strategy has continued in the first two quarters of 2023/24.

- 7.4 In August 2021 HM Treasury significantly revised guidance for the PWLB lending facility and CIPFA published its revised Prudential Code for Capital Finance and Treasury Management Code on 20th December 2021. The Code also states that it is not prudent for local authorities to make investment or spending decision that will increase the Capital Financing Requirement – “CFR” - (which represents an authority’s underlying need to borrow for capital purposes), unless directly and primarily related to the functions of the authority. The 2023/24 capital programme is expected to increase the Council’s CFR to £298.7 million.

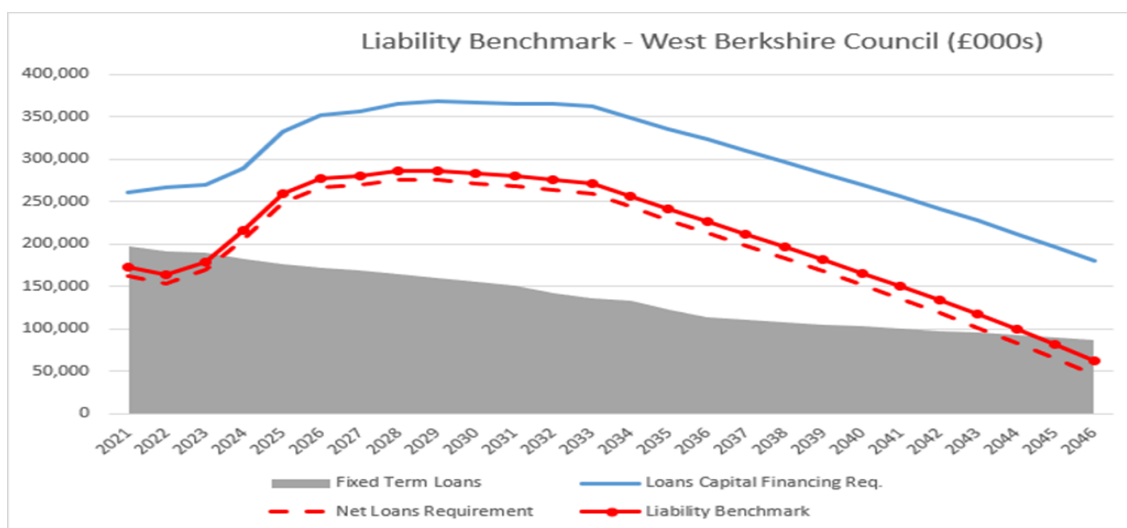
<b>FY ending</b>	<b>2023 Actual £'000</b>	<b>2024 Projection £'000</b>	<b>2025 Projection £'000</b>	<b>2026 Projection £'000</b>
Capital Financing requirement	279,896	298,728	342,146	359,593
Less: other debt liabilities	(10,670)	(9,807)	(8,892)	(7,920)
Loans Capital Financing Req.	269,226	288,921	333,254	351,673
Less: Existing External Borrowing	(189,890)	(181,973)	(177,241)	(172,732)
<b>Internal (Over) Borrowing</b>	<b>79,336</b>	<b>106,948</b>	<b>156,013</b>	<b>178,941</b>
Less: Balance Sheet Resources	(100,006)	(82,646)	(83,646)	(84,646)
<b>Investments / (New Borrowing)*</b>	<b>20,670</b>	<b>(24,302)</b>	<b>(72,367)</b>	<b>(94,295)</b>

\*Note: estimates exclude £10m liquidity allowance

- 7.5 Capital financing costs are incurred a year in arrears hence the cost of financing 2023/24 capital expenditure will fall into financial year 2024/25. Based on the outturn position, the Council’s Balance Sheet forecast indicates that further borrowing will be required in financial year 2024/25 and current planning indicates a £34.3 million borrowing requirement in 2023/24. It should be noted that the Balance Sheet resources assumption are based on draft 2022/23 accounts, taking into consideration the current balances of usable reserves (£47.6 million) and working capital (debtors and creditors of £52.4 million). Until such time the accounts are finalised, and an audit opinion provided by the Council’s external auditors, the figures remain draft and hence are subject to adjustment.
- 7.6 To compare the Council’s actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes the same forecasts as the table above, but that cash and investment balances are kept to a minimum level of £10 million at each year-end to maintain sufficient liquidity. The liability benchmark is an important tool to help establish whether the Council is likely to be a long-term borrower or long-term investor in the future, and so shape its strategic focus and decision making. The liability benchmark itself represents an estimate of the cumulative amount of external borrowing the Council must hold to fund its current capital and revenue plans while keeping treasury investments at the minimum level required to manage day-to-day cash flow. Councils are now required as part of in year reporting to publish the liability benchmark.

Capital Financing Report Financial Year 2023/24 Quarter Two

FY ending	2023 Actual £'000	2024 Projection £'000	2025 Projection £'000	2026 Projection £'000
Loans Capital Financing Req.	269,226	288,921	333,254	351,673
Less: Balance Sheet Resources	(100,006)	(82,646)	(83,646)	(84,646)
Net Loans Requirement	169,220	206,275	249,608	267,027
Preferred Year-end Position	10,000	10,000	10,000	10,000
<b>Liability Benchmark</b>	<b>179,220</b>	<b>216,275</b>	<b>259,608</b>	<b>277,027</b>



7.7 Based on the Council's CFR and the liability benchmark, the Council is a long-term borrower. The Council is required to ensure that capital financing is reasonable and affordable in the long term. CIPFA recommends that the optimum position for external borrowing should be at the level of the Liability Benchmark (i.e., all balance sheet resources should be used to maximise internal borrowing). If the outputs show future periods where external loans are less than the Liability Benchmark, then this indicates a borrowing requirement thus identifying where the authority is exposed to interest rate, liquidity and refinancing risks. Conversely where external loans exceed the Liability Benchmark then this will highlight an over borrowed position which will result in excess cash in the organisation requiring investment thus exposing the authority to credit and reinvestment risks and a potential cost of carry. The table below sets out the Council's borrowing position compared to its Liability Benchmark.

FY ending	2023 Actual £'000	2024 Projection £'000	2025 Projection £'000	2026 Projection £'000
Existing External Borrowing	189,890	181,973	177,241	172,732
Liability Benchmark	179,220	216,275	259,608	277,027

7.8 Based on the outturn position, the Council, currently is in an over borrowed position. However, as set out in the Investment and Borrowing Strategy for 2023/24 (as approved by Council in March 2023), the Council is currently utilising cash flows to maintain an internally borrowed position, resulting in the external borrowing levels reducing against the Liability Benchmark. On this basis, alongside a position of borrowing remaining

lower than the Council's Capital Financing Requirement, the s151 Officer is confident that capital expenditure is affordable in the longer term.

## 8 Appendices

8.1 Appendix A – Budget Changes as at Quarter Two

8.2 Appendix B – New Council Funded Projects

8.3 Appendix C – Proposed Reprofiling

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### Subject to Call-In:

Yes: X          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 Scrutiny Commission or associated Committees, Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

**Wards affected:** All

### Officer details:

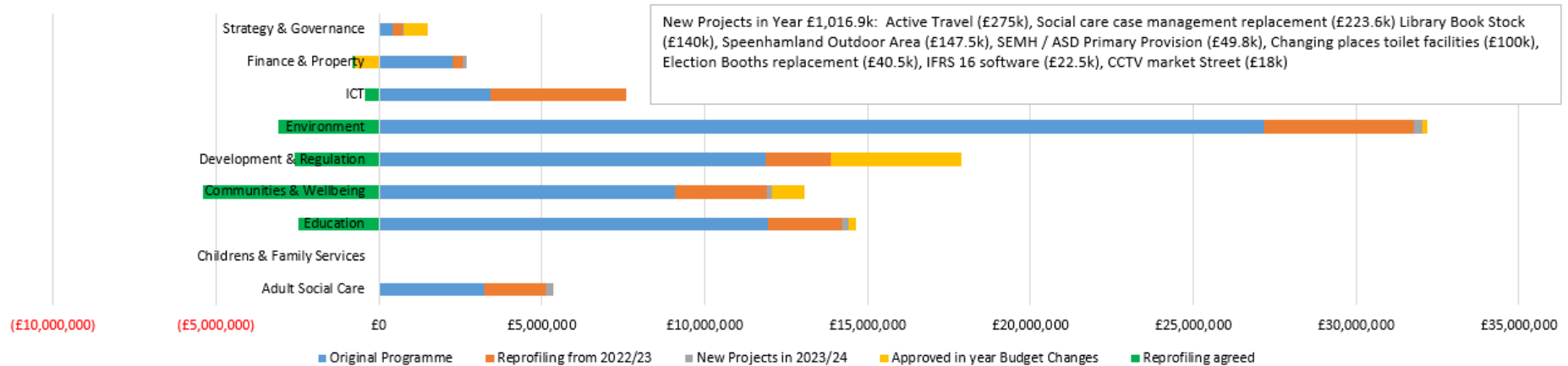
Name: Shannon Coleman-Slaughter  
Job Title: Acting Head of Finance & Property  
Tel No: 01635 503225  
E-mail: Shannon.colemanslaughter@westberks.gov.uk

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## Budget Changes as at Quarter Two

	Original Programme	Reprofiling from 2022/23	New Projects in 2023/24	Approved in year Budget Changes	Reprofiling agreed	Revised Service Budget
Adult Social Care	£3,227,530	£1,890,100	£223,590	£0	£0	£5,341,220
Childrens & Family Services	£30,000	£0	£0	£0	£0	£30,000
Education	£11,966,010	£2,258,760	£197,300	£210,730	(£2,481,320)	£12,151,480
Communities & Wellbeing	£9,085,160	£2,826,030	£140,000	£1,029,860	(£5,410,620)	£7,670,430
Development & Regulation	£11,867,160	£2,026,150	£0	£4,001,220	(£2,572,940)	£15,321,590
Environment	£27,162,380	£4,597,990	£275,000	£143,000	(£3,089,560)	£29,088,810
ICT	£3,415,630	£4,157,970	£0	£0	(£413,540)	£7,160,060
Finance & Property	£2,255,850	£318,010	£140,500	(£731,740)	(£85,000)	£1,897,620
Strategy & Governance	£438,320	£281,670	£40,550	£731,740	£0	£1,492,280
<b>Total Council</b>	<b>£69,448,040</b>	<b>£18,356,680</b>	<b>£1,016,940</b>	<b>£5,384,810</b>	<b>(£14,052,980)</b>	<b>£80,153,490</b>

Financial Year 2023/24: Revised Capital Programme Budgets by Service





**Capital Financing Report Financial Year 2023/24 Quarter Two**

Cost Centre Description / Project Name	Original Budget	Additional Expenditure Budget	Revised Expenditure Budget	Original External Funding	Additional External Funding	Revised External Funding Budget	Capital Strategy Group (CSG) Approvals
Playing Pitch Action Plan	426,000	(143,000)	283,000	0	0	0	Net change £0
Faraday Road Open Spaces Project	0	143,000	143,000	0	0	0	Net change £0
Local Authority Housing Fund	6,000,000	3,251,220	9,251,220	(2,500,000)	(1,313,110)	(3,813,110)	Approved by Executive 08.06.23
HR/Payroll System	516,630	231,740	748,370	0	0	0	Net change £0
Enterprise Resource Planning System	731,740	(231,740)	500,000	0	0	0	Net change £0
HR/Payroll System	748,370	500,000	1,248,370	0	0	0	Net change £0
Enterprise Resource Planning System	500,000	(500,000)	0	0	0	0	Net change £0
Changing Places Toilet Facilities	0	100,000	100,000	0	(100,000)	(100,000)	Approved by Executive 21.09.23
Polling booth replacement	0	40,550	40,500	0	0	0	Approved by Executive 21.09.23
Social Care Case Management System	0	223,590	223,590	0	0	0	Approved by Executive 21.09.23
CCTV Market street	0	18,000	18,000				Approved by Executive 21.09.23
IFRS16 Software	0	22,500	22,500	0	0	0	Approved by Executive 21.09.23
Bond Riverside Environmental Improvements	748,660	375,000	1,123,660	0	(375,000)	(375,000)	Approved at CSG 24.08.23
Newbury Wharf Improvements	246,640	375,000	621,640	(50,000)	(375,000)	(425,000)	Approved at CSG 24.08.23
<b>Total Changes at Quarter Two</b>		<b>4,405,860</b>			<b>(2,163,110)</b>		

## Budget Changes: New Council Funded Projects

Service	Cost Centre Description / Project Name	Original gross expenditure budget	Additional Expenditure Budget	New gross expenditure budget	Original Council Funding	Additional Council Funding	New Council Funding Budget	Original External Funding	Additional External Funding	Revised External Funding	Comment
ICT	Capitalisation of ICT System Licences	0	164,000	164,000	0	164,000	164,000	0	0	0	New project per CSG meeting 24.08.23

Proposed Reprofiling

Directorate	Service	Project Title	Gross Expenditure Budget	Forecast Outturn at Q2	Underspend at Q2	Re-profiling Request	Externally Funded Re-profiling	Council Funded Value	Approved 2024/25 Budget	2024/25 Budget inc Re-profiling
			£	£	£	£	£	£	£	£
People	Adult Social Care	Care Director V6	704,510	181,520	(522,990)	522,990	0	522,990	0	522,990
People	Adult Social Care	Learning Disability Supported Living (Walnut Close) Transformation Project	750,000	0	(750,000)	750,000	0	750,000	0	750,000
<b>Adult Social Care Total</b>			<b>1,454,510</b>	<b>181,520</b>	<b>(1,272,990)</b>	<b>1,272,990</b>	<b>0</b>	<b>1,272,990</b>	<b>0</b>	<b>1,272,990</b>
People	Education	Calcot Schools Remodelling	225,940	48,880	(177,060)	175,940	(175,940)	0	5,331,160	5,507,100
People	Education	Falkland Primary School - Classroom Replacement	262,030	0	(262,030)	262,030	(215,600)	46,430	3,663,060	3,925,090
People	Education	Brookfields School - Accessibility	524,840	18,640	(506,200)	506,200	0	506,200	14,120	520,320
People	Education	SEMH/ASD Resourced Provision - Primary	1,478,230	1,121,890	(356,340)	356,340	(299,980)	56,360	818,490	1,174,830
People	Education	North Newbury - New primary school	50,000	6,490	(43,510)	43,510	(43,510)	0	4,521,710	4,565,220
People	Education	Engaging Potential	20,000	0	(20,000)	20,000	(20,000)	0	192,630	212,630
People	Education	Brookfields Expansion	190,600	128,600	(62,000)	62,000	(62,000)	0	637,400	699,400
People	Education	Education - Pmp	2,556,630	1,387,900	(1,168,730)	1,168,730	(879,830)	288,900	2,627,170	3,795,900
People	Education	Modular Building Replacement	15,000	0	(15,000)	15,000	0	15,000	50,000	65,000
<b>Education Total</b>			<b>5,323,270</b>	<b>2,712,400</b>	<b>(2,610,870)</b>	<b>2,609,750</b>	<b>(1,696,860)</b>	<b>912,890</b>	<b>17,855,740</b>	<b>20,465,490</b>
People	Communities & Wellbeing	0	0	0	0	0	0	0	0	0
<b>Communities &amp; Wellbeing Total</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>People Total</b>			<b>6,777,780</b>	<b>2,893,920</b>	<b>(3,883,860)</b>	<b>3,882,740</b>	<b>(1,696,860)</b>	<b>2,185,880</b>	<b>17,855,740</b>	<b>21,738,480</b>
Place	Development & Regulation	Four Houses Corner	2,577,350	619,000	(1,958,350)	1,958,350	0	1,958,350	2,266,000	4,224,350
Place	Development & Regulation	London Road Industrial Estate	1,123,660	418,660	(705,000)	705,000	0	705,000	0	705,000
<b>Development &amp; Regulation Total</b>			<b>3,701,010</b>	<b>1,037,660</b>	<b>(2,663,350)</b>	<b>2,663,350</b>	<b>0</b>	<b>2,663,350</b>	<b>2,266,000</b>	<b>4,929,350</b>
Place	Environment	Pay Machine Replacement	50,000	0	(50,000)	50,000	0	50,000	0	50,000
Place	Environment	Bus Services Improvement Plan (BSIP)	993,800	64,030	(929,770)	929,770	(929,770)	0	669,053	1,598,823
Place	Environment	Theale Station Improvements	1,900,000	400,000	(1,500,000)	1,500,000	(1,500,000)	0	1,969,560	3,469,560
Place	Environment	Active Travel Infrastructure	1,029,420	750,000	(279,420)	279,420	(279,420)	0	700,000	979,420
Place	Environment	Robin Hood Roundabout & A4	489,160	5,000	(484,160)	484,000	(484,000)	0	1,000,000	1,484,000
Place	Environment	Aldermaston Footways	230,300	80,000	(150,300)	150,000	(150,000)	0	0	150,000
Place	Environment	On Street Electrical Charge Point	474,800	250,000	(224,800)	225,000	(225,000)	0	150,000	375,000
Place	Environment	Theale Bypass Noise Investigation Feasibility	15,000	5,000	(10,000)	10,000	(10,000)	0	0	10,000
Place	Environment	A4 Faraday Road Improvements	320,000	0	(320,000)	320,000	(320,000)	0	0	320,000
Place	Environment	Vehicle Management System/Intelligent Traffic Signs	40,000	11,000	(29,000)	29,000	(29,000)	0	460,000	489,000
<b>Environment Total</b>			<b>5,542,480</b>	<b>1,565,030</b>	<b>(3,977,450)</b>	<b>3,977,190</b>	<b>(3,927,190)</b>	<b>50,000</b>	<b>4,948,613</b>	<b>8,925,803</b>
<b>Place Total</b>			<b>9,243,490</b>	<b>2,602,690</b>	<b>(6,640,800)</b>	<b>6,640,540</b>	<b>(3,927,190)</b>	<b>2,713,350</b>	<b>7,214,613</b>	<b>13,855,153</b>
Resources	ICT	Corporate Database Server Replacement	52,000	20,000	(32,000)	30,000	0	30,000	102,000	132,000
Resources	ICT	Refresh DCA/C & Generator	100,000	0	(100,000)	100,000	0	100,000	100,000	200,000
<b>ICT Total</b>			<b>152,000</b>	<b>20,000</b>	<b>(132,000)</b>	<b>130,000</b>	<b>0</b>	<b>130,000</b>	<b>202,000</b>	<b>332,000</b>
<b>Resources Directorate Total</b>			<b>152,000</b>	<b>20,000</b>	<b>(132,000)</b>	<b>130,000</b>	<b>0</b>	<b>130,000</b>	<b>202,000</b>	<b>332,000</b>
<b>Q2 - Council Total</b>			<b>16,173,270</b>	<b>5,516,610</b>	<b>(10,656,660)</b>	<b>10,653,280</b>	<b>(5,624,050)</b>	<b>5,029,230</b>	<b>25,272,353</b>	<b>35,925,633</b>

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## 2023/24 Revenue Financial Performance Quarter Two

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<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 December 2023
<b>Portfolio Member:</b>	Councillor Iain Cottingham
<b>Date Portfolio Member agreed report:</b>	16 November 2023
<b>Report Author:</b>	Melanie Ellis
<b>Forward Plan Ref:</b>	EX4362

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### 1 Purpose of the Report

- 1.1 To report on the financial performance of the Council's revenue budgets. This report is Quarter Two for the 2023/24 financial year. The report is highlighting the financial position at each quarter of the financial year and impact on the Council's General Fund position. This allows the Executive and Scrutiny Commission to consider the implications and the actions being taken to mitigate and manage the position.
- 1.2 The Council has been forecasting a significant overspend across many services, especially in the People Directorate. This is due to increasing demand on services, continued inflationary cost pressures and additional staffing costs through the use of agency workers.
- 1.3 To mitigate the financial pressures, the Council implemented measures from July 2023 to provide greater oversight and scrutiny of financial decisions and financial commitments, as well as additional approval mechanisms for staffing and agency arrangements across the Council. These measures have started to see results; the overspend forecast position has begun to stabilise and the other reviews being undertaken are expected to realise a reduction compared to the Quarter One forecast of £3m.

### 2 Recommendations

- 2.1 To note the £3.3m forecast overspend, a reduction of £3m from Quarter One.
- 2.2 To note the implementation of measures included in the report around recruitment, staffing and agency.
- 2.3 To note the continuation of Financial Review Panel (FRP) meeting weekly to ensure the spending limits are being adhered to.

### 3 Implications and Impact Assessment

Implication	Commentary			
<b>Financial:</b>	<p>The forecast position at Q2 of a £3.3m overspend has significant financial implications, though these have improved compared to Q1. The General Fund is at £7.2m, with a minimum recommended level of £7m. If the £3.3m overspend remains at year end, it would leave a General Fund of £3.9m. This is a very low level of general fund balance and actions in place will be closely monitored to ensure that the in-year financial position improves.</p> <p>The minimum level of general fund balance recommended by the s151 officer is £7m and this would put the Council at significantly below this for future budget setting; this would mean an increase in future year's budget savings over and above initial forecasts for 2024-25 to replenish the level of reserves in the future. The 2024-25 budget assumptions currently include a forecast contribution to reserves of £1m.</p>			
<b>Human Resource:</b>	<p>The FRP (Financial Review Panel) implications have been reviewed by Service Lead (HR) as a member of the panel.</p>			
<b>Legal:</b>	<p>The FRP (Financial Review Panel) implications have been reviewed by the Monitoring Officer.</p>			
<b>Risk Management:</b>	<p>Measures have been included in the report to provide greater levels of scrutiny on much lower levels of expenditure and recruitment costs.</p>			
<b>Property:</b>	<p>Review of assets to be undertaken with a view to possible sales that could be utilised for reduced capital financing costs and / or funding for a range of transformational activity across the Council to reduce costs.</p>			
<b>Policy:</b>	<p>None directly</p>			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>

<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		y		
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		y		The proposal aims to continue to protect those characteristics
<b>Environmental Impact:</b>		y		Unlikely to have any long term environmental impact.
<b>Health Impact:</b>		y		
<b>ICT Impact:</b>		y		N/A
<b>Digital Services Impact:</b>		y		N/A
<b>Council Strategy Priorities:</b>			y	The proposal could reduce spend on some areas of council priority.
<b>Core Business:</b>		y		
<b>Data Impact:</b>				No impact
<b>Consultation and Engagement:</b>	Service Directors, Executive Directors.			

## 4 Executive Summary

4.1 The Quarter Two forecast is showing a substantial financial pressure for the Council. Primarily driven through cost pressures in the People directorate, with growing demand for social care services, additional staffing costs through the use of agency staff and

inflationary pressures, the People directorate alone is forecasting an overspend in excess of £6.3m, an increase of £500k from last quarter. There are other financial pressures in the Place directorate Development and Regulation Service, in planning services, unachieved income and delayed additional planning income charges via Government changes leading to a forecast overspend of £0.6m.

4.2 The General Fund reserve is currently at £7.2m (per the 2022/23 Financial Statements), which is only £0.2m above the S151 officer's minimum recommended level, as set out in the 2023/24 budget papers. As a result, the Council cannot end 2023/24 with a significant overspend, without reserves being depleted far below the recommended minimum level.

4.3 There have been a large number of Councils in recent weeks and months highlighting significant financial pressures for the 2023/24 financial year. Though it is difficult to analyse every Council's in year position due to timing of respective committees across the country, as at early August through to October 2023, the following Councils have reported significant in year financial difficulties with mention of a s114 report or exceptional financial support;

- Medway Council
- Leeds City Council
- Hastings BC
- Guildford BC
- Shropshire Council
- Brighton & Hove
- Southampton Council
- Kent County Council
- Bradford Council
- Kirklees Council
- Hampshire County Council

4.4 To reduce the financial pressure and forecasts, the Council has taken rapid pro-active steps to reduce the overspend position from July 2023, these steps include:

- Greater scrutiny and approval of expenditure over £1,000
- Greater scrutiny and approval of recruitment activity and agency expenditure
- Finance led reviews on reviewing accruals policies and capital financial expenditure
- Review of action plans by overspending services to provide further mitigations to reduce overspends
- Review of the flexible use of capital receipts and seek to raise funding through capital receipts to fund eligible transformation spend
- Greater in year budget monitoring review of overspending services



- 4.5 Some of the mitigations may have an impact on service delivery, though it is expected that these will be kept to a minimum as posts and expenditure that affect the most vulnerable are being prioritised and the Council is continuing to operate all services.
- 4.6 The implication of an overspend in excess of £0.2m in 2023/24, would be to take the general fund reserve below the s151 officer's minimum level. In order to replenish the general fund reserve, greater levels of savings than currently forecast for 2024/25 would be required, or Full Council would need to consider accepting a budget with even greater risk for future financial years with lower than recommended reserves.
- 4.7 If the Council was to significantly overspend it would need to consider what options are available for exceptional financial support. Most likely, the Council would need to formally approach the Government for a capitalisation directive, though this is looking less likely as an option due to the improvement in the overall Quarter Two forecast, following the rapid deployment of actions in the summer 2023, compared to the Quarter One forecast for 2023/24. A capitalisation directive would allow the Government to provide the Council with one off funding as capital, which could be used to fund revenue. To enable this, the Government would require a form of intervention through a formal review of the Council as a likely minimum. Other Councils have been provided with this funding by the Government in recent years.

<https://www.gov.uk/government/publications/exceptional-financial-support-for-local-authorities-capitalisation-directions>

This would provide short term financial relief, if approved, though the Council would remain with a challenging longer term financial position that would require additional savings, alongside the additional cost of repaying the capitalisation directive. At present, the Council is not proposing to request a capitalisation directive, but this cannot be ruled out in the current financial year until the in-year financial position is brought down to much closer to a break even position.

- 4.8 If in the longer term the financial pressure is not reduced, the Council's s151 Officer would need to consider issuing a section 114 notice; this is not being considered in the short term due to the mitigations being put in place at present in the 2023-24 financial year to mitigate the in year pressure. Any formal Section 114 notice would flow from the section of the Local Government Finance Act 1988 states:

*“The chief finance officer of a relevant authority shall make a report under this section if it appears to him that the expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure”*

- 4.9 The notice would need to go to Full Council who would have to respond within 21 days on what steps it will take. The issuance of a section 114 notice must be subject to consultation with the Head of Paid Service and Monitoring Officer. This still remains a rare issuance in Local Government.
- 4.10 The background to the financial position of the Council is that the Council has historically had low levels of reserves, at approximately half of the average of similar Councils. The Council has a track record of strong financial control and stewardship, and though (the Covid-19 pandemic excepted) reserves have remained comparatively low, the Council

## 2023/24 Revenue Financial Performance Quarter Two

has achieved financial balance as well as delivered significant financial savings programmes. The savings and investment programme over recent years is highlighted below; on top of this, the 2024/25 Medium Term Financial Strategy (MTFS) approved in March 2023 highlighted a savings requirement of over £11m over the next three years, heavily weighted to 2024/25 given uncertainties over future fair funding reviews – this totals £40m over a seven year period per the below. The figure for 2024/25 has increased since the MTFS was published and is forecast to be at £14m<sup>1</sup> due to increased demand pressures that are referenced in this report:



4.11 The Council has also commenced its Transformation programme. This programme seeks to identify longer term financial savings, but will of course highlight any shorter term opportunities to help support the Council's in year financial position.

4.12 The Quarter Two forecast is an overspend of £3.3m as summarised below:

2022/23 Directorate Summary	Net Budget £000	Net Income/ Expenditure £000	Quarter One		Quarter Two						Change from Last Quarter £000
			Year end forecast variance £000	Budget Manager Forecast Variance £000	Use of Earmarked Reserves £000	Year end forecast variance £000	Mitigation £000	Pre-agreed Transform- ation £000	New Transform- ation £000	Year end forecast variance £000	
People	97,991	106,894	5,840	9,185	(238)	8,947	(1,464)	0	(1,186)	6,297	457
Place	33,733	34,399	597	515	(307)	208	0	0	(255)	(47)	(643)
Resources	12,175	12,820	24	924	(103)	821	(109)	(423)	(263)	26	2
Chief Executive	541	536	(5)	(10)	0	(10)	0	0	0	(10)	(5)
Capital Financing/Risk Mgt	14,537	14,380	(157)	(2,872)	0	(2,872)	0	0	(130)	(3,002)	(2,845)
<b>Total</b>	<b>158,977</b>	<b>169,028</b>	<b>6,298</b>	<b>7,742</b>	<b>(648)</b>	<b>7,094</b>	<b>(1,574)</b>	<b>(423)</b>	<b>(1,834)</b>	<b>3,264</b>	<b>(3,034)</b>

4.13 It is therefore vital that the Corporate Board and the Corporate Management Team (CMT) continue to reduce expenditure / increase income to reduce the forecast overspend.

<sup>1</sup> See Executive report to the 23<sup>rd</sup> November 2023

## 5 Supporting Information

### Introduction

- 5.2 The 2023/24 net revenue budget of £159m was set in March 2023, using £157m revenue funding and £1.8m of reserves. During the 2023/24 budget build, inflationary pressures were identified in demand led services, but not all pressures were built into the budget, with some being held as a risk against the general reserve.
- 5.3 The Council brought in a strategy for managing the in-year financial pressures at Quarter One, where the overspend was forecast to be £6.3m. This was after some initial mitigations against pressures being seen. Since the Quarter One (Q1) forecast was made, actions have been undertaken as highlighted in the Q1 report to the Executive in September. Progress against the strategy for managing the overspend are set out below:

Action	Progress	Financial benefit
1) Implementation of a Financial Review Panel (FRP)	a) Review of all expenditure for overspending services over £1,000.	Included within Q2 forecasts.
	b) Review of all agency expenditure and incorporating all staff within the Council's Comensura <sup>2</sup> contract.	Reduced agency staff expenditure in Comensura from £188k per week to £147k per week <sup>3</sup> - reduction of £2.1m over a twelve month rolling forecast if maintained.
	c) Review all recruitment activity, pausing some activity.	Included within Q2 forecasts where posts are being held vacant or delays to recruitment.
	d) Enhanced recruitment activity	Posts moved from agency to permanent staff – expect benefit from Q3
2) Review of accrual policy	Review has been complete and already included in the forecast for Q1.	Already taken into account in the Q1 forecast.
3) Review of the Council's Minimum	The Council has been provided with a report from Link (the	In year benefit of £2.87m

<sup>2</sup> Overarching provider of agency staff for WBC

<sup>3</sup> Average of first 4 week of 23-24 vs average of 4 weeks of September (end of Q2)

Revenue Provision (MRP) policy	Council's Treasury Management advisors) that highlight a range of options for review. This will require a change of policy to MRP at Full Council <sup>4</sup> (and this will be included in the February budget papers with a request for a revision to in year treatment).	
4) Review of opportunities for asset sales	The November Executive meeting approved the sale of capital assets owned by the Council. These can be used to fund Transformational activity per the below and will also reduce capital financing costs, but will reduce investment income in future years.	See below
5) Review the flexible use of capital receipts	Initial review of activities that fit within the Government guidance for the flexible use of capital receipts total £2.3m. These are short term benefits but will benefit the in year position <i>if</i> asset sale(s) take place in 2023-24.	Up to £2.3m
6) S151 officer to discuss position with the Government (DLUHC)	Conversations have taken place and further action (for example a capitalisation request) to occur if required	n/a

5.4 The strategy will continue for the rest of the financial year, with additional focus on delivering in year savings targets for directorates through progress against action plans.

5.5 The Government will wish to consider the financial position of Councils facing significant financial pressures and in recent years have provided capitalisation directives to a small number of Councils, see the link

<https://www.gov.uk/government/publications/exceptional-financial-support-for-local-authorities-capitalisation-directions>.

In these cases, the Government have provided specific sums of funding to Councils through a capitalisation directive whereby the Council repays the Government (with additional financial costs) and the Council will be required to have a formal external assurance review on their financial position. This will then be published by the DLUHC

<sup>4</sup> This review is still ongoing at the time of writing

## 2023/24 Revenue Financial Performance Quarter Two

(Department of Levelling Up and Communities) and subject to progress and updates on improvement to the Council's financial position.

- 5.6 If the mitigations included in the current forecasts, *including* a capitalisation directive if it was sought, were not to come forward and be delivered, the Council would need to consider issuing a s114 report; this is not the current proposal. Very few Councils have issued section 114 notices (Woking BC, Slough BC, Croydon and Thurrock being the most recent), and most of those have taken place where there have been significant commercial / property / company purchases with a lack of capital financing repayments, rather than from inflationary pressures. More information on the practicalities of a section 114 notice are included in this link from Woking BC <https://www.woking.gov.uk/section114> or this from Thurrock Council <https://www.thurrock.gov.uk/government-intervention/section-114-notice> .

### Quarter Two 2023/24

- 5.7 The Quarter Two forecast is an overspend of £3.3m, representing 2.1% of the net revenue budget. The Quarter Two forecast is after use of £0.6m of specific earmarked reserves, £1.6m service mitigations that are being worked on, and £2.3m of flexible use of capital receipts for transformational activity.

2023/24	Net Budget	Net Income/ Expenditure	Quarter Two									Change from Last Quarter
			Quarter One	Quarter Two								
			Year end forecast variance	Budget Manager Forecast Variance	Use of Earmarked Reserves	Forecast variance after Reserves	Mitigation	Pre-agreed Transformation	New Transformation	Year end forecast variance		
£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000		
Adult Social Care	62,925	64,522	791	1,777	(151)	1,626	(702)	0	(349)	575	(216)	
Children & Family Services	21,249	26,683	3,721	4,771	(87)	4,684	(179)	0	(787)	3,719	(3)	
Executive Director	370	377	7	46	0	46	0	0	(49)	(3)	(10)	
Education DSG funded	(444)	(444)	0	0	0	0	0	0	0	0	0	
Education	10,708	12,572	1,321	2,604	0	2,604	(584)	0	0	2,020	700	
Public Health & Wellbeing	(80)	(80)	0	0	0	0	0	0	0	0	0	
Communities & Wellbeing	3,264	3,264	0	(14)	0	(14)	0	0	0	(14)	(14)	
<b>People</b>	<b>97,991</b>	<b>106,894</b>	<b>5,840</b>	<b>9,185</b>	<b>(238)</b>	<b>8,947</b>	<b>(1,464)</b>	<b>0</b>	<b>(1,186)</b>	<b>6,297</b>	<b>457</b>	
Executive Director	213	197	(21)	(25)	0	(25)	0	0	0	(25)	(4)	
Development & Regulation	5,637	6,057	618	657	(45)	612	0	0	0	612	(5)	
Environment	27,882	28,144	0	(117)	(262)	(379)	0	0	(255)	(634)	(634)	
<b>Place</b>	<b>33,733</b>	<b>34,399</b>	<b>597</b>	<b>515</b>	<b>(307)</b>	<b>208</b>	<b>0</b>	<b>0</b>	<b>(255)</b>	<b>(47)</b>	<b>(643)</b>	
ICT	2,437	2,524	(87)	(13)	0	(13)	0	(23)	0	(36)	(36)	
Executive Director	317	275	(42)	(50)	0	(50)	0	0	0	(50)	32	
Commissioning & Procurement	448	526	(78)	79	0	79	0	(143)	(50)	(113)	(38)	
Finance & Property	1,468	1,690	201	513	(94)	419	(35)	0	(139)	245	44	
Strategy & Governance	7,505	7,702	(20)	268	(9)	259	(74)	(131)	(74)	(20)	(0)	
Transformation	0	103	103	127	0	127	0	(127)	0	0	0	
<b>Resources</b>	<b>12,175</b>	<b>12,820</b>	<b>645</b>	<b>924</b>	<b>(103)</b>	<b>821</b>	<b>(109)</b>	<b>(423)</b>	<b>(263)</b>	<b>26</b>	<b>2</b>	
Chief Executive	541	536	(5)	(10)	0	(10)	0	0	0	(10)	-5	
Capital Financing	14,851	14,694	(157)	(2,872)	0	(2,872)	0	0	(130)	(3,002)	(2,845)	
Risk Management	-314	(314)	0	0	0	0	0	0	0	0	0	
<b>Capital Financing/Risk Mgt</b>	<b>14,537</b>	<b>14,380</b>	<b>(157)</b>	<b>(2,872)</b>	<b>0</b>	<b>(2,872)</b>	<b>0</b>	<b>0</b>	<b>(130)</b>	<b>(3,002)</b>	<b>(2,845)</b>	
<b>Total</b>	<b>158,977</b>	<b>169,028</b>	<b>6,298</b>	<b>7,742</b>	<b>(648)</b>	<b>7,094</b>	<b>(1,574)</b>	<b>(423)</b>	<b>(1,834)</b>	<b>3,264</b>	<b>(3,034)</b>	

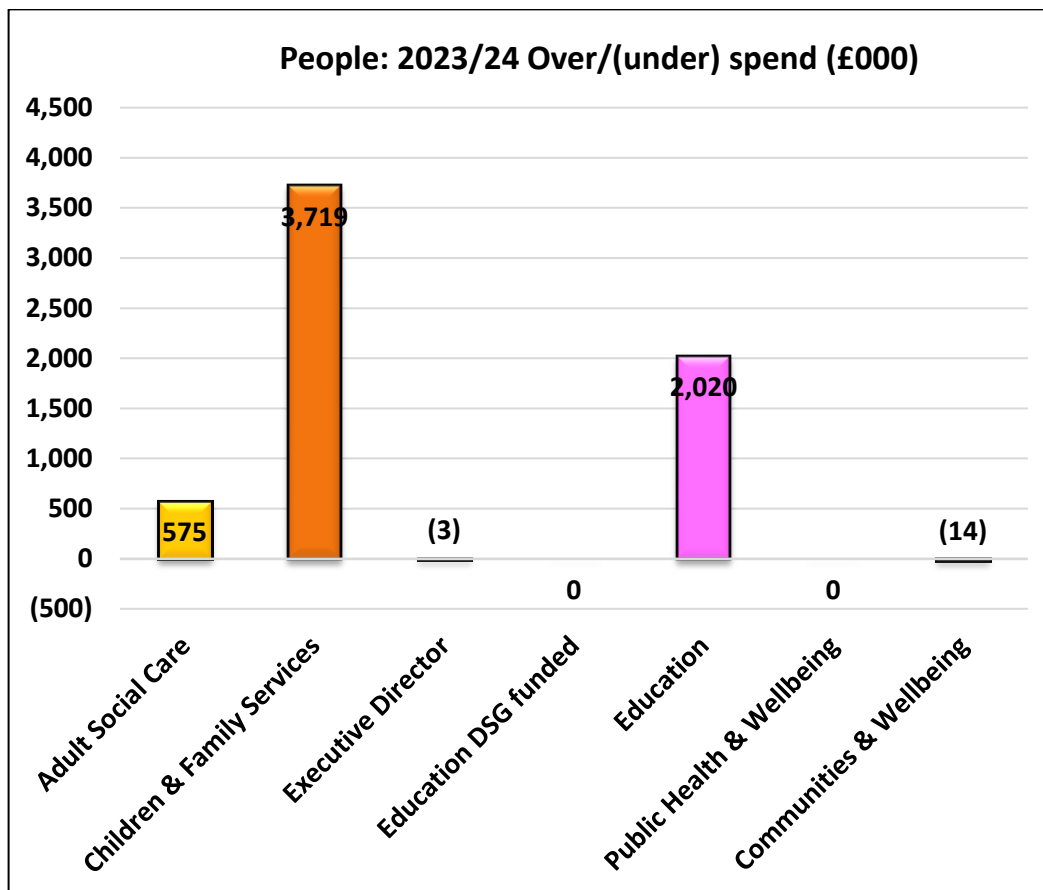
NB: Rounding differences may apply to the nearest £k.

### Impact on Reserves

- 5.8 The general fund would be reduced to £3.9m if the current forecast overspend remained at year end. This is significantly below the recommended level for future budget setting as outlined in the report.

## People Directorate

5.9 The People Directorate forecast is an over spend of £6.3m against a budget of £98m, representing 6.4% of budget. The overspend has increased by £457k from last quarter.



5.10 In ASC, the overspend is £0.6m, which is 0.9% of the net budget of £63m. This is after the use of Earmarked Reserves of £151k, £1.5m of mitigations currently underway and £1.2m use of transformation funding. The overspend has reduced by £0.2m since last quarter.

5.11 The modelled investment request for Adult Social Care packages for 2023/24 was reduced by £1m and held as a risk. This has led to a higher level of overspend. The overspends before mitigations are outlined below.

5.12 ASC long term services (LTS) are £2.4m over spent.

- There is an increase in the cost of care packages, due to inflation, complexities and challenges in the external workforce market. This equates to an average increase of 11% per client package since 2022/23.
- There has been lower than modelled occupancy in our own three care homes due to refurbishment and admissions restrictions resulting in clients being placed in externally commissioned beds costing more.

5.13 Short term services are £0.74m under spent due to the additional funding for Hospital Discharge and changes to some clients packages moving onto long term services.

5.14 Other overspends is ASC total £0.1m.

- There is a £0.9m overspend in our own care homes due to a shortfall of income and agency staffing requirements from recruitment difficulties.
- Underspends have arisen in Shared Lives £0.1m due to lack of carer availability and in Reablement £0.5m due to vacancies. Other underspends are in Maximising Independence, Resource Centres and staffing.

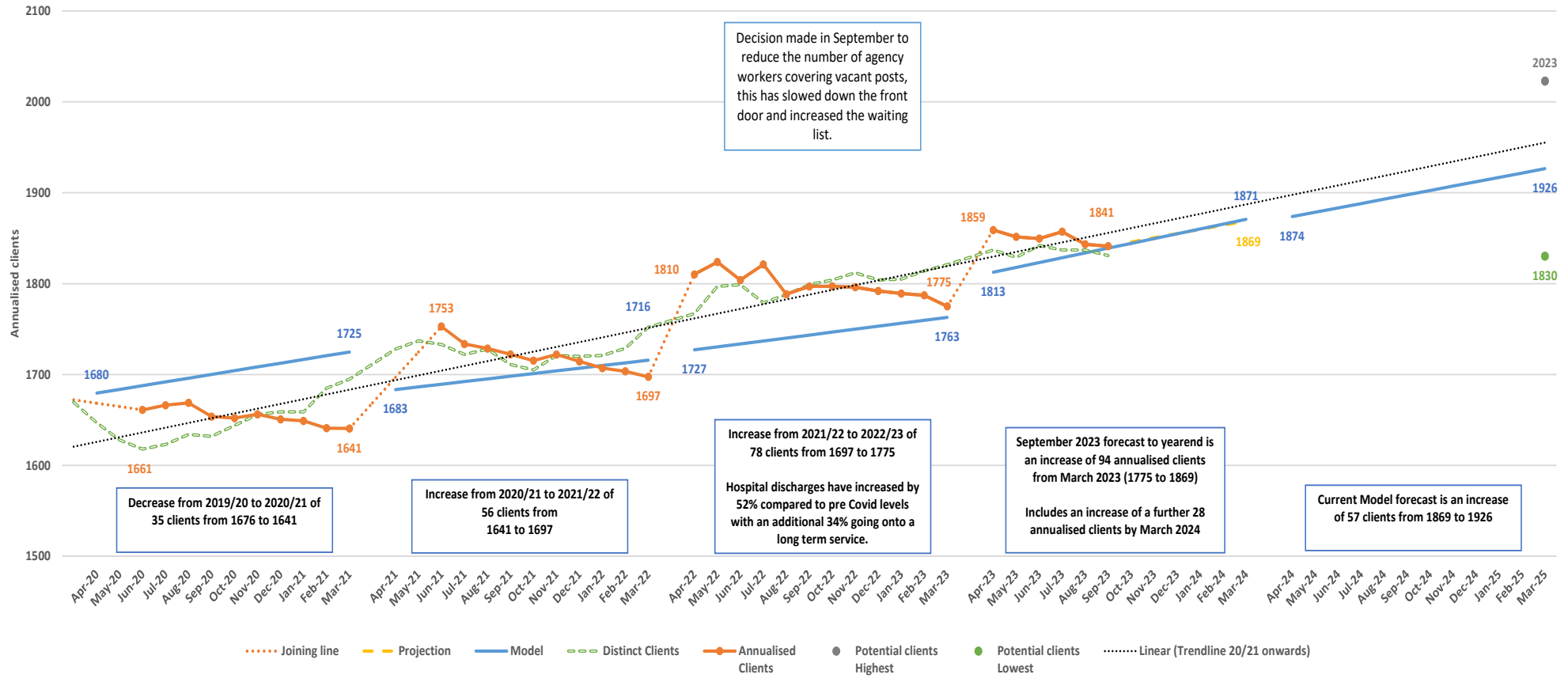
5.15 The 2023/24 savings target of £2.3m is £0.1m red, £1.3m amber and £0.9m green. The red is due to fee increases that require consultation before they can be implemented. The amber savings are on track to largely be achieved.

5.16 Mitigations of £3m are underway including in house services and additional grant funding. Other actions include a review of 2024/25 savings proposals to see if they can be started early, stopping recruitment where possible, review of agency requirements, utilisation of external funding and a review of year end accruals. The service continues to take action to suppress market demand.

5.17 ASC are seeing an aging population as well as increased costs. The ASC Model for long term services is updated monthly, with assumptions reviewed and agreed by the ASC Financial Planning Steering group and reported at the ASC Financial Planning meeting.

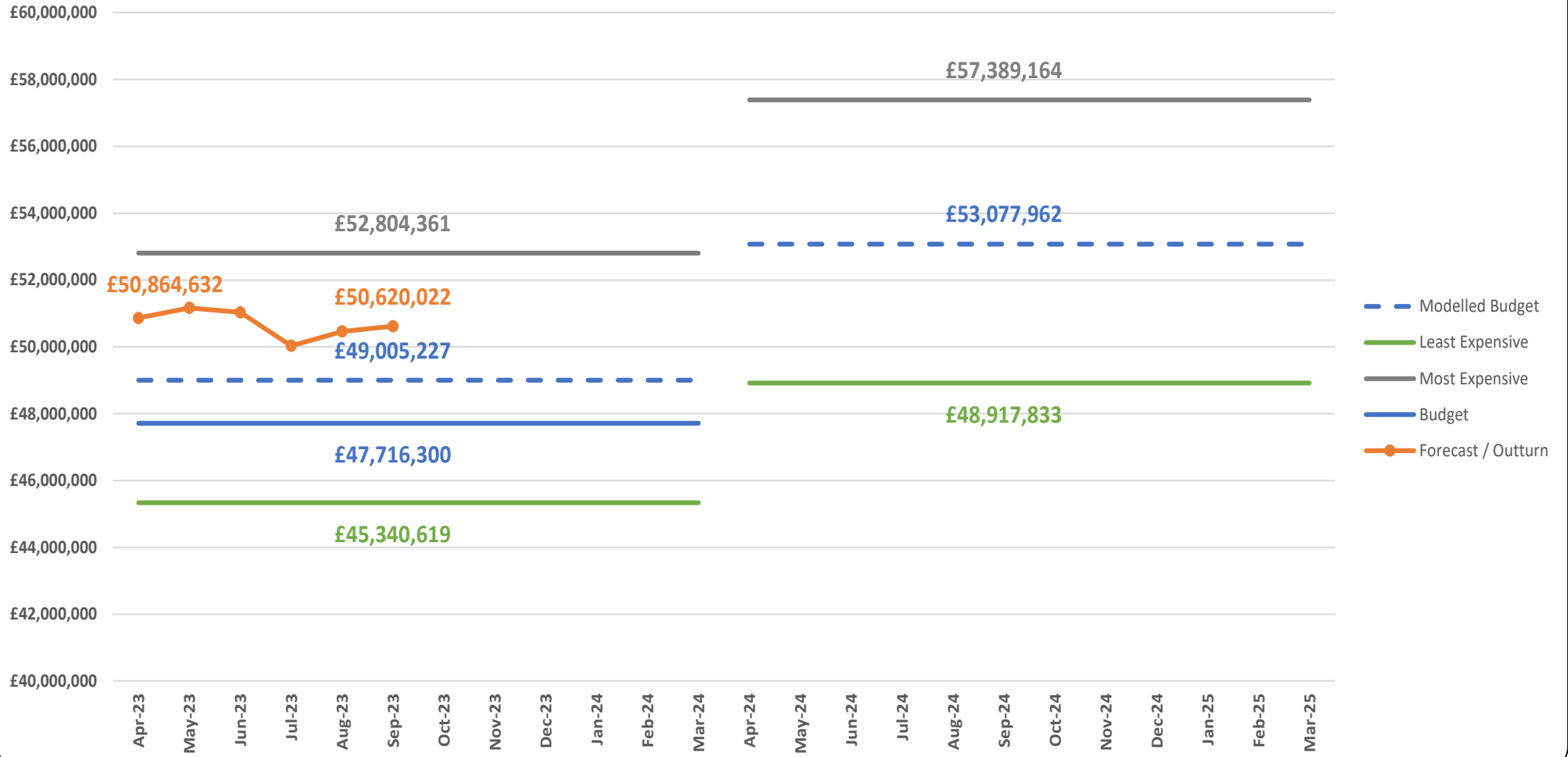
2023/24 Revenue Financial Performance Quarter Two

Adult Social Care  
Annualised client numbers for Long Term Services





LTS Net Expenditure  
Model V Forecast



5.18 In CFS, the forecast is a £3.7m overspend, which is 17.5% of the net budget of £21m. This is the same as last quarter. The forecast is after the use of Earmarked Reserves of £87k, £179k mitigations and use of transformation funding of £787k.

- There is a £2.5m over spend in placements before mitigation. The children in care population has increased by 20%. This is in addition to increased complexity, mental health and emotional wellbeing needs, and provision for teenagers. There is a small cohort of young people with very high care needs requiring specialist residential provision and a national shortage of suitable residential placements.
- There has been an 83% increase in child protection plans. The Family Safeguarding teams are overspending by £1.4m due to agency costs. This has been required to cover vacancies and maternity leave and increased demand. Childcare lawyers has a £0.8m overspend due to an increase in the number of cases in court.

5.19 The 2023/24 savings target of £0.5m is £184k red, £154k amber and £196k green. The red is due to a target for not filling posts immediately upon becoming vacant not being met due to the level of demand for statutory intervention. The amber savings are for placement cost reductions which were planned at a point when a rise in the care population was not as great as now being seen.

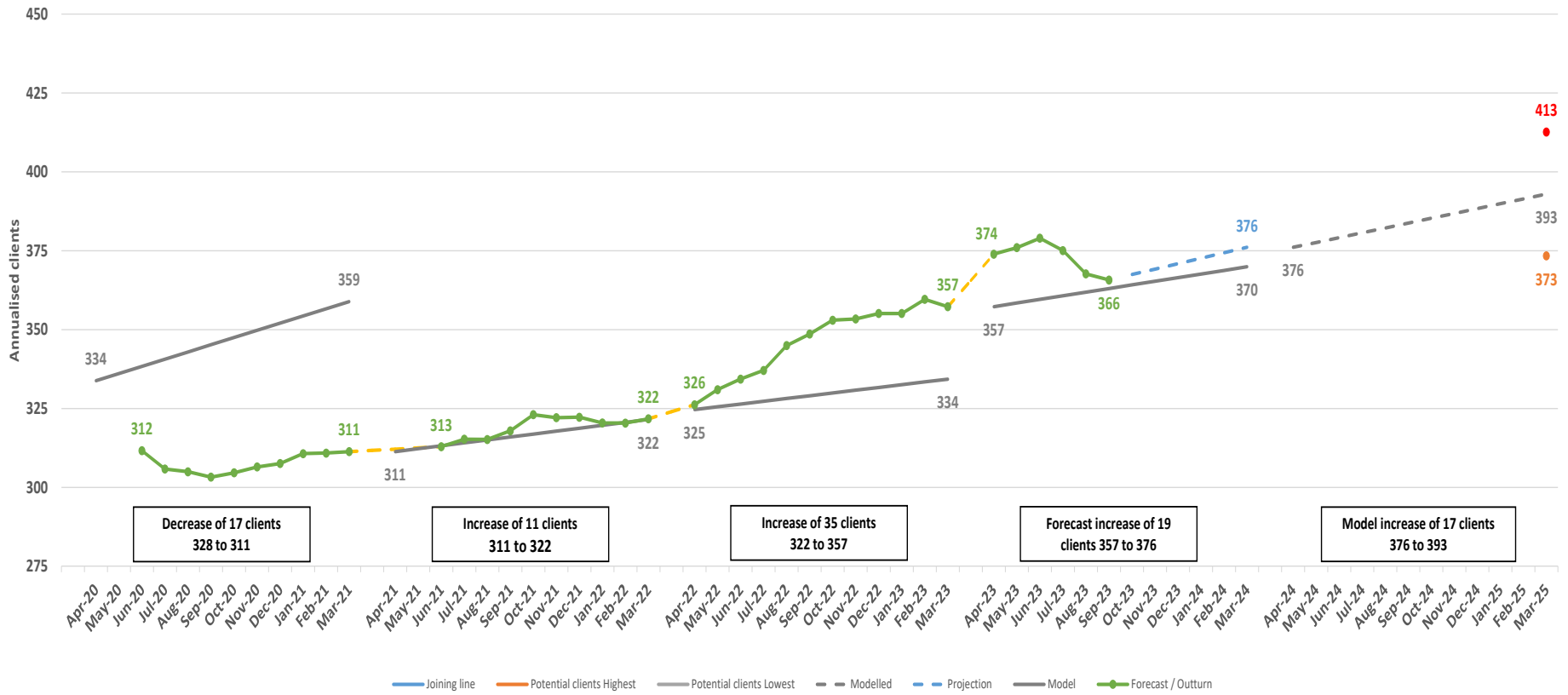
5.20 The service continue to effectively manage placements as part of the Children and Family service Accommodation & Resources Panel. There is a robust plan in place for some children to appropriately safely step down from costly residential care. Additional in house supports to foster carers (fostering hub, mental health team) will enable increasing numbers of children to live in lower cost 'In house' placements.

5.21 There is active recruitment taking place for qualified staff to fill vacancies. The national picture is one of acute shortage of social workers. The recruitment and retention package has been renewed.

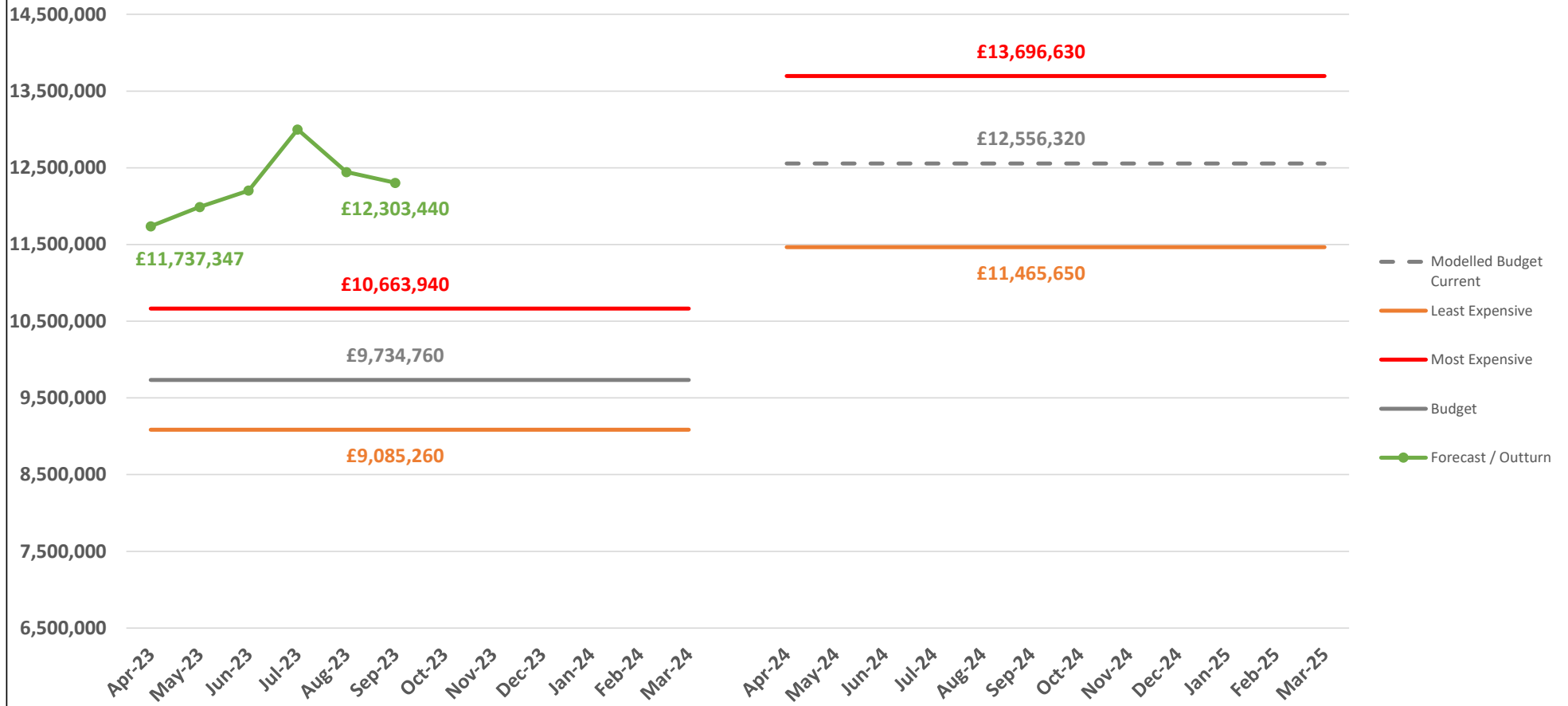
5.22 The model for placements has been refined and is updated monthly. Client numbers and net expenditure are shown in the graphs below.

2023/24 Revenue Financial Performance Quarter Two

Children & Family Services annualised client numbers  
(includes UASC)



**Children & Family Services Net Expenditure  
(includes UASC)**



5.23 Education forecast is a £2.6m overspend, which is 24% of the £10.7m budget. This has increased by £1.3m from last quarter.

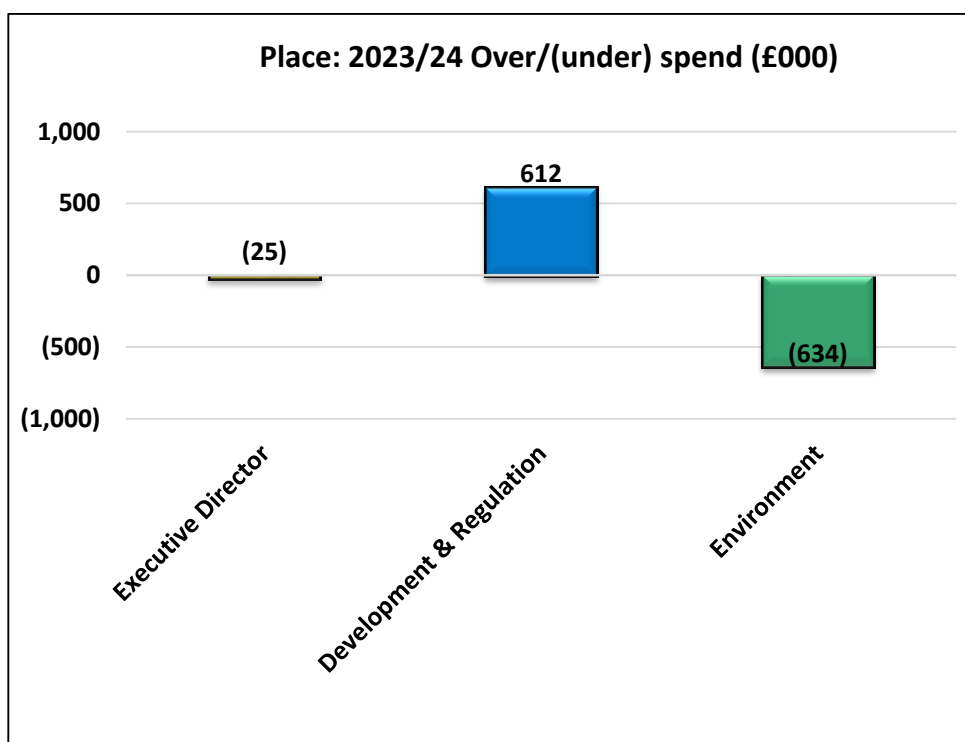
- £1.3m of the overspend is in Home to School Transport (HTST), an increase of £0.2m. The service is engaged in looking for ways to reduce HTST costs.
- £1m overspend is forecast in disability support packages residential. There have been two new high cost placements arranged at short notice. Work is being done to find longer term placements at more reasonable cost.
- Other pressures are from agency costs.

5.24 Public Health forecast is a £148k underspend which will transfer to the Public Health Reserve at year end.

5.25 Communities and Wellbeing is reporting a £14k underspend. There are pressures in library income due to Parishes not contributing, but there are savings in leisure offsetting this.

### Place Directorate

5.26 The Place Directorate forecast is a £47k under spend, representing 0.14% against a budget of £34m. This is after use of reserves of £0.3m and flexible use of capital receipts for transformation of £0.3m. The overspend is entirely within Development and Regulation.



5.27 In Development and Regulation, the £0.6m overspend represents 11% of the £5.6m budget.

## 2023/24 Revenue Financial Performance Quarter Two

- There is a £0.8m pressure on Planning Application fee income, of which £0.4m is from a national fee uplift which was anticipated to start at the beginning of this financial year, but has only been introduced from the 6<sup>th</sup> December 2023<sup>5</sup>.
- There is a £0.3m pressure on Bio-Diversity Net Gain income, where income was expected to be generated through activity linked to developments delivering a 10% uplift in Bio-Diversity Net Gain. This is now expected to be introduced in November 2023 but there is no opportunity to generate income from the scheme.
- There are areas of underspend from staffing vacancies and reduced spend on consultants.

5.28 The 2023/24 savings target of £1.5m is £0.9m red, £0.3m amber and £0.3m green. The red is due to the income targets outlined above not being achievable. The amber savings are for fees and charges increases and holding posts vacant.

5.29 Activity to maximise income generation is being prioritised across the Planning Service. Further work is to be undertaken to review the utilisation of grant income to ensure all staff time for working on the projects is being captured, and funded from grant income.

5.30 In Environment, the forecast is an underspend of £634k. There has been a reduction in spend of £379k due to staffing vacancies, grant funding and improved income in Network Management. There is also now forecast use of transformation funding of £252k.

5.31 The 2023/24 savings target of £1.2m is £50k red, £30k amber and £1.1m green. The red is from biodiversity and carbon credits as legislation has not been forthcoming. The amber is for pre-application income.

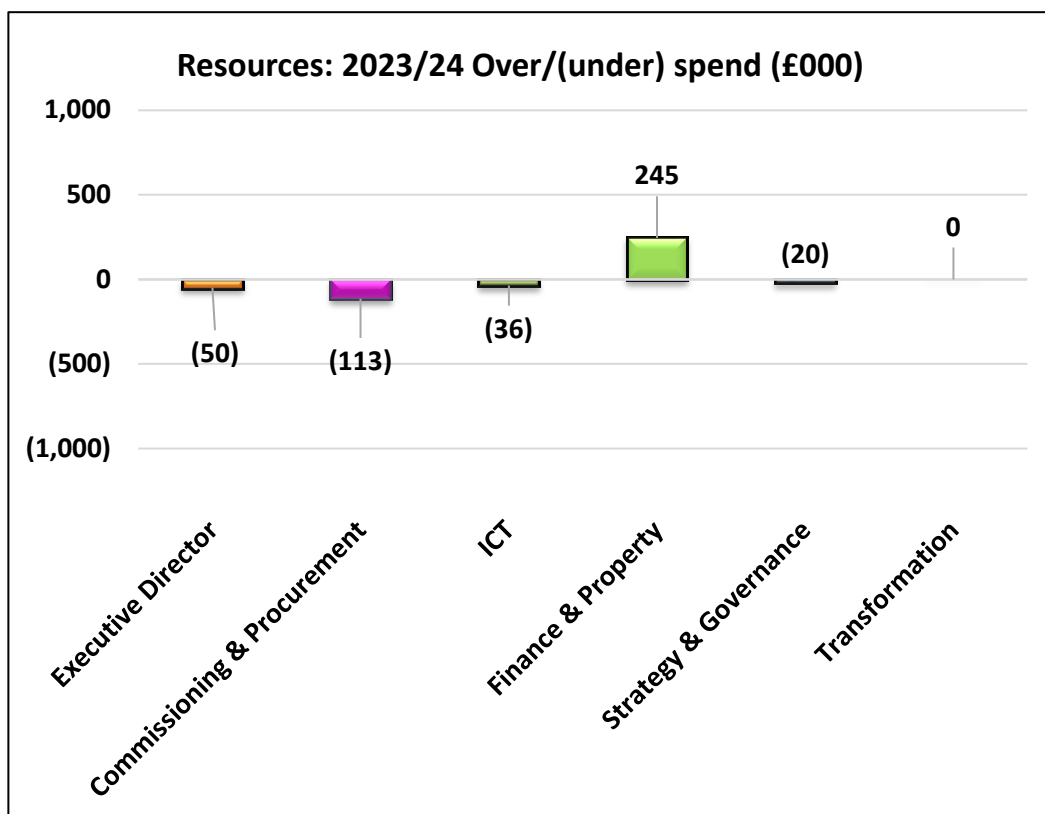
### Resources Directorate/Chief Executive

5.32 The Resources Directorate forecast is an overspend of £26k. This is after use of reserves of £0.1m, mitigations of £0.1m and transformation of £0.7m. The Chief Executive Service is an underspend of £10k. The combined forecast overspend of £16k represents 0.12% of the net budget of £12.7m.

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[https://assets.publishing.service.gov.uk/media/6553a49b37189800dd296d7/231114\\_Chief\\_Planners\\_Letter\\_Fee\\_Increases\\_23-24.pdf](https://assets.publishing.service.gov.uk/media/6553a49b37189800dd296d7/231114_Chief_Planners_Letter_Fee_Increases_23-24.pdf)



5.33 In Commissioning & Procurement, the £113k surplus is largely due to additional income from the agency contract rebate, although this has reduced slightly from last quarter as a result of the reduced agency usage. Transformation funding has supported staff working on the Procurement Strategy and can further support time spent reducing agency reliance. The £350k savings are forecast as green.

5.34 In ICT is forecasting a £36k under spend. The £110k savings target is £35k red and £75k green.

5.35 In Finance and Property, the £245k overspend has arisen from unachieved savings from the accommodation review project, delayed property disposals and recruitment difficulties necessitating the use of agency. The £1.1m savings target is £96k red, £88k amber and £0.9m green.

5.36 Strategy and Governance is £20k underspent. The £420k savings programme is £101k red, £35k amber and £284k green. The red is from grant funding that is not available.

5.37 The Transformation Service is forecast online after use of transformation funding.

5.38 Mitigations for overspends include review of the Council’s Minimum Revenue Provision (MRP) policy for capital expenditure. The outcome of this review has identified a net reduction in the annual charge of £2.87m for 2023/24, which is shown in the capital financing service area. Other mitigations include reviewing vacant posts and agency arrangements, use of transformation funding and review of vacant properties.

## Capital Financing and Risk Management

5.39 Capital Financing has an underspend of £3m, as described above relating to the review of the MRP provision and is subject to formal approval by Full Council.

## Employee and Agency Spend

5.40 At Quarter Two, total employee spend including agency was £35.3m against a budget of £34.4m, an overspend of £0.9m. Slightly less was spent in Quarter Two than in the previous quarter. The overspend is largely as a result of the use of agency in demand led services.

5.41 The chart shows the profiled budget to 30 September 2023. It should be noted that invoices will often be received in the month after the cost is incurred, so not all costs to date will be captured. Outstanding invoices are only accrued for at year end.

5.42 Within employee costs, agency spend to Quarter Two was £5.1m. Again, slightly less was spent in Quarter Two than in the previous quarter. Agency is 15% as a percentage of employee budgets.

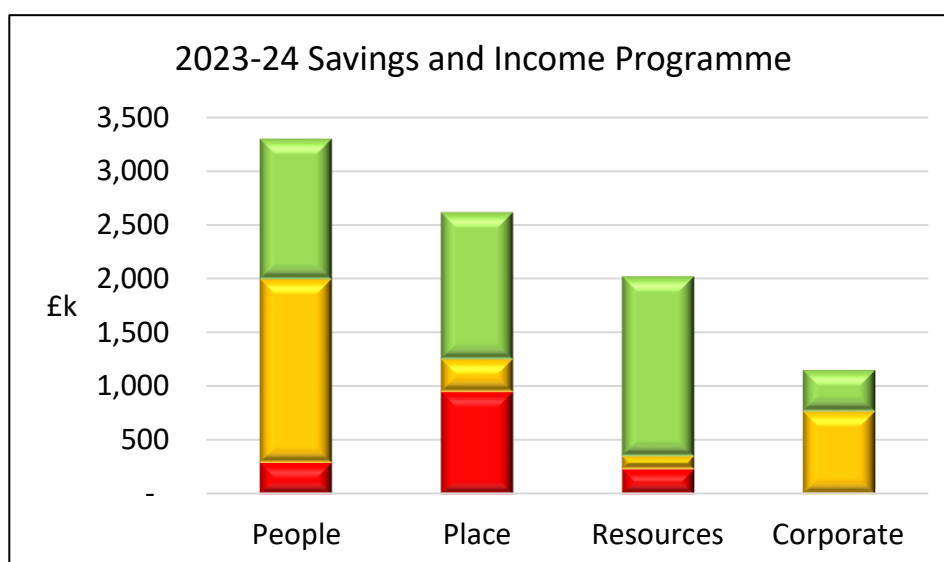
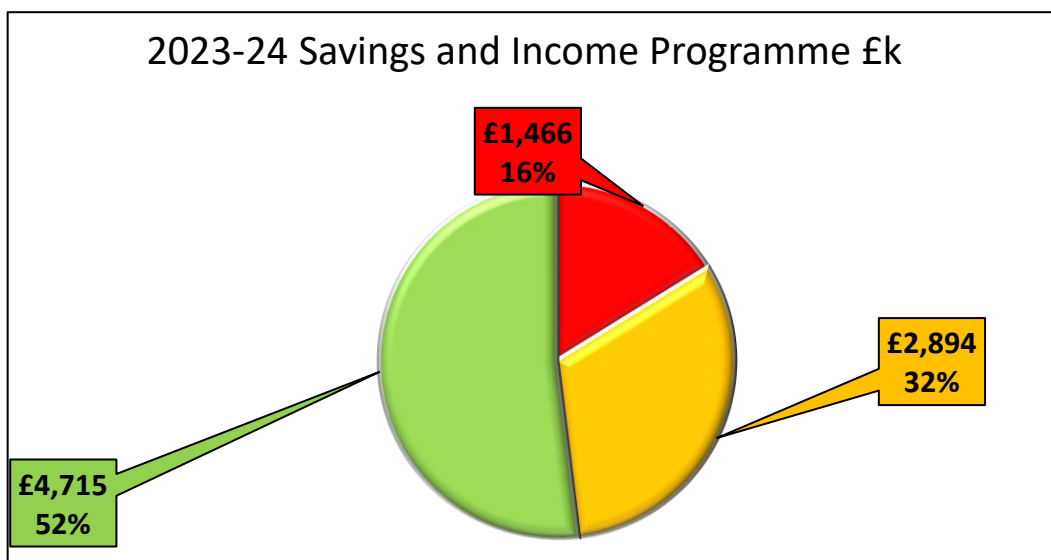
5.43 The Financial Review Panel which started at the end of July, have been making progress to reduce agency spending. The impact of this will become clearer in the next quarter.

Service Summary	Employee Budget to Q2	Q1 Employee spend	Q2 Employee spend	Over/ (under) spend	% over spend	Q1 Agency spend	Q2 Agency spend	Q1 Agency spend as a % of Employee budgets	Q2 Agency spend as a % of Employee budgets
		(including agency)							
Chief Executive	247,060	141,004	120,802	14,746	6%	-	-	0%	0%
Adult Social Care	9,029,750	4,900,972	4,641,898	513,120	6%	1,101,964	913,384	24%	22%
Children & Family Services	4,891,140	2,436,995	2,790,879	336,734	7%	805,261	907,343	33%	35%
Communities & Wellbeing	1,097,740	536,901	518,228	(42,611)	-4%	2,608	2,379	0%	0%
Executive Director - People	159,705	66,534	114,593	21,422	13%	-	-	0%	0%
Education	3,356,415	1,773,103	1,680,920	97,608	3%	230,573	276,477	14%	15%
Public Health & Wellbeing	293,780	110,779	118,362	(64,639)	-22%	-	-	0%	0%
Executive Director – Place	94,535	40,748	36,906	(16,881)	-18%	-	-	0%	0%
Development & Regulation	4,920,410	2,536,378	2,514,459	130,427	3%	269,596	250,966	11%	11%
Environment	2,803,760	1,370,288	1,409,163	(24,309)	-1%	34,529	34,159	2%	2%
Commissioning & Procurement	667,610	358,700	334,953	26,043	4%	917	917	0%	0%
Executive Director - Resources	97,615	40,161	39,776	(17,678)	-18%	-	-	0%	0%
Finance & Property	2,287,380	1,197,445	1,124,448	34,513	2%	103,186	87,054	9%	8%
ICT	1,088,400	553,716	522,213	(12,471)	-1%	17,132	7,624	3%	2%
Strategy & Governance	3,314,405	1,634,094	1,631,717	(48,594)	-1%	27,957	40,147	2%	2%
<b>Total</b>	<b>34,349,705</b>	<b>17,697,818</b>	<b>17,599,317</b>	<b>947,430</b>	<b>3%</b>	<b>2,593,723</b>	<b>2,518,616</b>	<b>15.1%</b>	<b>14.9%</b>

## 2023/24 Savings and income generation programme

5.44 In order to meet the funding available, the 2022/23 revenue budget was built with a £9m savings and income generation programme. The programme is monitored using the RAG traffic light system. The status is shown in the following charts:





Red items are as follows:

Service	Saving item	Impact on 2023/24
ASC	£81k fees and charges increase.	Unable to increase fees above 11.1% without consultation. Consultation recommended for setting of the fees for 2024/25.
ASC	£26k RAS software reducing provision	This is dependent on an upgrade going live.
CFS	£184k recruitment lag on new posts.	With the unprecedented level of demand for statutory intervention it is unsafe to not fill social work posts given the caseloads already exceeding safe levels.

D&R	£265k place shaping and delivery.	Income was originally expected to be generated through activity linked to Biodiversity Net Gain and Conservation Area Appraisals. The requirement for developments to deliver a 10% uplift in Biodiversity Net Gain is set to be introduced on 1 November 2023, however, it is now clear there is no opportunity to generate income other than through cost recovery through pre-apps and PPAs or by the sale of BNG credits. The sale of credits is represented by a £50k income target in the Environmental Delivery team
D&R	£63k premium service for pre application advice and determination of householder applications.	A trial of the Premium Service took place in October 2022. This service is currently not being offered, therefore the income target is not currently being realised.
D&R	£390k uplift in planning fees	Planning fees are set nationally. DLUHC carried out a consultation from February to April 23 and have recently announced these commence from 6 <sup>th</sup> December 2023. Current Planning Fee income forecasts are based on them being introduced in Quarter 3.
D&R	£25k financial contribution from registered providers for use of Council's choice based letting system	There is currently a £55k income target for choice based lettings, of which only £26k is forecasted to be achieved. Currently there has not been the anticipated uptake in demand for providers to advertise through the letting system - this is linked with issues in the current demands on in the rental market.
D&R	£100k review of systems processes and resources	<p>This savings is linked with the implementation of the Planning Service Staffing Restructure which is due to go through consultation over the Summer with plans for it to be implemented later this year. Although there is an in year pressure on achieving this, once the new structure is implemented then the saving will be achieved for future years.</p> <p>In year there are posts being held vacant in Minerals &amp; Waste and Planning Policy which are helping offset / mitigate this pressure</p>

## 2023/24 Revenue Financial Performance Quarter Two

D&R	£50k planning white paper/levelling up and regeneration bill service efficiencies	This savings is linked with the implementation of the Planning Service Staffing Restructure which is due to go through consultation over the Summer with plans for it to be implemented later this year. Although there is an in year pressure on achieving this, once the new structure is implemented then the saving will be achieved for future years.  In year there are posts being held vacant in Minerals & Waste and Planning Policy which are helping offset / mitigate this pressure
Env	£50k for biodiversity and carbon credits	Q2 Forecast that income target will not be achieved.
F&P	£96k from savings on surplus accommodation	At Q2 Budget Monitoring there is a forecasted pressure on West Street House as the property remains vacant.
ICT	£35k print and postage savings	Due to the cost of paper.
S&G	£101k grant funding of elections staff	There is no ongoing grant funding for the restructure of the Elections Team, an investment bid is to be submitted for 24/25 to remove this.

### Expenditure Guidance from 24.7.23

5.45 The Quarter One level of overspend meant that we needed to immediately introduce additional controls on all revenue spend within the Council. Agresso authorisation limits were changed accordingly. Non Agresso systems have alternative restrictions in place.

5.46 Spending controls will need to remain in place for the foreseeable future. Any circumnavigation of the rules will be a disciplinary matter per the financial rules of procedure.

5.47 Spending controls will be overseen by the Financial Review Panel (FRP) consisting of the Chief Executive, Executive Director Resources, Service Director Transformation, Heads of Finance & Property, Legal and HR representatives plus the Leader, Deputy Leader and Portfolio Holder for Finance.

### Measures for All Services

5.48 All services will need to do the following:

- (a) All spend up to £500 to be approved by Service Director/Head of Service, and only to be approved if statutory or unavoidable.

- (b) Spend between £501 and £1000 to be approved by Executive Director, and only to be approved if statutory or unavoidable.
- (c) Spend over £1000 to go to Spending Review Panel (SRP) members to approve. The SRP consists of Chief Executive, Executive Director Resources and the Heads of Finance & Property.
- (d) Recruitment pause with exceptions submitted for consideration by the FRP. Any jobs currently out to advert will be reviewed by the FRP to consider whether recruitment should proceed.
- (e) Reduction in the use of agency staff. All current agency to be reviewed and terminated where possible. Any new agency requests to continue to use the current request forms, but these will come to FRP for approval.
- (f) Overtime to be stopped, and only paid if approved in advance by the FRP with a supporting business case.
- (g) Review of honorariums. These should cease unless linked to specific acting up arrangements.
- (h) All job re-evaluations for existing roles will cease (unless the request forms part of a department restructure or is directly linked to a savings proposal).

5.49 All services to attend an FRP to review the following:

- (a) Statutory/discretionary areas of spend.
- (b) Unachieved savings and mitigation plans.

### **Measures for Overspending Services**

- (a) Spend over £1000 to be approved by the FRP from the week commencing 24<sup>th</sup> July. Purchase orders over £1000 will need to have an Expenditure Request Form emailed to the FRP in order to be approved (see attached).
- (b) The FRP will review every Thursday morning:
  - Purchase Orders (POs) and other expenditure requests approved in the preceding week by Service.
  - Expenditure Request Forms for outstanding POs over £1000.
- (c) Recovery plan were required by 15.8.23 to demonstrate the action being taken to deliver a breakeven position by year end.

### **Allowable expenditure**

5.50 We will continue to spend on the following:

- Existing staff payroll and pension costs

- Goods and services that have already been received
- Provision of statutory services at a minimum possible level
- Urgent need to safeguard vulnerable citizens
- Existing legal agreements and contracts where the spend is within the agreed and existing budget AND the spend is necessary to meet a statutory service OR a contractual obligation.
- Areas funded by ring-fenced grants (although these will need to be reviewed to ascertain where these are being fully utilised to cover costs/rebadging of expenditure).

### **Actions Underway**

- 5.51 Finance Service to review 2022/23 year end accruals and make recommendations about the accrual policy for 2023/24.
- 5.52 Minimum Revenue Provision review: the Council's external treasury advisors have been commissioned to review the MRP policy. Finance Service leading on this and it has been reflected in the Quarter Two forecast and is subject to Full Council approval in the budget papers.
- 5.53 Review of the opportunities for the flexible use of capital receipts funded through the sale of assets; the Council has little funding left for further transformational activity via the flexible use of capital receipts, though the opportunity to fund a range of work at the Council is there if asset sales occur e.g. digital, projects teams etc. This has been included in the Quarter Two forecasts, and would need to be reflected in the Full Council budget papers .
- 5.54 S151 Officer has contacted DHLUC for an informal discussion on the financial position.

### **Proposals**

- 5.55 To note the £3.3m overspend.
- 5.56 To note the implementation of measures included in the report around recruitment, staffing and agency.
- 5.57 To note the continuation of Financial Review Panel (FRP) to meet weekly to ensure the spending limits are being adhered to.

## **6 Other options considered**

- 6.1 None

## **7 Conclusion**

- 7.1 The Council is facing an unprecedented level of financial pressures due a range of factors. The Council is taking proactive steps to reduce this expenditure as highlighted in this report, but the Quarter Two position is placing a significant pressure on the

Council's financial resilience. This position will be monitored very closely in the coming days, weeks and months to measure progress on reducing expenditure whilst mitigating the impact on frontline services.

## 8 Appendices

8.1 Appendix A – Quarter Two position

8.2 Appendix B – Budget Changes

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### Background Papers:

Q1 Executive report

MTFS paper to 23 November Executive

### 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 Scrutiny Commission or associated Committees, Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

### Officer details:

Name: Melanie Ellis  
Job Title: Acting Head of Finance & Property  
Tel No: 01635 519142  
E-mail: Melanie.Ellis@westberks.gov.uk

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# Appendix A

	Budget				Forecasted Performance												
	Original Budget 2023/24 £	Changes in year 2023/24 £	Funding Released from Reserves 2023/24 £	Revised Budget 2023/24 £	Expenditure			Income			Net						
					Annual Expenditure Budget for 2023/24 £	Annual Expenditure Forecast for 2023/24 £	Expenditure Variance for 2023/24 £	Annual Income Budget for 2023/24 £	Annual Income Forecast for 2023/24 £	Income Variance for 2023/24 £	Net Variance £	Use of Earmarked Reserves £	Mitigation £	Pre-agreed Transformation £m	New Transformation £m	Year end forecast Variance £	Net Exp/Inc after adjustments £
Adult Social Care	62,898,690	26,090	0	62,924,780	85,225,890	89,585,000	4,359,110	-22,301,110	-24,882,810	-2,581,700	1,777,410	-151,000	-701,500	0	-349,500	575,410	63,500,190
Children & Family Services	21,222,570	26,090	0	21,248,660	24,181,650	29,187,850	5,006,200	-2,932,990	-3,167,970	-234,980	4,771,220	-87,000	-179,000	0	-787,000	3,718,220	24,966,880
Executive Director - People	369,810	0	0	369,810	369,810	415,670	45,860	0	0	0	45,860	0	0	0	-49,000	-3,140	366,670
Education (DSG Funded)	-444,000	0	0	-444,000	126,348,550	16,744,510	-109,604,040	-126,792,550	-17,188,510	109,604,040	0	0	0	0	0	0	-444,000
Education	10,687,990	0	20,000	10,707,990	14,759,630	17,225,390	2,465,760	-4,051,640	-3,913,150	138,490	2,604,250	0	-584,000	0	0	2,020,250	12,728,240
Public Health & Wellbeing	-80,000	0	0	-80,000	6,448,470	6,300,570	-147,900	-6,528,470	-6,380,570	147,900	0	0	0	0	0	0	-80,000
Communities & Wellbeing	3,256,850	0	6,940	3,263,790	4,299,040	4,049,480	-249,560	-1,035,250	-799,390	235,860	-13,700	0	0	0	0	-13,700	3,250,090
<b>People</b>	<b>97,911,910</b>	<b>52,180</b>	<b>26,940</b>	<b>97,991,030</b>	<b>261,633,040</b>	<b>163,508,470</b>	<b>-98,124,570</b>	<b>-163,642,010</b>	<b>-56,332,400</b>	<b>107,309,610</b>	<b>9,185,040</b>	<b>-238,000</b>	<b>-1,464,500</b>	<b>0</b>	<b>-1,185,500</b>	<b>6,297,040</b>	<b>104,288,070</b>
Development & Regulation	5,343,890	0	293,520	5,637,410	13,259,660	16,654,400	3,394,740	-7,622,250	-10,359,830	-2,737,580	657,160	-45,000	0	0	0	612,160	6,249,570
Executive Director – Place	213,130	0	0	213,130	213,130	188,400	-24,730	0	0	0	-24,730	0	0	0	0	-24,730	188,400
Environment	27,942,440	-60,000	0	27,882,440	38,753,500	39,267,630	514,130	-10,871,060	-11,502,250	-631,190	-117,060	-262,000	0	0	-255,000	-634,060	27,248,380
<b>Place</b>	<b>33,499,460</b>	<b>-60,000</b>	<b>293,520</b>	<b>33,732,980</b>	<b>52,226,290</b>	<b>56,110,430</b>	<b>3,884,140</b>	<b>-18,493,310</b>	<b>-21,862,080</b>	<b>-3,368,770</b>	<b>515,370</b>	<b>-307,000</b>	<b>0</b>	<b>0</b>	<b>-255,000</b>	<b>-46,630</b>	<b>33,686,350</b>
ICT	2,436,570	0	0	2,436,570	3,169,610	3,116,230	-53,380	-733,040	-693,000	40,040	-13,340	0	0	-22,500	0	-35,840	2,400,730
Executive Director - Resources	317,170	0	0	317,170	317,170	305,870	-11,300	0	-38,700	-38,700	-50,000	0	0	0	0	-50,000	267,170
Commissioning & Procurement	448,480	0	0	448,480	14,529,810	14,631,640	101,830	-14,081,330	-14,103,690	-22,360	79,470	0	0	-143,000	-50,000	-113,530	334,950
Finance & Property	1,468,220	0	0	1,468,220	33,263,660	34,968,360	1,704,700	-31,795,440	-32,987,410	-1,191,970	512,730	-94,000	-35,000	0	-139,000	244,730	1,712,950
Strategy & Governance	7,288,880	7,820	208,080	7,504,780	8,567,980	9,311,190	743,210	-1,063,200	-1,538,100	-474,900	268,310	-9,000	-74,000	-131,000	-74,000	-19,690	7,485,090
Transformation	0	0	0	0	0	126,560	126,560	0	0	0	126,560	0	0	-126,560	0	0	0
<b>Resources</b>	<b>11,959,320</b>	<b>7,820</b>	<b>208,080</b>	<b>12,175,220</b>	<b>59,848,230</b>	<b>62,459,850</b>	<b>2,611,620</b>	<b>-47,673,010</b>	<b>-49,360,900</b>	<b>-1,687,890</b>	<b>923,730</b>	<b>-103,000</b>	<b>-109,000</b>	<b>-423,060</b>	<b>-263,000</b>	<b>25,670</b>	<b>12,200,890</b>
Chief Executive	540,710	0	0	540,710	540,710	530,710	-10,000	0	0	0	-10,000	0	0	0	0	-10,000	530,710
<b>Chief Executive</b>	<b>540,710</b>	<b>0</b>	<b>0</b>	<b>540,710</b>	<b>540,710</b>	<b>530,710</b>	<b>-10,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-10,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-10,000</b>	<b>530,710</b>
Capital Financing & Management	14,850,640	0	0	14,850,640	15,360,640	12,851,250	-2,509,390	-510,000	-873,000	-363,000	-2,872,390	0	0	0	-130,000	-3,002,390	11,848,250
Risk Management	0	0	-313,520	-313,520	-313,520	-313,520	0	0	0	0	0	0	0	0	0	0	-313,520
<b>Capital Financing and Management</b>	<b>14,850,640</b>	<b>0</b>	<b>-313,520</b>	<b>14,537,120</b>	<b>15,047,120</b>	<b>12,537,730</b>	<b>-2,509,390</b>	<b>-510,000</b>	<b>-873,000</b>	<b>-363,000</b>	<b>-2,872,390</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-130,000</b>	<b>-3,002,390</b>	<b>11,534,730</b>
<b>Total</b>	<b>158,762,040</b>	<b>0</b>	<b>215,020</b>	<b>158,977,060</b>	<b>389,295,390</b>	<b>295,147,190</b>	<b>-94,148,200</b>	<b>-230,318,330</b>	<b>-128,428,380</b>	<b>101,889,950</b>	<b>7,741,750</b>	<b>-648,000</b>	<b>-1,573,500</b>	<b>-423,060</b>	<b>-1,833,500</b>	<b>3,263,690</b>	<b>162,240,750</b>

Service	Original Net Budget	Budget B/F from 22-23 released from reserves	Grants/ funding released from reserves	FAGG approved release from reserves	Budget changes not requiring approval	Approved by S151 & Portfolio Holder	Approved by Executive	Budget C/F to 2023-24	Final Net Budget
	£000	£000	£000	£000	£000	£000	£000	£000	£000
Adult Social Care	62,899				26				62,925
Children and Family Services	21,223				26				21,249
Executive Director	370								370
Education DSG funded	(444)								(444)
Education	10,688	20							10,708
Public Health & Wellbeing	(80)								(80)
Communities & Wellbeing	3,257				7				3,264
<b>People</b>	<b>97,912</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>59</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>97,991</b>
Executive Director	213								213
Development & Regulation	5,344	294							5,637
Environment	27,942				(60)				27,882
<b>Place</b>	<b>33,499</b>	<b>294</b>	<b>0</b>	<b>0</b>	<b>(60)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>33,733</b>
ICT	2,437								2,437
Executive Director	317								317
Commissioning & Procurement	448								448
Finance & Property	1,468								1,468
Strategy & Governance	7,289	192		16	8				7,505
<b>Resources</b>	<b>11,959</b>	<b>192</b>	<b>0</b>	<b>16</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12,175</b>
Chief Executive	541								541
<b>Capital Financing &amp; Risk</b>	<b>14,851</b>	<b>(314)</b>							<b>14,537</b>
<b>Total</b>	<b>158,762</b>	<b>192</b>	<b>0</b>	<b>16</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>158,977</b>
Quarter One	158,762	192							158,954
Quarter Two	158,954			16	7				158,977



# 2023/24 Performance Report Quarter Two

<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 December 2023
<b>Portfolio Member:</b>	Councillor Jeff Brooks
<b>Date Portfolio Member agreed report:</b>	7 November 2023
<b>Report Author:</b>	Jenny Legge/Catalin Bogos
<b>Forward Plan Ref:</b>	EX4351

## 1 Purpose of the Report

- 1.1 To provide assurance that the priority areas in the [Council Strategy 2023-2027](#) are being managed effectively, and where performance has fallen below the expected level, present information on the remedial action taken and the impact of that action. To ensure effective oversight to Councillors, staff and residents regarding progress made towards the achievement of the outcomes detailed in the Council Strategy Delivery Plan.

## 2 Recommendation

- 2.1 To note the progress made in delivering the Council Strategy Delivery Plan 2023-2027, maintaining a strong outcome for the majority of the measures, and remedial actions taken where performance is below target.

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	To be highlighted and managed by individual services.
<b>Human Resource:</b>	To be highlighted and managed by individual services.
<b>Legal:</b>	To be highlighted and managed by individual services.
<b>Risk Management:</b>	To be highlighted and managed by individual services.
<b>Property:</b>	To be highlighted and managed by individual services.
<b>Policy:</b>	To be highlighted and managed by individual services.

	Positive	Neutral	Negative	Commentary
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
<b>Environmental Impact:</b>		X		
<b>Health Impact:</b>		X		
<b>ICT Impact:</b>		X		
<b>Digital Services Impact:</b>		X		
<b>Council Strategy Priorities:</b>	x			Supports all priorities areas of the Council Strategy 2023-27.
<b>Core Business:</b>	x			
<b>Data Impact:</b>		X		
<b>Consultation and Engagement:</b>	The information provided for this report, has been signed off by the relevant Heads of Service/Service Directors, Executive Directors and Portfolio Holders.			

## 4 Executive Summary

- 4.1 At the meeting on 5 October 2023, the Council unanimously approved the new Council Strategy 2023-2027, which includes the Council Strategy Delivery Plan.
- 4.2 This paper provides updates for each component of the Council Strategy Delivery Plan 2023-2027:

- Non-targeted influencer measures for context.
- Targeted measures for each priority area.
- Corporate health measures for internal context.

4.3 The **Influencer measures** indicated that the district's economy continued to fare well overall, but the latest data (Mar 23) shows the start of a slightly increasing trend (similar to regional and national positions) in the unemployment rate. The high demand on our services remained elevated due external pressures, e.g. the cost of living crisis, but for children's social care services the reduction in demand is being monitored to ascertain if this is due to a more systematic change or only to an in-year cyclical trend. Whilst the average house prices reduced by £10k, compared to the previous quarter, there was increased pressure on demand for the Hosing Services.

4.4 The delivery of the outcomes grouped under each **Council Strategy Priority Area** continued to progress well. Overall, four priority areas achieved and exceeded targets (rated Green): (i) *Services We Are Proud of*; (ii) *A Fairer West Berkshire with Opportunities for All*; (iii) *Tackling the Climate and Ecological Emergency*; and (iv) *Thriving Communities with a Strong Local Voice*. The *Prosperous and resilient West Berkshire* priority was rated Amber overall, as the majority of the measures were exactly on target, and three measures were below targets.

4.5 Areas of achievement to note include: good performance for children's social care measures, timeliness of decisions for planning applications, 'Good' or better Ofsted rating of our schools, progression in the digitisation of council services, our young care leavers successfully supported into employment, works on phase one of the Newbury Wharf commenced, an opposition Councillor appointed to the chair of the Scrutiny Commission, the chairing of the Town Centre Masterplan steering group offered to Town Councils, the Council Strategy Delivery Plan adopted, installation of vehicle charging points in our car parks, waste recycling, creation of a Sustainability Hub for residents and businesses, opening of the refurbished Newbury Lido.

4.6 Of the measures rated Amber or Red, a number of areas to highlight include:

- Active fostering households - Local performance mirrors the national picture, however the service is working on several initiatives in its endeavours to recruit.
- Timeliness of decisions on new claims for Housing Benefit – increased demand and team vacancy impacts to be addressed by improving online functionality for claimants.
- EV on-street charging points – there had been a delay in the provider signing the contract, but civil works commenced in September and electrical connections were due to commence during quarter three.
- Demand Responsive bus service – there was a delay in the supplier signing the contract, but implementation work was due to progress in quarter three.

- Partnership fund with Greenham Common Trust – the fund to support mental health initiatives was delayed due to internal governance prioritisation and will be reconsidered in future quarters.

- 4.7 The council's **corporate health indicators** highlight focus on resource management and a controlled financial approach to manage service demand. Additional arrangements have been made to further strengthen budgetary control, and the quarter two financial forecast is an overspend of £3.3m, representing 2.1% of the net revenue budget and significantly improved from the quarter one forecast overspend.
- 4.8 Staff turnover (12.5%) was below pre-Covid levels and the WBC average of 13%.
- 4.9 Absence levels for quarter two were not available in time for this report, however the rate for quarter one was the lowest since June 2021.
- 4.10 For a few measures the data was not available in time for reporting due to arrangements having to be finalised to collect, quality assure and report the data, when the Council Strategy Delivery Plan had been only recently approved.

## 5 Supporting Information

### Influencer measures

Detailed information on the measures in this report can be found online in the Performance Portal via this link: <https://westberksperformance.inphase.com/>

- 5.2 Non-targeted measures of influence were monitored to provide context to the work being carried out across council services.
- 5.3 The major focus for the district remained responding to several international and national challenges, e.g. supporting displaced people due to conflict, and economic challenges which impact at local level too.
- 5.4 Overall, the local **economy remained strong**. Empty business rated industrial properties remained at a consistent level and the number of empty non-industrial units continued to reduce. The sale of parking tickets in WBC managed car parks was encouragingly higher than the same period last year. The number of planning applications was lower than expected, however the planning permissions approval rate held at around 90%.
- 5.5 Within the local **social care indicators**, children's social care referral and enquiry numbers, children in need, children subject to a child protection plan and children in care started to decrease, which is being monitored to understand if this trend is due to seasonal in-year variations or it is a more significant change in the social care context. However the number of children in need and children in care was still high compared to one and a half years ago.
- 5.6 Although the data reported was provisional, the number of Adult Safeguarding S42s enquiries opened (when an adult may be at risk of abuse or neglect) had decreased and was more in-line with previous quarters.

- 5.7 The number of Adult Social Care clients requiring Long Term support had steadily increased since September 2020, and continues to be monitored by the service, the increase since year end is currently 0.5% (10 clients).
- 5.8 The number of active households on the Housing Register continued to be higher than desired, as was the number of households in temporary accommodation. There was an increase in demand for Housing Service as more people meet the threshold for accommodation, some needing urgent accommodation. The threshold was based on vulnerability, e.g. vulnerable children, mental health issues, physical disabilities. In particular, there was an increase in cases presenting with mental health issues. Alongside this increasing demand, the service was successful in preventing and relieving homelessness for a record 97 cases this quarter, compared to the previous three and a half years. This was achieved through keeping more people in their homes through support, such as negotiations with landlords and family members.
- 5.9 Within the **Environment** category, the number of library issues rose by 10% compared to the same period last year. 3,261 children visited a library to take part in the 2023 Summer Reading Challenge, with a further 200 joining in online. 435 pre-school children also took part in a Mini Challenge, and 873 people took part in the West Berkshire Book Challenge for over 12 year olds. Volunteer levels in the Culture and Library Service returned to pre-pandemic levels.
- 5.10 The Environment service identified a discrepancy in the data provided for the number of pothole/edge of road repairs and are querying it with the provider.

### 5.11 **Priority Area Measures Performance**

Detailed information on the measures in this report can be found online in the Performance Portal via this link: <https://westberksperformance.inphase.com/>

#### **Note the meaning of the following in the Performance Portal:**

- Red, Amber, Green ratings are based on a 5% tolerance (variance) from target.
- Planned – refers to tasks/milestones in progress
- Completed with a green star – refers to measures/tasks which are completed and on or ahead of schedule
- Completed with a red triangle – refers to measures/tasks which are completed later than scheduled
- ? - means no actual value for the current period has been recorded
- n/r - means an actual value for the current period is not expected e.g. annual measure
- >> - means that data is not due to be reported

- 5.12 **Council Strategy Priority Areas** - Results at the end of quarter two showed that four of the five priority areas were RAG rated as Green (on schedule or delivered) and one as Amber.



Chart 1. Overall RAG Ration of Priorities (inner circle) and associated Goals (outer circle)

**5.13 Priority Area 1: Services we are proud of**

5.14 Overall good progress was made with delivering this priority. Most of the performance measures exceeded their targets and the key milestones were reported as ‘on schedule’.

5.15 Digitisation of Council’s functions continued as planned, aiming to enable residents to access services online, and more residents subscribed to our e-newsletters to get updates and have information emailed to them directly.

5.16 Work continued to deliver 5 housing units for displaced persons. The initial works were completed and a main contractor appointed.

5.17 The amount of Council Tax collected was slightly below target, with residents’ ability to pay being affected by the rise in the cost of living. However, the amount of non-domestic rates collected was above the usual for this period.

5.18 Our efforts to keep our public spaces clean, tidy and welcoming mean that we have maintained the level of litter, detritus and graffiti as Keep Britain Tidy: satisfactory.

5.19 Our plans to review the Community Infrastructure Levy customer journey and the pilot to re-introduce Neighbourhood Notification Letters were on schedule.

5.20 Activities to make WBC an employer of choice led to a reduction in staff turnover, and an increase in staff taking up opportunities to enrol in apprenticeship levy funded training, and young people being involved in work experience and project work opportunities.

5.21 The Council Strategy Delivery Plan was developed and adopted by the Council. It provides details about performance measures and targets used to monitor progress with the delivery of the priorities and goals of the Council Strategy 2023-27.

5.22 Opposition Councillors were appointed as the Scrutiny Commission Chairperson (Green Party) and Deputy Chairperson (Conservative Party) in order to strengthen the Council's scrutiny function.

### **5.23 Priority Area 2: A fairer West Berkshire with opportunities for all**

5.24 There was an overall good performance for the majority of the adult social care and children social care measures.

5.25 Strong results were secured regarding adult social care safeguarding enquires, with 71% of safeguarding outcomes being fully achieved, and where a risk was identified, it was reduced in 95% of cases.

5.26 Supporting more vulnerable young adults into employment resulted in 65% of our care leavers aged 19 to 21 benefiting from employment, education or training, compared to the national figure of 52%, and better than our target of 60%.

5.27 The Fostering Network estimates that fostering services across the UK need to recruit at least a further 7,200 foster families in the next 12 months due to record numbers of children in care and around 12 per cent of the foster carer workforce retiring or leaving every year. This situation was echoed locally, and although the service worked hard to recruit more people to provide safe and secure family environments for vulnerable children, it has proven difficult to achieve the target. There was extensive promotion of fostering in West Berkshire resulting in seven households taking part in the fostering preparation group, a precursor to the assessment process for foster carers. West Berkshire Council was also successful in a bid to be part of a regional foster care recruitment initiative across the South-East region, and sought to become a foster friendly employer, enabling staff to consider fostering children.

5.28 All verified rough sleepers in West Berkshire were offered accommodation when first identified, and 60% of households were in secure accommodation within 6 months of relief duty ending.

5.29 An increase in demand for Housing Benefit, due to the national increase in the cost of living, and a vacancy within the Benefits Team meant it took longer to get a decision for new claimants than was desirable. The service plans to improve performance by digitising parts of the claimant process.

### **5.30 Priority Area 3: Tackling the Climate and Ecological Emergency**

5.31 Moving towards achieving carbon neutrality by 2030, as set out in our Environment Strategy, 36% of suitable WBC public car parks now have EV charging available, 17% of Car Club vehicles are electric, and 48% of our light vehicle fleet is ultra-low emission. There was a delay in signing the contract with Ubitricity and therefore the installation of on-street EV charging points, however work to install 22 charge points was scheduled to begin in October.

5.32 The review of kerbside recycling was on schedule, and discussions on how to phase out the green waste collection service and replace the loss of income are ongoing. Provisional data for household waste recycling, composting and reusing was better than targeted at 56%.

5.33 The [Green Hub page](#) was launched to provide information and guidance focussed on helping people in West Berkshire make sustainable choices and assist us collectively along our journey to Net Zero.

#### 5.34 **Priority Area 4: A prosperous and resilient West Berkshire**

5.35 Overall, this priority area was rated as Amber. This was because although most of the performance measures were exactly on target, three areas were RAG rated as Red.

5.36 Supporting routes to employment, a “Return to work” careers fair held at Shaw House offered businesses in West Berkshire the opportunity to exhibit and promote available jobs for residents.

5.37 Work began on a pilot to support landowners to develop an Estate Plan that delivers clear community benefits in terms of employment and environmental and biodiversity gains as well as affordable housing for key workers.

5.38 The delivery of the flood prevention and drainage improvement schemes was on target.

5.39 Work to develop and adopt a Pothole Strategy and Plan had commenced.

5.40 The service identified a discrepancy in the data being provided by the contractor for the percentage of permanent pothole and edge of road repairs (RAG rated red) and are investigating it.

5.41 The first phase of works on Newbury Wharf began, however a change to the programme for the Bond Riverside Regeneration Programme due to works on the Faraday Road football pitch, led to a delay in the delivery of the agreed 2023/24 phase of the programme. The programme will now be reviewed and updated, including a Place-making Strategy.

5.42 Implementation work for a demand responsive bus service can begin following a delay in signing of a call-off agreement. The launch of the service is now planned for December 2023.

#### 5.43 **Priority Area 5: Thriving communities with a strong local voice**

5.44 Several refurbishment projects for our Leisure Centre facilities were underway in Hungerford, Newbury and Thatcham. There were some delays due to access agreements and planning permissions, but the projects were progressing well.

5.45 The new Pump Track at Goldwell Park was completed in September and has wheelchair functionality. The grass pitch at Faraday Road was prepared and it was expected to be usable by football teams by the end of December.

5.46 Discussions began with the Greenham Common Trust to set up a fund to support physical activities initiatives. However, a similar arrangement for mental health support



initiatives was delayed and will not be progressed in 2023/24 given the financial pressures managed through the internal Governance processes.

## Corporate Health

5.47 The quarter two financial forecast was an overspend of £3.3m, representing 2.1% of the net revenue budget. This was after use of £0.6m of specific earmarked reserves, £1.6m service mitigations that are being worked on, and £2.3m of flexible use of capital receipts for transformational activity. Further details are reported in the quarterly financial reports.

5.48 Staff turnover decreased to pre-Covid levels and below the WBC average rate (12.5%).

5.49 Absence levels for quarter two were not available in time for this report, however the rate for quarter one was the lowest since June 2021.

## Proposals

5.50 To note the progress made in delivering the [Council Strategy Delivery Plan 2023-2027](#), maintaining a strong outcome for the majority of the measures, and remedial actions taken where performance is below target.

## 6 Other options considered

None considered.

## 7 Conclusion

7.1 Quarter two results show that good progress had been made towards the delivery of all five prioritise of the Council Strategy. Strong performance levels have been achieved for most of the performance measures, some of the initiatives listed in the Delivery Plan completed and key services delivered to our district.

7.2 Action plans are in place to address performance for a small number of measures rated “Amber” and “Red” and the Executive is asked to note these actions and the overall performance reported.

## 8 Appendices

8.1 Appendix A – Q1 and Q2 Performance Infographics

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### 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

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Delays in implementation could compromise the Council's position	<input 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 checked="" type="checkbox"/>

**Wards affected:** All wards

**Officer details:**

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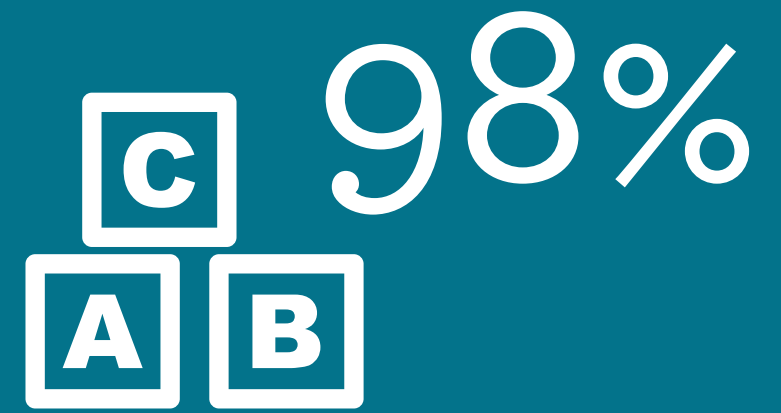
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2022/23  
April – June



Big Community  
Switch is back!

Children in one of their  
top 3 choices of  
primary school



Project to create homes  
for displaced  
persons underway

Summer Reading  
Challenge begins -  
Ready, Set, Read!



55%



of household  
waste recycled,  
composted and reused

91%



Children in  
care contributing  
to their review

Schools judged good  
or better by Ofsted



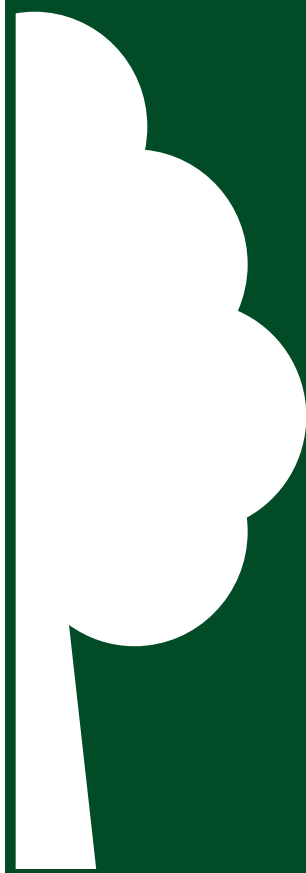
95%



More EV  
charging spaces  
in West Berkshire  
public car parks

# 2022/23

July – September



West Berkshire  
Green Hub  
created  
for residents  
and businesses



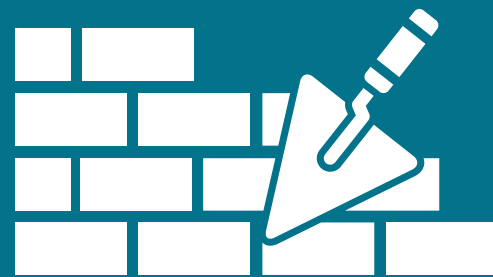
Returners  
Recruitment  
Fair held  
at Shaw House

# 3,261



Children  
took part  
in the Summer  
Reading Challenge

Phase One works on  
Newbury Wharf  
on schedule



# 50%

of flood prevention  
schemes completed



Refurbished  
Lido open

Integration  
@Badgers Hill  
alternative education  
provision opens



Bus service  
upgrades announced

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# Newbury Town Centre Pedestrianisation Extension Trial

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<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 December 2023
<b>Portfolio Member:</b>	Councillor Denise Gaines
<b>Date Portfolio Member agreed report:</b>	22 November 2023
<b>Report Author:</b>	Jon Winstanley
<b>Forward Plan Ref:</b>	EX4416

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## 1 Purpose of the Report

- 1.1 The report addresses the Council Strategy commitment to conduct a trial extension to the pedestrianisation timings in Newbury Town Centre. This will remove traffic from this core area during the evenings to create more space for pedestrians, areas for seating and planting, 'spill-out' space for cafés and restaurants and flexibility for larger events. Removal of traffic in the evenings will also improve pedestrian safety.
- 1.2 This report seeks approval from the Executive to submit an application to the Department for Transport requesting consent from the Secretary of State (SoS) to proceed with the implementation of an Experimental Traffic Regulation Order (ETRO). Provided SoS consent is given, the intention would be to implement a minimum 6-month trial and to consult with the community and stakeholders during the trial period. The report also seeks approval to commence the (non-experimental) Traffic Regulation Order (TRO) process should the response from the SoS on the use of an ETRO for this purpose not be favourable.

## 2 Recommendations

- 2.1 That the Executive approves:
  - (a) the making of an Experimental Traffic Regulation Order to extend the hours of pedestrianisation in Newbury Town Centre, subject to any required Secretary of State approval.
  - (b) in principle the making of a Traffic Regulation Order to extend the hours of pedestrianisation in Newbury Town Centre subject to formal consultation, should the SoS not give consent to the use of an ETRO.

### 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	Delivery of the scheme (temporary/ permanent signage along with advertising the order and any comms) will cost approximately £5,000 and can be funded from the approved Town Centres Programmes capital budget.
<b>Human Resource:</b>	This project can be delivered from existing staff resources
<b>Legal:</b>	<p>In order to proceed with the proposed ETRO which is an experimental order, the Council need to be satisfied that the Order is completely necessary:</p> <p>(a)for avoiding danger to persons or other traffic using the road to which the order relates or any other road, or</p> <p>(b)for preventing the likelihood of any such danger arising.</p> <p>and SoS consent is obtained after a successful application to the Department for Transport.</p> <p>In the event Secretary of State Consent is not provided and a TRO is pursued, this is a permanent Order and the standard process will need to be followed. The Order will need to be kept under review and the process to follow to revoke a TRO is that a new Traffic Order will need to be introduced to revoke the previous Order. This is likely to incur costs and would require the usual process which can be lengthy.</p>
<b>Risk Management:</b>	The project will be managed in line with the Council’s risk management processes.
<b>Property:</b>	None as a result of this report.
<b>Policy:</b>	Local Policy – <a href="#">Newbury Town Centre Masterplan</a>

	Positive	Neutral	Negative	Commentary
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		Stage 1 EqIA at Appendix A below can be seen in Appendix A.
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		Stage 1 EqIA at Appendix A below can be seen in Appendix A.
<b>Environmental Impact:</b>	X			<p>Whilst this will improve air quality within the town centre, there will inevitably be a knock-on effect on the routes where vehicles are displaced to.</p> <p>However, the creation of traffic free areas in the town centre in the evening will encourage more active travel, which would have a net improvement environmentally.</p>
<b>Health Impact:</b>	X			The proposal will encourage active travel by removing traffic from busy town centre roads. This could have resulting health benefits.
<b>ICT Impact:</b>		x		N/A

<b>Digital Services Impact:</b>		x		Assistance from the Digital Services team may be required for the consultation process.
<b>Council Strategy Priorities:</b>		x		A Prosperous and Resilient West Berkshire  Tackling the Climate and Ecological Emergency
<b>Core Business:</b>	X			The proposal is in line with the endorsed Newbury Town Centre Masterplan and will encourage active travel through the town centre.
<b>Data Impact:</b>		x		N/A
<b>Consultation and Engagement:</b>	<p>Newbury Business Improvement District (BID) has been informally approached regarding the proposal.</p> <p>Traffic Regulation Orders require a formal statutory consultation and stakeholders will be engaged as part of this process.</p> <p>An Experimental Traffic Regulation Order will require formal statutory and stakeholder consultation through the first 6 months of the trial being implemented.</p>			

## 4 Executive Summary

4.1 The Council Strategy 2023-27 provides a clear commitment to conduct a trial extension to the pedestrianisation timings in Newbury Town Centre. This aligns with a key aim of the Newbury Town Centre Master Plan, adopted in February 2023, which states:

‘Extending the hours during which traffic is removed from this core area.  
Creating more space for pedestrians, areas for seating and planting, ‘spill-out’ space for cafés and restaurants and flexibility for larger events’.

4.2 The Council is keen to accelerate implementation of this important initiative, the objective being to remove as much traffic as possible from the town centre roads during the evenings to boost the night-time economy. The intent is to do this by



extending the current pedestrianised timings until 11pm from the current 5pm cut-off. Officers are working with the DfT and Legal colleagues to find a mechanism to achieve this within legislation.

4.3 Extending the pedestrianisation timings will have several benefits for the Town Centre:

- Improved conditions for walking and cycling through the town centre in the evenings, thus creating a safer environment and encouraging more sustainable transport.
- Removing the traffic in the evenings will have significant benefits for the hospitality trade, improving the ambiance for alfresco style dining and encouraging cafes and restaurants to 'spill-out' onto the public highway.
- The potential to draw in additional custom and increase evening trade.
- Provision of flexibility for evening events in the town centre (subject to appropriate licences and permissions).

4.4 There are two legislative routes which have been identified that could be used to implement the proposed extended pedestrianised timings. One would be the use of an Experimental Traffic Regulation Order (ETRO), the other a regular Traffic Regulation Order (TRO). It should be noted that under section 3(1)(b) of the Road Traffic Act 1984 a TRO or ETRO shall not be made with respect to any road that would have the effect of preventing vehicular access to premises for more than 8 hours in any 24-hour period. The proposed revised timings (10am to 11pm) would restrict access for a longer period than 8 hours.

4.5 There are exceptions to this under section 3(2) of the Act, and one of the exceptions includes section 3 (2) (a) which is where it is considered that the order is being made 'to avoid danger to persons to which the order relates'. Given that the proposal will significantly reduce conflicts between motorists and vulnerable road users, therefore helping avoid danger to persons or other traffic using the road, it is considered a valid exception to the 8-hour rule under the Act. The Council need to be satisfied this exception applies and if satisfied, we will also need Secretary of State (SoS) consent to proceed.

4.6 The recommended approach is to progress with an ETRO. ETRO's can be introduced without formal consultation being undertaken prior to implementation. Formal consultation takes place once the ETRO is introduced for a minimum of six months, therefore the consultation is undertaken 'by doing', which allows the public and other stakeholders a greater understanding of the impact and benefits the scheme offers. Informal engagement has been ongoing with the DfT, however the DfT has not confirmed if the exception to obtaining SoS consent is relevant in the case of an ETRO and therefore it is recommended that a formal application be submitted to the DfT for SoS consent. The making of any ETRO is subject to any consent which is required by the Secretary of State.

4.7 The alternative approach is a TRO which would require statutory consultation in advance of implementation. Considering the uncertainty about the ETRO process, it is recommended that Officers prepare legal documentation for the consultation and making of a TRO, which will progress to formal consultation should consent to the ETRO process not be given by the SoS.

## 5 Introduction/Background

### Introduction

5.2 One of the key aims of the Newbury Town Centre Master Plan is:

‘Extending the hours during which traffic is removed from this core area. Creating more space for pedestrians, areas for seating and planting, ‘spill-out’ space for cafés and restaurants and flexibility for larger events’.

5.3 This is reflected in the Council Strategy which proposes a trial extension of the time that traffic is restricted from entering the town centre in the evenings, to understand the impact of this in boosting the night-time economy and on the local transport network.

### Background

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 10am and 5pm 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 can 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 emergency services, postal vehicles, authorised maintenance of the Highway, 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 Currently between 5pm and 10am through traffic is permitted to use these roads, which adds capacity to the wider network at peak times. Access for deliveries to shops and businesses (non-critical) 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 10am and 6pm. Cycles, buses and critical delivery vehicles (e.g. 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 10am and 5pm.

## Proposals

- 5.8 The commitment in the Council Strategy is to trial an extension to the pedestrianised timings in the evenings. It is intended that this would be for a minimum of 6 months to enable the Council to gauge the impact and to seek views from the local community and stakeholders on the changes.
- 5.9 It is proposed that the extended hours of pedestrianisation be under the same access restrictions as those between 10am and 5pm, i.e. that no access be allowed (except for the exemptions mentioned in 5.4 above), which would be enforced by use of a physical barrier (the rising bollards). The new pedestrianised timings would be 10am to 11pm with non critical deliveries and access allowed outside of these times. The legislation states that Traffic Orders under the Road Traffic Regulation Act 1984 (RTRA) which prevent vehicular access to premises for more than 8 hours in any 24-hour period requires an exception that the Council must state on the Order that they are satisfied applies. One such exception is if it is considered that the order is being made to avoid danger to persons to which the order relates. Given that the proposal will significantly reduce conflicts between motorists and vulnerable road users, therefore helping avoid danger to persons or other traffic using the road, it is considered a valid exception to the 8-hour rule under the Act. This exception requires an application to the Department for Transport (DfT) for Secretary of State consent.
- 5.10 Extending the pedestrianised timings will have several other benefits for the Town Centre:
- Improved conditions for walking and cycling through the town centre in the evenings, thus creating a safer environment and encouraging more sustainable transport.
  - Removing the traffic in the evenings will have significant benefits for the hospitality trade, improving the ambiance for alfresco style dining and encouraging cafes and restaurants to 'spill-out' onto the public highway.
  - Greater potential to draw in additional custom and increase evening trade.
  - Provision of greater flexibility for evening events in the town centre (subject to appropriate licences and permissions).
- 5.11 Extending the pedestrian timing will inevitably have an impact on the surrounding road network, albeit this would be limited due to the existing pedestrianised hours. The main impact will be in the evening peak after 5pm, where there will be an increase in traffic at the A339/Robinhood Roundabouts, along the A339 and at the A339 Bear Lane junction.
- 5.12 Permission to implement the proposal requires SoS consent using an appropriate Order under the Road Traffic Regulation Act 1984. There are two legislative routes being considered considering, an experimental (ETRO) or permanent order (TRO). The experimental order is the preferred approach and the intention is to enable this to be carried out as a trial and to commence as soon as possible. This would allow consultation to be undertaken during the first six months of the trial to enable the Council to understand the benefits and the impact upon the wider transport network.

5.13 Using the ETRO route will allow the extended pedestrianised timings to be undertaken as a trial for a minimum of 6 months. The trial period will afford an excellent opportunity to monitor the impact which can inform the decision making going forward. Another advantage of using an ETRO is that following the trial period, or at any time, the trial could be stopped without the need for a further statutory process.

5.14 A trial could also offer the opportunity to monitor how the evening restriction impacts on those that would normally have unrestricted access and to consider how this could be mitigated. For example, some deliveries to businesses would need to adjust their timings. It will also be necessary to engage with blue badge holders who are currently able to park in the town centre in the evenings when visiting shops and restaurants.

5.15 Potential outcomes of the trial, dependent on responses would be to make the trial permanent (subject to formal approval) following the trial period or revert to the current situation. Other options could be developed taking on board the results of the trial and stakeholder experience.

5.16 The alternative approach is a permanent TRO which would require formal consultation in advance of implementation. This process can take considerably longer than an ETRO as consultation will be required in advance and comments from the consultation process will need to be formally reported to a decision-making body. Introduction of a TRO could not formally be considered as a trial, however if this route is taken, monitoring would continue following implementation and appropriate amendments considered. However, if the decision is made to proceed with a TRO and later, it is decided to revoke the Order then this will be subject to a further statutory process with associated consultation and resource implications.

5.17 The following table sets out the timescales associated with the two TRO options:

<b>Table 1 - Experimental Traffic Regulation Order (ETRO)</b>	
<b>Activity</b>	<b>Completion date</b>
Submit an application to the DfT for SOS consent.	Dec 23
Determination by ministers (2 months - assumed as there is no set timescale for DfT determination)	Feb 24
Should SoS consent be provided, notification to stakeholders of the trial (4 weeks)	Mar 24
Make and advertise ETRO and implement new signs etc. (2 weeks)	April 24
ETRO 6-month trial begins along with statutory consultation.	May 24

<b>Table 2 - Traffic Regulation Order (TRO)</b>	
<b>Activity</b>	<b>Completion date</b>

Prepare PR and consultation material (3 weeks)	Jan 23
Statutory consultation (6 weeks) – to start in March 23 should a SoS consent be denied to proceed with an ETRO.	May 24
Collate consultation responses and report to Executive (6 weeks).	Jun 24
Submit an application to the Department for Transport for SoS consent (2 months - assumed as there is no set timescale for DfT determination)	Aug 24
Notify stakeholders and implement signage (2 weeks).	Oct 24
TRO comes into force.	Nov 24

## 6 Alternative Options

- 6.1 The option of taking forward the ETRO and TRO processes in parallel was considered. This would potentially reduce the timescale for the TRO process by 2 months should the DfT not approve the use of an ETRO. However, this would require starting the statutory public consultation for the TRO whilst awaiting the DfT’s determination on the use of the ETRO. Should a response from the DfT to the use of the ETRO be positive, this would create confusion amongst the public and stakeholders as to which statutory process is being implemented and could call the formal consultation into disrepute. Therefore, this option is not recommended.
- 6.2 Another option considered is to trial an extension to the pedestrianised timings but allow access for residents and businesses only between certain times. This could be implemented using an ETRO without DfT consent. This option is theoretically possible through introducing a new access system whereby those wanting to gain access could contact the Parking office in the Kennet Centre. This would also require the installation of CCTV and intercoms at the existing bollards to monitor access. Officers would have concern about the reliability of the rising bollard system as it is known that regular use can lead to failure. Allowing access would also increase the road safety risk (especially considering the unreliability of the bollard access system) as pedestrians would not be expecting vehicles within the area. Overall, this option is considered to be unmanageable and potentially unsafe and is therefore not recommended.
- 6.3 The Newbury Masterplan proposed the creation of a one-way system through the town centre and a trial of this system was also considered. This would be beneficial for Market Place, as the majority of through traffic could be removed for 24 hours a day. This option could also be implemented using an ETRO without the need for DfT consent by extending the existing pedestrianised timing to 10am to 6pm and implementing the one-way system outside of this time. That way access would not be restricted to premises for more than 8 hours in a 24-hour period and no exception would be needed, removing the requirement for DfT approval. However, this would not achieve the desired extended pedestrianised timings in Northbrook Street and Bart Street North and therefore this is not recommended at this time.

## 7 Conclusion

- 7.1 The Council Strategy gives a clear commitment to trialling the extension of the pedestrianised timings in Newbury Town Centre. Newbury Town Centre Masterplan echoes this commitment and identifies a clear need to reduce the amount of traffic using the town centre roads to create a more attractive environment for alfresco dining and community events. The proposal will have a number of benefits for the town centre including improved conditions for sustainable travel and will help the night-time economy.
- 7.2 It will provide an opportunity to monitor the impact of an extension to the pedestrianised hours whilst gauging the views of stakeholders and visitors to the town centre.
- 7.3 The most efficient way of implementing a 6-month trial would be to apply to the DfT for SoS consent to proceed with the implementation of an ETRO. Should the SoS not provide consent, it is recommended that a formal TRO process to commence and consultation undertaken before submission to the DfT.
- 7.4 Appendix A – Equalities Impact Assessment

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### 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 Scrutiny Commission or associated Committees or Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

**Wards affected:** Newbury Central

### Officer details:

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Name: Jon Winstanley  
Job Title: Service Director Environment  
Tel No: 01635 519087  
E-mail: [jon.winstanley@westberks.gov.uk](mailto:jon.winstanley@westberks.gov.uk)

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## Appendix A

### Equality Impact Assessment (EqIA) - Stage One

<b>What is the proposed decision that you are asking the Executive to make:</b>	The extension of the current pedestrianisation timing in Newbury Town Centre in the evenings.
<b>Summary of relevant legislation:</b>	Road Traffic Regulation Act 1984
<b>Does the proposed decision conflict with any of the Council’s priorities for improvement?</b> <ul style="list-style-type: none"> <li>• Ensure our vulnerable children and adults achieve better outcomes</li> <li>• Support everyone to reach their full potential</li> <li>• Support businesses to start develop and thrive in West Berkshire</li> <li>• Develop local infrastructure including housing to support and grow the local economy Maintain a green district</li> <li>• Ensure sustainable services through innovation and partnerships</li> </ul>	<b>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></b> <b>If yes, please indicate which priority and provide an explanation</b>
<b>Name of Budget Holder:</b>	Neil Stacey
<b>Name of Service/Directorate:</b>	Jon Winstanley
<b>Name of assessor:</b>	Jon Winstanley
<b>Date of assessment:</b>	20/06/2023
<b>Version and release date (if applicable):</b>	1

Is this a .... ?		Is this policy, strategy, function or service ... ?	
<b>Policy</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<b>New or proposed</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Strategy</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<b>Already exists and is being reviewed</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Function</b>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<b>Is changing</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Service</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>		

**(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?**



<b>Aims:</b>	To remove traffic from Newbury Town Centre in the evenings.
<b>Objectives:</b>	Encourage Active Travel. Create an improved environment for alfresco dining.
<b>Outcomes:</b>	Increased town centre footfall. Increased patronage at restaurants and cafes in the town centre.
<b>Benefits:</b>	Improved economic activity. Health benefits of promoting active travel.

**(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?**

*(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation)*

<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>
Age	None	
Disability	Restricted access for parking in Newbury Town Centre pedestrianised area between the hours of 5pm and 11pm.	There has been no survey undertaken to understand how many could be affected. The proposed trial will give an opportunity to consult and engage with anyone who may be affected in order to mitigate and find alternatives.
Gender Reassignment	None	
Marriage and Civil Partnership	None	
Pregnancy and Maternity	None	
Race	None	
Religion or Belief	None	
Sex	None	
Sexual Orientation	None	
<b>Further Comments:</b>		

(3) Result	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<p><b>Please provide an explanation for your answer:</b></p> <p>The proposed trial would restrict access in the evenings to those with disabilities who currently are able to be dropped off or park within the pedestrianised area. There is no evidence that this is a common occurrence, and the trial will offer the opportunity to assess the impact and consider appropriate mitigation on an individual basis.</p> <p>It should be noted that the proposal will improve road safety for those with restricted mobility by removing vehicles from the town centre in the evening.</p>	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<p><b>Please provide an explanation for your answer:</b></p> <p>The project will reduce the conflict between pedestrians and motorists in the town centre.</p>	

**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 EqlA 2.**

**If an EqlA 2 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 EqlA guidance and template – <http://intranet/index.aspx?articleid=32255>.**

(4) Identify next steps as appropriate:	
<b>EqlA Stage 2 required</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Owner of EqlA Stage Two:</b>	
<b>Timescale for EqlA Stage Two:</b>	

**Name: Jon Winstanley**

**Date: 20/06/23**

**Please now forward this completed form to Pamela Voss, Equality and Diversity Officer (pamela.voss@westberks.gov.uk), for publication on the WBC website.**

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## Equality, Diversity and Inclusion Framework

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<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 December 2023
<b>Portfolio Member:</b>	Councillor Lee Dillon
<b>Date Portfolio Member agreed report:</b>	16 November 2023
<b>Report Author:</b>	Pamela Voss – EDI Officer.
<b>Forward Plan Ref:</b>	EX4354

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### 1 Purpose of the Report

- 1.1 The purpose of this paper is to present a new Equality, Diversity and Inclusion (EDI) Framework for agreement.
- 1.2 It outlines the context for the new Framework, summarises the evidence base for the work and recommends agreement of the Framework as a replacement to the Council's Equality Policy. It also recommends the adoption of a new Equality Impact Assessment.

### 2 Recommendations

- 2.1 It is recommended that Executive:
  - a) **NOTE** the evidence base contained within Appendix C and D for the Equality, Diversity and Inclusion Framework, including the changes within West Berkshire which requires a new approach.
  - b) **AGREE** the Equality, Diversity and Inclusion Framework, as contained within Appendix E, which includes a draft EDI Action Plan for the next 12 months.
  - c) **AGREE** the new Equality Impact Assessment in Appendix F for use in assessing the impact of decisions and changes on diverse groups within our communities.
  - d) **AGREE** the updated Action Plan (separate updated document Sept 2023) additional Appendix G.

### 3 Implications and Impact Assessment

Implication	Commentary
<p><b>Financial:</b></p>	<p>There are some direct financial implications for the Council arising from this report and its proposals as the current financial situation is challenging and restricted budget overall.</p> <p>£9,820 of Transformation Funding has already been secured and allocated to training which was to be guided by the outcome of the Framework.</p> <p>As discussed with the Chief Executive, there is no new resource at present to deliver the proposed Action Plan (Appendix G) some aspects will be delivered within existing resources. An investment bid will be coming forward in the future. Consideration needs to be given to enhancing the current EDI post to a 1:0 FTE or additional resource to support the delivery of possible actions and substantial workload, to enable to progress the actions moving forward. Priorities need to be identified in regard of the PSED.</p>
<p><b>Human Resource:</b></p>	<p>There will be some significant HR implications for the Council arising from this report or its proposals. In addition, staff training needs need to be considered.</p>
<p><b>Legal:</b></p>	<p>This report ensures that the Council can meet its legal responsibilities under the Equality Act (2010), the Public Sector Equality Duty (PSED) and the Armed Forces Act (2021).</p>
<p><b>Risk Management:</b></p>	<p>The risks arising from this report are:</p> <ul style="list-style-type: none"> <li>a) Legal challenge - should the Council not implement the EDI Framework, it risks being in breach of its PSED obligations.</li> <li>b) It is proposed the Council go beyond the Protected Characteristics referenced in current legislation and take into consideration additional West Berkshire needs when making decisions that will impact specific communities i:e Rural, Racing, Armed Forces, Care Leavers, other transient and displaced groups; also those in deprived areas.</li> </ul> <p>Budget restrictions – due to the current financial position of WBC, there is a reduction in spending. Work has begun on delivering the Action Plan which will support mitigations to prevent the Council breaching its obligations within the PSED.</p>

	Council reputation – potential adverse publicity should the Council breach its obligations set out within the PSED, damaging its reputation and incurring Judicial Review costs which are usually high.			
<b>Property:</b>	There are no direct property implications for the Council arising from this report or its proposals.			
<b>Policy:</b>	There are no national policies which relate to this report or its proposals. The <i>Independent Review of Children’s Social Care (2022)</i> is an important review for this work.			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>	X			
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			The proposals outlined in this report will have a positive impact on protected characteristics as it seeks to drive greater equality and inclusion.
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			The proposals outlined in this report will have a positive impact on protected characteristics as it seeks to drive greater equality and inclusion.
<b>Environmental Impact:</b>		X		There are no direct environmental implications for the Council arising from this report or its proposals.
<b>Health Impact:</b>	X			The proposals outlined in this report will help deliver the Berkshire West Health and Wellbeing Strategy which seeks to deliver on all aspects of improved health and wellbeing.

<b>ICT Impact:</b>		X		There are no IT implications for the Council arising from this report or its proposals.
<b>Digital Services Impact:</b>		X		There are no digital implications for the Council arising from this report or its proposals.
<b>Council Strategy Priorities:</b>	X			<p>The proposals in this report will help to improve the following Council strategy priorities:</p> <ul style="list-style-type: none"> <li>• Ensure our vulnerable children and adults achieve better outcomes</li> <li>• Support everyone to reach their full potential</li> </ul> <p>The proposals outlined in this report directly deliver an action in the Council's Communications and Engagement Strategy 2020-2023.</p>
<b>Core Business:</b>	X			The proposals outlined in this report will support a stronger communities.
<b>Data Impact:</b>			X	There are no data or data protection implications for the Council arising from this report or its proposals.
<b>Consultation and Engagement:</b>	<p>To ensure our new EDI Framework is driven by the perspectives and experiences of those living and/or working in West Berkshire, The Equal Group consultants conducted an engagement exercise for the Council. We received 388 responses to a long survey and 159 to a shorter (easy to read) survey. To supplement the survey data, a series of five focus groups were run to explore the views of stakeholders on EDI issues in West Berkshire. As part of the adoption process, it will be necessary to ensure co-production across all directorates and further engagement with staff is essential. Therefore, the Staff Equality Forum will be a key voice.</p>			

## 4 Executive Summary

4.1 As community leaders and one of West Berkshire's major employers, we want to lead by example and take action to ensure everyone in West Berkshire is provided with the

opportunity to thrive. This report presents a new “Equality, Diversity and Inclusion Framework” for approval by West Berkshire Council.

- 4.2 The primary legislative foundation for this Framework lies within the Equality Act 2010 (EA); it states that public bodies, including Councils need to take extra steps to stop discrimination: this is known as the Public Sector Equality Duty. The EA replaced the race, disability and gender equality duties providing Britain with a new anti-discriminatory law to protect individuals from unfair treatment and to promote a more fair and equal society.
- 4.3 References to “equality” may be a familiar term to most; it essentially means providing the same to all. As the equality agenda has evolved, other terms have been used too, including diversity and inclusion. The term “equity” has emerged and also need to be considered to create fairness and justice in all decision making and everything we undertake.
- 4.4 WBC has an obligation and is committed to Equality, Diversity and Inclusion, therefore this new EDI Framework will replace the Council's Equality Policy by responding to the evidence base findings within the data and stakeholder feedback for this Framework and by publishing new equity objectives for the next four years.
- 4.5 This report highlights the need for change, describes the process we have undertaken to develop a new EDI Framework and sets out proposals to make changes to move forward. It concludes by recommending the approval of the Framework, its associated action plan and a reviewed Equality Impact Assessment (EIA) template.

## 5 Introduction/Background

### Introduction

The following key factors outline the necessity of a new EDI Framework.

Terminology clarification for purpose of this report EQUALITY: providing equal opportunities to everyone and protecting people from discrimination. EQUITY: recognising everyone does not have the same starting point in life, therefore adjustments need to be put in place to address the reduce imbalances.

### Background

- 5.1 The primary legislative driver for considering equalities, diversity and inclusion is the Equality Act 2010, which requires Local Authorities under Section 149 to fulfil the Public Sector Equality Duty and consider the nine Protected Characteristics when developing policy, delivering services and employing people. It means that as a Council it should consider equality as part of its daily business to:
  - Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,
  - Advance equality of opportunity between people who share a protected characteristic and those who do not,

## Equality, Diversity and Inclusion Framework

- Foster good relations between people who share protected characteristics and those who do not,
- Set and publish equality objectives, at least every four years.
- Publish information, at least annually; to demonstrate it complies with the PSED. This includes information about employees e.g. The Gender Pay gap, also information about the public who are affected the Council's policies and procedures.

5.2 There are nine protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race including ethnic or national origins, colour or nationality; religion or belief; sex; sexual orientation. The Equality Act 2010 explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

### *Armed Forces Act (2021)*

5.3 The Armed Forces Act 2021 is a relatively new change to the legislative context for the Council's EDI approach. It further enshrines the Armed Forces Covenant into law to help prevent service personnel and veterans being disadvantaged when accessing public services. The Act introduces a duty to have "due regard" to the following principles of the Armed Forces Covenant:

- The unique obligations of, and sacrifices made by, the armed forces
- The principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the armed forces
- The principle that special provision for service people may be justified by the effects on such people of membership, or former membership, of the armed forces.

5.4 This means there is a need to build on the Council's commitment to the Armed Forces Covenant to help prevent service personnel, reservists, veterans and their families being disadvantaged when accessing essential services like healthcare, education and housing.

### *Independent Review of Children's Social Care (2022)*

5.5 An Independent Review of Children's Social Care<sup>1</sup> was published on 23rd May 2022. The review engaged with around 2000 people with lived experience of children's social care and around 2,800 people with professional experience of children's social care. The resulting report outlines 80 recommendations and a five-year £2.6 billion reform plan.

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<sup>1</sup> [Independent review of children's social care - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/reviews/independent-review-of-childrens-social-care)



- 5.6 The report found that care experienced people frequently experience discrimination even from a very young age, which can be similar in nature to other groups that have a legally protected characteristic under the Equality Act (2010). The report therefore recommends that England should be the first country in the world to make “care experience” a protected characteristic under the Equalities Act.
- 5.7 Although the Government is yet to respond to this recommendation; it has been made in recognition of the poor outcomes for those with care experience. Those who have care experience make up a significant proportion of the homeless population, prison population and young people who are Not in Education, Employment or Training (NEET). Adults who spent time in care have also been found to be significantly more likely to die prematurely than those who did not.
- 5.8 West Berkshire Council holds 'Corporate Parenting' responsibility for local children who are looked after by the Local Authority. This means there is collective responsibility of the council, elected members, employees, and partner agencies, for providing the best possible care and safeguarding for the children who are looked after. There is an opportunity to reflect the recommendation of the Independent Review of Children's Social Care in the Council's new EIA approach.

### **Not everyone has equity to thrive**

- 5.9 International events, national reviews and shifts in the local population over the last few years have highlighted inequity within communities. Such as the disproportionate impact of Covid-19, the increasing cost of living, from an aging population to recent displacement of communities around the world; we know that the potential for inequity exists locally. This includes the following:
- Not everyone has economic equity. Most of West Berkshire falls into the category of the 50% least deprived in England but six neighbourhoods fall into the category of the top 50% most deprived in England.
  - The data shows that 6.6% of West Berkshire households are experiencing fuel poverty. Homes that are cold due to fuel poverty exacerbate health inequalities; for example cold homes can cause and worsen respiratory conditions, cardiovascular diseases, poor mental health, dementia, hypothermia and problems with childhood development.
  - West Berkshire, like the South East and England as a whole has a growing population of people over 65 years old. The distribution of ages across the population also shows a dip in population size between the 10 to 14 year and 20 to 24 year age bracket.
  - West Berkshire is an area less ethnically diverse than England and the South East as a whole. Most residents identify as White (94.8%). Of the West Berkshire residents who identify as a non-White ethnic minority, most residents identify as Asian / Asian British (2.5%), Black / African / Caribbean / Black British (0.9%) or mixed / part of multiple ethnic groups (1.6%). This creates a very small minority, which can experience exclusion and isolation.
  - Gypsies, Roma and Travellers officially make up 0.1% of West Berkshire; although it is often difficult to determine exact figures for Gypsy, Traveller and Roma communities for a variety of reasons, including historic persecution (leading to non-

disclosure) and nomadic lifestyles. Although a small minority, GRT communities frequently represent some of the most disadvantaged people in the country.

- Rural households in West Berkshire are more likely to experience fuel poverty, digital exclusion and food deserts (limited access to affordable and nutritious food) than those in more urban areas.
- 13.2% of West Berkshire residents report having a limiting long-term illness or disability. Census data shows that West Berkshire's residents are generally less impacted by life-limiting illnesses and disabilities.
- West Berkshire has a higher proportion of children with Autism known to schools 33.5 per 1,000 population compared to the South East (19.3 per 1,000) and England (18 per 1,000).
- Carers in West Berkshire are most likely to be looking after someone 65 years or over. Carers commonly feel they are lacking some social contact (47.7%) or feel socially isolated (13.9%), as well as lacking control over their lives (58.5%).
- At a national level<sup>2</sup> the outcomes for care experienced people today are extremely poor. It is estimated that 26% of the homeless population have care experience; 24% of the prison population in England have spent time in care; that 41% of 19-21 year old care leavers are not in education, employment or training (NEET) compared to 12% of all other young people in the same age group and adults who spent time in care between 1971-2001 were 70% more likely to die prematurely than those who did not.
- West Berkshire has a small and unique community around the Armed Forces station at Denison Barracks whose community can often be very diverse and transient. Although they have good relationships with local services, Hermitage is not well connected by transportation links, so it can be a difficult transition for those families that can make it to the area, especially for spouses who cannot drive or have limited English. Veterans needs also should be considered as these will differ. Through partnership work with the Armed Forces Champion Stephanie Steph, support tailored support can be developed.
- There is a racing community largely centred in the Lambourn Valley which is unique, both within West Berkshire and across England more generally. Initial engagement exercises with these communities indicate that there may be more transient and hidden labour communities than captured in data, who may struggle to access local services given language, transport and other similar challenges.

5.10 The diversity in our communities is a strength and does not result in disadvantage or exclusion by themselves. The examples given above outline where inequity can exist in West Berkshire. The data shows that the majority of residents and communities in West Berkshire are thriving, however; there are some minority communities who do not currently have the same opportunities to thrive. There are no prominent minority groups within West Berkshire based upon race, faith, disability, age or other protected characteristic, but a diverse range dispersed across the county.

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<sup>2</sup> [The-care-experience.pdf \(childrensocialcare.independent-review.uk\)](#)

5.11 This means that to ensure everyone can benefit from the opportunities in West Berkshire, WBC need to think about how our Council and other public services work, so that they focus on being inclusive for everyone.

## 6 Supporting Information

6.1 Our future approach to EDI needs to reflect the legal and policy context outlined above. It also need to reflect our local population profile and where inequality is felt within our communities. To deliver the evidence-base for our new Framework, we commissioned the expert and independent support of consultants to conduct two pieces of work. The first was an EDI Needs Assessment to give us a detailed picture of the local population and the second was to undertake engagement on EDI issues within West Berkshire with both staff and residents. Together these form the evidence-base of the proposed Framework contained within Appendix E.

### *EDI Needs Assessment*

6.2 An EDI Needs Assessment was undertaken by the Temple Group consultants on behalf of the Council. This drew upon existing data available to outline information on the protected characteristics and other local factors which may cause disadvantage.

6.3 A full report with the details of the methodology, data and analysis can be found in Appendix C. In summary, the findings suggest that when looking at the demographics for the local authority as a whole, West Berkshire is relatively affluent and generally reflective of regional and national averages. However, further analysis of smaller geographical areas and of hidden communities reveals that the local authority area faces a range of specific challenges. These challenges must be acknowledged if all residents of West Berkshire are to be supported through appropriate and proportionate methods.

6.4 Some of the key issues emerging from the data analysis include:

- Recognising the challenges that are associated with the urban-rural split such as accessing public services and transport, accessing social and community infrastructure, concentrations of fuel poverty, also urban-linked deprivation.
- Understanding that, although West Berkshire is largely ethnically homogeneous (94.8% White British), minority and marginalised communities with varied needs are dispersed across the district. These include the racing community, Gypsy, Traveller and Roma communities, asylum seekers and refugees, armed service members and their families, and veterans.
- Considering West Berkshire's ageing population will be crucial to supporting vulnerable people as the district's population already has a large proportion of elderly residents (aged 60 years and older) and this is forecast to be a growing demographic; and
- Developing a more nuanced understanding of communities and how they are supported by the Voluntary, Community and Social Enterprise sector will aid the

Council in both fulfilling its equalities duties and responding to framework objectives, especially as there are community and protected characteristics that are not currently well understood, as well as how different circumstances and characteristics interact with each other.

### *EDI Engagement*

- 6.5 To ensure our new EDI Framework is driven by the perspectives and experiences of those living and/or working in West Berkshire, The Equal Group consultants conducted an engagement exercise for the Council. This consisted of an EDI survey which opened on the 18th of October 2022 and closed on 4th of December 2022.
- 6.6 A shorter version of the survey was created in recognition of the complexity of the issues. We extended the original survey timetable to target and encourage underrepresented groups to respond. We received 388 responses to the long survey and 159 to the shorter (easy to read) survey.
- 6.7 To supplement the survey data, a series of five focus groups were run to explore the views of stakeholders on EDI issues in West Berkshire. Focus groups were held with the following groups in November and December of 2022:
- Cross-party Councillor representatives
  - Council internal “Equality Forum”
  - Officer group working on equality and public engagement
  - Voluntary and Community Sector partners
  - Public Sector partners.
- 6.8 A summary report of the findings can be found in Appendix D, they suggest that following key themes are priority areas for the Council to address:
- Disability and accessibility
  - Other access barriers:
    - Rurality
    - Socio-economic exclusion
    - Age-related exclusion
    - Gypsy, Roma and Traveller (GRT) communities
  - Displaced individuals.

### *Changing community needs*

## **7 Options for consideration**

- 7.1 Alongside the data about West Berkshire and the feedback from our staff and community, there has been some significant changes which are important to bear in mind as they impact on our EDI approach for the future. Including:

- **Covid-19.** The pandemic revealed some new vulnerabilities in communities and it has shifted the way people relate to service providers e.g. digitally services.
- **Afghan resettlement.** In 2021, the Taliban re-took control of Afghanistan after twenty years following the withdrawal of foreign troops and so some Afghan citizens were offered relocation to the UK. People arriving from Afghanistan have arrived in hotels in West Berkshire and have needed support from the Council and other service providers.
- **Homes for Ukraine.** In February 2022, Russia launched a war against the Ukraine and in response The Homes for Ukraine scheme was launched. This scheme has meant people from Ukraine have arrived in the homes of residents of West Berkshire; both local residents and their Ukrainian guests have needed help and support from the Council and other service providers.
- **Hong Kong Nationals.** Following civil unrest in Hong Kong, a number of people have independently relocated to many places across the world, including West Berkshire. The scale of this relocation is unknown but has been seen locally in a rise in Hong Kong nationals seeking help, support and signposting.
- **Asylum seekers.** With a number of active conflicts around in the world, people have sought refuge in the UK. In West Berkshire, refugees are housed by the Home Office during the processing of their asylum applications and whilst the Home Office retains responsibilities for asylum seekers, the Council and others are involved in providing support to refugees in the local community.
- **Cost of living.** Throughout the course of 2022, there was a significant rise in inflation and therefore the cost of living. This has increased the number of people in the community who have needed to access support with issues such as debt, home energy and food provision.

## 8 Proposals

- 8.1 Implementation of the EDI Framework will require its guiding principle of 'everyone has responsibility' to come to the fore as introducing a new Framework will not deliver change in itself. Responsibility for delivery is dispersed across the Council and will therefore need a coordinated effort and the new framework sets the structure and the draft Action Plan will be key to achieving change.
- 8.2 Introducing EDI Champions at WBC, one of whom will be an elected member can provide an additional resource to deliver the actions from the new framework. External guidance may need to be sought to facilitate this from EDI consultants, also exploration of good practice in other local authorities; rather than selecting a familiar prominent leading organisation. WBC's vision needs to shape these new supportive roles, to ensure inclusivity and representation.
- 8.3 The EDI Framework, including the draft Action Plan have been shared with the EDI Board on 21<sup>st</sup> July 2023. Feedback included a discussion about the importance of language used is consistent across all WBC's other strategic documentation such as The Council Strategy and The Behaviour Framework. It is essential to maintain a 'golden thread' throughout all pieces of work to ensure both visions and values are clear to all. A key aspect of the approach WBC takes will depend on the cost and resource implications, as both the EDI and Workforce Boards will cease in September 2023.

## Equality, Diversity and Inclusion Framework

- 8.4 Overall, the EDI Framework was well received, but some gaps were identified such as reference to carers, proposals for transport initiatives (which at present cannot be committed to due to budget constraints) and identifying 'young mums' as a group was highlighted. A number of actions are already in progress with established resources available within the community e.g. Family Hubs, the proactive use of our libraries and the commissioned organisation, Educafe; who's contract concludes at the end of March 2024. In agreement, training needs were recognised as important to aid the establishment of the EDI Framework.
- 8.5 Delivery of an action to revise the EIA process is also included in the proposals within this report. The next steps are to continue the focus on actions identified, with their respective timeframes and to embed principles of the Framework. In light of the Internal Governance Review, actions will need to sit across the remaining five delivery boards. There are multiple changes due to the current budgetary position and a transformational phase WBC are in at present. Therefore, the updated separate Action Plan (Appendix G) contains suggestions of where actions and responsibilities may be based.
- 8.6 £9,820 of Transformation Funding has already been secured as part of the development of the new Framework, which has been allocated for EDI training. This area was identified to develop better knowledge and understanding about EDI topics, by the consultants and HR suggest there may be some additional resource available to add to this. In addition advice from external EDI experts may need to be sought to progress WBC with Stonewall accreditation in the near future. This will align with one of the goals of the newly elected Liberal Democrat administration, to demonstrate WB is a good place to work.
- 8.7 The consultants proposed the draft Action Plan will be refreshed on an annual basis to ensure progress against the EDI objectives. The progress of the EDI Framework will be understood, both by successful delivery of the actions, also measurable impact; for example the following long-term outcomes:
- Narrowing the life expectancy gap between the most and least deprived wards in West Berkshire
  - Fewer households living with fuel poverty.
  - Those with disabilities, learning difficulties, mental health issues or caring responsibilities being supported to have equal educational, health and economic opportunities.
- 8.8 Locally the EDI Framework will seek to influence the following:
- a) Increased numbers of staff who report that West Berkshire Council is a place where 'everyone has an equal opportunity to develop' (increased from 60% in 2021).
  - b) Increased numbers of staff who report that West Berkshire Council ensures that all people are treated fairly and equally (increased from 66% in 2021).
  - c) Increased numbers of residents reporting that they feel strongly or very strongly that West Berkshire is a place they 'belong to' (increased from 73% in 2021).
  - d) Increase in the numbers of residents from Black, Asian and Minority Ethnic (BAME) background who report feeling strongly or very strongly that they belong to West Berkshire (increased from 66% in 2021).

## 9 Conclusion

- 9.1 In recognition of the changes in the national legislative and policy context, the local demographic profile and the views of local people West Berkshire Council has taken the opportunity to put in place a new EDI Framework.
- 9.2 This report has summarised the evidence base for the work and recommends agreement of the Framework as a replacement to the Council's Equality Policy. It also recommends the adoption of a new Equality Impact Assessment which takes an expanded view of EDI, taking considerations beyond that covered in the Equality Act (2010). This demonstrates West Berkshire Council's ambition to go 'above and beyond' to shape a West Berkshire where **everyone** can thrive.

## 10 Appendices

Appendix A – Equality Impact Assessment

Appendix B – Data Protection Impact Assessment

Appendix C – EDI Needs Assessment

Appendix D – EDI Engagement Report (summary)

Appendix E – Equality, Diversity and Inclusion Framework for agreement

Appendix F - Draft Equality Impact Assessment template for agreement

Appendix G – Action Plan (separate updated document)

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### Subject to Call-In:

No

- |   |                                     |
|---|-------------------------------------|
| The item is due to be referred to Council for final approval  | <input type="checkbox"/>            |
| Delays in implementation could have serious financial implications for the Council                                | <input type="checkbox"/>            |
| Delays in implementation could compromise the Council's position  | <input type="checkbox"/>            |
| Considered or reviewed by Scrutiny Commission or associated Committees or Task Groups within preceding six months | <input checked="" type="checkbox"/> |
| Item is Urgent Key Decision   | <input type="checkbox"/>            |
| Report is to note only  | <input type="checkbox"/>            |

**Wards affected:** All wards

---

**Officer details:**

Name: Pamela Voss  
Job Title: EDI Officer  
Tel No: 07717347839  
E-mail: [pamela.voss@westberks.gov.uk](mailto:pamela.voss@westberks.gov.uk)

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## Appendix A

### Equality Impact Assessment (EqIA) - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
    - (ii) 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;**
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.*
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.*

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<b>What is the proposed decision that you are asking the Executive to make:</b>	To agree the adoption of the EDI Framework
<b>Summary of relevant legislation:</b>	Public Sector Equality Duty
<b>Does the proposed decision conflict with any of the Council’s priorities for improvement?</b> <ul style="list-style-type: none"> <li>• Ensure our vulnerable children and adults achieve better outcomes</li> <li>• Support everyone to reach their full potential</li> <li>• Support businesses to start develop and thrive in West Berkshire</li> <li>• Develop local infrastructure including housing to support and grow the local economy Maintain a green district</li> <li>• Ensure sustainable services through innovation and partnerships</li> </ul>	<b>No</b> <b>If yes, please indicate which priority and provide an explanation</b>
<b>Name of Budget Holder:</b>	<b>Susan Powell</b>
<b>Name of Service/Directorate:</b>	<b>People – Communities and Wellbeing</b>
<b>Name of assessor:</b>	Pamela Voss
<b>Date of assessment:</b>	08.08.2023
<b>Version and release date (if applicable):</b>	

<b>Is this a .... ?</b>		<b>Is this policy, strategy, function or service ...?</b>	
<b>Policy</b>	<b>Yes</b>	<b>New or proposed</b>	<b>Yes</b>
<b>Strategy</b>	<b>No</b>	<b>Already exists and is being reviewed</b>	<b>No</b>
<b>Function</b>	<b>No</b>	<b>Is changing</b>	<b>No</b>
<b>Service</b>	<b>No</b>		

<b>(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	To meet legislation requirements of the Equality act 2010 and to increase equal opportunities
<b>Objectives:</b>	To ensure WB is an area everyone can thrive
<b>Outcomes:</b>	To reduce inequalities
<b>Benefits:</b>	To benefit all communities and services

**(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?**

*(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation)*

<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>
Age	Positive – reduce NEET, digital exclusion, barriers to housing, employment and services.	EDI Needs Assessment and engagement during development of EDI Framework.
Disability	Positive – improve accessibility to services – health, transport, education. Support for carers.	As above
Gender Reassignment	Positive – inclusion, better support networks, employment opportunities.	As above
Marriage and Civil Partnership	Positive – support with housing, childcare provision, food, financial and transport.	As above
Pregnancy and Maternity	Positive – accessibility to health and other key services.	As above
Race	Positive – inclusion in the community. Access to key services. Reduce accessibility barriers.	As above
Religion or Belief	Positive - inclusion in the community and access to key services. Improve understanding of all religions and beliefs.	As above
Sex	Positive – improve understanding of needs to ensure access to services.	As above
Sexual Orientation	Positive – inclusion in community and employment. Reduce discrimination.	As above

**Further Comments:**

--

(3) Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	<b>No</b>
Please provide an explanation for your answer: more consideration in decision making and daily processes	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	<b>No</b>
Please provide an explanation for your answer: better understanding of individuals' needs and reduction of barriers to employment and services	

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 EqlA 2.

If an EqlA 2 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 EqlA guidance and template – <http://intranet/index.aspx?articleid=32255>.

(4) Identify next steps as appropriate:	
EqlA Stage 2 required	<b>No</b>
Owner of EqlA Stage Two:	<b>N/A</b>
Timescale for EqlA Stage Two:	<b>N/A</b>

Name: Pamela Voss

Date: 08.08.2023

Please now forward this completed form to Pamela Voss, Equality and Diversity Officer (pamela.voss@westberks.gov.uk), for publication on the WBC website.

## Appendix B

### 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](mailto:dp@westberks.gov.uk)

Directorate:	People
Service:	Communities and Wellbeing
Team:	Building Communities Together
Lead Officer:	Pamela Voss
Title of Project/System:	Equality Diversity and Inclusion Framework
Date of Assessment:	08.08.2023

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

	Yes	No
<p><b>Will you be processing SENSITIVE or “special category” personal data?</b></p> <p><i>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”</i></p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will you be processing data on a large scale?</b></p> <p><i>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</i></p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will your project or system have a “social media” dimension?</b></p> <p><i>Note – will it have an interactive element which allows users to communicate directly with one another?</i></p>	<input type="checkbox"/>	<b>X</b>
<p><b>Will any decisions be automated?</b></p> <p><i>Note – does your system or 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?</i></p>	<input type="checkbox"/>	<b>X</b>

	Yes	No
Will your project/system involve CCTV or monitoring of an area accessible to the public?	<input type="checkbox"/>	X
Will you be using the data you collect to match or cross-reference against another existing set of data?	<input type="checkbox"/>	X
Will you be using any novel, or technologically advanced systems or processes?	<input type="checkbox"/>	X
<p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		

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.



# EQUALITY, DIVERSITY AND INCLUSION NEEDS ASSESSMENT

**Prepared for:** **Sam Shepherd**  
**West Berkshire Council**

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## Document Control

Version No.	Date	Author	Reviewed	Approved
1.0	27/9/2022	Sophia Dellafiora	Prudence Wales	
2.0	28/9/2022	Sophia Dellafiora		Mark Teasdale
3.0	21/10/2022	Sophia Dellafiora		Prudence Wales

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# 1 Executive Summary

## 1.1 Background and Scope

- 1.1.1 This Equalities, Diversity and Inclusion (EDI) Needs Assessment outlines the key trends and legal background West Berkshire Council must consider whilst developing their upcoming EDI Framework, as well as forecasting trends that should be integrated into the Council's EDI objectives and evaluation mechanisms. The Needs Assessment also provides further recommendations to ensure a robust understanding of West Berkshire's EDI needs is maintained beyond the scope of this work.
- 1.1.2 This Needs Assessment focuses on those protected characteristics defined in the Equality Act 2010 and provides background on wider geographic and socio-economic indicators to define key trends which may disproportionately affect vulnerable groups. As we are aware that a separate piece of work has been commissioned regarding public health inequalities these issues are not explored in this report. Additionally, whilst West Berkshire has close contact with and is therefore influenced by populations and infrastructure associated with Reading and nearby urban centres, this is also outside the geographic scope of this report.

## 1.2 Key Takeaways

- 1.2.1 As well as responding to the objectives within the Council Strategy, including supporting everyone to reach their full potential and ensuring that vulnerable children and adults achieve better outcomes, any upcoming EDI frameworks must also address West Berkshire's range of significant EDI challenges.
- 1.2.2 In analysing datasets about demographics for the local authority as a whole, it can be tempting to consider West Berkshire to be relatively affluent and generally reflective of regional and national averages. However, further analysis of smaller geographical areas and of hidden communities reveals that the local authority area faces a broad range of unique challenges. These challenges must be acknowledged if all citizens of West Berkshire are to be supported through appropriate and proportionate methods.
- 1.2.3 Some of the key issues emerging from our analysis include:
  - Recognising the challenges that are associated with the urban-rural split such as accessing public services and transport, accessing social and community infrastructure, concentrations of fuel poverty, and urban-linked deprivation;

- Understanding that, although West Berkshire appears to be largely ethnically homogeneous (94.8% White British), minority and marginalised communities with varied needs are dispersed across the district. These include the racing community, Gypsy, Traveller and Roma communities, asylum seekers and refugees, armed service members and their families, and veterans;
- Considering West Berkshire's aging population will be crucial to supporting vulnerable people as the district's population already has a large proportion of older residents (aged 60 years and older) and this is forecast to be a growing demographic; and
- Developing a more nuanced understanding of communities and how they are supported by the Voluntary, Community and Social Enterprise sector will aid the Council in both fulfilling its equalities duties and responding to framework objectives, especially as there are community and protected characteristics that are not currently well understood, as well as how different circumstances and characteristics interact with each other.

### 1.3 West Berkshire's Equality Duty

- 1.3.1 The primary legislative driver for considering equalities, diversity and inclusion is the Equality Act 2010, which requires local authorities under the Public Sector Equality Duty to consider the nine protected characteristics when developing policy, delivering services and employing people. This includes requirements for Councils to:
- Publish information to show their compliance with the Equality Duty, at least annually; and
  - Set and publish equality objectives, at least every four years.
- 1.3.2 Section 149 of the Equality Act 2010 requires public bodies to fulfil a Public Sector Equality Duty (PSED). In fulfilling the PSED public bodies must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
  - Advance equality of opportunity between people who share a protected characteristic and those who do not; and
  - Foster good relations between people who share a protected characteristic and those who do not.
- 1.3.3 The Equality Act 2010 explains that having due regard for advancing equality involves:



- Removing or minimising disadvantages suffered by people due to their protected characteristics;
  - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people; and
  - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
- 1.3.4 Many of the duties included in the Equality Act can often not be fully understood by stakeholders including public sector officials, private sector suppliers, and the general population interacting with public services and facilities. As a result, local authorities like West Berkshire may be at risk of not fully fulfilling their duties, leaving them open to legal prosecution and judicial review. Local authorities are ultimately responsible for demonstrating their compliance with relevant legislation including showing that they have considered the protected characteristics in their decision-making process and how such consideration impacted final deliverables.

## 1.4 Looking Forward

- 1.4.1 The evidence presented here suggests West Berkshire Council must consider its equalities duty from a wider perspective in order to be fully compliant with both the letter and spirit of the Equality Act. Taking a more comprehensive approach will also support positive outcomes for more groups living in the district, including those who might normally be overlooked.
- 1.4.2 Ensuring that West Berkshire Council continues to monitor updated datasets, liaise with partner organisations, conduct qualitative research and engage with local communities will enable the Council to set clear and relevant EDI objectives which benefit the district's most vulnerable residents.

## 2 Introduction

- 2.1.1 This EDI Needs Assessment was prepared by Temple on behalf of West Berkshire Council to support the development of the Council's updated approach to EDI.
- 2.1.2 The Needs Assessment includes:
- A baseline assessment, which provides an overview of West Berkshire's demographic profile including geographic and socio-economic indicators, protected characteristics, and other relevant groups, as well as relevant historic and geographic benchmarks;
  - A policy and research review, which outlines the Council's duties under national and local legislation, sample EDI policy from other local authorities illustrating applicable best practice, and legal precedents illustrating the potential impacts of not complying with these existing policies; and
  - A forecast of key trends and issues West Berkshire may face in the near future, with recommendations to the Council to better address these changes and challenges.
- 2.1.3 This report provides an evidence base identifying West Berkshire's key existing EDI-related issues and vulnerable groups, which should then be carried forward in the development of more formal, and legally required, EDI policy. Such policy should include specific outcomes rooted in this evidence base as well as in those sources included in the recommendations made at the close of the Needs Assessment.

## 3 Baseline Assessment

### 3.1 Approach to the Baseline

- 3.1.1 The baseline assessment provides an overview of West Berkshire’s demographic profile regarding equalities characteristics through the mapping of key geographic and socio-economic indicators, protected characteristics, as defined by the Equality Act 2010<sup>1</sup>, and other relevant groups.
- 3.1.2 The key geographic and socio-economic indicators included in this baseline are:
- Deprivation;
  - Land use and urban morphology;
  - District infrastructure;
  - Digital exclusion;
  - Food deserts; and
  - Fuel poverty.
- 3.1.3 These indicators have been identified in discussion with Council officers as the most relevant to understanding the socio-economic diversity of West Berkshire’s population as it relates to the geography of the district, as well as offering strong insights into the roots of hidden inequalities issues. As those with particular protected characteristics may experience these indicators differently, these datasets will be used to highlight pinch points where West Berkshire might be more vulnerable to equalities challenges.
- 3.1.4 All the protected characteristics defined within the Equality Act are included in this baseline. They will be described in the following order:
- Age;
  - Sex;
  - Race;
  - Religion and belief;
  - Disability;
  - Pregnancy and maternity;
  - Sexual orientation;

---

<sup>1</sup> Her Majesty’s Stationery Office, 2010. Equality Act 2010. Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents>.

- Gender reassignment; and
- Marriage and civil partnership.

3.1.5 The baseline also includes the following groups:

- At-risk children, youth and young people;
- Those who are homeless;
- Carers;
- The Armed Forces community; and
- Those in the racing community.

3.1.6 These four groups are not included within the defined protected characteristics but are often highlighted as ‘other relevant groups’ in EDI policy. People who fall under these categories may be sensitive to equalities issues, particularly if they also possess a protected characteristic, and their presence within the district may have implications for the provision of Council services and the execution of the Public Sector Equality Duty (see **Section 4**).

## 3.2 Data Sources and Limitations

3.2.1 Much of the information forming the baseline assessment has been sourced from the Office for National Statistics (ONS), the Annual Population Survey (APS) and the UK Census. Wherever possible, the most recently available was used, ideally from ONS mid-2022 estimates, the 2021/2022 APS, or the Census 2021.

3.2.2 Notably however, for the Census 2021, most recent versions of many relevant datasets have not yet been released. Where 2021 datasets are not publicly accessible, Census 2011 data has been used instead. We have made recommendations throughout the baseline of where the Council should be particularly aware of upcoming data releases from the Census 2021.

3.2.3 Where other datasets are not available or do not exist, particularly around marginalised or at-risk communities, the baseline has been supplemented by conversations with relevant community members, representatives, or other spokespeople. These conversations will be clearly marked throughout the baseline as they appear and the links between the spokesperson and the community explained. In the forecasting section we discuss recommendations around qualitative and quantitative research that could be undertaken to improve knowledge of these communities.

3.2.4 In addition, where possible, the baseline features geographic comparators, including the South East and England, which will help to contextualise the West Berkshire baseline. These comparators will also help to highlight those key



trends, opportunities, challenges and target demographics which are borne out of initial analyses of the baseline.

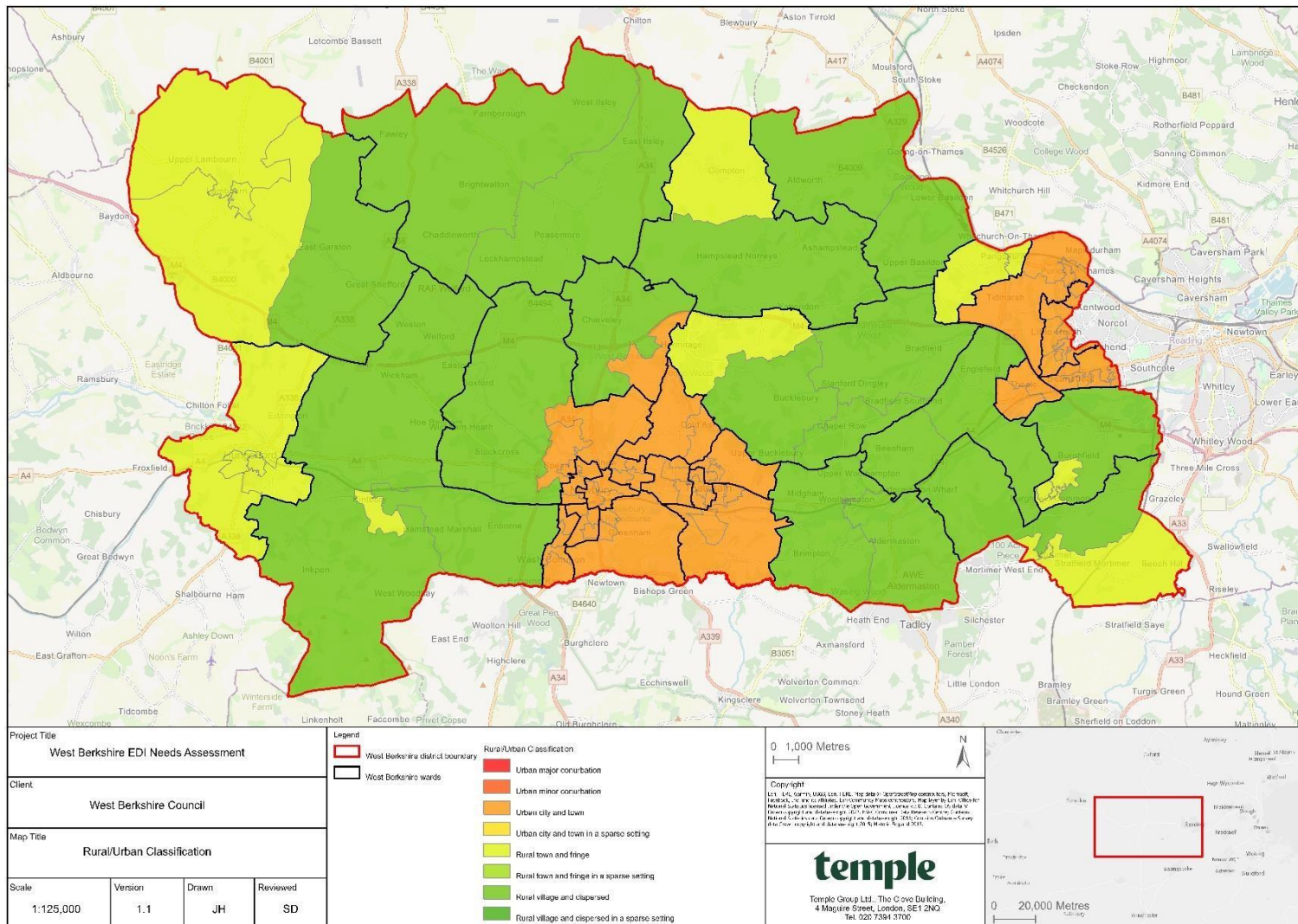
### 3.3 Geographic Indicators

- 3.3.1 The follow sections discuss datasets and information which will help to contextualise West Berkshire and uncover those issues that may be overlooked in only mapping those with protected characteristics or in other relevant groups. In particular, this discussion of West Berkshire’s geography will highlight the differences between West Berkshire’s urban and rural populations, unequal access to social and community infrastructure, and varied urban morphologies.
- 3.3.2 These datasets have been selected as they highlightsome of the nuances of EDI issues across West Berkshire, as well as demonstrating trends that might be overlooked in assessing the district as a whole. Although West Berkshire’s population may appear to fall in line with the ‘average’ for England, there are pockets of inequality which require closer scrutiny.

### 3.4 District Infrastructure

- 3.4.1 West Berkshire is generally very rural, dominated by the North Wessex Downs Area of Outstanding Natural Beauty (AONB) in the north and west. As illustrated in **Figure A**, some semi-urban clusters are distributed across the southern and eastern portions of the district.

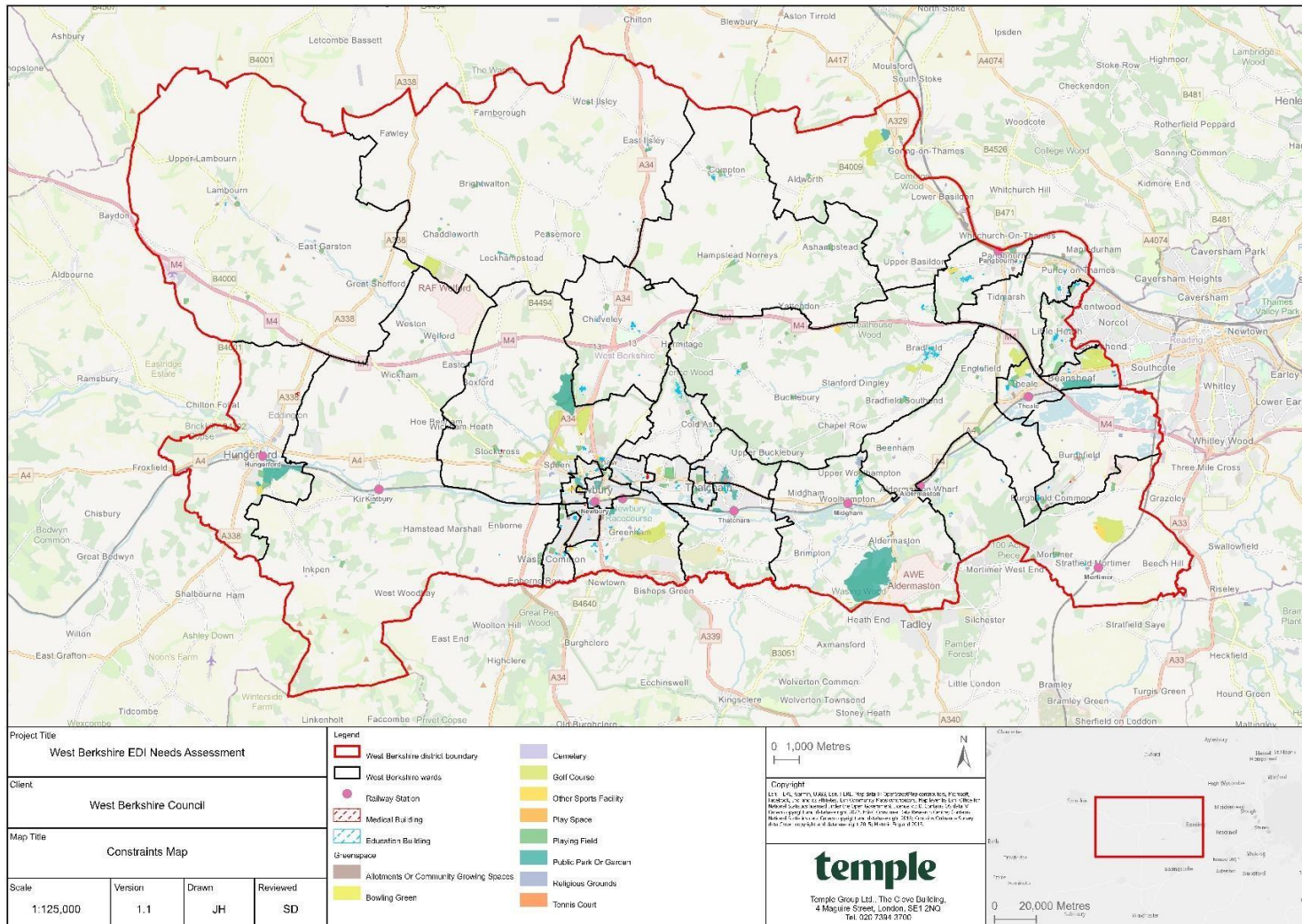
**Figure A – Rurality across West Berkshire**



Source: Office for National Statistics, 2018

- 3.4.2 As illustrated in **Figure B**, public and private infrastructure, facilities and services are generally concentrated in the belt linking these two main semi-urban areas.
- 3.4.3 The rural nature of the eastern and northern parts of West Berkshire is important as rurality poses a number of challenges in terms of EDI. The most obvious challenge is the location of services. As people are so dispersed, so too are healthcare facilities, schools, food and other retail stores, and other public and private sector resources and amenities.
- 3.4.4 While a robust infrastructure and transport system would help to connect rural residents with necessary services, it is often difficult to construct these systems in such areas due to geographical constraints including the presence of hilly terrain or protected lands, like an AONB. It is also expensive to construct such systems and when the cost per person is higher, as is the case in more rural areas, it can be difficult to execute such needed development in a timely manner.

Figure B – Infrastructure across West Berkshire



Source: West Berkshire Council, 2022

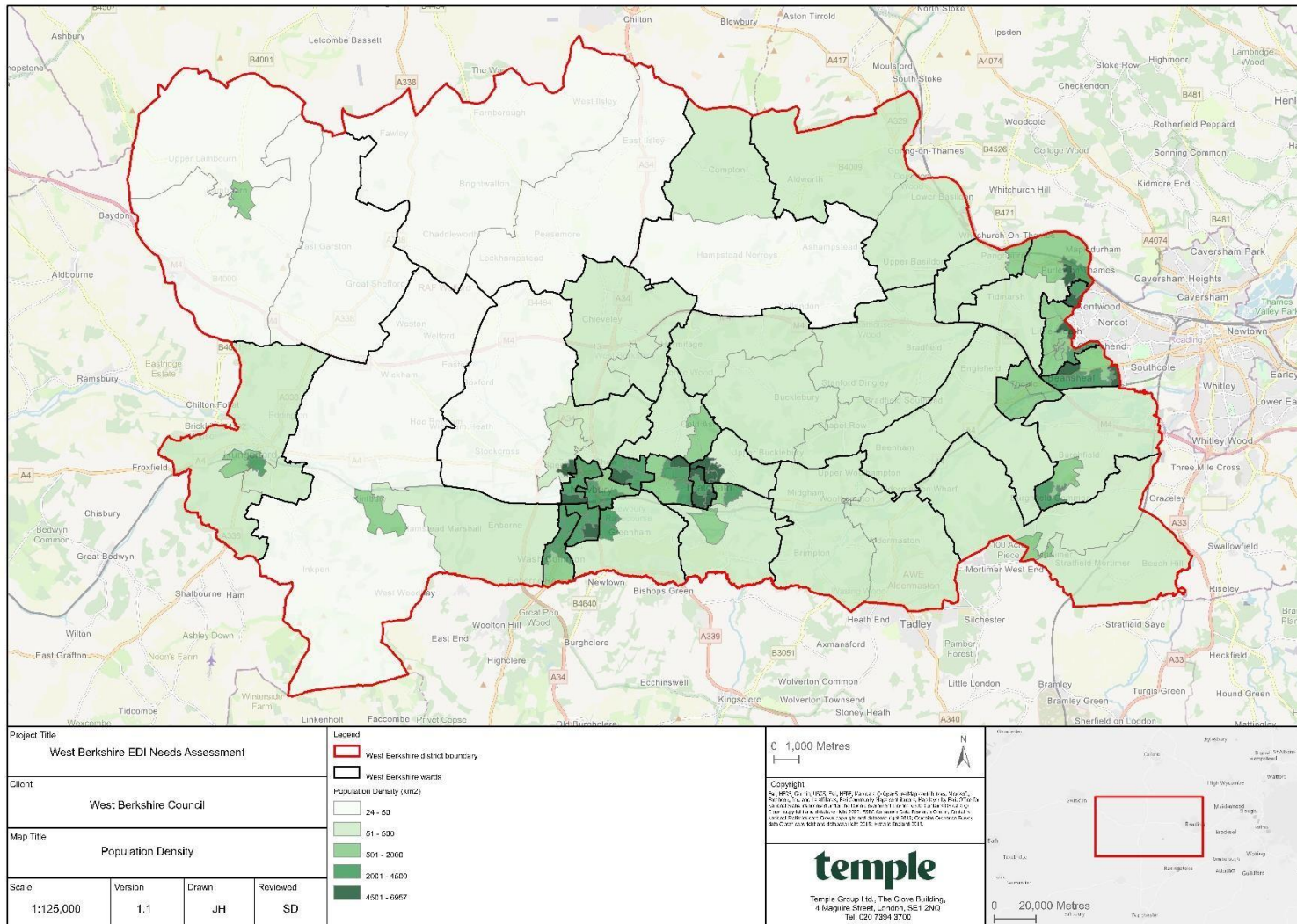
## 3.5 Population Density

3.5.1 West Berkshire's population is well distributed across the district, with only 225 people per hectare<sup>2</sup>. Nearly two thirds of the population live in the district's main urban centres at Newbury (28%) and Thatcham (16%) and in the Reading suburbs (20%). More than a third of residents (36%) live in the substantial rural areas and small settlements comprising the rest of the district. This distribution is depicted in **Figure C** below, with darker areas representing areas with higher population density.

---

<sup>2</sup> West Berkshire Council, 2021. Your District: Facts and Figures. Available at: <https://www.westberks.gov.uk/research#:~:text=West%20Berkshire%20has%20one%20of,with%20225%20people%20per%20hectare>.

Figure C – Population Density across West Berkshire



Source: West Berkshire Council, 2022

## 3.6 Urban Morphology and Land Uses

### Neighbourhood Typologies

- 3.6.1 To provide an overview of the neighbourhood types within West Berkshire and their prevalence, we have used the Classification of Multidimensional Open Data of Urban Morphology (MODUM)<sup>3</sup> from the Consumer Data Research Centre (CDRC). MODUM collates open data on features of the built environment to create typologies categorising neighbourhoods based on these features. Typologies are based on a number of physical attributes such as street and railway networks, green spaces, retail facilities and historic buildings.
- 3.6.2 **Countryside Sceneries** are, by far, the most common neighbourhood typology found in West Berkshire. Countryside Sceneries are found in or near open countryside and are dotted with primarily detached houses. Most rural villages are classed as Countryside Sceneries, as are some city fringe developments at the very edge of urban and suburban development.
- 3.6.3 West Berkshire also has a significant proportion of **Suburban Landscapes** and **Waterside Settings**, which dispersed among these Countryside Sceneries and are less rural but not yet truly urban. Suburban Landscapes are generally residential areas comprised of semi-detached houses in cul-de-sacs or other organised developments, near schools and parks, and far from town centres. Waterside Settings are defined by their proximity to aquatic features such as rivers, canals or the sea, although in the case of West Berkshire only inland water sources are present. These neighbourhoods are comprised of a wider range of uses such as villages, ports, industrial or post-industrial sites, and large infrastructure.
- 3.6.4 West Berkshire's more urban areas are comprised of **High Streets and Promenades**, **Old Towns** and some **Central Business Districts**. High Streets and Promenades are easily distinguishable areas representing the main commercial and retail centres of urban development, and they are often comprised of pedestrianised street networks. Old Towns are the traditional town centre and are usually located near to the main high street. These relatively low-density areas are defined by the presence of a large number of registered buildings, recreational facilities, administrative buildings and historical features. Although less common than High Streets and Promenades, and Old Towns, West Berkshire does have some Central Business Districts. Also known as city centres, these neighbourhoods are primarily comprised of high-

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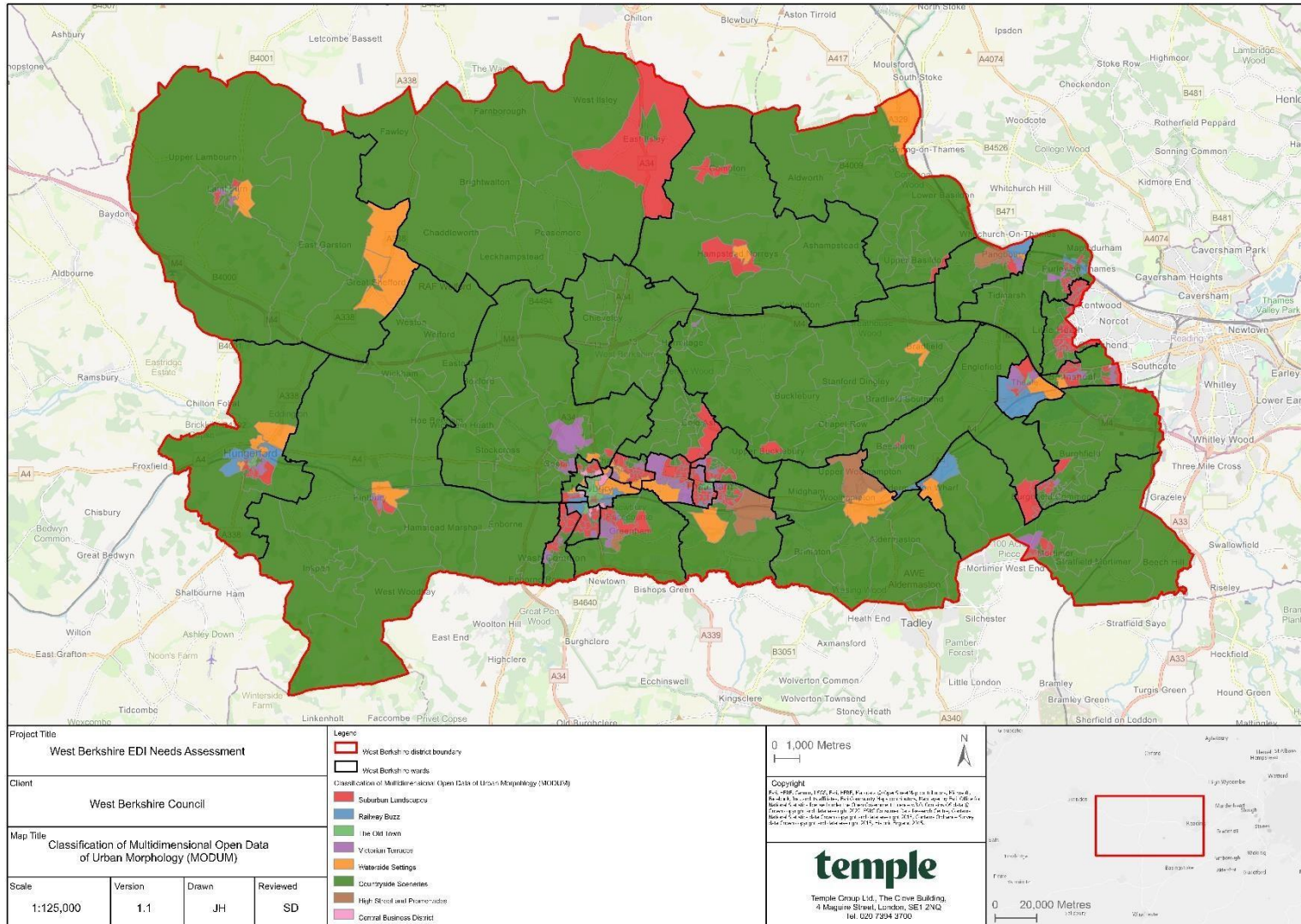
<sup>3</sup> Alexandros, A., et al., 2016. A Classification of Multidimensional Open Data of Urban Morphology. *Built Environment*, Volume 42, Number 3, Autumn 2016, pp. 382-395(14). Available at: <https://doi.org/10.2148/benv.42.3.382>.

rise commercial and office spaces and tend to have good access to amenities and transport routes.

- 3.6.5 Finally, **Victorian Terraces** and **Railway Buzz** neighbourhoods make up the remaining neighbourhood typologies in West Berkshire. These areas tend to be on the outskirts of urban development and are dominated by Victorian-era terraced housing, in the case of the Victorian Terraces, and rail-centric infrastructure including stations and tracks, in the case of the Railway Buzz, although they have no other major distinguishing characteristics.
- 3.6.6 This data is illustrated in **Figure D** and should be considered in conjunction with **Figure A**, **Figure B** and **Figure C**, as these datasets all highlight the urban-rural split across West Berkshire. The built environment and urban settings have a powerful impact on numerous equalities issues, greatly affecting access to educational, economic, health and other resources and associated opportunities.



Figure D – Neighbourhood Typologies across West Berkshire



Source: CDRC, 2022

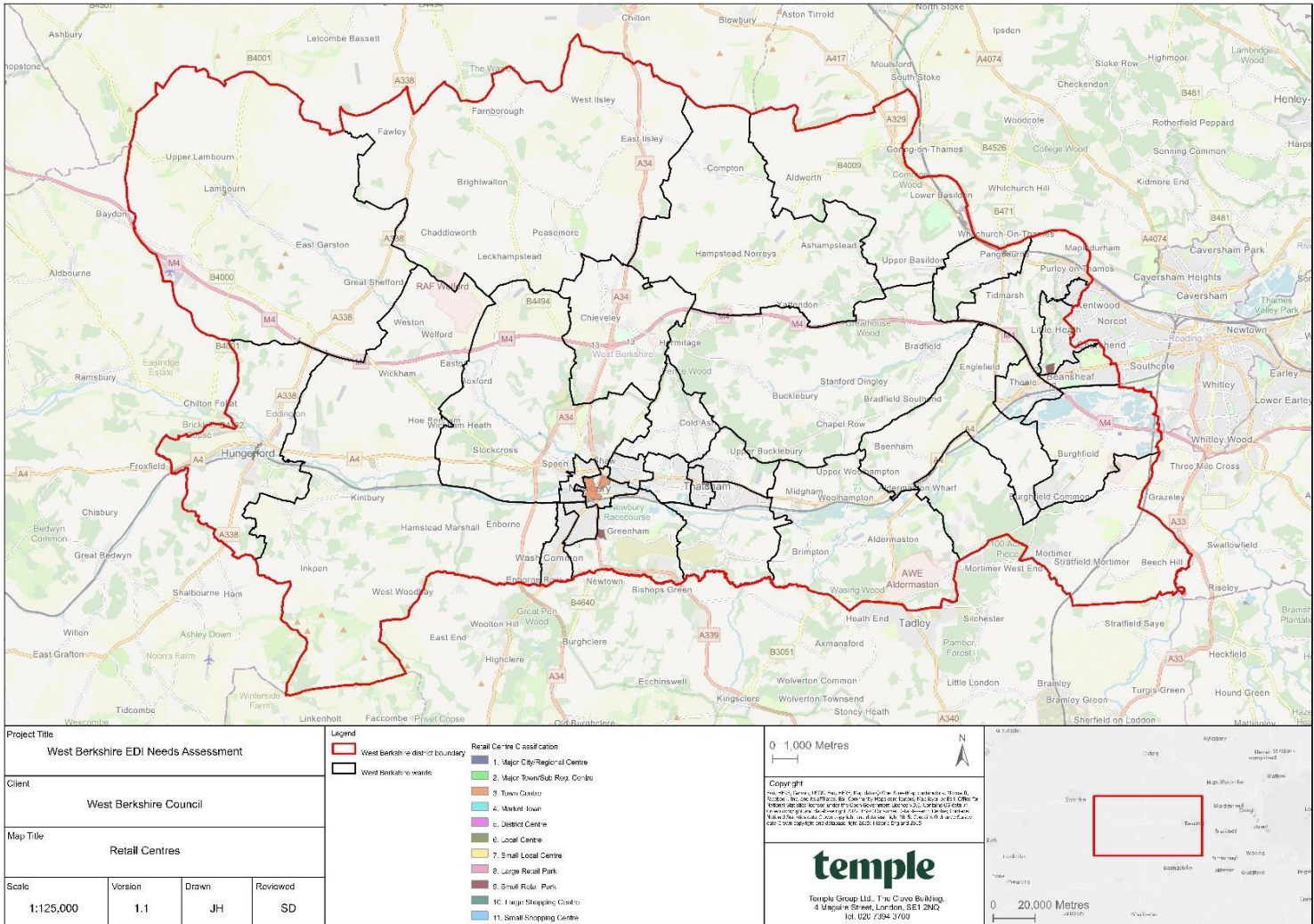
## Retail Centres

- 3.6.7 The CDRC Retail Centre Boundaries are a hierarchical classification based on location, retail count, density, and function, and are intended to identify the prominence of retail centres within a given area<sup>4</sup>. The eleven retail centre types as defined by the CDRC include major city / regional centres, major town / subregional centres, town centres, market towns, district centres, local centres, small local centres, large retail parks, small retail parks, large shopping centres and small shopping centres.
- 3.6.8 Based on the CDRC's classifications, major retail centres in West Berkshire are generally linked to urban or semi-urban centres including Newbury, Thatcham, Hungerford, Lambourn, Theale, Pangbourne and the Reading suburbs, as depicted in **Figure E** below. The locations of these retail centres and areas of higher population density align with the location of relevant MODUM neighbourhood typologies including High Streets and Promenades, Old Towns, Central Business Districts, Suburban Landscapes and Railway Buzz.

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<sup>4</sup> Consumer Data Research Centre, 2022. Retail Centre Boundaries and Open Indicators. Available at: <https://data.cdrc.ac.uk/dataset/retail-centre-boundaries-and-open-indicators>.

**Figure E – Retail Centres across West Berkshire**



Source: CDRC, 2022

## Unused Land

- 3.6.9 While West Berkshire does not feature a great deal of brownfield land, the Brownfield Land Register does feature some large brownfield sites which are potentially suitable for residential development in and around Newbury and Compton<sup>5</sup>. England does not currently provide data on the prevalence of vacant and derelict land in the country.

## 3.7 Socio-Economic Indicators

- 3.7.1 The follow section highlights socio-economic data that elucidates the implications of the geographic indicators described above, as well as providing greater context for the issues to which some demographics will be more vulnerable. The datasets below have been selected as most relevant to this needs assessment as they utilise national data sources to highlight the various factors that may affect equalities outcomes.

## 3.8 Deprivation

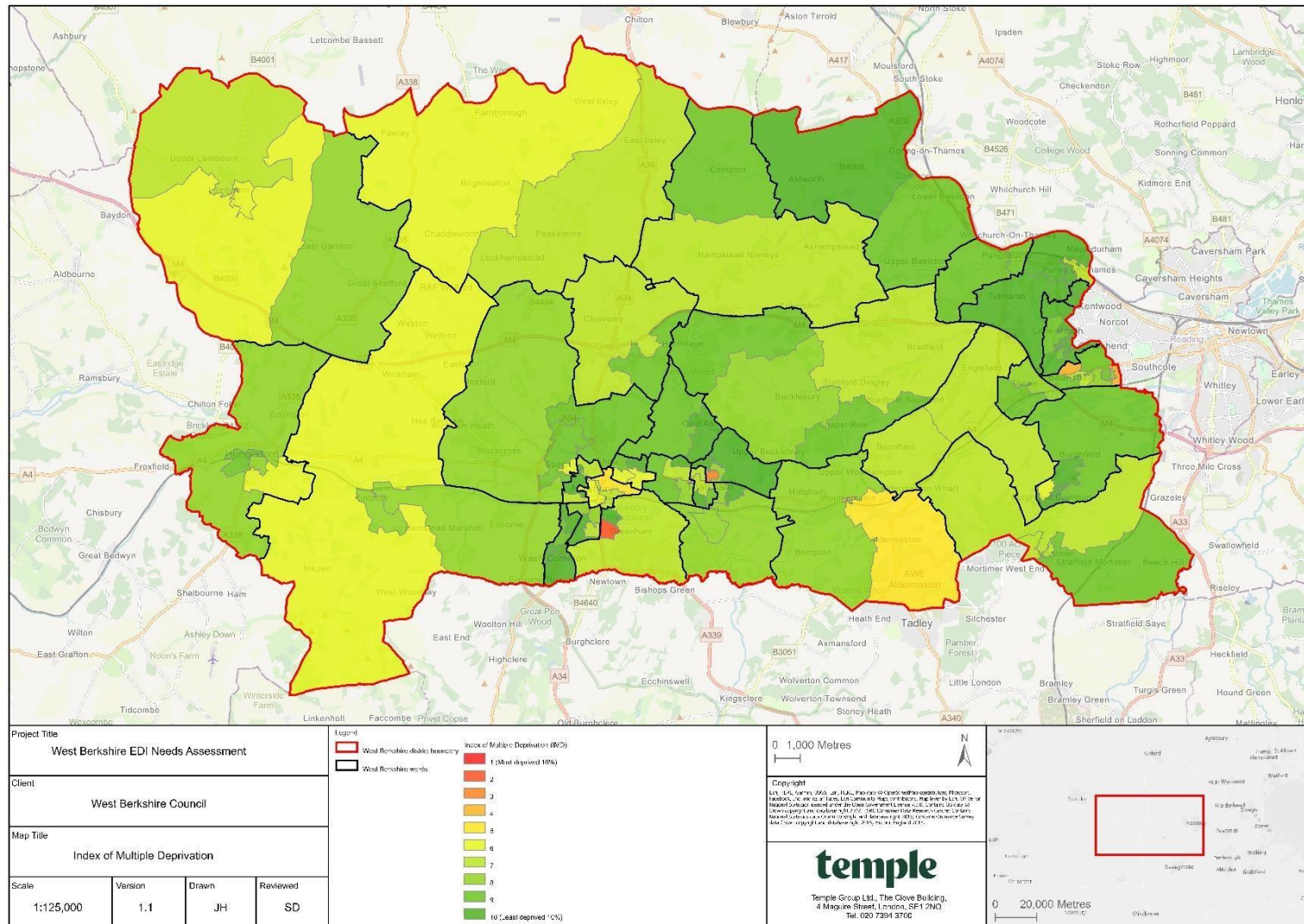
- 3.8.1 The English Indices of Deprivation 2019<sup>6</sup> (EID 2019) is the official measure of deprivation in England and provides a useful illustration of relative inequality within local authorities. The EID 2019 is based on seven distinct domains of deprivation: income, employment, education and skills training, health deprivation and disability, crime, barriers to housing and services and living environment, which are combined and weighted to form the overall index. Individuals living in areas of higher deprivation are more likely to experience inequalities based on the various domains which contribute to this deprivation.
- 3.8.2 As a whole, West Berkshire's Lower Layer Super Output Areas (LSOAs), which are the smallest geographic areas assessed in the EID 2019, do not show significant signs of deprivation, with the vast majority scoring in the 6<sup>th</sup> to 10<sup>th</sup> decile for overall deprivation. This places these 91 LSOAs amongst the 50% *least* deprived LSOAs in the country.
- 3.8.3 However, West Berkshire does have six LSOAs scoring in the 1<sup>st</sup> to 5<sup>th</sup> deciles, or amongst the 50% *most* deprived in the country. These LSOAs are generally clustered in and around the district's more urban areas, including Newbury and Thatcham in the south, the Reading suburbs in the east, and Aldermaston in the southeast, as depicted in the amber and red areas on **Figure F** below.

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<sup>5</sup> West Berkshire Council, 2019. Brownfield Land Register. Available at: <https://info.westberks.gov.uk/brownfieldlandregister>.

<sup>6</sup> Ministry of Housing, Communities & Local Government, 2019. English Indices of Deprivation 2019. Available at: <https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>.

**Figure F – Deprivation across West Berkshire (overall EID 2019 score by decile)**



Source: Ministry of Housing, Communities & Local Government, 2019

- 3.8.4 Although West Berkshire as a whole does not see high rates of deprivation, these six LSOA which are amongst the 50% most deprived in the country are more at risk of equalities-related issues based on their scores in each of the domains of deprivation. The individual scores for each domain of deprivation for West Berkshire's most deprived LSOAs are included in **Table 3.1** below.

### **Newbury and Thatcham**

- 3.8.5 In Newbury, LSOAs West Berkshire 019B (Newbury Clay Hill ward) and West Berkshire 020B (Newbury Greenham ward) are ranked in the 5<sup>th</sup> and 2<sup>nd</sup> deciles for overall deprivation respectively. West Berkshire 020B faces particular deprivation as it is amongst the 20% most deprived LSOAs in England and scores particularly poorly in the domains of income (2<sup>nd</sup> decile), employment (2<sup>nd</sup> decile) and education and skills training (1<sup>st</sup> decile).
- 3.8.6 In Thatcham, West Berkshire 016E (Thatcham North East ward) is ranked in the 3<sup>rd</sup> decile for overall deprivation. It also scores particularly poorly in the domains of income (3<sup>rd</sup> decile), employment (3<sup>rd</sup> decile) and education and skills training (2<sup>nd</sup> decile).

### **Reading Suburbs**


- 3.8.7 Near Reading, West Berkshire 006E (Tilehurst Birch Copse ward) and West Berkshire 008A (Tilehurst South & Holybrook ward) are both ranked in the 4<sup>th</sup> decile for overall deprivation. West Berkshire 006E scores particularly poorly in the domains of income (3<sup>rd</sup> decile), employment (3<sup>rd</sup> decile) and education and skills training (2<sup>nd</sup> decile). West Berkshire 008A scores particularly poorly in the domains of education and skills training (3<sup>rd</sup> decile) and barriers to housing and services (1<sup>st</sup> decile).

### **Aldermaston**

- 3.8.8 Around Aldermaston, West Berkshire 011A (Aldermaston ward), is ranked in the 5<sup>th</sup> decile for overall deprivation. It scores particularly poorly in the domains of barriers to housing and services (1<sup>st</sup> decile) and living environment (2<sup>nd</sup> decile).

**Table 3.1 – Domains of Deprivation in at-risk LSOAs (overall EID 2019 score and individual domain scores by decile)**

	Overall	Income	Employment	Education and Skills Training	Health Deprivation and Disability	Crime	Barriers to Housing and Services	Living Environment
West Berkshire 019B	5	4	4	4	7	5	7	4
West Berkshire 020B	2	2	2	1	4	4	6	9
West Berkshire 016E	3	3	3	2	4	5	5	8
West Berkshire 006E	4	3	3	2	4	5	9	9
West Berkshire 008A	4	5	4	3	6	6	1	10
West Berkshire 011A	5	5	7	6	7	9	1	2



← More deprived

Less deprived **7**

Source: Ministry of Housing, Communities & Local Government, 2019

### 3.9 Digital Exclusion

- 3.9.1 The Internet User Classification (IUC) describes how people interact with the internet in the UK, as well as common reasons for this behaviour based on national trends<sup>7</sup>. It is a useful tool to consider when assessing inequalities as it provides more detail about how people interact with the internet based on location, age and various socio-economic indicators<sup>8</sup>.
- 3.9.2 **e-Rational Utilitarians** (40%) is the most common IUC in West Berkshire. These users tend to be more prevalent in rural areas and use the internet to access service applications, such as online grocery shopping or banking, rather than for entertainment or communication. This may be due to these areas having constrained internet speeds which limits the functionality of websites requiring faster connections.
- 3.9.3 The next most common IUC in West Berkshire is the **e-Veteran** (29.6%). These users tend to accumulate around cities and in suburbs, and are a more mature, affluent and engaged population of users. They generally use a range of devices in a variety of ways, particularly for information seeking and online services.
- 3.9.4 **e-Mainstream Users** (16.3%) are the next most prevalent class in West Berkshire. These users are usually found in heterogenous neighbourhoods at the periphery of urban areas, represent a wide range of socio-economic groups and exhibit average internet usage characteristics.
- 3.9.5 West Berkshire also contains a small proportion of **Passive and Uncommitted Users** (6.7%) and **Digital Seniors** (5.2%). Passive and Uncommitted Users generally reside in suburban or semi-rural areas, tend to hold semi-skilled or blue-collar jobs, and have limited to no interaction with the internet. This lack of interaction is likely because access to broadband is limited and not a requirement of professional life. Digital Seniors also generally reside in semi-rural areas, although they tend to be retired and relatively affluent, and rarely use the internet, though they may use it for information seeking and financial or other services applications. Again, this lack of interaction is likely because access to broadband is limited and not a requirement of professional life.
- 3.9.6 The least represented IUCs in the district are **e-Professionals** (0.7%), **Youthful Urban Fringe** (0.7%) and **Settled Offline Communities** (0.7%). E-Professionals are largely young, urban professionals with significant experience interacting

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<sup>7</sup> Consumer Data Research Centre, 2022. Internet User Classification. Available at: <https://data.cdrc.ac.uk/dataset/internet-user-classification>.

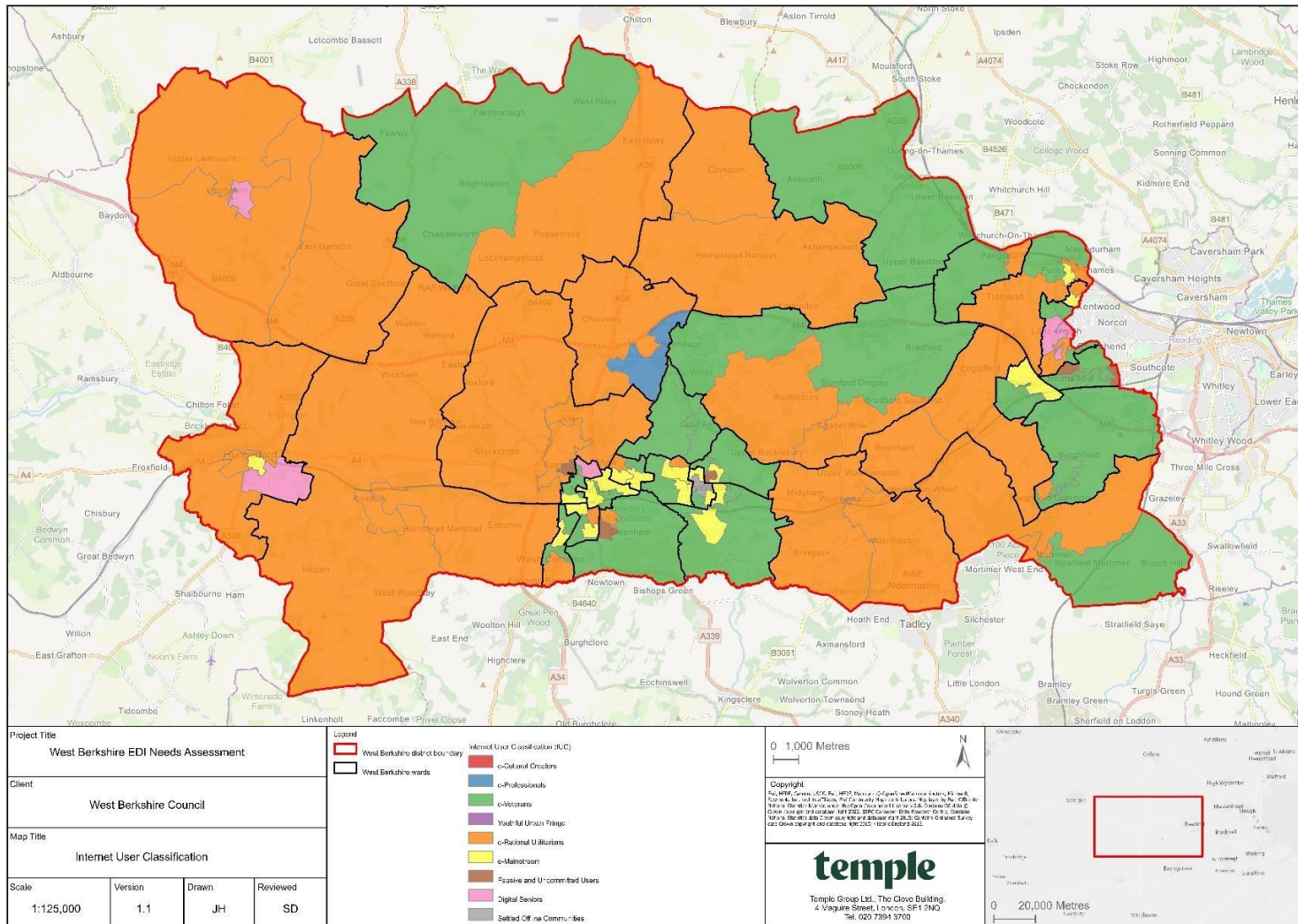
<sup>8</sup> Singleton, A., et al., 2020. Mapping the geodemographics of digital inequality in Great Britain: An integration of machine learning into small area estimation. *Computers, Environment and Urban Systems*, Volume 82, July 2020. Available at: <https://doi.org/10.1016/j.compenurbsys.2020.101486>.



with the internet in a variety of settings and for a variety of tasks. The low prevalence of this user class in West Berkshire may be attributed to the corresponding dip in population size amongst people in their early- to mid-20s, as West Berkshire has a relatively small proportion of people in this age bracket (see **Figure I**).

- 3.9.7 Youthful Urban Fringe users often reside at the edge of materially deprived, urban communities and tend to use the internet for social media, although their overall engagement is average. The low prevalence of this user class in West Berkshire may be attributed to the corresponding lack of urban centres.
- 3.9.8 Finally, Settled Offline Communities tend to be comprised of older, retired people living in semi-rural areas who rarely engage with the internet except for information seeking and limited online shopping. This lack of engagement may be largely contributed to rare or even no internet access.
- 3.9.9 The clustering of IUCs across West Berkshire helps to illustrate the implications of West Berkshire's urban-rural split and provides possible reasons for why different communities interact with the internet differently. Rural areas, in West Berkshire and across the country, are not just categorised by geographic or physical indicators such as population density, infrastructure or architecture. They also demonstrate socio-economic trends which can have adverse implications in terms of equal access to vital services and opportunity.
- 3.9.10 A map illustrating the geographic dispersion of these IUCs is included in **Figure G** below, highlighting the clustering of various IUCs in different geographic areas across the district.

Figure G – Internet User Classifications across West Berkshire



Source: CDRC, 2022

## 3.10 Food Deserts

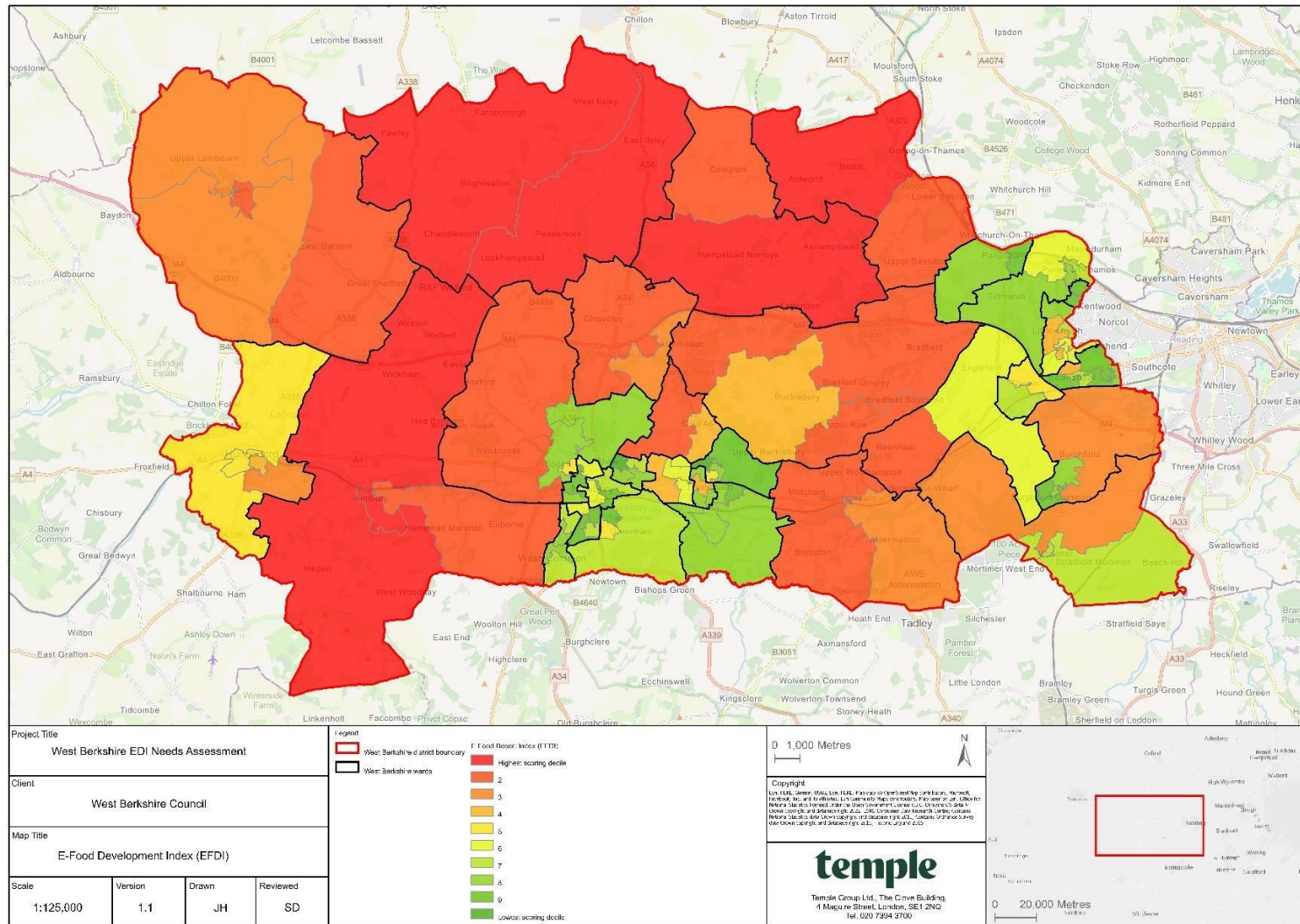
- 3.10.1 Food deserts are defined as areas with limited access to affordable and nutritious food. They tend to be inhabited by residents in lower income brackets with poor access to transportation, which make them less desirable to major supermarket chains that would supply fresh, whole foods. This often results in a concentration of fast-food takeaways and other convenience food outlets, which in turn can contribute to poor health outcomes such as obesity and diabetes.
- 3.10.2 The e-Food Desert Index (EFDI) measures the extent to which neighbourhoods exhibit those characteristics associated with food deserts including: 1) proximity and density of grocery retail facilities, 2) transport and accessibility, 3) neighbourhood socio-economic and demographic characteristics, and 4) e-commerce availability and propensity<sup>9</sup>.
- 3.10.3 In West Berkshire, food deserts are more prevalent in more rural areas of the district, which corresponds with the relative lack of retail facilities, infrequent public transportation and limited internet access. Conversely, food deserts are less prevalent in and around urban centres like Newbury, Thatcham and Reading where there are more retail facilities, more comprehensive public transport routes and greater internet use.
- 3.10.4 The prevalence of food deserts across West Berkshire again illustrates the divide between those occupying urban and rural areas, further demonstrating the broader challenges facing those living in different areas within the district.
- 3.10.5 Although this data reinforces broader issues around rural access, it is important to keep in mind that there are many complex factors beyond the scope of this report that can affect individual equalities outcomes such as income, access to private transport and overall health indicators.
- 3.10.6 **Figure H** below shows the prevalence of food deserts across West Berkshire, with areas shown in amber and red having more food deserts.

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<sup>9</sup> Consumer Data Research Centre, 2022. E-food Desert Index. Available at: <https://data.cdrc.ac.uk/dataset/e-food-desert-index>.

Figure H – Food Deserts across West Berkshire



Source: CDRC, 2022

## 3.11 Fuel Poverty

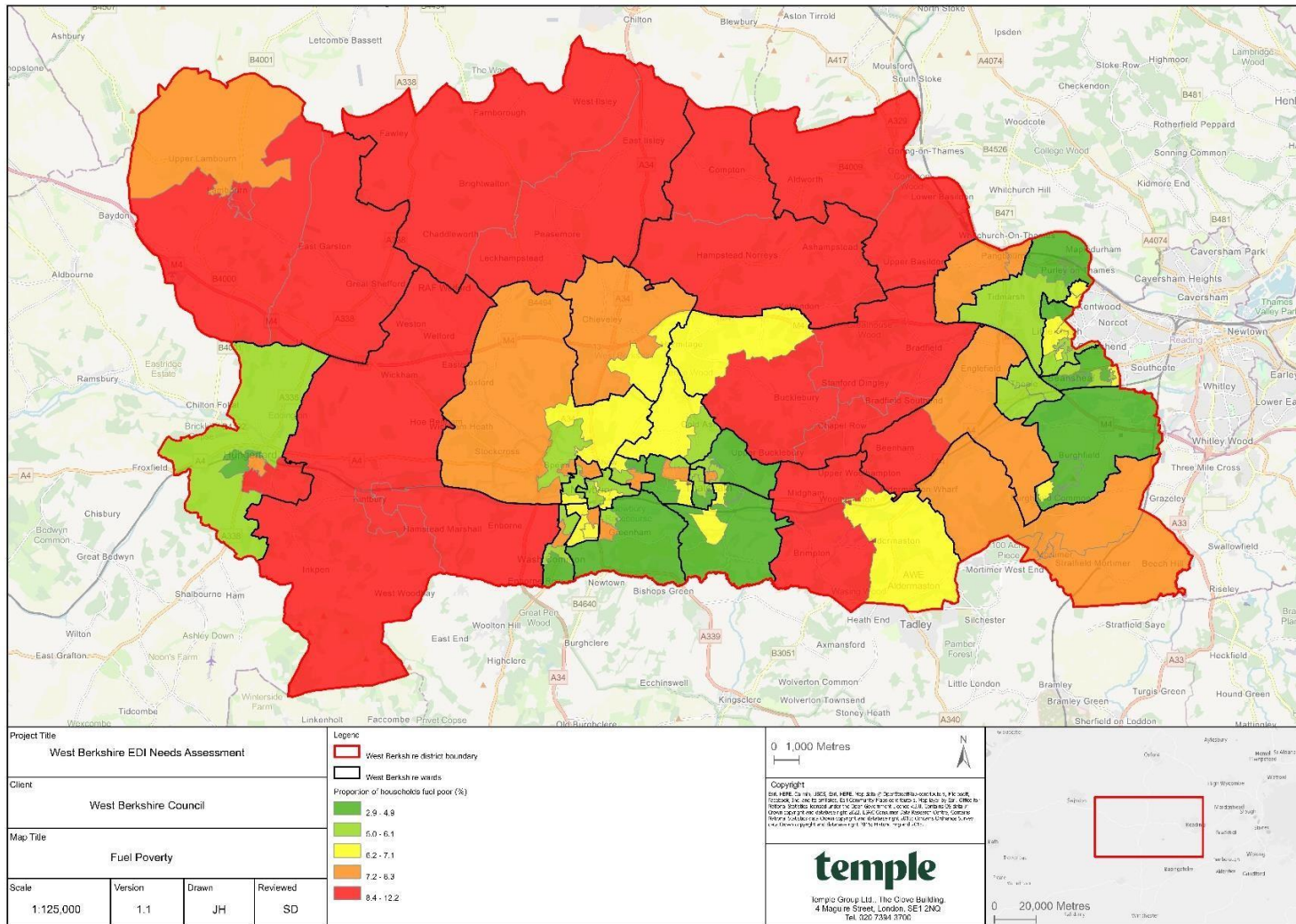
- 3.11.1 Fuel poverty is determined using the Low Income Low Energy Efficiency (LILEE) indicator which considers household income, household energy requirements and fuel prices<sup>10</sup>. A household is defined as fuel poor if: 1) the household occupies a property with a fuel poverty energy efficiency rating of band D or lower and 2) if spending the minimum required to heat the home leaves the household with a residual income which is below the poverty line.
- 3.11.2 Generally, West Berkshire has fewer households experiencing fuel poverty (6.6%) than both the South East (7.9%) and England (10.3%)<sup>11</sup>. As was the case regarding overall deprivation, digital exclusion and food deserts, households that are more likely to experience fuel poverty tend to be distributed across more rural areas in the district while households that are less likely to experience fuel poverty are in more urban areas.
- 3.11.3 This data is particularly pertinent now as the UK is currently facing rapidly rising fuel costs and a cost-of-living crisis. As fuel, and other necessities, become more expensive, the gap between those experiencing fuel poverty and not will likely continue to grow and the Council may need to offer additional support to those struggling most.
- 3.11.4 That said, as above, although this data reinforces broader issues around rural access, it is important to keep in mind that there are many complex factors beyond the scope of this report that can affect individual equalities outcomes such as income, access to private transport and overall health indicators.
- 3.11.5 **Figure I** below shows the distribution across West Berkshire of households facing fuel poverty. The areas shown in amber and red have the highest proportions of fuel poor households.

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<sup>10</sup> Department for Business, Energy & Industrial Strategy, 2022. Fuel poverty statistics. Available at <https://www.gov.uk/government/collections/fuel-poverty-statistics>.

<sup>11</sup> Department for Business, Energy & Industrial Strategy, 2020. Sub-regional fuel poverty data 2020. Available at <https://www.gov.uk/government/statistics/sub-regional-fuel-poverty-data-2020>.

Figure I – Households Experiencing Fuel Poverty (%)



Source: Department for Business, Energy & Industrial Strategy, 2020

## 3.12 Protected Characteristics

3.12.1 This section outlines key data regarding the core protected characteristics outlined in the Equality Act, as well as additional commentary on the implications of these figures.

### Age

3.12.2 Overall, the age distribution of West Berkshire's population is consistent with trends seen across the South East and England, with most residents between 15 and 64 years of age (62.7%), and the rest closely split between children aged 14 and younger (17.17%) and older people aged 65 and older (19.6%).

**Table 3.2 – Population by Age (under 15 years, 15 – 64 years, over 64 years)**

	West Berkshire		South East		England	
	Population	%	Population	%	Population	%
Under 15 years	28,600	17.7	1,616,500	17.4	9,838,700	17.4
15 – 64 years	101,200	62.7	5,857,300	63.1	36,249,800	64.2
Over 64 years	31,600	19.6	1,804,300	19.4	10,401,200	18.4

Source: ONS, Census 2021

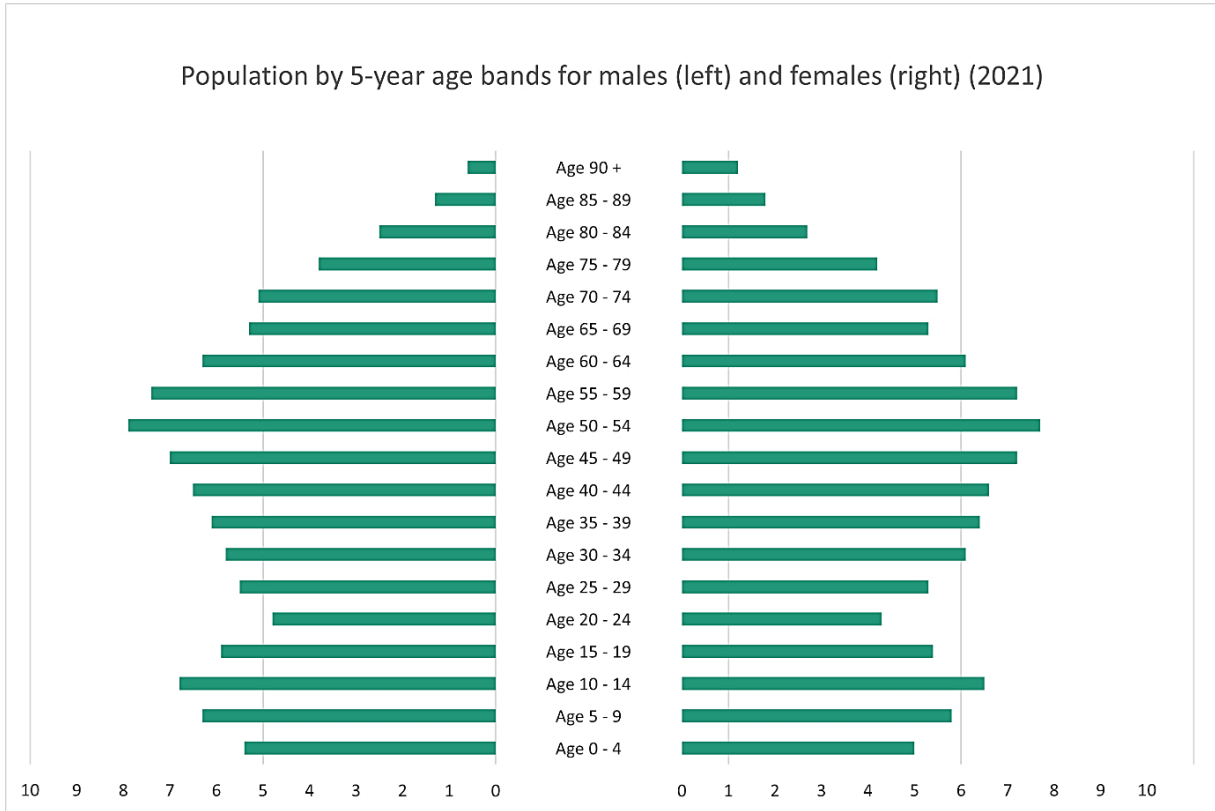
3.12.3 Generally, population distribution based on age is expected to follow a bell curve, with fewer residents occupying the age brackets at either end of the spectrum. A bell curve that shows more younger people indicates a growing population, while a curve showing more older people indicates an ageing population.

3.12.4 In West Berkshire, the population follows a largely recognisable bell curve shape, with a larger younger population indicating overall growth. One significant deviation from the standard bell curve is the significant dip in population size between the 10 to 14 year and 20 to 24 year age bracket. From the 25 to 29 year age bracket the population size steadily increases again before falling as expected as the population ages. The lack of universities in the area is the most likely explanation for this dip, as 17 to 24 year olds pursue higher education and take graduate jobs in other areas, before returning to West Berkshire in their late 20s to raise families.

3.12.5 It is important to consider the various age groups present within West Berkshire as different age groups have different needs and therefore different relationships to EDI issues. For example, children and young people will be

more directly impacted by access to education, working age adults will be more susceptible to changes in regional employment opportunities, and older people will be more reliant on healthcare services.

**Figure J – Population by Age (overall distribution, males and females)**



Source: ONS, Census 2021

## Sex

3.12.6 West Berkshire’s population is evenly divided between females (50.6%) and males (49.4%), and this split is consistent with distributions of the sexes across both the South East and England more broadly. As there is no disproportionality between male and female populations, limited inferences can be made about their implications. According to ONS 2020 data there is also no significant difference among the majority of LSOAs in terms of the ratio of females to males.



**Table 3.3 – Population by Sex**

	West Berkshire		South East		England	
	Population	%	Population	%	Population	%
All persons	161, 400		9,278,100		56,489,800	
Females	81,700	50.6	4,738,800	51.1	28,833,500	51.0
Males	79,700	49.4	4,539,300	48.9	27,656,300	49.0

Source: ONS, Census 2021

- 3.12.7 Looking at the distribution of females and males across various age brackets, it is apparent that West Berkshire’s female population is generally older than its male population. 20.7% of the female population is 65 years and older while only 18.6% of the male population is 65 and older<sup>12</sup>. This trend continues with age, with 5.7% of the female population aged 80 years and older and only 4.4% of the male population aged 80 years and older. This is consistent with trends across England, as 19.6% of the national female population is 65 years and older and 5.8% is 80 years and older, while only 17.3% of the national male population is 65 years and older and 4.2% is 80 years and older.
- 3.12.8 This discrepancy is important to note as women tend to live longer than men and older people are likely to face greater health challenges, indicating that the Council may need to address individual elements of aging populations in different ways. More information regarding the context and implications of these statistics should be addressed in the health-related needs assessment being conducted in parallel to this work.

### Race

- 3.12.9 West Berkshire is not a particularly ethnically diverse area, with most residents identifying as White (94.8%) rather than as a non-White ethnic minority (5.2%). This is both less ethnically diverse than across the South East (90.7% White) and across the whole of England (85.4% White).
- 3.12.10 Of the West Berkshire residents who identify as a non-White ethnic minority, most residents identify as Asian / Asian British (2.5%), Black / African /

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<sup>12</sup> Office for National Statistics, 2022. Population and household estimates, England and Wales: Census 2021. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationandhouseholdestimatesenglandandwalescensus2021>.

Caribbean / Black British (0.9%) or mixed / part of multiple ethnic groups (1.6%). Only 0.2% identify as being part of another ethnic group. These figures are proportionally lower than across the South East and England.

**Table 3.4 – Population by Ethnicity (White and non-White ethnic minority)**

	West Berkshire	South East	England
White (%)	94.8	90.7	85.4
Asian / Asian British (%)	2.5	5.2	7.8
Black / African / Caribbean / Black British (%)	0.9	1.6	3.5
Mixed / multiple ethnic groups (%)	1.6	1.9	2.3
Other ethnic group (%)	0.2	0.6	1.0

Source: ONS, Census 2011

- 3.12.11 Among the district’s White residents, it is worth taking a closer look at the sometimes overlooked and often hard-to-measure Gypsy, Traveller and Roma population. According to official Census records, Gypsies and Travellers make up only 0.1% of West Berkshire, which is consistent with rates across the South East and England, although they frequently represent “some of the most disadvantaged people in the country”.
- 3.12.12 Furthermore, it is often difficult to determine exact figures for Gypsy, Traveller and Roma communities for a variety of reasons. The most obvious reason for this is the historic persecution by both state and individuals, resulting in a continued distrust in the government and government bodies. Members of these communities have also traditionally led a nomadic lifestyle without a fixed address and, according to the Census 2011, about one quarter of Gypsies and Travellers still do not live in a fixed dwelling such as a house, flat, maisonette or apartment<sup>13</sup>.
- 3.12.13 Although little data is available regarding the prevalence of these communities within West Berkshire, conversations with Amanda Povey (Consultation and Engagement Officer at West Berkshire Council) suggest that they are generally

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<sup>13</sup> Women and Equalities Committee, 2019. Tackling inequalities faced by Gypsy, Roma and Traveller communities. Available at <https://publications.parliament.uk/pa/cm201719/cmselect/cmwomeq/360/full-report.html#content>.

found in rural areas and in the Lambourn Valley. Further research into the location and socio-economic status of community members would be useful to better assess their needs and community-specific challenges beyond the geographically-linked indicators described in **Sections 3.3 to 3.11**.

**Table 3.5 – Population by Ethnicity (White and White ethnic minority)**

	West Berkshire	South East	England
White British (%)	90.4	85.2	79.7
Gypsy / Traveller (%)	0.1	0.2	0.1
Irish (%)	0.8	0.9	1
Other White ethnic group (%)	3.5	4.4	4.6

Source: ONS, Census 2011

3.12.14 West Berkshire also has a small but significant refugee community, primarily comprised of Ukrainians and Afghanis. According to Sam Shepherd (Local Communities Programme Manager at West Berkshire Council), as of early September 2022, there were roughly 300 adults and 200 children from Ukraine with asylum status in West Berkshire, as well as 70 adults and 110 children from Afghanistan occupying two local hotels.

3.12.15 These families face a range of issues including finding housing, registering with schools and GPs, applying for bank accounts, learning English and registering for relevant courses, and securing residency permits. They are also intensely vulnerable given the often-distressing circumstances of their arrival in England generally and the fragility of their legal status. It is therefore imperative that these communities are connected to a strong network of services as quickly and smoothly as possible.

### Religion and Belief

3.12.16 The religious affiliation of West Berkshire’s population does not differ significantly from that of the Southeast or England. Most of the population has religion (66.2%) while only about a third has no religion or did not state a religion in the Census.

**Table 3.6 – Population by Religion (religiosity)**

	West Berkshire	South East	England
Has religion (%)	66.2	65	68.1
Has no religion (%)	26.7	27.7	24.7
No religion stated (%)	7.2	7.4	7.2

Source: ONS, Census 2011

3.12.17 In terms of those who do have religion in West Berkshire, the majority identify as Christian (63.6%), which is consistent across the rest of the South East (59.8%) and England (59.4%). The most common minority religion is Islam (0.8%), which is again consistent across the South East (2.3%) and England (5%). In West Berkshire, Islam is closely followed by Hinduism (0.7%), then Buddhism (0.3%), Sikhism (0.2%) and Judaism (0.1%). The remaining proportion of residents who have religion identify as having some other religion (0.4%).

**Table 3.7 – Population by Religion (religious affiliation)**

	West Berkshire	South East	England
Christian (%)	63.6	59.8	59.4
Muslim (%)	0.8	2.3	5.0
Hindu (%)	0.7	1.1	1.5
Buddhist (%)	0.3	0.5	0.5
Sikh (%)	0.2	0.6	0.8
Jewish (%)	0.1	0.2	0.5
Other religion (%)	0.4	0.5	0.4

Source: ONS, Census 2011 (Rest of the residents either stated that they have no religion or no religion stated in the census)

### Disability

3.12.18 Disabled people have a physical, psychological or learning impairment, which in turn often makes them inherently more vulnerable to EDI-related challenges.

The ONS provides a series of comprehensive datasets regarding the intersection of disability and education, employment, housing, wellbeing and loneliness, which highlight the frequent disparity between disabled and non-disabled people<sup>14</sup>. Some of the core challenges facing disabled people more than their non-disabled counterparts include, but are not limited to, long-term conditions such as cancer, obesity and diabetes, and the need for ongoing financial, physical and mental health support<sup>15</sup>.

3.12.19 According to Public Health England (PHE), 13.2% of West Berkshire residents report having a limiting long-term illness or disability, which is lower than the average across the South East (15.2%) and England (17.6%)<sup>16</sup>.

3.12.20 According to Census data, the proportion of residents having a long-term illness or disability, whether limiting or not, is much higher, affecting the majority of the population (95.3%). Fortunately, the percentage of people whose day-to-day activities are limited in some way by these traits is much lower, impacting only about 12.5% of residents. These figures are largely consistent across the South East and England, although West Berkshire’s residents are generally less impacted by life-limiting illnesses and disabilities.

**Table 3.8 – Population by Disability**

	West Berkshire	South East	England
Possessing a long-term illness or disability (%)	13.2	15.2	17.6
Day to day activities limited a lot (%)	5.1	6.4	7.8
Day to day activities limited a little (%)	7.4	8.2	8.8
Day to day activities not limited (%)	82.7	78.4	77.3

Source: ONS, Census 2011

3.12.21 In terms of learning disabilities, children in West Berkshire are generally less likely to have a learning difficulty than their peers across the country, although

<sup>14</sup> Office for National Statistics, 2021. Disability. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability>.

<sup>15</sup> Office for National Statistics, 2022. Disability pay gaps in the UK: 2021. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/disabilitypaygapsintheuk/2021>.

<sup>16</sup> Public Health England, 2022. Local Health. Available at: <https://fingertips.phe.org.uk/profile/local-health/data#page/0/qid/1938133184/pat/6/par/E12000008/ati/402/are/E06000037/yr/1/cid/4/tbm/1>.

the district does see slightly higher rates of Profound and Multiple Learning Difficulties (1.6%) compared to the South East (1.1%) and England (1.3%). West Berkshire also has a higher proportion of children with Autism (33.5%) compared to the South East (19.3%) and England (18%).

**Table 3.9 – Population by Learning Disability**

	West Berkshire	South East	England
Children with learning difficulties known to schools (per 1,000)	18.0	31.4	34.4
Children with Moderate Learning Difficulties known to schools (per 1,000)	12.7	26.6	29.1
Children with Severe Learning Difficulties known to schools (per 1,000)	3.7	3.7	4.0
Children with Profound and Multiple Learning Difficulties known to schools (per 1,000)	1.6	1.1	1.3
Children with Autism known to schools (per 1,000)	33.5	19.3	18.0
Adults with a learning disability receiving long-term local authority support (per 1,000)	3.8	3.3	3.5

Source: PHE, Learning Disability Profiles 2020

### Pregnancy and Maternity

3.12.22 Overall, pregnant people in West Berkshire see good outcomes in regard to pregnancy and maternity figures. West Berkshire’s Total Fertility Rate (TFR) (1.78) is higher than that of the South East (1.7) and England (1.62), indicating that more people who conceive in West Berkshire successfully carry the baby to term. TFR is a better indicator of overall fertility trends than the number of live births as it accounts for the size and age structure of a female population, including viable childbearing years. In addition, West Berkshire generally has lower rates of stillbirths (2.6) than the South East (3.6) and England (4.1).

**Table 3.10 – Fertility Rates**

	West Berkshire	South East	England
Total Fertility Rate (TFR) per woman	1.78	1.7	1.62
Stillbirth rate per 1,000 total births	2.6	3.6	4.1

Source: APS, 2021

3.12.23 It is also worth noting that children born in West Berkshire are likely to be healthier than those born across the South East and England, as mothers in West Berkshire are more likely to have early access to maternity care. In addition, mothers are less likely to be obese and smoke during early pregnancy, to smoke at the time of birth, and to have babies with a low birth weight.

**Table 3.11 – Maternal and Natal Health**

	West Berkshire	South East	England
Early access to maternity care (%)*	65.7	**	57.8
Obesity in early pregnancy (%)*	19.4	20.9	22.1
Smoking in early pregnancy (%)*	11.1	11.3	12.8
Smoking at time of delivery (%)*	6.2	9.0	9.6
Low birth weight of term babies (%)**	2.2	2.6	2.9

Source: PHE, \*2018/19; \*\*2020

\*\* Value not available.

3.12.24 More information regarding the implications of maternal health and other indicators, as well as the context and implications of the above statistics, should be addressed in the health-related needs assessment being conducted in parallel to this work.

### Sexual Orientation

3.12.25 Sexual orientation is an ‘umbrella term’ used in the Annual Population Survey (APS) which broadly intends to capture sexual identity, attraction and behaviour

rather than specific, detailed trends and associated issues<sup>17</sup>. According to the APS, sexual orientation is useful as a tool to help identify one component of sexual orientation, especially in relation to EDI challenges such as disadvantage and discrimination, but should not be used to identify sexual attraction or behaviour.

- 3.12.26 While current, reliable datasets capturing sexual orientation within West Berkshire are not readily available, according to experimental research statistics from 2017 the vast majority of West Berkshire’s population appears to identify as heterosexual<sup>18</sup>. Per the 2020 APS, the same appears to hold true across England, however this figure has been steadily declining since questions about sexual identity, later sexual orientation, were first introduced to the APS in 2014<sup>19</sup>.
- 3.12.27 As sexual orientation continues to gain traction in the public sphere, not least because it is included as a protected characteristic under the Equality Act, more comprehensive and up to date datasets will become available. For example, the Census 2021 includes questions regarding sexual identity and orientation, the results of which will be published later this year.

### Gender Reassignment

- 3.12.28 Gender reassignment, much like sexual orientation, is difficult to track statistically because there are few reliable datasets available, especially at the local level. However, also like sexual orientation, gender reassignment is becoming more of a mainstream topic of discussion among both the public and public bodies.
- 3.12.29 As such, the Census 2021 also includes questions about gender reassignment, or those whose gender identity is different to the sex they were registered at birth<sup>20</sup>. Although this data has not yet been published, it will help to provide a clearer picture of who may possess this characteristic and what broader EDI-related challenges they may face.

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<sup>17</sup> Office for National Statistics, 2022. Sexual identity. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality>.

<sup>18</sup> Office for National Statistics, 2017. Subnational sexual identity estimates, UK: 2013 to 2015. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/articles/subnationalsexualidentityestimates/uk2013to2015#sexual-identity-local-authorities>.

<sup>19</sup> Office for National Statistics, 2022. Sexual orientation, UK: 2020. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/sexuality/bulletins/sexualidentityuk/2020>.

<sup>20</sup> Office for National Statistics, 2022. Exploring existing data on gender identity and sexual orientation. Available at: <https://www.ons.gov.uk/methodology/classificationsandstandards/measuringequality/genderidentity/exploringexistingdataongenderidentityandsexualorientation>.



## Marriage and Civil Partnership

3.12.30 Generally, West Berkshire sees higher rates of marriage (54.1%) than the rest of the South East (49.3%) and England (46.6%), although rates of same-sex civil partnerships are broadly the same across all regions (0.2%). The district also sees marginally lower rates of divorce (8.8%) and legal separation (2.3%) than the South East (9.1% and 2.5%) and England (9% and 2.7%). These figures are in turn reflective of West Berkshire’s smaller single population (28.6%) compared the rest of region (31.9%) and the country (34.6%).

**Table 3.12 – Population by Marital and Civil Partnership Status (aged 16+ years)**

	West Berkshire	South East	England
Married (%)	54.1	49.3	46.6
Same-sex civil partnership (%)	0.2	0.2	0.2
Divorced or in a now-dissolved same-sex civil partnership (%)	8.8	9.1	9
Separated (%)	2.3	2.5	2.7
Widowed or surviving partner is a same-sex civil partnership (%)	6	6	6.9
Single (%)	28.6	31.9	34.6

Source: ONS, Census 2011

### 3.13 Other Relevant Groups

3.13.1 The following section examines other relevant demographic groups commonly associated with equalities considerations by local authorities due to vulnerable circumstances and other factors.

### 3.14 At-Risk Children, Youth and Young People

#### Educational Attainment

3.14.1 Among primary school students, pupils in West Berkshire perform at similar rates to pupils across England, with 64% meeting expected standards,

compared to 65% of all pupils in English schools<sup>21</sup>. Students are considered to be meeting the expected standard if they achieve a scaled score of 100 or more in their reading and maths tests, and their teacher assesses them as 'working at the expected standard' or better in writing.

- 3.14.2 Within this context, West Berkshire's 79 primary schools demonstrate a range of educational proficiencies. Based on 2019 data, the best performing schools are Enborne C.E. Primary School, the Ilsleys Primary School and Woolhampton C.E. Primary School, all of which have 100% of their pupils meeting the expected standard. However, there are also schools with much lower performance scores, including some in which 0% of pupils meet the expected standard.
- 3.14.3 Among secondary school students, the average Attainment 8 score for pupils across England for the 2020 to 2021 academic year was 50.9 out of 90<sup>22</sup>. In West Berkshire, for the 2018 to 2019 academic year, pupils across the district's 29 secondary schools scored an average of 47.7, slightly below the national standard. Attainment among female pupils (49.3) was slightly higher than among male pupils (46.1), which is a trend mirrored across the country. Likewise, students with Chinese ethnic backgrounds scored the highest (61.8) and students of unknown backgrounds scored the lowest (21.4), again mirroring national trends.
- 3.14.4 Based on discussions with Pamela Voss (EMTAS Team Lead at West Berkshire Council), we understand that in West Berkshire, Gypsy, Traveller and Roma students, as well as students from other ethnic minorities, are supported through the Ethnic Minority and Traveller Achievement Scheme (EMTAS). This scheme promotes cultural awareness in schools and among teachers and staff, as well as helping pupils and their families achieve educational milestones and navigate potentially emotive subjects and transitions.
- 3.14.5 West Berkshire also offers support to students with English as an Additional Language (EAL). Students in these programmes most commonly speak Polish, Portuguese and Romanian, as well as Indian languages such as Tamil, Urdu and Gujarati.

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<sup>21</sup> UK Government, 2022. Find and compare schools in England. Available at: [https://www.compare-school-performance.service.gov.uk/schools-by-type?for=primary&step=default&table=schools&region=869&geographic=la&orderby=ks2.0.PTRWM\\_EXP&orderdir=asc](https://www.compare-school-performance.service.gov.uk/schools-by-type?for=primary&step=default&table=schools&region=869&geographic=la&orderby=ks2.0.PTRWM_EXP&orderdir=asc).

<sup>22</sup> Department for Education, 2022. GCSE results (Attainment 8). Available at: <https://www.ethnicity-facts-figures.service.gov.uk/education-skills-and-training/11-to-16-years-old/gcse-results-attainment-8-for-children-aged-14-to-16-key-stage-4/latest>.

## Children in Care and Care Leavers

- 3.14.6 The UK government publishes a range of data sets describing children in care and care leavers at the national level based on statistics submitted by local authorities. However, these authorities' datasets are not publicly available.
- 3.14.7 Based on communication with Jenny Legge (Principal Performance, Research and Consultation Officer at West Berkshire Council), there are approximately 175 children in care and 125 care leavers in the district. Given these relatively low figures, and at the request of the council, we are unable to provide a map illustrating potential hubs for these individuals in order to preserve their anonymity.

## Youth Offences

- 3.14.8 In 2021, 158 children aged 10 to 17 years committed approximately 240 offences in West Berkshire, the most common of which included violence against another person (35%), drug related offences (16.9%), criminal damage (16.5%), public disorder (12.2%), and theft and handling (5.2%)<sup>23</sup>. Most of these young offenders are male (71.5%) although there are also some female offenders (28.5%).
- 3.14.9 Young people who have offended, or who are at risk of offending or re-offending, are supported by West Berkshire's Youth Offending Services (YOS). Those supported by YOS are split into three cohorts: the In-Court Cohort; the Out-of-Court Cohort; and the Community Resolution and Prevention (CRP) Cohort.

## 3.15 Homelessness

- 3.15.1 0.7 households per 1,000 are in temporary accommodation in West Berkshire, which is below rates seen across the South East (2.7) and England (4). While Homelessness is not a major issue in West Berkshire in the same way it is in major metropolitan areas, it is still an issue and likely to become a growing problem due to the cost-of-living crisis<sup>24</sup>.

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<sup>23</sup> West Berkshire Youth Offending Team, 2021. Youth Justice Plan 2022/2023. Available at: <https://info.westberks.gov.uk/CHttpHandler.ashx?id=44358&p=0>.

<sup>24</sup> Shelter, 2021. 274,000 people in England are homeless, with thousands more likely to lose their homes. Available at: [https://england.shelter.org.uk/media/press\\_release/274000\\_people\\_in\\_england\\_are\\_homeless\\_with\\_thousands\\_more\\_likely\\_to Lose\\_their\\_homes#:~:text=London%20comes%20out%20worst%2C%20with,homeless%20in%20Brighton%20and%20Hove](https://england.shelter.org.uk/media/press_release/274000_people_in_england_are_homeless_with_thousands_more_likely_to Lose_their_homes#:~:text=London%20comes%20out%20worst%2C%20with,homeless%20in%20Brighton%20and%20Hove).

**Table 3.13 – Homelessness**

	West Berkshire	South East	England
Households in temporary accommodation (per 1,000)	0.7	2.7	4
Households owed a duty under the Homelessness Reduction Act Numerator (per 1,000)	7.5	9.9	11.3

Source: MHCLG 2020/2021

3.15.2 Although West Berkshire Council was able to move all rough sleepers into temporary accommodation over the course of the COVID-19 pandemic through a joint campaign with local charity organisations, these figures are once again on the rise. It is also important to keep in mind that rough sleeping can be very difficult to trace as many rough sleepers also experience hidden homelessness which is not always captured on traditional surveys<sup>25</sup>. As such, it is important to consistently monitor the homelessness situation and ensure varied individual needs are addressed as people move across the various types of homelessness.

### 3.16 Carers

3.16.1 According to provisional results of the 2021-2022 Caring for Others Survey<sup>26</sup>, carers in West Berkshire generally care for older people, with 68% of respondents caring for individuals over 65 years and 27% caring for individuals over 85 years. The most common conditions amongst these individuals are frequently associated with older populations including physical disabilities, sight or hearing loss, and dementia. Carers are generally satisfied with the level of service provided, and the proportion of carers who are ‘extremely’ or ‘very’ satisfied in West Berkshire is consistently higher than across the South East and England, as well as having increased since the 2018 – 2019 Survey.

3.16.2 However, carers frequently suffer in other areas of their life, citing a lack of time to do some (63.1%) or any (15.3%) of the things they value or enjoy, or to look after themselves (27.9%), with some going so far as to say they are neglecting

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<sup>25</sup> Crisis, 2022. Types of homelessness. Available at: <https://www.crisis.org.uk/ending-homelessness/homelessness-knowledge-hub/types-of-homelessness/#:~:text=Hidden%20homelessness&text=This%20means%20staying%20with%20family,leave%20the%20person%20extremely%20vulnerable.>

<sup>26</sup> West Berkshire Council, 2022. Caring for Others Survey 2021-22 – summary report.

themselves (14.8%). Carers also commonly feel they are lacking some social contact (47.7%) or feel socially isolated (13.9%), as well as lacking control over their lives (58.5%) or even having no control at all (13.4%). Finally, many carers feel they do not receive enough encouragement or support in their roles (38.9%), or do not receive any encouragement or support (20.9%).

- 3.16.3 Given that finalised Survey data is not expected to be published until November 2022, and the latest West Berkshire Carers Health Needs Assessment is from 2014/2015<sup>27</sup>, it is important to continue to monitor the caring community and their needs. Especially as carers perform such a range of tasks and interact with such a diversity of individuals in their roles, their interaction with EDI-related issues will vary widely across West Berkshire.

### 3.17 Armed Forces

- 3.17.1 West Berkshire's armed forces community is largely linked to Denison Barracks, located in the village of Hermitage near Newbury. There about 1,000 armed forces personnel living and working at the Barracks, primarily from the British Army (approximately 95%), although a small proportion represent the Royal Navy and Royal Air Force (approximately 5%). The link between the armed forces and responsibilities is further explored in the key legislation and policy section.
- 3.17.2 According to Captain Lorraine Dotchin (Welfare Officer at Denison Barracks), the British Army has robust existing EDI policies which are particularly relevant to the Barracks given its diverse makeup. About 5% of Denison's personnel come from commonwealth or other nations, including a particularly large constituency of Nepalese personnel, as well as prominent Nigerian and Fijian constituencies.
- 3.17.3 Although all members of the armed forces and their families are welcome at Denison, many junior personnel do not meet the UK salary requirements to bring their families over from their home countries, so a large part of Captain Dotchin's role involves writing letters regarding visiting families and those soldiers who wish to remain in the UK once they have completed their service. In addition, Hermitage is not well connected by transportation, nor does it have 'international' facilities like Nepalese or other 'minority' grocery stores, so it can be a difficult transition for those families that can make it to the area, especially for spouses who cannot drive or have limited English. Given these challenges,

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<sup>27</sup> Mahal, S., 2014. West Berkshire Carers Health Needs Assessment 2014/2015.

many of the soldiers stationed in West Berkshire tend to be from the UK and of senior ranking.

- 3.17.4 In addition, about one third of the personnel at Denison Barracks are married and, as such, have a right to military housing. There are about 118 quarters available for married military personnel, and 28 quarters for married officers, although this is insufficient for the roughly 300 married personnel stationed at the Barracks. As a result, many married service members choose to live onsite during the week and return to their homes and families elsewhere in the country at the weekend, live at a nearby base in Oxfordshire, or find housing within the larger Hermitage community.
- 3.17.5 Beyond finding adequate and nearby housing, military families face additional challenges. While active service personnel have access to healthcare and dental care through the armed services, their families do not and have to use civilian services. Although finding a GP is a relatively straightforward, dental care is much more difficult to come by. Children must also be enrolled in civilian schools, although this is also a fairly smooth process and Denison has a close working relationship with the local system including safeguarding processes.
- 3.17.6 General, the armed forces community associated with Denison Barracks appears to be well integrated into the community, with personnel and their families using local services and facilities and participating in local events. Denison Barracks is especially involved in the veteran's community, hosting parades and memorial services, and lending out equipment for events. The Barracks even publishes a newsletter for service members and their families about opportunities to become more involved in the local community. That said, Captain Dotchin finds that she and her colleagues sometimes feel like a 'hidden community' which is not ignored by WBC and other local bodies, but rather not considered in larger policies because they are deemed to be somewhat separate from the more permanent-seeming community elements.

## 3.18 Racing Community

- 3.18.1 West Berkshire's racing community is one of its more unique features both within West Berkshire and across England more generally. Largely centred around the Lambourn Valley, including the parishes of Lambourn, East Garston and Great Shefford, economic activity in the area is largely centred around racehorse training and associated services<sup>28</sup>.

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<sup>28</sup> SQW, 2019. Horse Racing in Lambourn Valley: The Industry's Economic and Social Impacts. Available at: <https://d1jxmchg7b0ql.cloudfront.net/documents/Lambourn-FINAL-v10.pdf?mtime=20190325112802>.

- 3.18.2 In terms of key demographic trends, economically active residents of the Lambourn Valley are more likely to be self-employed (14.7%) than residents across West Berkshire (11.3%), while economically inactive residents are more likely to be retired (14.3%) than residents across West Berkshire (12.6%)<sup>29</sup>. However, conversations with Amanda Povey suggest that these figures may not fully reflect the economic status of all residents in the area, as initial engagement exercises indicate that there may be more transient, hidden labour communities which are not being captured by national datasets. There are also some concerns about immigrant and migrant workers' ability to access local services given language, transport and other similar challenges.
- 3.18.3 Looking at deprivation and the EID 2029, the Lambourn Valley performs less well than Berkshire as a whole in the domains of education, skills and training, income and employment, particularly in Central Lambourn<sup>30</sup>. It also performs less well in terms of crime and barriers to housing and services, particularly in Lower Lambourn and Upper Lambourn. The Valley's relatively poor score on the education, skills and training domain is especially noteworthy as it may indicate a trend among training and equestrian staff who possess acquired informal skills, rather than formal qualifications.
- 3.18.4 The most serious challenges facing the racing community appear to be staff recruitment and housing<sup>31</sup>. The primary reason for recruitment challenges is the anti-social nature of many jobs associated with the racing industry. Even with higher pay, the long, unpredictable hours and the increase in weekend racing make positions less attractive for potential employees. The lack of affordable housing stock and social amenities in such a rural area heighten recruitment difficulties, especially amongst younger workers who make up a large proportion of racing staff.

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<sup>29</sup> Office for National Statistics, 2011. Economic Activity by sex by age. Available at: <https://www.nomisweb.co.uk/census/2011/dc6107ew>.

<sup>30</sup> Ministry of Housing, Communities & Local Government, 2019. English Indices of Deprivation 2019. Available at: <https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>.

<sup>31</sup> SQW, 2019. Horse Racing in Lambourn Valley: The Industry's Economic and Social Impacts. Available at: <https://d1jxmchg17b0ql.cloudfront.net/documents/Lambourn-FINAL-v10.pdf?mtime=20190325112802>.

## 4 Key Legislation and Guidance

### 4.1 National Policy

#### Equality Act 2010

4.1.1 The overarching aim of the Equality Act is to protect individuals from unfair treatment and promote a more equal society<sup>32</sup>. It legally protects people from discrimination in the workplace and across society more widely, consolidating and strengthening previous anti-discriminatory legislation including the Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995. As well as defining who is protected from discrimination and the types of discrimination under the law, the Act also outlines what actions someone who feels they have been discriminated against can legally take.

4.1.2 Anyone with a 'protected characteristic' as identified within the Equality Act can be discriminated against. These nine characteristics are as follows:

- **Age:** A person of a particular age or persons of a particular range of ages, for example, children (0-17); younger people (aged 18-24); older people (aged 60 and over).
- **Disability:** A person with physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities, i.e., disabled people.
- **Gender reassignment:** A person proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.
- **Marriage and civil partnership:** A person in a civil partnership or marriage between the same sex or opposite sex.
- **Pregnancy and maternity:** A person who is pregnant or expecting a baby and a person who has recently given birth.
- **Race:** A person defined by their colour, nationality, ethnic or national origins, for example, Black, Asian and minority ethnic (BAME) groups.

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<sup>32</sup> Her Majesty's Stationery Office, 2010. Equality Act 2010. Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents>.



- **Religion and belief:** A person with any religious or philosophical belief including a lack of belief<sup>33</sup>.
- **Sex:** A man or a woman, recognising that women are more frequently disadvantaged.
- **Sexual orientation:** A person's sexual orientation towards persons of the same sex, persons of the opposite sex or persons of either sex.

4.1.3 There are four types of discrimination under the Equality Act including:

- **Direct discrimination:** treating someone with a protected characteristic less favourably than others.
- **Indirect discrimination:** putting rules or arrangements in place that apply to everyone, but that put someone with a protected characteristic at an unfair advantage.
- **Harassment:** unwanted behaviour linked to a protected characteristic that violates someone's dignity or creates an offensive environment for them.
- **Victimisation:** treating someone unfairly because they've complained about discrimination or harassment.

4.1.4 The Equality Act also introduces a Public Sector Equality Duty (PSED)<sup>34,35</sup> which requires public bodies to consider all individuals in shaping policy, delivering services, and in relationships amongst their own staff, by:

- Eliminating discrimination;
- Advancing equality of opportunity; and
- Fostering good relations amongst all people when carrying out public duties.

4.1.5 This provision is particularly important within the context of EDI, as it shifts the focus of such policies away from merely addressing instances of discrimination and towards promoting equality, and equity, more broadly. This in turn helps to prevent instances of discrimination and inequality from occurring at all.

4.1.6 More specifically, the PSED requires public bodies to:

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<sup>33</sup> Religion means any religion and a reference to religion includes a reference to a lack of religion. Belief means any religious or philosophical belief and a reference to belief includes a reference to a lack of belief.

<sup>34</sup> Government Equalities Office, 2011. Equality Act 2010: Public Sector Equality Duty What Do I Need to Know? A quick start guide for public sector organisations. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/85041/equality-duty.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/85041/equality-duty.pdf).

<sup>35</sup> Equality and Human Rights Commission, 2021. Technical guidance on the Public Sector Equality Duty: England. Available at <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>.

- Publish information to show their compliance with the Equality Duty, at least annually; and
- Set and publish equality objectives, at least every four years<sup>36</sup>.

4.1.7 The PSED does not require public bodies to:

- Prepare or publish equality schemes, equality action plans, equality impact assessments, or separate annual reports on equality;
- Ask every member of staff about their protected characteristics;
- Ask service users about their protected characteristics;
- Publish any more information than is necessary to demonstrate compliance with the Equality Duty; and
- Produce a stand-alone annual equality report.

4.1.8 The Equality and Human Rights Commission is responsible for assessing and enforcing public bodies' compliance with the PSED and its specific duties. In doing so, the Commission can issue a compliance notice to public bodies who do not comply with the specific duties and can apply to the courts for an order requiring compliance. While the PSED more broadly can be enforced through judicial review, its specific duties cannot.

4.1.9 In addition, as of 2021, the Armed Forces are no longer exempt from the PSED and must now fully comply with it and its individual duties<sup>37</sup>. This has resulted in a new Armed Forces Covenant which aims to both better protect those with protected characteristics involved in the armed forces and provide clear, fair and effective means of handling relevant issues<sup>38</sup>.

4.1.10 The Armed Forces Act 2021 further enshrines the Armed Forces Covenant into law to help prevent service personnel and veterans being disadvantaged when accessing public services<sup>39</sup>. Under the Armed Forces Act 2021, Public Authorities must have 'due regard' to the Armed Forces in the provision of housing, education and healthcare.

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<sup>36</sup> Government Equalities Office, 2011. Equality Act 2010: Specific Duties to Support the Equality Duty What Do I Need to Know? A quick start guide for public sector organisations. Available at: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/85049/specific-duties.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/85049/specific-duties.pdf).

<sup>37</sup> Centre for Military Justice 2021. The Ministry of Defence can no longer discriminate against veterans on the grounds of their disability – it breaches their human rights. Available at: <https://centreformilitaryjustice.org.uk/the-ministry-of-defence-can-no-longer-discriminate-against-veterans-on-the-grounds-of-their-disability-it-breaches-their-human-rights/#:~:text=The%20Equality%20Act%202010%20on,effectiveness%20of%20the%20Armed%20Forces>.

<sup>38</sup> Ministry of Defence, 2021. Armed Forces Covenant. Available at: <https://www.gov.uk/defence-and-armed-forces/armed-forces-covenant>.

<sup>39</sup> Her Majesty's Stationery Office, 2021. Armed Forces Act 2021. Available at: <https://www.legislation.gov.uk/ukpga/2021/35/contents>.

4.1.11 All councils, including West Berkshire Council, have signed the Armed Forces Covenant, which symbolises a pledge by councils to ensure that public civilians and those associated with the armed forces, including serving personnel, reservists, veterans and service families, have equal access to public services<sup>40</sup>. Further guidance is expected to be issued which will provide further detail regarding what will be required of public authorities under the Covenant and how all parties might better comply with the PSED.

## Human Rights Act 1998

4.1.12 The Equality Act is underpinned by the Human Rights Act<sup>41</sup> which outlines the fundamental rights and freedoms everyone in the UK is entitled to, incorporating the rights defined by the European Convention of Human Rights (ECHR) into British law.

4.1.13 The Human Rights Act includes the following 16 'Convention Rights':

- Article 2: Right to life;
- Article 3: Freedom from torture and inhuman or degrading treatment;
- Article 4: Freedom from slavery and forced labour;
- Article 5: Right to liberty and security;
- Article 6: Right to a fair trial;
- Article 7: No punishment without law;
- Article 8: Respect for your private and family life, home and correspondence;
- Article 9: Freedom of thought, belief and religion;
- Article 10: Freedom of expression;
- Article 11: Freedom of assembly and association;
- Article 12: Right to marry and start a family;
- Article 14: Protection from discrimination in respect to these rights and freedoms;
- Protocol 1, Article 1: Right to peaceful enjoyment of your property;
- Protocol 1, Article 2: Right to education;

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<sup>40</sup> Local Government Association, 2022. Armed Forces Act 2021: background implications for councils and practical steps to get ready for the Act. Available at: <https://www.local.gov.uk/parliament/briefings-and-responses/armed-forces-act-2021-background-implications-councils-and>.

<sup>41</sup> Her Majesty's Stationery Office, 1998. Human Rights Act 1998. Available at: <https://www.legislation.gov.uk/ukpga/1998/42/contents>.

- Protocol 1, Article 3: Right to participate in free elections; and
- Protocol 13, Article 1: Abolition of the death penalty.

4.1.14 While Article 14 is the most obvious reference to discrimination and equality, the entire Act is relevant to EDI, as it promotes *human* rights which are applicable to all. For some people to be treated unfairly based on a protected or other relevant characteristic is not only noncompliant with the Equality Act, but also with the Human Rights Act.

## 4.2 Local Policy

### West Berkshire Council Equality Objectives 2015 to 2019 (2017)

4.2.1 WBC outlines its primary areas of focus in fulfilling its Equality Duty, as outlined in the Equality Act, through its published Equality Objectives<sup>42</sup>. These define key goals related to improving equality in the district and relevant performance measures to ensure these goals are met.

4.2.2 The four equality objectives include:

- Ensure our workforce is reflective of our communities;
- Endeavour to minimise discrimination, harassment and victimisation and advance equality of opportunity for employees and all members of our communities;
- Implement new ways of working to develop communities to be more resilient in meeting the needs of vulnerable people; and
- Close the education gap for vulnerable pupils.

4.2.3 Although a useful policy within the context of the Council as it guides equitable practices within the context of providing services, employing staff, and procuring and commissioning services, it does not directly address broader equality issues across the district, and thus does not fully fulfil the PSED. Fortunately, this gap is being addressed through this EDI Needs Assessment.

### West Berkshire Council Equality Policy (2018)

4.2.4 Expanding on its Equality Objectives, WBC more fully outlines how it will achieve its vision for more equality of opportunity and respect for diversity through its

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<sup>42</sup> West Berkshire Council, 2017. West Berkshire Council Equality Objectives 2015-2019. Available at: [https://www.westberks.gov.uk/media/40945/Equality-Objectives-2015-19/pdf/Equality\\_ Objectives\\_2015-19\\_final\\_June\\_2017.pdf?m=636589471617430000](https://www.westberks.gov.uk/media/40945/Equality-Objectives-2015-19/pdf/Equality_ Objectives_2015-19_final_June_2017.pdf?m=636589471617430000).

Equality Policy<sup>43</sup>. This document provides a broad overview of the Council's expectations and responsibilities with respect to equality, again linking back to the Equality Duty.

4.2.5 The five main aims of the Equality Policy are to:

- Eliminate unlawful discrimination;
- Promote equality of opportunity;
- Promote equality of access;
- Demonstrate that we value diversity; and
- Promote good relations between diverse communities.

4.2.6 Again, while this is a useful policy within the context of providing services, employing staff, and procuring and commissioning services within the Council, it does not directly address broader equality issues across the district. It demonstrates that WBC has a strong foundation in mitigating against discrimination and promoting equality, but a broader strategy is required to address wider reaching issues.

### Equality Impact Assessment Guidance (2017)

4.2.7 As well as its overarching Equality Objectives and Equality Policy, WBC has also published Equality Impact Assessment (EqIA) Guidance<sup>44</sup>. The main aims of EqIA are to ensure that Council services and their delivery are suited to the differing needs of the West Berkshire community, and to ensure that the Council provides a working environment which recognises different employees' needs and supports their ability to contribute fully. To this end, the EqIA is used to evaluate how effectively the Council is promoting equality and suggest measures to mitigate any potential inequalities, especially in terms of the protected characteristics.

4.2.8 In essence, the EqIA guidance provides a clear assessment methodology for evaluating how equitable WBC's processes, services and facilities are, as well as relevant context and rationale for that methodology. It illustrates that the Council has taken an informed, systematic approach to equalities in those spheres in which it has direct jurisdiction, as well as indicating that a similar approach could be taken district-wide. However, impact assessments are not

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<sup>43</sup> West Berkshire Council, 2018. West Berkshire Council Equality Policy. Available at: [https://www.westberks.gov.uk/media/32429/Equality-Policy/pdf/Equality\\_Policy\\_Final\\_2018\\_Eq\\_in\\_Employment\\_Policy.pdf?m=636512647802370000](https://www.westberks.gov.uk/media/32429/Equality-Policy/pdf/Equality_Policy_Final_2018_Eq_in_Employment_Policy.pdf?m=636512647802370000).

<sup>44</sup> West Berkshire Council, 2017. Equality Impact Assessment Guidance. Available at: [https://www.westberks.gov.uk/media/38336/Guidance-on-the-Equality-Impact-Assessment-EqIA-process/pdf/Equality\\_Assessment\\_Guidance\\_Final\\_Jan\\_2017.pdf?m=636536011838100000](https://www.westberks.gov.uk/media/38336/Guidance-on-the-Equality-Impact-Assessment-EqIA-process/pdf/Equality_Assessment_Guidance_Final_Jan_2017.pdf?m=636536011838100000).

mandatory under the Equality Act and do not necessarily demonstrate compliance with the PSED, so they cannot be used as proof of fulfilling the PSED in a court of law.

## Joint Health and Wellbeing Strategy (JHWS) for Berkshire West (2021)

- 4.2.9 The JHWS for Berkshire West<sup>45</sup>, which covers West Berkshire, Reading and Wokingham, defines key challenges in the area related to health and wellbeing and outlines the ways in which health and social care services can work together to address these challenges, ultimately improving outcomes for the entire population. Although not strictly under the remit of EDI, health and health-related inequalities are often linked to other types of inequalities, causing or exacerbating issues which may on the surface appear unrelated.
- 4.2.10 The challenges and aims identified within the JHWS are defined as 11 'target areas' and include:
- Helping everyone have the same chance to live a healthy life;
  - Supporting vulnerable people to live healthy lives;
  - Supporting families with young children to be healthy;
  - Helping people get over addictions to alcohol, etc;
  - Being healthy and well at work;
  - Fitter communities;
  - Supporting people with lots of health needs;
  - Supporting people who had a traumatic (difficult) childhood;
  - Building strong and healthy communities;
  - Mental health support for children and young people; and
  - Mental health support for adults.
- 4.2.11 The first target area (helping everyone have the same chance to lead a healthy life) is the most obviously linked to equality. However, all the areas support a broader vision to promote health and wellbeing across the district, regardless of protected or other relevant characteristics. In addition, achieving these aims would help to mitigate the causes and negative impacts of other equalities issues and promote equity in West Berkshire.

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<sup>45</sup> Berkshire West Clinical Commissioning Group, 2020. Berkshire West Joint Health and Wellbeing Strategy: A plan to improve people's health and wellbeing. Available at: <https://www.berkshirwestccg.nhs.uk/media/4750/joint-hwb-strategy-jan-2021.pdf>.

4.2.12 As a Health and Wellbeing Needs Assessment is being undertaken in tandem with this EDI Needs Assessment, and the two projects have distinct remits, if related goals, further evaluation of this policy should be addressed by the appropriate team.

## 5 Existing Best Practice and Legal Precedents

### 5.1 Examples of EDI Policy

5.1.1 The policies below provide two examples of thorough local authority EDI policies, highlighting the ways in which they follow best practice and how West Berkshire Council might improve upon them.

#### Including Everyone: Equalities, Diversity and Inclusion Framework (Oxfordshire County Council, 2020)

- 5.1.2 The relevance of Oxfordshire County’s Equalities, Diversity and Inclusion Framework<sup>46</sup> as an example of a comprehensive EDI framework within the context of this assessment is twofold. Firstly, Oxfordshire and West Berkshire share geographic and demographic similarities which make elements of Oxfordshire’s EDI Framework readily translatable to West Berkshire. Secondly, the Oxfordshire EDI Framework is comprehensive and well written, and a strong example of what West Berkshire’s own framework might achieve.
- 5.1.3 Oxfordshire, located immediately to the north of West Berkshire, is a predominantly rural area with relatively low population density including significant open and green space, AONBs, various rivers and canals, and small villages and towns, much like West Berkshire. In addition, Oxfordshire’s population is split evenly across the sexes, has a relatively standard age distribution, is primarily White-identifying and faces low levels of deprivation overall. Although Oxford has a much larger student-aged population than West Berkshire centred around Oxford University, this is not a significant enough difference to discount the policy as irrelevant to West Berkshire.
- 5.1.4 The purpose of the Oxfordshire EDI Framework, outlined in the policy, is to create inclusive communities, services delivery, and workplaces. Each of these three interlocking visions are in turn supported by two corresponding goals which are specific, measurable, assignable, and realistic. This fulfils four of the five criteria for SMART goals, save for ‘time-related’, although this criterion is addressed in the document’s introduction, which includes a commitment by the Council to annually review and track the County’s progress against these goals.

<sup>46</sup> Oxfordshire County Council, 2020. Including Everyone: Equalities, Diversity and Inclusion Framework. Available at: <https://www.oxfordshire.gov.uk/sites/default/files/file/plans-performance-policy/incluingeveryoneequalitiesframework.pdf>.



- 5.1.5 Supporting the six goals are four ‘underpinning principles’ which provide further guidance as to how the goals should be achieved. These principles, as well as further detail about why each is necessary, are defined in the policy as:
- Inclusion is everyone’s responsibility;
  - We listen and learn together;
  - Flexibility supports diverse needs; and
  - Diversity is embraced and celebrated.
- 5.1.6 The Framework also includes an evidence base for its existence through a succinct overview of relevant policies including the Equality Act 2010 and the PSED. Further evidence of the need for an EDI framework is provided in an outline of relevant inequalities present across Oxfordshire, highlighting those areas where EDI-related challenges are most prevalent and any particularly vulnerable groups.
- 5.1.7 Finally, the Oxfordshire EDI Framework addresses EDI in and of itself through its use of reader-friendly colours and graphics, and through the provision of an easy-read version of the document.
- 5.1.8 Although this policy largely follows best practice, it would benefit from an embedded reporting mechanism through which Oxfordshire County Council might better monitor and evaluate the success of the policy.

### **Equality Improvement Priorities 2021 to 2025 (Leeds City Council, 2021)**

- 5.1.9 Although Leeds City Council’s EDI strategy will inherently be quite different from West Berkshire’s, as Leeds is a major metropolitan area in the North rather than a rural district in the South, Leeds City Council’s (LCC) Equality Improvement Priorities<sup>47</sup> still provides a strong example of a comprehensive and actionable EDI strategy, from which WBC may draw some insight.
- 5.1.10 The Leeds policy, like many public policies, opens with an outline of the Council’s overarching vision for the city and its commitments to supporting residents and following legal obligations. This includes addressing the stipulations of the Equality Act, such as safeguarding those with protected characteristics and fulfilling the PSED, as well as going beyond the Act to address other types of disadvantages, such as poverty.
- 5.1.11 The policy then goes on to outline the eight Best City Priorities, which are:

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<sup>47</sup> Leeds City Council, 2021. Equality Improvement Priorities 2021 to 2025. Available at: [Equality improvement priorities 2021 to 2025 \(leeds.gov.uk\)](https://www.leeds.gov.uk/equality-improvement-priorities-2021-to-2025).

- Age-Friendly Leeds;
- Health and Wellbeing;
- Child-Friendly City;
- Culture;
- Sustainable Infrastructure;
- Inclusive Growth;
- Housing; and
- Safe, Strong Communities.

5.1.12 These city-wide aims are distinct from the three cross-council priorities, which prioritise improving EDI within LCC itself, and include addressing the Council's:

- Budget;
- Employment and organisational structure; and
- Procurement.

5.1.13 The real strength of LCC's Equality Improvement Priorities policy lies in the commentary accompanying each of the Best City Priorities. As well as the pithy title given to each priority, an additional explanation is provided which clarifies what types of inequality each priority is intended to address. This is followed by an explanation of it is important to address these disadvantages, key actions the Council will take to address them, and key measures or performance indicators to assess whether LCC is actually meeting its goals. This section takes up the bulk of the policy and manages to be both succinct and comprehensive, clearly defining what LCC hopes to achieve and how it will achieve it. The key actions and measures are particularly useful to consider as they also fulfil four of the five criteria for SMART goals, save for 'time-related', and frequently feature very specific target figures.

5.1.14 The Equality Improvement Priorities could be strengthened by a clearer evidence base, including links to further EDI-related policy and a local Needs Assessment. Although each of the priorities are accompanied by an overview of why they should be considered in the strategy, more detail such as relevant datasets or visual aids would provide greater context and more clearly demonstrate their significance. As is the case above, it would also benefit from an embedded reporting mechanism through which Leeds City Council might better monitor and evaluate its successfulness.

## 5.2 Legal Precedents

- 5.2.1 As EDI-related policies come into effect and associated issues become more prominent, it is more important than ever for local authorities to comply with relevant legislation. Failing to comply, and failing to get ahead of even stricter regulations, opens local authorities to the risks of judicial review and other legal actions.

### **Brown, R v Secretary of State for Work & Pensions (2008, EWHC 3158)**

- 5.2.2 In late 2007, a proposal to shut down several Post Offices in Sussex was granted, including a branch located in the village of Old Town, Hastings. Mrs. Brown, an older and disabled resident of Old Town, subsequently sued on the grounds that she was unable to access another, farther Post Office. She claimed that the closure of the Post Office and the lack of a disability impact assessment or EqIA in the closure process indicated both a failure to comply with the Disability Discrimination Act 2005 (now part of the Equality Act) and a failure to pay 'due regard' to equality duties.
- 5.2.3 The Court ultimately ruled that authorities must demonstrate 'due regard' to equality obligations, which is akin to the existing PSED set out in the Equality Act. However, the Court did not define a prescriptive way of demonstrating this 'due regard'. Instead, it stated that consideration may be exhibited through various suitable methods including reports comprised of research gathered from desk-based studies, fieldwork, and consultation and engagement exercises, much like in a Needs Assessment or evidence-based EDI strategy.
- 5.2.4 In addition, the Court outlined several best practice principles which should inform authorities' compliance with the duty to give 'due regard' to equality needs, and which are logically addressed in this EDI Needs Assessment and its consequent Strategy. Of particular significance within the context of West Berkshire is the need to exercise 'due regard' as an integral element of public functions, integrating the duty into a deliberate approach to policy-making rather than as a 'box ticking exercise'. Furthermore, it is important for authorities to keep an appropriate record of efforts to consider and fulfil equality duties. Documents including Needs Assessments, EDI Strategies and EqIAs allow for greater transparency into public processes and serve as evidence in the event of a legal challenge.
- 5.2.5 Although this case is from several years ago, it is still very relevant to contemporary West Berkshire as it illustrates the Court's ongoing desire to uphold authorities' obligation to pay 'due regard' to equalities, an obligation which has now been codified into the PSED. In addition, the ruling provides useful best practices for WBC to continue to follow regarding the integration of

EDI and policy-making, and adequate record keeping. Finally, this case provides a very real example of the kind of legal challenges WBC could conceivably face in a similar scenario given the rural nature of the district.

### **Sheakh, R v London Borough of Lambeth (2021, EWHC 1745)**

- 5.2.6 In 2020, in the wake of the COVID-19 pandemic, central government guidance was issued which urged Local Authorities to make urgent changes to their travel networks to promote low carbon and active travel in the short window before people restarted their pre-pandemic travel patterns. This resulted in the widespread establishment of Low Traffic Neighbourhoods (LTNs) across the UK which encouraged walking and cycling over motorised transport, particularly on local roads.
- 5.2.7 Two such LTNs were established in the London Borough of Lambeth, in Brixton Oval and Streatham respectively. These LTNs were subsequently challenged on the grounds that Lambeth Borough Council (LBC) had breached its PSED by not carrying out adequate EqlAs and by taking a 'rolling' approach to monitoring the impacts of the LTNs.
- 5.2.8 Ultimately, the Court ruled that LBC had met its PSED in establishing the LTNs because the circumstances of the pandemic and the resulting statutory guidance permitted the Council to bypass a more robust research base for establishing the LTNs. However, the Court also maintained that this practice would not be suitable under normal circumstances and that authorities who continue to take a 'rolling' approach do so 'at their peril'.
- 5.2.9 This case is particularly relevant to West Berkshire because it provides a very recent example of the ways in which Local Authorities may be challenged for not complying with the Equality Act and the PSED. While these complaints against LBC were ultimately dismissed, the Court also indicated in its ruling that as the country moves out of pandemic-era regulations it is important for Local Authorities to begin re-prioritising EDI and associated legislation.

# 6 Forecasting and Recommendations

## 6.1 Forecasting

### England

- 6.1.1 The United Kingdom’s population is growing and becoming more diverse as it grows. Between mid-2020 and mid-2030 the national population is expected to increase by 2.1 million inhabitants<sup>48</sup>. Although birth rates (6.6 million) are predicted to be slightly lower than mortality rates (6.7 million), an estimated 5.6 million people will immigrate long-term to the UK while only an estimated 3.4 million people will emigrate from the UK.
- 6.1.2 These estimates are in line with existing demographic trends, which show that minority groups within England have become increasingly more prevalent since the Census 1991<sup>49</sup>. While most foreign-born White British, White Irish and Black Caribbean immigrants arrived prior to 1981, most South Asian and Black African immigrants arrived after 1981. More recently, the largest non-UK born ethnic group, made up of Other White immigrants primarily from Ukraine and other Central and Eastern European countries, arrived in the 2000s.
- 6.1.3 This ethnic diversity mirrors trends in religious diversity. For example, many immigrants from Poland, Nigeria and the Philippines have brought their Christian identity, while those arriving from the Middle East and South Asia identify as Muslim<sup>50</sup>. Likewise, many Sikh immigrants hail from India, while many new Buddhists claim Thailand, Sri Lanka and China as their country of origin.
- 6.1.4 As well as becoming more ethnically and religiously diverse, England is becoming older. The baby booms following World War II and during the 1960s

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<sup>48</sup> Office for National Statistics, 2022. National population projections: 2020-based interim. Available at: [https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/bulletins/nationalpopulationprojections/2020basedinterim#:~:text=3.1million%20\(6.9%25%20increase\)](https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/bulletins/nationalpopulationprojections/2020basedinterim#:~:text=3.1million%20(6.9%25%20increase).).

<sup>49</sup> Office for National Statistics, 2015. 2011 Census analysis: Ethnicity and religion of the non-UK born population in England and Wales: 2011. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/2011censusanalysisethnicityandreligionofthenonukbornpopulationinenglandandwales/2015-06-18>.

<sup>50</sup> Office for National Statistics, 2015. 2011 Census analysis: Ethnicity and religion of the non-UK born population in England and Wales: 2011. Available at: <https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/ethnicity/articles/2011censusanalysisethnicityandreligionofthenonukbornpopulationinenglandandwales/2015-06-18>.

is reflected in population spikes among people in their mid-70s and in their 50s, respectively<sup>51</sup>. Conversely, a smaller population of teenagers reflects a decline of birth rates in the early- to mid-2000s and fertility rates in the 2020s and 2030s are assumed to be even lower. In addition, life expectancies are increasing as healthcare improves, and the population of people aged 85 years and older is expected to nearly double from 1.7 million in mid-2020 to 3.1 million in mid-2045.

- 6.1.5 These trends are significant as an aging population has specific and varied needs including more frequent and more serious healthcare, disability and mobility considerations, and more public and private assistance.

## West Berkshire

- 6.1.6 Like the rest of the country, West Berkshire is expected to have an older, more diverse population in the coming decade. These changes will not only impact the demographic makeup of the district – they will also alter the challenges both faced by the inhabitants of West Berkshire and to be addressed by the Council.
- 6.1.7 According to mid-year estimates, the population of West Berkshire has grown from approximately 136,800 inhabitants in 1991 to approximately 161,000 inhabitants in 2021<sup>52</sup>. This figure is expected to stay relatively stable for the next two to three decades.
- 6.1.8 Looking more closely at the age breakdown of West Berkshire’s population, children and young people aged 0 to 15 years are expected to make up a smaller proportion of the overall population, dropping from 19.8% in mid-2020 to 17.1% in mid-2043. Likewise, working age adults between the ages of 16 and 64 will drop from 60.6% to 54.5% of the population. Consequently, older people aged 65 years and older will take up a much bigger share of the overall population, rising from 19.7% in mid-2020 to 28.4% in mid-2043.
- 6.1.9 Although Census 2021 data is not yet available for datasets on race and religion, West Berkshire’s ethnic diversity is expected to become more varied in line with national trends. This supported by information in the baseline regarding diversity within schools, amongst refugees and asylum seekers, and across the armed forces community.

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<sup>51</sup> Office for National Statistics, 2022. National population projections: 2020-based interim. Available at: [https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/bulletins/nationalpopulationprojections/2020basedinterim#:~:text=3.million%20\(6.9%25%20increase\)](https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/bulletins/nationalpopulationprojections/2020basedinterim#:~:text=3.million%20(6.9%25%20increase).).

<sup>52</sup> West Berkshire Council, 2022. Population: West Berkshire. Available at: <https://westberkshire.berkshireobservatory.co.uk/population/#/view-report/63aeddf1d7fc44b8b4dffcd868e84eac/iaFirstFeature/G3>.

## 6.2 Recommendations

- 6.2.1 As results from the Census 2021 are published throughout 2022 and 2023, it is important to monitor those datasets which are most relevant to those impacted by the socio-economic indicators, protected characteristics, and features of other relevant groups outlined in the baseline assessment. A full breakdown of the Census 2021 release plans is available on the ONS website<sup>53</sup>.
- 6.2.2 West Berkshire Council should also seek to draw on Voluntary, Community and Social Enterprise (VCSE) sector data. This will help to flesh out some of the figures provided by national and regional datasets, providing a more detailed picture of West Berkshire's population specifically. VCSE and other third party data, such as that provided through the Citizens Advice Bureau, can be used to help illustrate a local authority's compliance with the PSED.
- 6.2.3 Where comprehensive datasets are not yet available or are not included in existing data collection programmes, West Berkshire Council would benefit from undertaking its own data collection exercises to better map where vulnerable groups might be located across the district and what their individual needs might be. In some cases, a more in-depth consultation programme may be required, especially in regard to the Gypsy, Traveller and Roma communities, refugees and asylum seekers, and at-risk children, youth and young people. Qualitative data borne out of such a programme would allow the Council to get under the skin of these groups' core challenges and their root causes, helping them to fully address key issues and avoid misdirecting efforts and funding.
- 6.2.4 Overall, this Needs Assessment is a strong first step by the Council to identify EDI challenges, opportunities and vulnerable groups, and illustrates a commitment to comply with the Equality Act, the PSED, and its specific duties. However, it does not actually prove compliance. To do so, West Berkshire Council will need to take the key trends and issues identified above and use them to inform meaningful, tangible objectives, which are reflective of West Berkshire's diverse population now and in the future.

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<sup>53</sup> Office for National Statistics, 2022. Release plans. Available at: <https://www.ons.gov.uk/census/aboutcensus/releaseplans>.

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# West Berkshire Council

## An Interim Summary of Findings

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## Executive Summary

West Berkshire Council (the Council) has commissioned The Equal Group (TEG) to develop an Equity, Diversity and Inclusion (EDI) framework, informed by the lived experiences of residents. To achieve this, we have engaged with those living and/or working in West Berkshire to gain their perspectives on West Berkshire's current EDI related work, what is going well within that and where improvements are needed.

We launched an EDI survey in October 2022; the survey closed in December 2022 with circa 500 responses (this figure also includes responses to the easy read version of the survey). This level of engagement is a positive signifier of people's willingness to make West Berkshire a better place to live and work, and is testament to the efforts of those who worked to encourage engagement internally. We also facilitated a total of five focus groups in November and December 2022, as detailed below.


The survey and focus group insights revealed very clear and consistent themes. When asked what is going well in relation to EDI, we heard that the commissioning of Educafe has been a really positive force for community engagement and inclusion. It was clear that the community has also been welcoming towards Ukrainian refugees and has embraced diversity. The internal efforts of the Council were also cited, with examples such as the creation of the Equality Forum, a partnership with a local LGBTQ+ charity and policies being available in multiple languages all mentioned. Looking at health services, we heard that outreach centres were set up in rural areas to promote Covid-19 vaccine takeup.

We also heard very clear themes in relation to where the Council should focus its efforts going forward. The most frequently mentioned groups experiencing inequality and/or discrimination were:

- those with disabilities;
- those facing other access barriers, such as rurality, socio-economic exclusion and age-related exclusion (both young and old);
- Gypsy, Roma and Traveller communities; and,
- displaced individuals.

While these are the key findings from the data analysis, we want to also highlight that 18% of respondents indicated that they have experienced bullying, discrimination, harassment or victimisation in relation to a protected characteristic. This was even higher for the respondents to the easy read survey, with 21% reporting such experiences.

In addition, a number of comments indicated that greater clarity on EDI plans and progress is needed, as some respondents did not feel they had sufficient insight on what the Council has done in order to answer questions on the topic.



These insights will be used alongside existing research (such as the previously commissioned EDI needs assessment) and the outputs of collaborative workshops with key Council stakeholders, to inform the next steps, including delivery of a high-level, draft EDI framework.

## Background

West Berkshire Council has commissioned The Equal Group to develop an Equity, Diversity and Inclusion (EDI) framework, informed by the lived experiences of residents. This framework will express a vision, principles, and objectives, with an accompanying action plan to support the delivery of the Council's Strategy.

To ensure this framework is driven by the perspectives and experiences of those living and/or working in West Berkshire, we undertook an engagement process which consisted of an EDI survey (including a separate easy read version) and a series of five focus groups. Focus groups were held with the following groups in November and December of 2022:

- The Equality Forum
- Engaging and Enabling Local Communities
- Public Partners
- West Berkshire Councillors
- Voluntary and Community Sector

At regular intervals, we engaged with key West Berkshire Council contacts, Sam Shepherd and Pamela Voss, to sense-check and discuss what we had heard from respondents, ensuring that any insights taken were accurate and free from bias.

The purpose of this document is to present an interim summary of findings. Following analysis of the data, we identified the following key themes as priority areas for the Council to address:

1. Disability and accessibility
2. Other access barriers: rurality, socio-economic exclusion and age-related exclusion
3. Gypsy, Roma and Traveller (GRT) communities
4. Displaced individuals

More information on each of these themes is detailed below, along with a visual representation of survey responses and quotes, where relevant. The confidentiality and anonymity of all respondents is extremely important to us - any quotes included in this report have been selected because they do not contain any identifying or compromising information, but help to highlight people's lived experiences.

Before rounding up with our next steps, we have also included a note on three 'Additional Insights' which came up repeatedly during the data analysis and which encompass overarching threads woven across the lived experience of disparate groups engaging with the Council. While outside the scope of this piece of work, we recommend that these are subject to further exploration and action by the Council.

## Key Findings

In this section of the report, we have provided an overview of the key themes that arose from our engagement process. These findings cover both the original survey responses and the easy read survey responses, as well as what we heard in the focus groups. The following key findings are not prioritised according to frequency of occurrence or level of importance - each of the themes should be taken with equal consideration. Below is our summary of all data received.

### Disability and Accessibility

Across several questions relating to issues of equity/inequity, themes around disability and accessibility came up several times. Whilst there was some acknowledgement of the Council's efforts in this area (namely, working with businesses to make entry-way alterations and implementation of the Blue Badge scheme), concerns around the accessibility of local amenities were particularly prominent. Some of the examples we heard include: station car park lifts being consistently out of order, inadequate disabled parking at hospitals and taxis being unable to facilitate electric wheelchairs. Numerous comments in the survey and the focus groups suggested that a move towards technology and online delivery (including GP services, Council communications and card-only payments, among other examples) has created barriers to engagement for individuals with learning disabilities.

*"Even though WBC and other local services try to be fair and inclusive the reality is the cost of everything, and shortage of public transport and services means anyone who is poor is excluded and marginalised, and this hits people with disabilities harder than anyone else"*

There were also a number of references to a general misunderstanding of neurodiversity. An insufficient grasp of neurodiversity (including the impact it can have on individuals, and what it means for the Council's service delivery as a consequence), can create additional access barriers. Survey respondents cited several implications of this, such as indirect discrimination in the education system and difficulty engaging with the Council's website.

Although only mentioned explicitly by one survey respondent, there appeared to be an underlying sentiment that disability is not treated as a priority, but rather 'added-on' after all the thinking has already concluded. The Council should also consider how the above examples may intersect with rurality to compound the sense of exclusion for those impacted. The pie chart below indicates responses to the survey question: 'I feel West Berkshire Council provides a range of services to meet the needs of people from all backgrounds and experiences'. There is significant variation across the responses, with relatively high proportions of neutral and disagree responses.

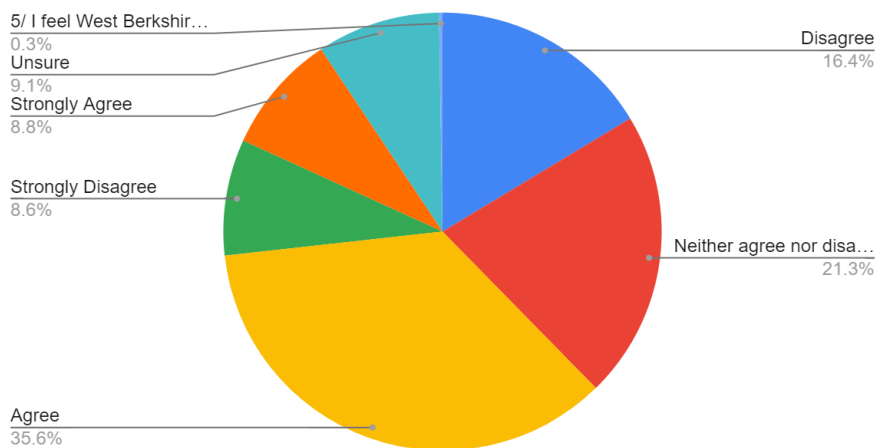


Figure 1: A pie chart showing responses to the question: 'I feel West Berkshire Council provides a range of services to meet the needs of people from all backgrounds and experiences'.

Several respondents made suggestions to improve in this area, with the most common focusing on strengthening engagement with disabled communities. Some examples include: devising a Disability Steering Group within the Council to ensure access considerations remain at the core of decision-making; more free opportunities for daytime socialising for people with complex physical and learning disabilities, and neurodiversity training for service delivery partners (such as GP practitioners).

## Other Access Barriers: Rurality; Socio-economic Exclusion and Age-Related Exclusion

### Rurality

While protected characteristics should form the basis of any EDI assessment and strategy (particularly for the Council as an organisation subject to the Public Sector

Equality Duty), a holistic approach to inclusion reflects the nuances of the local area, extending beyond what is set out in the Equality Act, where relevant. In West Berkshire, it is crucial to address the relevance of geography in our assessment of equity and inclusion. Our engagement process found significant disparities between opportunities and access for those living rurally, compared with those living in or close to hubs, such as Newbury.

This finding corroborates the outcome of the EDI Needs Assessment the Council had previously commissioned. Living rurally can, in and of itself, produce a heightened sense of alienation – particularly in the absence of strong community ties. This sense of marginalisation may be compounded by insufficient or expensive transportation into main social hubs (ie., community events) or important community services (such as general and dental health care). As indicated by the quote below, it is important to consider the impact that this may have on those with fewer financial resources.

*“Living in a rural village, it can be quite isolating for young families that are not as privileged as the majority. The poor public transport links exacerbates this.”*

It is also important that the Council considers the ways in which digital exclusion may impact rural communities and their sense of integration. A significant number of respondents indicated that much of the Council’s approach to external communications is conducted virtually, meaning that for those with less access to the Internet, they may have to miss out on community events or Council updates.

### **Socio-economic exclusion**

Tied in with the above, several survey and focus group participants spoke to socio-economic exclusion as an area of significant inequality in West Berkshire. Given the relative affluence of West Berkshire as a district, there is a risk that those from less privileged backgrounds fall under the radar of the majority. This can be particularly damaging for social mobility and equity of opportunity, and serves to highlight the importance of finding suitable means of engaging with groups typically defined as ‘hard-to-reach’.

We also heard that complex physical/mental/emotional outcomes are disproportionately worse in deprived communities. In seeking to create a more equitable place to live, it is crucial that the Council seeks out the underlying causes of these problems. Many of these outcomes are the consequence of being institutionally

underserved<sup>1</sup> and should be explored in more detail to understand the contributing factors.

Some respondents felt that the Council is 'biased towards wealthier areas' due to a perceived lack of efforts towards rural and community village integration. This can, unintentionally, feed the sense of alienation of those living rurally and also experiencing financial hardship.

We asked survey respondents to indicate how strongly they agree with the statement: 'I feel the local area is one that people from all backgrounds can thrive and be part of the community':

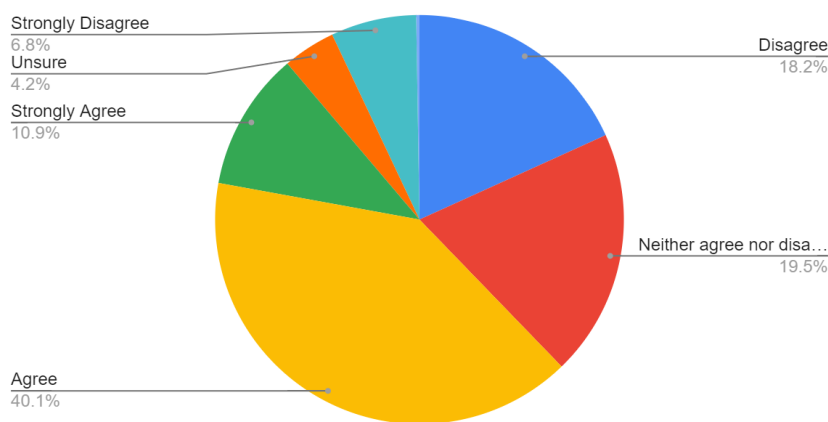


Figure 2: A pie chart showing responses to the question: 'I feel the local area is one that people from all backgrounds can thrive and be part of the community'.

Although the question was looking more broadly, socioeconomic status (as a key indicator of access to resources and opportunities) is strongly correlated with a sense of thriving. Accordingly, we include Figure 2 as a depiction of inequity and disparity, rather than an absolute representation of socio-economic exclusion. That said, the sentiments shared in the survey and focus groups suggest this is a key area for the Council to address.

### Age-Related Exclusion

Exclusion based on age was also a prominent theme, both for young people and the elderly. The overarching theme for young people appears to be the reduction in youth services and activities that promote integration. We acknowledge that this is a tricky

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<sup>1</sup> N.B, this does not indicate intention. We use the term 'institutionally underserved' to describe the ways in which majority bias and blind spots in people's lived experiences can result in a consistent failure to address the needs of marginalised groups, whether conscious or not.

balance to strike in the face of budget cuts and limited Council resources. Much of the discussion on this topic centred around youth groups and local clubs that would provide social time, and where these already exist, opening up a free option for parents with lower incomes. There were also some concerns that young people experiencing neurodiversity and/or mental health issues are underserved. We recommend that this is subject to further exploration by the Council so that action can be taken to address this priority need.

For older people, the overarching theme appears to be digital exclusion. Several respondents highlighted that it is incumbent upon the Council to reach out to the elderly, who may find the prospect of contacting the Council or visiting the offices intimidating or simply impossible.

*“Elderly in villages have very little access to social activities if they have low incomes and cannot afford to pay for social days out involving transport costs as well.”*

### **Gypsy, Roma and Traveller (GRT) Communities**

Our engagement process highlighted significant concerns in relation to the experiences of GRT communities in West Berkshire. Prejudice and discrimination against these communities appear to be rife across multiple aspects of daily life. We heard examples from the education system, the justice system and life in the local community more broadly. One survey respondent described discrimination as 'widespread', while others alluded to the general misunderstanding of these communities among residents and Council members.

*“On a monthly basis, I receive unsolicited comments from strangers about how Gypsies are unwelcome in the locality. I have no idea why – perhaps they think I am a Gypsy? My husband (who is White British) never receives these comments. I am staggered at the strength and frequency of these discriminatory comments against Gypsies.”*

Some survey respondents made mention of Gypsy, Roma and Traveller History Month in June as a key event that the Council should mark. While the approach does need to be broader in scope than this, such occasions provide an opportunity to raise awareness and promote a greater understanding of minority groups. The broader approach should be grounded in the lived experiences of GRT communities, and



should seek to identify the challenges they are facing, their experiences of discrimination, and what interventions are needed to build inclusion.

It is also worth noting that the Ethnic Minority & Traveller Achievement Service (EMTAS) did not receive much mention in the focus groups or the survey. This is a significant area of work with specific interventions aimed at supporting the inclusion of GRT communities, but did not come through very strongly in our engagement process. This sits within an overarching theme (covered under the 'Additional Insights' section on page 10) about publicising what the Council is already doing well in relation to EDI. Highlighting positive contributions is a crucial part of any external EDI communications strategy; ensuring residents are aware of (and can see the progress of) the Council's efforts to address disparities is an important aspect of building trust.

## **Displaced Individuals**

The term 'displaced individuals' in this context refers to any individual who has had to leave their home country due to external pressures on their safety and or stability – it therefore covers both refugees and asylum seekers. Differential treatment of migrant groups was consistently mentioned across our engagements, with a perception that the schemes are not balanced across the various (Ukrainian, Hong Kong and Afghanistan) communities. We understand some of this to be impacted by the Government's categorisations of migrant communities. As such, there are limits as to what the Council can do to influence change on a large scale. Despite this, there are a number of actions that are within the Council's powers which can help to improve experiences at the local level, as detailed below.

It was clear from the survey and focus groups that more support around understanding UK systems and processes is needed to support integration and adjustment. There were numerous mentions of this problem, with those seeking asylum often left to find their own way around health and education systems. Respondents also told us that they would like to see updates to translation services to ensure they reflect changes in the local population. Woven across the themes of displaced individuals and GRT communities was the perception of 'predisposed ideas' and the impact these may be having on the experiences of primary care and education systems. There were some suggestions that multi-cultural awareness training for service providers could help to address some of these issues.

*"As a refugee charity we are aware of a lot of discrimination against refugees and asylum seekers. The national 'hostile environment' impacts on everyone in some way. Dispersed asylum seekers are having their human rights abused by the failings of the system in place*

*to deal with them. This is a national issue, but the local coordination around their support needs to be far better.”*

## **Additional Insights**

In addition to the key themes highlighted in this report, there are several other notable insights that we felt were important to address. 18% of survey respondents indicated that they have experienced bullying, discrimination, harassment or victimisation in relation to a protected characteristic. This percentage increases to 21% for those responding to the easy read survey. While it is outside the scope of this work, it is highly recommended that the Council spends some time reflecting on its reporting and communications processes to ensure instances can be captured and addressed.

We also identified a need for greater communication of EDI plans and progress – several respondents described a lack of clarity on what the Council has already done (or intends to do going forward) as limiting the depth of their survey responses. While the publication of the EDI framework should address some of this obscurity, it is worth reaffirming the critical role that communication plays in the success of any EDI strategy. On a similar note, we recommend that the Council spends some time thinking about the tone and language that will sit alongside the Council’s EDI Action Plan. As captured by this survey response, the communications strategy should focus on *“Making the discussion less about falling foul of legislation and more about the positive attributes of EDI to work and performance of community, organisation and teams”*.

Finally, and relatedly, a robust EDI strategy requires all key stakeholders to be aligned on the current position to identify areas of priority focus. During the focus group with Councillors, it appeared that there are quite disparate views concerning the current state of affairs, with some representatives describing West Berkshire as inclusive and others drawing on areas of significant inequality. Throughout this report, we have referenced the need to consistently and habitually engage the lived experiences of marginalised groups – this is crucial to understand where disparity exists and how to address it most effectively.

## **Next Steps**

This report covers high-level themes from the data. Our immediate next steps will be to continue analysing responses and ensuring we have captured all of the most salient points. The findings detailed in this report, as well as the outcome of our collaborative



workshops with key members of the Council, will be used to produce a draft EDI framework. This will be delivered by the 24th of March 2023.

Following feedback from the Council, we will work to produce a final framework that takes into account all comments and suggestions. We will remain on hand to answer any questions and discuss how the framework is disseminated to all West Berkshire Council staff and residents following internal review and sign-off.

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# West Berkshire Council

## Equity, Diversity and Inclusion Framework

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## Context

West Berkshire Council (**the Council**) has commissioned The Equal Group (TEG) to develop an Equity, Diversity and Inclusion (EDI) framework, informed by the lived experiences of residents. This framework will express a Vision, Strategic Principles, and Objectives, with an accompanying Action Plan to support the delivery of the Council's Strategy.

To ensure this Framework is driven by the perspectives and experiences of those living and/or working in West Berkshire, The Equal Group undertook an engagement process which consisted of an EDI survey (including a separate easy read version) and a series of five focus groups conducted in November and December of 2022. Please see the Engagement Report for further details.

Under the [Equality Act 2010](#), the Council is required to demonstrate due regard for equalities considerations, as set out under the [Public Sector Equality Duty \(PSED\)](#). This requires the Council to consider the ways in which it is able to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

The development of this Framework intends to support the Council in meeting its duty, which has a specific focus on the nine defined [protected characteristics](#): sex, age, pregnancy and maternity, religion or belief, disability, gender reassignment, race, marriage and civil partnership, and sexual orientation. While this forms the basis of the Framework and its accompanying action plan, the Council also wishes to understand where it can *go beyond its legal duty* to eliminate sources of disadvantage that are not included within the scope of the Equality Act.

In order to gather the relevant data needed for this Framework, TEG and the Council sought to engage with those whose voices are seldom heard. In doing so, we identified a priority need to address barriers faced by:

- People living with disabilities;
- Those living rurally;
- Those from low socioeconomic backgrounds;
- Young and elderly people;
- Gypsy Roma and Traveller (GRT) communities;
- Displaced communities.



In any case, it is imperative that the Council considers the ways in which personal characteristics may intersect to produce particular and more acute needs.

Equality Impact Assessments (EqIA) should be carried out by the Council any time a new policy or process is being considered. EqIA's ensure that any potential equalities risks associated with the proposed introduction of a new policy or process are considered and actively mitigated against. We recommend that the Council goes beyond the protected characteristics and embeds a focus on all key excluded groups set out in this Framework when refreshing its approach to EqIA's<sup>1</sup>. In addition to this, we recommend that the Council takes stock of all existing evidence that indicates inequality, and aligns itself with key recent legislative updates, such as the Armed Forces Act (2021).

## **Building Understanding**

When making recommendations, TEG believes it is vital to acknowledge where action has been taken, with a view to build on the positive work that the Council has already started. We recognise the Council's commitment to improving its understanding of EDI, primarily through its commissioning of the EDI Needs Assessment (not conducted by TEG) and the development of this Framework. We firmly support the Council's belief that any EDI progress should be driven by data, and encourage the Council to see this Framework as a foundation to build on.

Through the engagement phase of this project, the Council and TEG were able to hear from over 500 people (across the surveys and focus groups) to gather perspectives on EDI. In conjunction with the EDI Needs Assessment, this has provided a detailed understanding of some of the key issues. However, this is only a small proportion of the local population, and should be built upon in the coming years. We understand that the Council is on a journey of continuous learning and recognises that it needs to take a more intentional approach to building a more inclusive and equitable district.

When seeking to build understanding, the Council should endeavour to engage with, learn about and foster strong relationships with all local communities – this includes the racing community, the Armed Forces and any other groups present within West Berkshire. Further to this, the Council should seek to tailor its approach to engagement

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<sup>1</sup> N.B. There are some legally defined exceptions to the PSED, whereby the Government has identified specific situations in which implementation of the PSED may interfere with other legislation. 'Immigration' is one of the exceptions set out under Section 18 of the Act. The Council should carefully consider what this means in practice for displaced individuals in West Berkshire, and how it can balance the exercise of its duties with a need to foster inclusion in the local community. See pages 13–14 of this [briefing paper](#) for further information.



with each group in line with their shared experiences/circumstances. We have provided additional context on this within the Action Plan.



# Vision and Strategic Principles

In February 2023, TEG held a collaborative workshop with Sam Shepherd and Pamela Voss. The purpose of this workshop was to bring together the key findings from our engagement process, reflect on how we would like to be able to describe EDI in West Berkshire one year from now, and to identify enablers and barriers to progress. Taking all of this into account, we arrived at the following Vision and Strategic Principles. We have utilised the word 'Thrive' to tie in with the sense of 'equity of opportunity'.

## Vision

West Berkshire: where everyone can thrive

## Strategic Principles

### 1. Everyone is seen and heard

- We promote visibility and inclusion for everyone
- We seek to 'level the playing field' for all
- We support and enable communities so they can thrive
- We look to empower local communities to lead change

### 2. Everyone is celebrated

- We embrace all forms of diversity that exist within West Berkshire
- We acknowledge and celebrate events that promote diversity and inclusion
- We work collaboratively with our partners to build mutual understanding of our diverse communities
- We aim to become community leaders for equity and inclusion

### 3. Everyone has a responsibility

- We are all committed to inclusion
- We respect and empower; we do 'with' each other, not 'to'
- We welcome and recognise everyone's strengths
- We encourage everyone to speak up when change is needed and support this with appropriate policies and processes

### 4. Everyone is understood

- We learn from the lived experiences of others
- We value diversity in all forms
- We acknowledge that we can't remove barriers that we aren't aware of

- We are committed to recognising and addressing exclusion

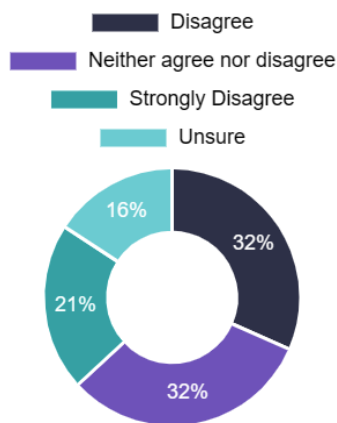
## Objectives

This section of the report aims to define a clear set of objectives that the Council is seeking to achieve within the next year. These Objectives are also based on the output of our collaborative workshop. We have split the objectives to cover the community and the workplace, ensuring that the Council is able to direct change both internally and externally.

While this makes it easier to identify progress markers, it is important not to look at the objectives in isolation, and to instead consider the relationship between the two. Internal efforts to increase understanding of EDI can be a significant enabler of external progress, helping the Council and its partners to better cater to the needs of the local population. Similarly, an external focus on EDI should also help to reinforce EDI in the Council – especially where gaps in representation or knowledge have been identified.

West Berkshire is, at large, an affluent area in which people can thrive, but this overarching truth can mask pockets of disadvantage that exist within local communities. ‘Equity’ is about recognising the fact that not everyone starts from the same place. We have included below a high-level summary of key data, focusing on three significant disparities in the survey responses we collected. A fuller breakdown of the data is provided in the Engagement Report.

**I feel West Berkshire Council’s approach to community issues is inclusive, fair and considerate of a diverse range of backgrounds:**

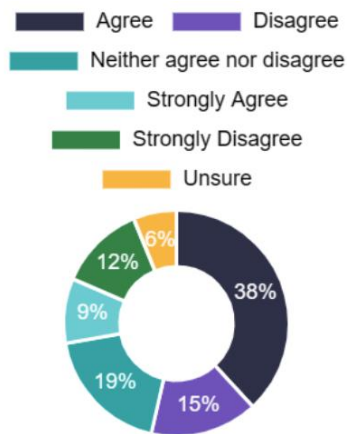


For respondents indicating their ethnicity is White, 11% said that they ‘disagree’ with the above statement and a further 6% ‘strongly disagree’. This compares with 32% of respondents from an Ethnic Minority background who said that they ‘disagree’, and a further 21% who ‘strongly disagree’, as per Figure 1.

Figure 1: A pie chart showing survey responses from respondents of Ethnic Minority backgrounds.



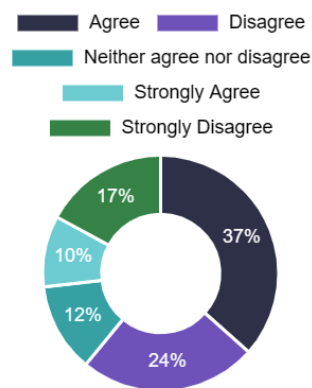
**I feel that West Berkshire Council as an organisation is inclusive, fair and considerate of a diverse range of backgrounds:**



For respondents without a (hidden or visible) disability, 10% 'disagree' with the above statement, and a further 3% 'strongly disagree'. This compares with 15% of respondents with a disability who said that they 'disagree', and a further 12% who 'strongly disagree', as per Figure 2.

Figure 2: A pie chart showing survey responses from respondents with disabilities.

**I feel the local area is one which provides a range of services to meet the needs of people from all backgrounds and experiences:**



For respondents identifying as heterosexual, 17% 'disagree' with the above statement, and a further 4% 'strongly disagree'. This compares with 24% of respondents identifying as LGBTQ+ who said that they 'disagree', and a further 17% who 'strongly disagree', as per Figure 3.

Figure 3: A pie chart showing survey responses from respondents identifying as LGBTQ+.

In addition to this, we know from the EDI Needs Assessment that:

- West Berkshire has six Lower Layer Super Output Areas (LSOAs), scoring in the 1st to 5th deciles. This means that they are amongst the 50% most deprived in the country, according to the English Indices of Deprivation 2019.
- Those living in rural households in West Berkshire are at higher risk of experiencing digital exclusion, fuel poverty and food deserts than those living in more urban areas.

- Compared with the South East (19.3%) and England overall (18%), West Berkshire has a higher proportion of children with Autism (33.5%).

The data shows us why this EDI Framework is needed – the following Objectives set out what the Council aims to achieve through this Framework.

Community Objectives	Associated Strategic Principles
1. There is a sense of mutual understanding around EDI in West Berkshire, including why it is important and the actions the Council is taking to advance it	1, 2, 3, 4
2. The Council has a comprehensive understanding of accessibility challenges, and how to overcome barriers for different groups	1, 4
3. Improved engagement with a wider range of community networks and groups	1, 2, 4
4. The Council is known for celebrating diversity in West Berkshire and residents from all backgrounds feel included	1, 2, 4

Workplace Objectives	Associated Strategic Principles
5. The Council has refreshed its approach to equalities and is able to demonstrate compliance with the PSED	1, 3, 4
6. Existing policies and procedures to advance equality are reviewed and updated. Where gaps are identified these are addressed in existing policies and procedures, or by creating new ones	1, 2, 3, 4
7. The Council has established a sense of collective responsibility for EDI progress, whereby all key stakeholders understand the purpose and benefits	3



Workplace Objectives	Associated Strategic Principles
8. An increased sense of belonging and psychological safety among all Council employees	1, 3



## Action Plan

Taking the Vision, Strategic Principles and the Objectives into account, we have devised a 12-month Action Plan for the Council. This plan seeks to build on each of these areas to help the Council move from a theoretical understanding to practical implementation. Our recommendations (both internal and external) are presented using a RAG system to indicate the timescales within which we recommend West Berkshire Council should implement the suggested improvements:

**Red** (Short-term) – To be completed within the next 3 months;

**Amber** (Medium-term) – To be completed within the next 6 months;

**Green** (Long-term) – to be completed within the next 12 months.

In developing this Action Plan, we have produced a set of recommendations that take into account the limited resources available in the Council. While we recommend that the Council pursues an ambitious approach to become community leaders for inclusion in the future, it is important that the actions set out in this 12 month plan focus on enabling the Council to meet the PSED.

The colour coding system is not used to indicate level of importance – all activities set out in this Action Plan should be considered priority areas of focus for the next year. The actions are colour coded to reflect the fact that some of the actions can be taken more quickly than others. There are a number of actions which TEG can support the Council to achieve, denoted by an asterisk (\*), and others that we believe the Council should lead.

We have left the 'Suggested Responsibility' column blank to provide the Council with the opportunity to agree the most appropriate department for each action to sit with. We strongly recommend that this forms part of the stakeholder testing and decision-making process as a key way of building accountability for the Action Plan's success.



Focus	Recommendation	Justification	Associated Objectives	Suggested Responsibility	Timeframe
External [1]	Identify (and build an approach to engage with) local underrepresented community groups / networks	<p>Several respondents indicated to us that the Council's community engagement has been limited and narrow in approach thus far. There was a general sentiment that the Council has not made the most of the opportunity to build relationships with the wide variety of community networks in the local population.</p> <p>We recommend that the Council particularly considers how best to engage with the following groups:</p> <ul style="list-style-type: none"> <li>• LGBT+ Communities</li> <li>• GRT communities</li> <li>• Disability networks</li> <li>• Young mums</li> <li>• Carers</li> <li>• Armed Forces and Veterans</li> </ul>	2, 3, 4		<p>Identification of groups / networks within 3 months</p> <p>Engagement strategy built and commenced within 6 months</p>
External [2]	Establish an external EDI comms strategy	An EDI communications strategy aims to simplify the approach to sharing EDI updates and plans with stakeholders (in this case, residents and partners). This will help to ensure that the Council has a consistent and joined-up approach to its external messaging. Regular communications should aid the Council in: conveying the importance of EDI, raising	1, 3		Within 12 months

		<p>awareness of future plans, and empowering local communities to drive positive change.            The types of information the Council wishes to share is to be agreed internally, but it may be helpful to consider:</p> <ul style="list-style-type: none"> <li>• Events that the Council is celebrating;</li> <li>• Actions the Council has taken or plans to take to embed EDI in its wider strategy;</li> <li>• The positive work of ERGs within the Council;</li> <li>• EDI statements from the Executive Team;</li> <li>• Learnings from EDI training;</li> <li>• Updates to processes that will help to make West Berkshire a more inclusive place to live and work.</li> </ul> <p>It is imperative to ensure that an inclusive approach to external communications is at the heart of any agreed strategy (particularly ensuring that the method of communication does not create or exacerbate digital exclusion, and considers accessibility). Conducting a light-touch EqIA here may help the Council to mitigate against any equalities risks for particular groups.</p>			
<p>External [3]</p>	<p>Seek to understand the barriers to standing for local election for underrepresented groups</p>	<p>The Council should seek to be representative of the local population it serves. Where particular groups appear to be standing in low numbers, we advise that the Council explores the barriers (and interventions required to overcome them) through continuous engagement. It can also help to consider if there is overrepresentation from particular demographics in order to consider a) do those groups have access to additional resources and what can be done to redress the balance; b) what is positive about their experience and</p>	<p>3</p>		<p>Within 12 months</p>



		<p>whether this be retained / replicated; c) how can those from demographics that are well represented or overrepresented be engaged to mitigate this by representing others?</p> <p>This process should result in an increased awareness of the lived experiences of marginalised communities, and feeds into the 'Everyone is understood' Strategic Principle.</p>			
External [4]	<p>Review commissioned services (such as Educafe) to understand what worked and how to replicate the success/expand the service</p>	<p>We recognise that the Council is facing budgetary constraints. This highlights the need to strategically evaluate the success of previously commissioned services (particularly of Educafe) to replicate success and ensure any future spending is driven by a sense of 'what works'.</p> <p>Following review, the Council should seek to identify how the approach can be replicated or expanded. There is a need to consider whether such services can also be made available outside of main hubs such as Newbury, so as to allow for further rural integration (perhaps through the use of mobile units).</p>	4		Ongoing
External [5]	<p>Consider the feasibility of fortnightly 'community transport' days whereby those living rurally are provided with free travel into the main social hubs</p>	<p>According to the EDI Needs Assessment, 36% of residents live in rural areas and small settlements in West Berkshire. Inadequate and expensive transportation was repeatedly mentioned as a barrier for rural residents. Recognising that the Council can only do so much within one year, we suggest that fortnightly 'community transport' days, especially where these are aligned with particular social/celebration events, are trialled.</p>	2		Within 6 months

		<p>We recommend this is done for a period of 3 months initially to see whether the activity has achieved its desired aim of rural integration and community building. Failing this, the Council should seek to explore additional barriers.</p> <p>While ideally both Action 4 and 5 would be implemented, Action 5 is of increased importance in the absence of Action 4.</p>			
External / Internal [6]	Sign up to the <a href="#">Disability Confident Scheme</a>	Our engagement with staff, residents and partners revealed a general sentiment that disability is not treated as a priority for the Council. The Disability Confident Scheme's tiered approach allows for clear direction and progression metrics to create a more intentional approach to disability inclusion.	2, 3, 4		Within 3 months
External / Internal [7]	Identify an <a href="#">EDI calendar</a> to roll out across the Council	An EDI Calendar sets out awareness days, months and events for the year. We recommend that the Council adopts the use of an existing calendar and shares this internally to raise awareness and promote education. Externally, we recommend that the Council shares community posts about the events contained in the Calendar to promote community inclusion.	4, 8		Within 3 months
External / Internal [8]	Review the Council's approach to EqIAs and identify areas for improvement*	EqIA's help to ensure that all new policies and procedures are designed with inclusion at their core and that any potential adverse effects can be accounted for and mitigated. Whilst the Council is not legally obligated under the PSED to conduct EqIA's, they can help to demonstrate compliance. We strongly recommend that a consistent and holistic structure around conducting these is agreed within the	1, 5, 6		Within 3 months

		<p>Council, ensuring all stakeholders responsible for conducting them are informed of the why, the how and the when.</p> <p>Based on the findings of TEG's engagement process, the EDI Needs Assessment, and other recent legislative changes, the Council should consider adding in additional groups to the EqIA process.</p>			
External / Internal [9]	Build a guidance document for community officers to work more collaboratively when engaging in rural outreach activities	<p>We are aware that the Council (alongside Voluntary and Community Sector partners) have already made positive strides to engage with various rural communities, presenting a strong opportunity to build on the work that has been done to date. We recommend that a guidance document is produced and shared with those engaging in outreach to ensure a standardised approach to sign-posting and outreach methods. The guidance should also seek to encourage the regular sharing of information between outreach officers to ensure an informed approach on 'what works'.</p>	7		Within 6 months
Internal [10]	Develop a specific 'Reasonable Adjustments' policy*	<p>Whilst the Council has a Reasonable Adjustments Flow Chart to provide guidance on access to funding, not all staff who could benefit from reasonable adjustments may be aware that they are entitled to them. Creating a policy will help to ensure that all staff who require adjustments due to a disability are informed about what the process is and what support they are entitled to.</p> <p>Furthermore, a policy will provide assurance to staff that, even if they do not want/need adjustments due to a disability at present, they will be able to access them in the future</p>	6, 8		Within 3 months



		should this change over time. It is crucial that the Council is aware that insufficient understanding and/or application of this process could result in a type of disability discrimination under the Equality Act 2010. In an effort to increase awareness, the Council may wish to first engage in training to better understand reasonable adjustment processes.			
Internal [11]	Develop a training programme to promote EDI awareness*	<p>Throughout our engagement process, we identified an acute need to improve understanding of particular characteristics, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Neurodiversity (Neurodiversity can, in many circumstances, fall within the definition of disability under The Equality Act);</li> <li>• Disability; and,</li> <li>• GRT communities.</li> </ul> <p>We recommend that this training is first conducted with senior leaders to ensure those directing and delivering on the key aspects of the Council Strategy are equipped with the knowledge, skills and encouragement to embody EDI in their day-to-day responsibilities.</p> <p>We also recommend that EDI training is followed up with a reflection session for attendees to discuss what they have learned, how it can positively impact the Council's priorities and also how the learnings can be further disseminated throughout the workforce.</p>	7, 8		<p>Senior Leadership and Directorate Leads within 3 months</p> <p>Expansion of the EDI Awareness training to managers within 6 months</p>

<p>Internal [12]</p>	<p>Establish an approach to engaging with Employee Resource Groups (ERG)*</p>	<p>ERGs bring lived experience and, when supported, can help to foster a sense of collective responsibility, as per Strategic Principle 3. We understand that there are a number of ERGs already set up at the Council, but that there is not a structured approach to engaging with them.</p> <p>We suggest that Executive Directors or other relevant senior leaders within the Council convene to agree an approach to this. The Council should seek to establish OKR's with each ERG, understand how frequently they gather (and whether this is in their lunch breaks or in paid time), and what level of engagement they would like with senior leaders.</p> <p>Once the above has been established, we recommend that an Executive Sponsor is agreed for each ERG, and that this individual will be responsible for attending meetings (frequency as per the group's desire) and taking suggestions/recommendations to other senior leaders where budget can be discussed and agreed to support initiatives.</p>	<p>7, 8</p>		<p>Within 6 months</p>
<p>Internal [13]</p>	<p>Establish an internal EDI Communications strategy*</p>	<p>Much like an external EDI Communications strategy, an internal strategy is about building a sense of collective responsibility and ensuring clarity around EDI plans. For an internal strategy, greater focus should be placed on establishing accountability metrics, such as who will own the action and when progress is expected to be achieved.</p> <p>The Executive Team may find it helpful to use this Action Plan as a base to develop a communications strategy, agreeing</p>	<p>7</p>		<p>Within 6 months</p>



		who will share updates, how frequently updates will be shared and the supporting narrative that will sit alongside progress updates. We recommend that communications convey both the successes and also where improvements still need to be made - this is a key aspect of becoming more visible and transparent about the work the Council is doing.			
Internal [14]	Conduct a policy and procedure review*	EDI (and all other people-related policies and procedures) should ideally be reviewed every 1-2 years to ensure they are up to date, fit for purpose and in line with best practice. An EDI-focused review aims to address any words, phrases, tonality or format that could (indirectly or directly) discriminate against particular individuals/groups. We would recommend that grievance and disciplinary policies and processes that underpin the Council's approach to discrimination, harassment and victimisation are subject to review with an EDI lens. As per Action 13, the Council should share any updates to policies and/or procedures with staff as part of any agreed communications strategy.	5, 6		Within 12 months



## Monitoring Progress

The PSED requires the Council to set and publish equity/equality objectives every four years. Every four years, the Council should arrive at a point in which it has a clear understanding of progress that has been made against its previous objectives, where further work is still needed and, where relevant, if there are emerging needs for different groups not previously considered. This requires the Council to be intentional and committed to fairness and equity on a consistent basis, embedding it at the heart of its duties.

As a way of bridging this gap, we recommend that the Council reviews the agreed Action Plan after a 12 month period to measure progress. The outcome of the review should form the basis of the following year's Action Plan. To maintain a high standard of accountability, it is important that, if actions are rolled over, the Council carefully considers and makes note of why particular actions were not met and what needs to be done differently the following year to achieve progress. In order to build trust among the workforce and local population, we highly recommend that the Council shares the findings of its review and outlines its next steps.

There are several other ways to monitor progress – below we have included a high level overview of three methods we have found to be particularly effective when conducting similar work. We have presented these not as prescriptive recommendations of what the Council *should* do, but to highlight a number of options it has available to it when seeking to monitor progress.

### Objectives and Key Results (OKR)

The Council may find it helpful to view the Action Plan through an OKR lens. The Objectives (in this case, the Action Plan's Recommendations) are simply what the Council wants to achieve, and the Key Results are how the Council will get there. If adopting this approach, the Council may wish to develop an OKR table to sit alongside the Action Plan. We suggest that a maximum of 3 Key Results are devised for each Objective to ensure it is realistic and achievable within one year.

We have previously helped the Greater London Authority to develop OKR's following a review; we focused on breaking down recommendations into small tasks, defining what success looks like for each Objective, establishing prerequisites or resources needed to achieve them, as well as identifying risks and solutions. We would be happy to discuss this with West Berkshire Council once the Action Plan has been agreed by all relevant stakeholders.



## Maturity Model

A Maturity Model is a tool used by organisations to assess what ‘stage’ of their EDI journey they are at. It typically comprises of 3–5 phases, and for Council’s this will usually range from a position characterised by significant regulatory risks to being viewed as an innovative leader for inclusion. TEG has previously developed Maturity Models for other Councils, which look at a range of key indicators such as workforce representation, organisational culture, decision making and service delivery. This can be particularly useful for Council’s that are at significant risk of non-compliance with equalities legislation, providing a detailed understanding of how to meet requirements and then move beyond this to create a more impactful approach to EDI.

### LGA: Equality Framework for Local Government (EFLG) 2021

The Local Government Association (LGA) produced the [EFLG](#) to help Council’s deliver inclusive services, be representative of their local population, ensure equity of opportunity for their staff and meet/exceed PSED requirements. The EFLG takes into account the fact that different Council’s are at different stages and looks at four ‘modules’ – all of which are pertinent to West Berkshire Council’s aims and desired outcomes.

The modules outlined within the Framework are:

- Understanding and working with your communities;
- Leadership, partnership and organisational commitment;
- Responsive services and customer care; and,
- Diverse and engaged workforce.

Within each of these, the Council can fall into one of three categories: Developing, Achieving, or Excellent. The LGA have provided clear indicators for each of these to help Council’s assess their current position and what actions they need to take to move to the next category. This approach is similar to that of the Maturity Model mentioned above, but is not specific to West Berkshire’s local context. The Council may wish to consider the LGA’s EFLG in conjunction with its own EDI Framework to get a more holistic view of what further steps it may wish to take, while recognising that there is no substitute for the localised assessment of EDI priorities. As such, the Council should always consider external guidance through the lens of the local lived experiences.





## Glossary

Key Term	Definition
EDI	Equity/Equality, Diversity and Inclusion
EFLG	Equality Framework for Local Government
EqIA	Equality Impact Assessment
ERG	Employee Resource Group
LGA	Local Government Association
OKR	Objectives and Key Results
PSED	Public Sector Equality Duty

## Appendix A: Associated policies/strategies

Policy/Strategy	Context
Gender Pay Gap Data	The Council is legally required to report on Gender Pay Gap data each year.
Maternity Procedure [HRMAT] V.2.3 Nov 2019	This procedure sets out the entitlements and responsibilities that apply to employees who are pregnant and give birth.
Menopause Policy [HRMP] V.1 Sept 2020	The purpose of this policy is to raise awareness, encourage open conversation and support workers to continue to be effective in their jobs while experiencing menopause.
Sickness Absence – Reporting and Management Policy, Procedure and Guidance [HRMSA1] V.1.9 Aug 2022	The purpose of this policy is to support the effective reporting, recording and management of sickness absence to reduce its impact on service delivery and provide appropriate support to employees.
Shared Parental Leave Policy [HRSPLP] V.1 March 2015	The purpose of this policy is to set out how the Council will handle the discretionary aspects of Shared Parental Leave and Pay.
Transgender Policy [TRPV1] V.1 Sept 2018	The purpose of this policy is to set out the Council's commitment to ensuring that transgender people are treated with dignity and are not unlawfully discriminated against or disadvantaged in the workplace.
Draft Council Strategy 2023–2027 Forward Together [For Consultation Jan 2023]	A Council Strategy is a business planning document that sets out future priorities and planned outcomes. A new Strategy is produced every four years.
Capability Procedure [WBCPCR] V.4 Dec 2022	This procedure is to be used to manage performance that falls below the required standard due to 'lack of aptitude, skill or ability'.
Disciplinary Procedure [HR Disc] V.4 Dec 2022	The Disciplinary Procedure is designed to help and encourage employees to achieve and maintain standards of conduct.
Equality in Employment Policy [No ref given] V.3 March 2016	The purpose of this policy is to set out West Berkshire Council's approach to diversity and equality in employment.



Equality Policy [No ref given] V.1 Jan 2018	The purpose of this Policy is to set out West Berkshire Council's vision and commitment to equality of opportunity and respect for diversity.
Reasonable Adjustments for Staff with Disabilities Flow Chart [No ref given] V.3 May 2016	A Corporate Process for Accessing Funding in the application of reasonable adjustments for staff with disabilities.

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**West Berkshire Council**  
**Equity Impact Assessment**

TEMPLATE

March 2023

Updated November 2023 (Section 3)

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## Section 1: Summary details

<b>Directorate and Service Area</b>	
<b>What is being assessed</b> (e.g. name of policy, procedure, project, service or proposed service change).	
<b>Is this a new or existing function or policy?</b>	
<b>Summary of assessment</b> Briefly summarise the policy or proposed service change. Summarise possible impacts. Does the proposal bias, discriminate or unfairly disadvantage individuals or groups within the community?  (following completion of the assessment).	
<b>Completed By</b>	
<b>Authorised By</b>	
<b>Date of Assessment</b>	

## Section 2: Detail of proposal

<p><b>Context / Background</b></p> <p>Briefly summarise the background to the policy or proposed service change, including reasons for any changes from previous versions.</p>	
<p><b>Proposals</b></p> <p>Explain the detail of the proposals, including why this has been decided as the best course of action.</p>	
<p><b>Evidence / Intelligence</b></p> <p>List and explain any data, consultation outcomes, research findings, feedback from service users and stakeholders etc, that</p>	



supports your proposals and can help to inform the judgements you make about potential impact on different individuals, communities or groups and our ability to deliver our climate commitments.

**Alternatives considered / rejected**

Summarise any other approaches that have been considered in developing the policy or proposed service change, and the reasons why these were not adopted. This could include reasons why doing nothing is not an option.

### Section 3: Impact Assessment - Protected Characteristics

Protected Characteristic	No Impact	Positive	Negative	Description of Impact	Any actions or mitigation to reduce negative impacts	Action owner* (*Job Title, Organisation)	Timescale and monitoring arrangements
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

**Section 3: Impact Assessment - Additional Community Impacts to be considered as best practice to be mindful of wider community needs within West Berkshire**

<b>Additional community impacts</b>	<b>No Impact</b>	<b>Positive</b>	<b>Negative</b>	<b>Description of impact</b>	<b>Any actions or mitigation to reduce negative impacts</b>	<b>Action owner (* Job Title, Organisation)</b>	<b>Timescale and monitoring arrangements</b>
<b>Rural communities</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Areas of deprivation</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Displaced communities</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>Care experienced people</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
<b>The Armed Forces Community</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

## Section 4: Review

Where bias, negative impact or disadvantage is identified, the proposal and/or implementation can be adapted or changed; meaning there is a need for regular review. This review may also be needed to reflect additional data and evidence for a fuller assessment (proportionate to the decision in question). Please state the agreed review timescale for the identified impacts of the policy implementation or service change.

<b>Review Date</b>	
<b>Person Responsible for Review</b>	
<b>Authorised By</b>	

## Appendix G: Action Plan

Taking the Vision, Strategic Principles and the Objectives into account, we have devised a 12-month Action Plan for the Council. This plan seeks to build on each of these areas to help the Council move from a theoretical understanding to practical implementation. Our recommendations (both internal and external) are presented using a RAG system to indicate the timescales within which we recommend West Berkshire Council should implement the suggested improvements:

**Red** (Short-term) - To be completed within the next 3 months;

**Amber** (Medium-term) - To be completed within the next 6 months;

**Green** (Long-term) - to be completed within the next 12 months.

In developing this Action Plan, we have produced a set of recommendations that take into account the limited resources available in the Council. While we recommend that the Council pursues an ambitious approach to become community leaders for inclusion in the future, it is important that the actions set out in this 12 month plan focus on enabling the Council to meet the PSED.

The colour coding system is not used to indicate level of importance - all activities set out in this Action Plan should be considered priority areas of focus for the next year. The actions are colour coded to reflect the fact that some of the actions can be taken more quickly than others. There are a number of actions which TEG can support the Council to achieve, denoted by an asterisk (\*), and others that we believe the Council should lead.

We have left the 'Suggested Responsibility' column blank to provide the Council with the opportunity to agree the most appropriate department for each action to sit with. We strongly recommend that this forms part of the stakeholder testing and decision-making process as a key way of building accountability for the Action Plan's success.

Focus	Recommendation	Justification	Associated Objectives	Suggested Responsibility	Timeframe
External [1]	Identify (and build an approach to engage with) local underrepresented community groups / networks	<p>Several respondents indicated to us that the Council's community engagement has been limited and narrow in approach thus far. There was a general sentiment that the Council has not made the most of the opportunity to build relationships with the wide variety of community networks in the local population.</p> <p>We recommend that the Council particularly considers how best to engage with the following groups:</p> <ul style="list-style-type: none"> <li>• LGBT+ Communities</li> <li>• GRT communities</li> <li>• Disability networks</li> <li>• Young mums</li> <li>• Carers</li> <li>• Armed Forces and Veterans</li> </ul>	2, 3, 4	Equalities Officer BCT Team Public Health Early Years Adult social Care	<p><b>Identification of groups / networks within 3 months</b></p> <p><b>Engagement strategy built and commenced within 6 months</b></p>
External [2]	Establish an external EDI comms strategy	An EDI communications strategy aims to simplify the approach to sharing EDI updates and plans with stakeholders (in this case, residents and partners). This will help to ensure that the Council has a consistent and joined-up approach to its external messaging. Regular communications should aid the Council in: conveying the importance	1, 3	Comms Team Equalities Officer	<b>Within 12 months</b>

		<p>of EDI, raising awareness of future plans, and empowering local communities to drive positive change.</p> <p>The types of information the Council wishes to share is to be agreed internally, but it may be helpful to consider:</p> <ul style="list-style-type: none"> <li>• Events that the Council is celebrating;</li> <li>• Actions the Council has taken or plans to take to embed EDI in its wider strategy;</li> <li>• The positive work of ERGs within the Council;</li> <li>• EDI statements from the Executive Team;</li> <li>• Learnings from EDI training;</li> <li>• Updates to processes that will help to make West Berkshire a more inclusive place to live and work.</li> </ul> <p>It is imperative to ensure that an inclusive approach to external communications is at the heart of any agreed strategy (particularly ensuring that the method of communication does not create or exacerbate digital exclusion, and considers accessibility). Conducting a light-touch EqIA here may help the Council to mitigate against any equalities risks for particular groups.</p>			
<p>External [3]</p>	<p>Seek to understand the barriers to standing for local election for underrepresented groups</p>	<p>The Council should seek to be representative of the local population it serves. Where particular groups appear to be standing in low numbers, we advise that the Council explores the barriers (and interventions required to overcome them) through continuous engagement. It can also help to consider if there is overrepresentation</p>	<p>3</p>	<p>Equalities Officer</p>	<p><b>Within 12 months</b></p>

		<p>from particular demographics in order to consider a) do those groups have access to additional resources and what can be done to redress the balance; b) what is positive about their experience and whether this be retained / replicated; c) how can those from demographics that are well represented or overrepresented be engaged to mitigate this by representing others?</p> <p>This process should result in an increased awareness of the lived experiences of marginalised communities, and feeds into the 'Everyone is understood' Strategic Principle.</p>		Democratic Services	
External [4]	Review commissioned services (such as Educafe) to understand what worked and how to replicate the success/expand the service	<p>We recognise that the Council is facing budgetary constraints. This highlights the need to strategically evaluate the success of previously commissioned services (particularly of Educafe) to replicate success and ensure any future spending is driven by a sense of 'what works'.</p> <p>Following review, the Council should seek to identify how the approach can be replicated or expanded. There is a need to consider whether such services can also be made available outside of main hubs such as Newbury, so as to allow for further rural integration (perhaps through the use of mobile units).</p>	4	Procurement – all commissioned  Equalities Officer - Educafe	<b>Ongoing</b>
External [5]	Consider the feasibility of fortnightly 'community transport' days whereby those living rurally are provided with	According to the EDI Needs Assessment, 36% of residents live in rural areas and small settlements in West Berkshire. Inadequate and expensive transportation was repeatedly mentioned as a barrier for rural residents. Recognising that the Council can only do so much within one year, we suggest that fortnightly 'community transport'	2	Transport	<b>Within 12 months</b>



	free travel into the main social hubs	<p>days, especially where these are aligned with particular social/celebration events, are trialled.</p> <p>We recommend this is done for a period of 3 months initially to see whether the activity has achieved its desired aim of rural integration and community building. Failing this, the Council should seek to explore additional barriers.</p> <p>While ideally both Action 4 and 5 would be implemented, Action 5 is of increased importance in the absence of Action 4.</p>			
External / Internal [6]	Sign up to the <a href="#">Disability Confident Scheme</a>	Our engagement with staff, residents and partners revealed a general sentiment that disability is not treated as a priority for the Council. The Disability Confident Scheme's tiered approach allows for clear direction and progression metrics to create a more intentional approach to disability inclusion.	2, 3, 4	Already in place and managed by HR	<b>Within 3 months</b>
External / Internal [7]	Identify an <a href="#">EDI calendar</a> to roll out across the Council	An EDI Calendar sets out awareness days, months and events for the year. We recommend that the Council adopts the use of an existing calendar and shares this internally to raise awareness and promote education. Externally, we recommend that the Council shares community posts about the events contained in the Calendar to promote community inclusion.	4, 8	Equalities Officer for external work supported by Staff EF and Comms Team. HR could take responsibility for the internal objective but	<b>Within 6 months</b>

				have no dedicated resource to do this at present.	
External / Internal [8]	Review the Council's approach to EqIAs and identify areas for improvement*	<p>EqIA's help to ensure that all new policies and procedures are designed with inclusion at their core and that any potential adverse effects can be accounted for and mitigated. Whilst the Council is not legally obligated under the PSED to conduct EqIA's, they can help to demonstrate compliance. We strongly recommend that a consistent and holistic structure around conducting these is agreed within the Council, ensuring all stakeholders responsible for conducting them are informed of the why, the how and the when.</p> <p>Based on the findings of TEG's engagement process, the EDI Needs Assessment, and other recent legislative changes, the Council should consider adding in additional groups to the EqIA process.</p>	1, 5, 6	Legal Equalities Officer	<b>Within 6 months</b>
External / Internal [9]	<b>Build a guidance document for community officers to work more collaboratively when engaging in rural outreach activities</b>	We are aware that the Council (alongside Voluntary and Community Sector partners) have already made positive strides to engage with various rural communities, presenting a strong opportunity to build on the work that has been done to date. We recommend that a guidance document is produced and shared with those engaging in outreach to ensure a standardised approach to sign-posting and outreach methods. The guidance should also seek to encourage the regular sharing of information between outreach officers to ensure an informed approach on 'what works'.	7	Equalities Officer	<b>Within 6 months</b>

Internal [10]	Develop a specific 'Reasonable Adjustments' policy*	<p>Whilst the Council has a Reasonable Adjustments Flow Chart to provide guidance on access to funding, not all staff who could benefit from reasonable adjustments may be aware that they are entitled to them. Creating a policy will help to ensure that all staff who require adjustments due to a disability are informed about what the process is and what support they are entitled to.</p> <p>Furthermore, a policy will provide assurance to staff that, even if they do not want/need adjustments due to a disability at present, they will be able to access them in the future should this change over time. It is crucial that the Council is aware that insufficient understanding and/or application of this process could result in a type of disability discrimination under the Equality Act 2010. In an effort to increase awareness, the Council may wish to first engage in training to better understand reasonable adjustment processes.</p>	6, 8	Already in place and managed by HR	<b>Within 3 months</b>
Internal [11]	Develop a training programme to promote EDI awareness*	<p>Throughout our engagement process, we identified an acute need to improve understanding of particular characteristics, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Neurodiversity (Neurodiversity can, in many circumstances, fall within the definition of disability under The Equality Act);</li> <li>• Disability; and,</li> <li>• GRT communities.</li> </ul>	7, 8	Some aspects are already in place and are led by HR using the Corporate Training budget. An offer to cover the neurodiversity training	<b>Senior Leadership and Directorate Leads within 3 months</b>

		<p>We recommend that this training is first conducted with senior leaders to ensure those directing and delivering on the key aspects of the Council Strategy are equipped with the knowledge, skills and encouragement to embody EDI in their day-to-day responsibilities.</p> <p>We also recommend that EDI training is followed up with a reflection session for attendees to discuss what they have learned, how it can positively impact the Council's priorities and also how the learnings can be further disseminated throughout the workforce.</p>		<p>required has been made by a company called Cognassist. Training is £10K and budget can be allocated from the Corporate Training budget. Any additional training could also be procured through use of the corporate training budget if budget currently put on hold is allowed to be used for this purpose. There is also a new LMS being implemented and at date of writing it is unknown what EDI training is available to</p>	<p><b>Expansion of the EDI Awareness training to managers within 6 months</b></p>
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				support this objective.	
Internal [12]	Establish an approach to engaging with Employee Resource Groups ( <b>ERG</b> )*	<p>ERGs bring lived experience and, when supported, can help to foster a sense of collective responsibility, as per Strategic Principle 3. We understand that there are a number of ERGs already set up at the Council, but that there is not a structured approach to engaging with them.</p> <p>We suggest that Executive Directors or other relevant senior leaders within the Council convene to agree an approach to this. The Council should seek to establish OKR's with each ERG, understand how frequently they gather (and whether this is in their lunch breaks or in paid time), and what level of engagement they would like with senior leaders.</p> <p>Once the above has been established, we recommend that an Executive Sponsor is agreed for each ERG, and that this individual will be responsible for attending meetings (frequency as per the group's desire) and taking suggestions/recommendations to other senior</p>	7, 8	<p>Already a Staff Equalities Forum in place which is managed by the Equalities Officer.</p> <p>Women's Network and Managers' Networks (about to start) are led by the Wellbeing Business Partner. This post is currently an FTC to the 31<sup>st</sup> March</p>	<b>Within 6 months</b>

leaders where budget can be discussed and agreed to support initiatives.

2024. In order to ensure this objective is met (and those lead by HR) it is suggested that a 0.5FTE K/J grade post is created as an Employee Engagement and Equalities post that would sit in HR and manage all of the employee EDI responsibilities. Without this resource these objectives cannot be delivered. It should be noted that as of the 1<sup>st</sup> April 2024 there will be 0.2FTE of the current K Grade Equalities Officer post

				that will be vacant and could contribute to the building of the new 0.5FTE post.	
Internal [13]	Establish an internal EDI Communications strategy*	<p>Much like an external EDI Communications strategy, an internal strategy is about building a sense of collective responsibility and ensuring clarity around EDI plans. For an internal strategy, greater focus should be placed on establishing accountability metrics, such as who will own the action and when progress is expected to be achieved.</p> <p>The Executive Team may find it helpful to use this Action Plan as a base to develop a communications strategy, agreeing who will share updates, how frequently updates will be shared and the supporting narrative that will sit alongside progress updates. We recommend that communications convey both the successes and also where improvements still need to be made - this is a key aspect of becoming more visible and transparent about the work the Council is doing.</p>	7	Equalities Officer or new Employee Engagement post.	<b>Within 6 months</b>
Internal [14]	Conduct a policy and procedure review*	EDI (and all other people-related policies and procedures) should ideally be reviewed every 1-2 years to ensure they are up to date, fit for purpose and in line with best practice. An EDI-focused review aims to address any words, phrases, tonality or format that could (indirectly or directly) discriminate against particular	5, 6	A review action plan for all people related policies is currently being	<b>Within 12 months</b>

		<p>individuals/groups. We would recommend that grievance and disciplinary policies and processes that underpin the Council's approach to discrimination, harassment and victimisation are subject to review with an EDI lens. As per Action 13, the Council should share any updates to policies and/or procedures with staff as part of any agreed communications strategy.</p>		<p>drawn up. However the HR team has other priorities with the implementation of a new HR and Payroll System so reviews will only be possible without additional resource when time allows. It is intended this will however be over the next 12 months.</p>	
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Appendix A: Associated policies/strategies

Policy/Strategy	Context	Comments
Gender Pay Gap Data	The Council is legally required to report on Gender Pay Gap data each year.	Completed by HR.
Maternity Procedure [HRMAT] V.2.3 Nov 2019	This procedure sets out the entitlements and responsibilities that apply to employees who are pregnant and give birth.	No change
Menopause Policy [HRMP] V.1 Sept 2020	The purpose of this policy is to raise awareness, encourage open conversation and support workers to continue to be effective in their jobs while experiencing menopause.	Also a Menopause Awareness group is in place and is led by the current Employee Wellbeing Business Partner.
Sickness Absence – Reporting and Management Policy, Procedure and Guidance [HRMSA1] V.1.9 Aug 2022	The purpose of this policy is to support the effective reporting, recording and management of sickness absence to reduce its impact on service delivery and provide appropriate support to employees.	Subject to review in 2023
Shared Parental Leave Policy [HRSPLP] V.1 March 2015	The purpose of this policy is to set out how the Council will handle the discretionary aspects of Shared Parental Leave and Pay.	No change
Transgender Policy [TRPV1] V.1 Sept 2018	The purpose of this policy is to set out the Council’s commitment to ensuring that transgender people are treated with dignity and are not unlawfully discriminated against or disadvantaged in the workplace.	No change at present
Draft Council Strategy 2023-2027 Forward Together [For Consultation Jan 2023]	A Council Strategy is a business planning document that sets out future priorities and planned outcomes. A new Strategy is produced every four years.	Currently subject to review in 2023.
Capability Procedure [WBCPCR] V.4 Dec 2022	This procedure is to be used to manage performance that falls below the required	Subject to review in 2023

	standard due to 'lack of aptitude, skill or ability'.	
Disciplinary Procedure [HR Disc] V.4 Dec 2022	The Disciplinary Procedure is designed to help and encourage employees to achieve and maintain standards of conduct.	Subject to review in 2023
Equality in Employment Policy [No ref given] V.3 March 2016	The purpose of this policy is to set out West Berkshire Council's approach to diversity and equality in employment.	Subject to review but will be based on resource availability
Equality Policy [No ref given] V.1 Jan 2018	The purpose of this Policy is to set out West Berkshire Council's vision and commitment to equality of opportunity and respect for diversity.	Subject to review but will be based on resource availability
Reasonable Adjustments for Staff with Disabilities Flow Chart [No ref given] V.3 May 2016	A Corporate Process for Accessing Funding in the application of reasonable adjustments for staff with disabilities.	New policy and procedure implemented in 2022.

# Part One: Contract Award for the Provision of Bus Service Network Contract

<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 December 2023
<b>Portfolio Member:</b>	Councillor Denise Gaines
<b>Date Portfolio Member agreed report:</b>	16 November 2023
<b>Report Author:</b>	Matthew Metcalfe / Liz Martin
<b>Forward Plan Ref:</b>	EX4398

## 1 Purpose of the Report

This paper seeks Executive approval, in accordance with its delegated authority, to award a Bus Services Network Contract covering the period from 2<sup>nd</sup> September 2024 for a period of five years to 1<sup>st</sup> September 2029, with the option to agree a further three-year extension to 1<sup>st</sup> September 2032.

The 2<sup>nd</sup> paragraph in this section contains confidential information and so has been deleted. Please see the Part Two Report for this paragraph.

No bus operator who submitted final bids for this tender have been informed of the outcome of their bids. This will be done after the meeting of the Executive on 14<sup>th</sup> of December. Hence, all information regarding their bids is to remain confidential until this time.

## 2 Recommendation

This section has been deleted as it contains confidential information. Please see the Part Two Report for wording deleted.

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	1/ Overview of Current Contract  The annual cost of the current five bus working contract is £893,552. However, we receive back the fares revenue from

**Part One: Contract Award for the Provision of Bus Service Network Contract**

	<p>the services, which in 2022-23 came to £178,346. We also receive an annual Section 106 contribution towards one of the bus workings from David Wilson Homes of £117,525. These together reduce our funding of the services to £597,681 per annum.</p> <p>2/ Overview of Winning Tender Bid</p> <p>This wording has been deleted – please see Part Two Report for this wording.</p> <p>3/ Financial Implications</p> <p>This wording has been deleted – please see Part Two Report for this wording.</p>
<p><b>Human Resource:</b></p>	<p>This wording has been deleted – please see Part Two Report for this wording.</p>
<p><b>Legal:</b></p>	<p>The procurement process followed has been compliant with the Public Contract Regulations 2015 and the Council’s constitution. A bespoke Services Agreement will be entered into between the Council and the successful bidder.</p>
<p><b>Risk Management:</b></p>	<p>This is a high value contract which directly impacts on local residents’ travel patterns / opportunities – and so effective contract manage is essential. The responsibility for this will sit with the Transport Team.</p>
<p><b>Property:</b></p>	<p>Not applicable</p>
<p><b>Policy:</b></p>	<p>Transport Authorities have a statutory duty to consider and provide ‘reasonable’ socially necessary bus services that market forces would not otherwise realize.</p> <p>The related strategy referred directly to the Bus Services Improvement Plan / Enhanced Partnership Plan and Scheme / Environment Strategy / Local Transport Plan / Ultra Low Emission Vehicle Strategy. It also naturally aligns to a number of priorities in the Council’s strategy around supporting residents, development of local infrastructure, maintaining a green district and delivering sustainable services. We will also review the national strategy Bus back better - GOV.UK</p>

Part One: Contract Award for the Provision of Bus Service Network Contract

	(www.gov.uk) and see where regional benefits can be delivered.			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			<p>The contract requires adherence to Equality Act 2010 and The Equality and Human Rights Commission’s Guidance for Employers.</p> <p>Local bus services are essential in ensuring many residents have access to essential educational, employment, medical, recreational and retail services.</p>
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			<p>The contract requires adherence to Equality Act 2010 and The Equality and Human Rights Commission’s Guidance for Employers</p>
<b>Environmental Impact:</b>	X			<p>Local bus services can reduce the need for many car journeys, reducing congestion and pollution levels.</p> <p><i>This wording has been deleted – please see Part Two Report.</i></p>
<b>Health Impact:</b>	X			<p>Local bus services can ensure residents can access vital services and ensure connectivity with others. They can also contribute towards reduced traffic congestion and pollution.</p>
<b>ICT Impact:</b>		X		N/A

<b>Digital Services Impact:</b>		X		N/A
<b>Council Strategy Priorities:</b>	X			<p>The provision of local bus services has a positive impact on many of the Council's strategic priorities including:</p> <ul style="list-style-type: none"> <li>• Ensuring our vulnerable children and adults achieve better outcomes.</li> <li>• Supporting everyone to reach their full potential.</li> <li>• Supporting businesses to start, develop and thrive in the district.</li> <li>• Supporting the growth of the local economy.</li> <li>• Maintaining a green district.</li> </ul>
<b>Core Business:</b>	X			The award of contract for the five-bus working would represent business as usual.
<b>Data Impact:</b>		X		N/A
<b>Consultation and Engagement:</b>	A pre-market engagement event was carried out with potential service providers. This included a Prior Information Notice (PIN) to suppliers to notify of the forthcoming procurement as part of the stakeholder engagement. A selection questionnaire was then undertaken to identify the providers to take forwards to the first Tender submission stage.			

## 4 Executive Summary

- 4.1 This report seeks approval from Executive to award a five year contract relating to the provision of a Bus Service Network in West Berkshire following a competitive procedure with negotiation. The resulting contract will cover the period from 2<sup>nd</sup> September 2024 to 1<sup>st</sup> September 2029 with an option to extend for a further three years thereafter.
- 4.2 The aggregated value of this contract required that it be advertised in full accordance with the requirements of the Public Contracts Regulations 2015.
- 4.3 The council chose to carry out a Competitive Procedure with Negotiation. The preferred option for procurement was approved by Procurement Board on 18<sup>th</sup> May 2023.

## Part One: Contract Award for the Provision of Bus Service Network Contract

- 4.4 The contract covers a five working bus service which will mean that the existing service will continue with no or minimal changes by the winning bidder. The current services are the Newbury & District 2,2a,2c / 3,3a,3x / 4,4a,4b,4c / 6,6a / 8 / 9,9b,9c. These are shown in Appendix C.
- 4.5 We received three expressions of interest and two suppliers submitted Selection Questionnaires. These were verified to ensure that the suppliers met the selection criteria and an Invitation to Tender (ITT) was subsequently sent to both suppliers.
- 4.6 Both bidders submitted initial tender responses and suppliers were invited to a non-scored negotiation session.
- 4.7 Following this, bidders were invited to submit final tenders which were evaluated and moderated by an evaluation panel consisted of five officers from the Transport Team. The evaluation criteria was based on 30% Quality, 10% Social Value and 60% Price.
- 4.8 The top scoring supplier scored 86 points out of 100 in the scoring matrix, with the unsuccessful supplier scoring 74.5.
- 4.9 This wording has been deleted – please see Part Two Report for this wording.

## 5 Supporting Information

### Introduction

- 5.1 Following the submission and approval of the Procurement Strategy on 18<sup>th</sup> May 2023 to Procurement Board, the Bus Service Network, a Prior Information Notice (PIN) was published on the Council's procurement portal, Contracts Finder and Find a Tender Service on 12<sup>th</sup> June 2023.
- 5.2 Three expressions of interest were received in July 2023. Two suppliers completed the selection stage questionnaire and both were deemed to meet the Council's requirements; therefore both bidders passed this stage and were then invited to submit an initial tender ahead of the negotiation stage. The third supplier who submitted an expression of interest did not partake any further in the tendering process and so was eliminated from the process.
- 5.3 Following the negotiation stage, both suppliers submitted a final tender upon which final scores were given and the award made.

### Background

- 5.4 We currently have a public bus service that is provided by Newbury & District Ltd. The contract for this service expires on 1<sup>st</sup> September 2024 with no further option to extend and therefore the council needed to undertake a procurement process to ensure a new contract is in place for September 2024, providing continuous service delivery.
- 5.5 The potential for a new provider being awarded the contract was factored into the timeframes to ensure any potential implementation period was provided for.
- 5.6 The service currently in operation includes five vehicles across six services which were all outlined in detail in the specification. It was indicated which of the service elements

were mandatory i.e., school bus journeys. The Council requested prices based on a like for like service as well as prices for a reduced three vehicle service.

- 5.7 The Council invited Minimum Cost Tender Bids only (all revenue from ticket sales and from re-imbursements due for participating in the concessionary travel scheme shall belong to the council). The Council will set fare charts and the successful provider must adhere to these and any other fare schemes that are introduced.
- 5.8 The contract allowed for inflationary increases based on CPI but capped at 5% per annum to be applied during the contract and full details of this were supplied as part of the ITT documentation. This was to strive to ensure that the contract remains financially viable and the Council is fully aware of all the associated costs and maximum amount that will be payable during the contract term.
- 5.9 The price scoring was based on the standard weekly rate based on five working days plus Saturday. Once scoring was completed the service reviewed the prices submitted by the winning supplier and confirmed that the service would continue with five vehicles across six services.
- 5.10 This wording has been deleted – please see Part Two Report for this wording.
- 5.11 This wording has been deleted – please see Part Two Report.
- 5.12 This wording has been deleted – please see Part Two Report.

## **6 Other options considered**

- 6.1 Do Nothing. This would have resulted in the loss of the current 2, 3, 4, 6, 8 and 9 services operated under contract by Newbury & District. None of these services are deemed commercially viable and so would all cease if funding for them stopped.
- 6.2 Using a framework would have limited the available call-off period and would not have been suitable for the type of contract that is required. The frameworks that are available are more suited to smaller scale vehicle purchases or for suppliers of coach and minibus routes. Local suppliers would be unlikely to be included on the framework.
- 6.3 An open tender was considered to encourage competition but there was concern that this might not provide the council with the best value for money as there was no option to refine requirements through the negotiation phase.
- 6.4 The Competitive Procedure with Negotiation was considered the best option as this would provide flexibility around the service delivery for the available budget whilst ensuring that the Council's minimum requirements were set out and met. The Council had the option to accept the initial tenders or to carry out the negotiation stage and then proceed to final tenders.
- 6.5 Competitive Dialogue would have matched the Competitive Procedure with Negotiation but the dialogue stage would be mandatory with no option to accept initial tenders.

## **7 Conclusion**

- 7.1 This wording has been deleted – please see Part Two Report.



## 8 Appendices

8.1 Appendix A – Equalities Impact Assessment

8.2 Appendix B – Data Protection Impact Assessment

8.3 Appendix C – Timetables operated under the current contract by Newbury & District.

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### 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 Scrutiny Commission or associated Committees, Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

**Wards affected:** The Bus Services that would be secured by the award of contract operate in the following wards:

- Chieveley & Cold Ash
- Downlands
- Hungerford & Kintbury
- Lambourn
- Newbury Speen / Greenham / Wash Common
- Ridgeway

### Officer details:

Name: Matthew Metcalfe  
Job Title: Senior Transport Officer, Transport and Countryside  
Tel No: 01635 519663  
E-mail: [matthew.metcalfe@westberks.gov.uk](mailto:matthew.metcalfe@westberks.gov.uk)

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## Appendix A

### Equality Impact Assessment (EqIA) - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
  - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;*
    - (ii) 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;**
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.*
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.*

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<b>What is the proposed decision that you are asking the Executive to make:</b>	This wording has been deleted – please see Part Two Report for this wording.
<b>Summary of relevant legislation:</b>	See section 5 above outlining the tender process we have followed.
<b>Does the proposed decision conflict with any of the Council’s priorities for improvement?</b> <ul style="list-style-type: none"> <li>• Ensure our vulnerable children and adults achieve better outcomes</li> <li>• Support everyone to reach their full potential</li> <li>• Support businesses to start develop and thrive in West Berkshire</li> <li>• Develop local infrastructure including housing to support and grow the local economy Maintain a green district</li> <li>• Ensure sustainable services through innovation and partnerships</li> </ul>	<input type="checkbox"/> <b>No</b> <b>If yes, please indicate which priority and provide an explanation</b>
<b>Name of Budget Holder:</b>	Emma Jameson
<b>Name of Service/Directorate:</b>	Transport and Countryside / Place
<b>Name of assessor:</b>	Matthew Metcalfe
<b>Date of assessment:</b>	31/10/2023
<b>Version and release date (if applicable):</b>	1

Is this a .... ?		Is this policy, strategy, function or service ... ?	
<b>Policy</b>	<b>No</b>	<b>New or proposed</b>	<b>No</b>
<b>Strategy</b>	<b>No</b>	<b>Already exists and is being reviewed</b>	<b>Yes (The existing services have been re-tendered)</b>
<b>Function</b>	<b>No</b>	<b>Is changing</b>	<b>No</b>
<b>Service</b>	<b>Yes (Contracted bus services)</b>		

**(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?**

**Part One: Contract Award for the Provision of Bus Service Network Contract**

<b>Aims:</b>	To ensure continuation of existing contracted bus services (The current Newbury & District 2, 3, 4, 6, 8 and 9 services) by the winning bidder.
<b>Objectives:</b>	That these socially necessary bus services continue. If the contract is not awarded there is a real danger these bus services would all be lost because they are not commercially viable and so market forces would not secure their provision.
<b>Outcomes:</b>	<p>These bus services continue so the public can continue to have access by bus to essential retail, educational, social, medical and recreational services. These are the only local bus services in many villages in the district including Compton, East and West Ilsley, Great Shefford, Hampstead Norreys and Hamstead Marshall, Inkpen, Kintbury, Lambourn, Racecourse Estate, Speen, Stockcross and Wash Common.</p> <p>In Q2 of the current financial year, 53,614 passenger journeys were made on the contracted network of services (Newbury &amp; District's 2, 3, 4, 6, 8 &amp; 9 services).</p>
<b>Benefits:</b>	<p>The benefits of maintaining these bus services are manifold and include:</p> <ul style="list-style-type: none"> <li>• Improved air quality through the reduction of pollution, especially from single occupancy cars.</li> <li>• Reduced congestion on our roads through transfer of car journeys to the bus. This results in more efficient use of road space.</li> <li>• Opportunities of our residents, especially in the rural areas, to access, job and educational opportunities and medical and leisure activities.</li> <li>• Improved health outcomes through reduced vehicle pollution and social isolation.</li> </ul> <p>The improved access to job, educational, leisure and cultural opportunities within the district would underpin the economic sustainability of these bus services.</p>

**(2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?**

*(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation)*

<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>
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<p>Age</p>	<p>Positive</p>	<p>People of all ages use bus services.</p> <p>Lack of public transport contributes to social exclusion, reduced life opportunities and loneliness.</p> <p>Older people are generally more reliant on public transport to access essential services and facilities than those of working age. Older people also tend to require greater access to health services. This can be particularly problematic in remote rural areas where there is limited or no public transport.</p> <p>Young people are also often reliant on public transport to access education, employment, and training opportunities, as well as for social and leisure activities. The barriers for mobility for young people include cost and availability of public transport, especially in rural areas.</p>
<p>Disability</p>	<p>Positive</p>	<p>Disabled people who have the National Off Peak Bus Pass can use their pass for free travel (within specified time limits) on the bus services secured under this award of contract. Without these services they would have to pay for other means of transport or become reliant on others for lifts.</p> <p>Both national and local data acknowledges that transport issues have a significant impact on the lives of people with disabilities. Disabled people tend to travel and drive</p>

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		cars less often than the rest of the population.
Gender Reassignment	Positive	The bus services secured by this award of contract would be expected to have a positive impact on all sections of society.
Marriage and Civil Partnership	Positive	The bus services secured by this award of contract would be expected to have a positive impact on all sections of society.
Pregnancy and Maternity	Positive	The bus services secured by this award of contract would be expected to have a positive impact on all sections of society. Improved access to medical & health centres may be particularly beneficial.
Race	Positive	The bus services secured by this award of contract would be expected to have a positive impact on all sections of society.
Religion or Belief	Positive	The bus services secured by this award of contract would hopefully make it easier to get to and from your place of worship.
Sex	Positive	Evidence from national surveys indicates that women in general have less access to cars than men and are more likely to use public transport. Women would therefore hopefully welcome the continuation of the bus services secured by the award of this local bus contract.  All sexes would be expected to benefit from the

**Part One: Contract Award for the Provision of Bus Service Network Contract**

		continuation of the bus services in this contract.
Sexual Orientation	Positive	The bus services secured by this award of contract would be expected to have a positive impact on all sections of society.
<b>Further Comments:</b>		
There are no known negative effects to any groups of people listed above arising from the continuation of the bus services secured under the award of this contract.		

<b>(3) Result</b>	
<b>Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?</b>	<b>No</b>
The bus services secured by the award of contract are available to the public in the areas they service. The buses have low floor access and space for a wheelchair passenger.	
<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	<b>No</b>
As outlined above, it is expected that improved bus services in the district would have positive direct or indirect impacts on all residents of the district.	

**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 EqlA 2.**

**If an EqlA 2 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 EqlA guidance and template – <http://intranet/index.aspx?articleid=32255>.**

<b>(4) Identify next steps as appropriate:</b>	
<b>EqlA Stage 2 required</b>	<b>No x</b>
<b>Owner of EqlA Stage Two:</b>	
<b>Timescale for EqlA Stage Two:</b>	

**Name:**

**Date:**

**Please now forward this completed form to Pamela Voss, Equality and Diversity Officer (pamela.voss@westberks.gov.uk), for publication on the WBC website.**

## Appendix B

### 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](mailto:dp@westberks.gov.uk)

Directorate:	Place
Service:	Transport and Countryside
Team:	Transport Services
Lead Officer:	Matthew Metcalfe
Title of Project/System:	Bus Service Network Contract
Date of Assessment:	31/10/2023

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

	Yes	No
<p><b>Will you be processing SENSITIVE or “special category” personal data?</b></p> <p><i>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”</i></p>	<input type="checkbox"/>	<b>x</b>
<p><b>Will you be processing data on a large scale?</b></p> <p><i>Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both</i></p>	<input type="checkbox"/>	<b>x</b>
<p><b>Will your project or system have a “social media” dimension?</b></p> <p><i>Note – will it have an interactive element which allows users to communicate directly with one another?</i></p>	<input type="checkbox"/>	<b>x</b>
<p><b>Will any decisions be automated?</b></p> <p><i>Note – does your system or 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?</i></p>	<input type="checkbox"/>	<b>x</b>



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	Yes	No
Will your project/system involve CCTV or monitoring of an area accessible to the public? <b>(Buses will be equipped with CCTV)</b>	x	<input type="checkbox"/>
Will you be using the data you collect to match or cross-reference against another existing set of data?	<input type="checkbox"/>	x
Will you be using any novel, or technologically advanced systems or processes? <b>(Tap on Tap off ticket technology will be introduced on the contracted bus services)</b>	x	<input type="checkbox"/>
<p>Note – this could include biometrics, “internet of things” connectivity or anything that is currently not widely utilised</p>		

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.

CCTV is now a standard appliance in buses throughout the country. It is used for crime prevention, the drivers and passengers’ protection and to help settle insurance claims. The remainder of this paragraph has been deleted – please see Part Two Report for this wording.

Tap on Tap off (TOTO) involves tapping your contactless bank card or mobile device on the ticket reader. The remainder of this paragraph has been deleted – please see Part Two Report for this wording.

# Appendix C

## Timetables operated under the current contract by Newbury & District

NEWBURY THE WHARF - WASH COMMON - TESCO, THE TRIANGLE - PIGEON'S FARM via Enborne Road, Valley Road, Monk's Lane											Connect SERVICE <b>2</b>	
MONDAYS - FRIDAYS												
SERVICE No.	8*	6*	2C Sch	2 NSch	2	2	2	2	2	2		
<b>NEWBURY The Wharf</b>	0730	0806	0820	0825	0900	1500	1620	1720	1740	1830		
Enborne Rd, St Barts School	.....	.....	<b>C</b>	<b>C</b>	0906	1506	1626	1726	1746	1836		
Kingsbridge Road	.....	.....	.....	.....	0907	1507	1627	1728	1747	1838		
Valley Road, Middle Close	.....	.....	.....	.....	0910	1510	1630	1731	1750	1841		
Elizabeth Avenue Top	.....	.....	.....	.....	0911	1511	1631	1732	1751	1842		
Newbury College	0751	0818	0828	.....	.....	.....	.....	.....	.....	.....		
Park House School, Monks Lane	0752	0821	0831	0836	.....	.....	.....	.....	.....	.....		
<b>WASH COMMON, Villiers Way</b>	0755	0823	0834	0840	0913	1513	1633	1734	1753	1844		
Holborne Close	.....	0825	0836	0842	0915	1515	1635	1736	1755	1846		
Glendale Avenue	0758	.....	.....	.....	0915	1515	1635	1736	<b>A</b>	1846		
Villiers Way	.....	.....	.....	.....	0916	1516	1636	1737	.....	1847		
Falkland Memorial, Essex Street	.....	(0822)	.....	.....	0919	1519	1639	1740	.....	1849		
Monks Lane Surgery	(0752)	(0821)	(0830)	(0836)	0920	1520	1640	1741	.....	1850		
<b>TESCO The Triangle</b>	(0749)	(0818)	.....	(0833)	0923	1523	1643	1744	.....	1853		
Pigeons Farm, Water Tower	(0742)	.....	.....	.....	0926	1526	1646	1747	.....	.....		
<b>PIGEONS FARM, Greyberry Copse West</b>	(0744)	.....	.....	.....	0928	1528	1648	1749	.....	.....		

MONDAYS - FRIDAYS													
SERVICE No.	2	2	8	2	2	2	2	2	2	2a	2	2a	2
<b>PIGEONS FARM, Greyberry Copse West</b>	.....	.....	0744	.....	.....	.....	0930	1430	1531	1531	1650	.....	1750
Greenham, <b>TESCO The Triangle</b>	.....	.....	0749	.....	.....	.....	0930	1433	1534	1534	1653	.....	1753
Newbury College	.....	.....	0750	.....	.....	.....	0935	1435	1536	1536	1655	.....	1755
Monks Lane Surgery	.....	.....	0751	.....	.....	.....	0937	1437	1538	1539	1657	.....	1757
Park House School, Monks Lane	.....	.....	0752	.....	.....	.....	0938	1437	1538	1540	1657	.....	1757
Falkland Memorial, Essex Street	.....	.....	.....	.....	.....	.....	0938	1438	1539	<b>A</b>	1658	.....	1758
<b>WASH COMMON, Villiers Way</b>	.....	.....	0755	.....	.....	.....	0941	1440	1541	.....	1700	.....	1800
Holborne Close	0629	0709	0757	0759	0829	0859	0943	1442	1543	.....	1702	1755	1802
Glendale Avenue	0629	0709	0758	0759	0829	0859	0943	1442	1543	.....	1702	1755	1802
Wash Common, Villiers Way	0630	0710	.....	0800	0830	0900	0944	1443	1544	.....	1703	<b>A</b>	1803
Elizabeth Avenue Top	0632	0712	.....	0803	0833	0903	0947	1445	1546	.....	1705	.....	1804
Middle Close	0632	0712	.....	0804	0834	0903	0947	1445	1546	.....	1705	.....	1805
Kingsbridge Road	0635	0715	.....	0807	0837	0906	0950	1448	1549	.....	1708	.....	1808
Enborne Road, St Barts School	0637	0717	.....	0809	0839	0907	0951	1449	1550	.....	1709	.....	1809
<b>NEWBURY The Wharf</b>	0642	0722	.....	0817	0847	0914	0958	1455	1556	1549	1715	1805+	1815




  

<p><b>Notes:</b></p> <p> - Rail station nearby</p> <p><b>A</b> - Continues to/from Newbury via the Andover Road</p> <p><b>C</b> - Continues via Newtown Road</p> <p><b>R</b> - Continues to The Wharf if requested by passengers</p>	<p><b>Sch</b> - Schooldays only</p> <p><b>NSch</b> - Operates on Non Schooldays</p> <p>* - Service 6 departs from Bay H and Service 8 from Bay C</p> <p>+ - Time at Newbury Rail Station</p> <p><b>N</b> - Continues to Pigeons Farm and Newbury as Service 8</p>	<p>This service is operated under contract to West Berkshire Council</p>		<p>No service on Sundays or Public Holidays</p> <p>Service operated by</p>
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**LAMBOURN - NEWBURY**  
via East Garston - Boxford -  
Stockcross - Speen

SERVICE No. Notes	MONDAYS-SATURDAYS								
	4b NS	4c	4b	4	4	4	4	4a	4c
LAMBOURN, Market Square, War Memorial	.....	0722	.....	0940	1131	1331	1516	1652+	1831
Lambourn Woodlands, The Hare PH	.....	.....	.....	.....	.....	.....	.....	1657	.....
Eastbury, The Plough PH	.....	0730	.....	0952	1143	1343	1528	.....	1843
East Garston, Queens Arms PH	.....	0736	.....	0957	1148	1348	1533	.....	1847
Great Shefford, The Swan PH	.....	0739	.....	1000	1151	1351	1536	.....	1850
Weston House	.....	.....	.....	1004	1155	1355	1540	.....	.....
Welford, Welford Park	.....	.....	.....	1006	1157	1357	1542	.....	.....
Wickham Crossroads (Tel box)	.....	0746	.....	.....	.....	.....	.....	1707	1857
Boxford, The Bell PH	.....	.....	.....	1009	1200	1400	1545	.....	.....
Wickham Heath, Coomesbury Lane	.....	0748	.....	1012	1203	1403	1548	1709	1859
Stockcross, Post Office	.....	0751	.....	1015	1205	1407	1551	1712	1902
Speen, The Sydings	0719	0755	0928	1019	1210	1410	1555	via A4 thru Speen	1906
Speen, Sutton Road	0721	0756	0930	1020	1211	1411	1556	.....	1907
Old Bath Rd, Leys Gardens	0725	0800	0934	1023	1214	1414	1559	1717	1909
Newbury, Park Way [Q]	0728	0803	0937	1026	1217	1417	1602	1720	1912
Newbury, Wharf Road [H]	0729	0804	0939	1027	1218	1418	1603	1721	1913
NEWBURY Station	.....	0813S	0943	1032	1223	1423	.....	1726	1917R
The Oaks	.....	0811	.....	.....	.....	.....	.....	.....	.....
Newbury College	.....	0813	.....	.....	.....	.....	.....	.....	.....
Park House School, Monks Ln	.....	0816	.....	.....	.....	.....	.....	.....	.....

**Notes:**  
 - Rail station nearby  
 - Continues to Rail Station on Non School / College days and Saturdays  
 - Continues to Park House School and Newbury College when they are in session  
+ - This journey departs from Lambourn, Market Square, other side of road from War Memorial  
**NS** - Not Saturdays  
**S** - Saturday service arrives 5 mins earlier at Railway Station.  
**J** - From Bay J not Bay C  
**R** - Continues to the station if requested by passengers

**NEWBURY - LAMBOURN**  
via Speen - Stockcross -  
Boxford - East Garston

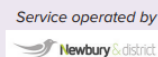


SERVICE No. Notes	MONDAYS-SATURDAYS								
	4a NS	4b	4	4b	4	4	4	4	4
NEWBURY Station [T]	.....	.....	.....	.....	1037	1237	1423	.....	1737
Newbury Wharf [C]	0645	0713J	0855	0920	1045	1245	1430	1610	1745
Newbury, Park Way [P]	0647	0715	0857	0922	1047	1247	1432	1612	1747
Leys Gardens	0648	0716	0859	0924	1049	1249	1434	1614	1749
Speen, Sutton Road	.....	0721	0903	0931	1053	1253	1438	1618	1753
Speen, The Sydings	.....	0719	0904	0929	1054	1254	1439	1619	1754
Stockcross, Post Office	0654	.....	0908	.....	1058	1258	1443	1623	1758
Wickham Heath, Coomesbury Lane	0655	.....	0910	.....	1100	1300	1445	1625	1800
Boxford, The Bell PH	.....	.....	0914	.....	1104	1304	1449	1629	1804
Wickham Crossroads, (opp Tel box)	0659	.....	.....	.....	.....	.....	.....	.....	.....
Welford, Welford Park	.....	.....	0917	.....	1107	1307	1452	1632	1807
Weston, Village Centre layby	.....	.....	0919	.....	1109	1309	1454	1634	1809
Great Shefford, The Swan PH	.....	.....	0923	.....	1113	1313	1458	1638	1813
East Garston, Queens Arms PH	.....	.....	0926	.....	1116	1316	1501	1641	1816
Eastbury, The Plough PH	.....	.....	0930	.....	1120	1320	1505	1645	1820
Lambourn Woodlands, The Hare PH	0709	.....	.....	.....	.....	.....	.....	.....	.....
LAMBOURN, Market Square	0714	.....	0936	.....	1126	1326	1511	1651	1826

4 - Via Boxford  
4a - Via B4000  
4b - Newbury to Speen  
4c - Via Great Shefford & B4000

No service on Sundays or Public Holidays

This service is operated under contract to West Berkshire Council



# NEWBURY THE WHARF - SHAW - HERMITAGE - HAMPSTEAD NORREYS - COMPTON - THE ILSLEYS

**Connect**  
SERVICE



MONDAYS - SATURDAYS							
SERVICE No.	6a	6a	6	6	6	6	6
<b>NEWBURY Station [T]</b>	.....	0842	1022	1222	1422	.....	1807
<b>Newbury The Wharf [D]</b>	0650	0850	1030	1230	1430	1615	1815
Newbury - Park Way [P]	0652	0852	1032	1232	1432	1617	1817
Donnington, The Castle Inn	0656	0856	.....	.....	.....	.....	.....
Shaw Cemetery	.....	.....	1039	1239	1439	1624	1823
Chieveley, East Lane	0706	0906	.....	.....	.....	.....	.....
Beedon, Coach PH	0710	0910	.....	.....	.....	.....	.....
Hermitage Post Office	.....	.....	1048	1248	1448	1633	1831
Hampstead Norreys, Water Street	.....	.....	1056	1256	1456	1641	1839
Compton, High St, opp The Swan	.....	.....	1104	1304	1504	1649	1846
East Ilsley, Broad Street	.....	.....	1109	1309	1509	1654	1851
<b>WEST ILSLEY, The Harrow PH</b>	0720	0920	1114	1314	1514	1659	.....

MONDAYS - SATURDAYS							
SERVICE No.	6	6	6	6	6	6	6a
NOTES	S	S	S	S	S	S	S
<b>WEST ILSLEY, The Harrow PH</b>	0722	0722	0930	1116	1316	1516	1701
East Ilsley, Broad Street	0727	0729	0937	1123	1323	1523	1707
Compton, The Swan	0732	0734	0942	1128	1328	1528	.....
Hampstead Norreys, Water Street	0742	0741	0949	1135	1335	1535	.....
Hermitage Post Office	0750	0748	0956	1142	1342	1542	.....
Beedon, Coach & Horses	.....	.....	.....	.....	.....	.....	1712
Chieveley, East Lane	.....	.....	.....	.....	.....	.....	1719
Donnington, The Castle Inn	.....	.....	.....	.....	.....	.....	1728
Shaw Cemetery	0800	0755	1003	1149	1349	1549	1909
Newbury, Park Way [Q]	0805	0801	1009	1155	1355	1555	1733
Newbury The Wharf [H]	0808	0802	1010	1156	1356	1556	1735
Newbury Station	.....	.....	1015	1201	1401	.....	1917
The Oaks	0814	0808	.....	.....	.....	.....	.....
<b>NEWBURY College</b>	0817	.....	.....	.....	.....	.....	.....
Tesco The Triangle	0817	0811	.....	.....	.....	.....	.....
Park House School, Monk's Lane	0820	0814	.....	.....	.....	.....	.....
Wash Common, Glendale Avenue	0825	0819	.....	.....	.....	.....	.....

No service on Sundays or Public Holidays. For additional journeys between Chieveley and Newbury, see Service 5c. Tickets are inter-available.

**Notes:**

- Served when the College is in session
- Served when the College is not in session
- Rail station nearby
- R** - Continues to the Rail Station if requested by passengers
- S** - Saturdays only



These services are operated under contract to West Berkshire Council



Service operated by



**NEWBURY THE WHARF - GREENHAM -  
TESCO THE TRIANGLE**  
via Racecourse Road - The Nightingales -  
Pigeon's Farm

**Connect**  
**SERVICE 8**


**SERVICE 2**

SERVICE No.	MONDAYS - FRIDAYS									SATURDAYS					
	8	8	8	8	8	8	8	2	8	8	8	2			
<b>NEWBURY The Wharf (C)</b>	0729	0730	0940		1340	1550	1640	1740	1830	0740	0840	then at	1740	1830	
Chapel Corner	0731	0732	0942	then at same mins. past each hour until	1342	1553	1643	1743	.....	0742	0842	at	1742	.....	
Stroud Green, The Plough PH	0732	.....	.....		.....	.....	.....	.....	.....	.....	.....	.....	same mins. past	.....	.....
Stroud Green, Racecourse Road	.....	0734	0944		1344	1555	1645	1745	.....	0745	0844	each	1744	.....	
Westwood Road, Porter End	.....	0737	0947		1347	1557	1647	1747	.....	0747	0847	hour	1747	.....	
Greenham, The Nightingales	0734	0738	0948		1348	1558	1648	1748	.....	0748	0848	until	1748	.....	
Greenham Road, Water Lane	.....	0741	0950	1350	1601	1650	1750	.....	0750	0850		1750	.....		
<b>TESCO, The Triangle</b>	.....	0748	0953	1353	1605	1653	1753	1853	0756	0853		1753	1853		
Pigeon's Farm, Greyberry Copse Road	.....	(0745)	1000	1400	.....	1700	1800	1857	(0753)	0900		1757	1857		
Park House School, Monk's Lane	.....	0751													
Wash Common, Villiers Way	.....	0754													
Wash Common, Glendale Avenue	.....	0757													

SERVICE No.	MONDAYS - FRIDAYS								SATURDAYS			
	8	8	8	8	8	8	8	8	8	8	8	
<b>TESCO, The Triangle</b>	.....	0845	0954	then at same mins. past each hour until	1354	1654	1754	1853	0757	0854	then at	1853
Pigeon's Farm, Greyberry Copse Road	.....	0850	1000		1400	1659	1759	1857	0802	0900	at	1857
Greenham Road, opp Water Lane	.....	0852	1001		1401	1700	1800	1858	0803	0901	same mins. past	1858
Greenham, The Nightingales	0735	0854	1003		1403	1702	1802	1900	0805	0903	each	1900
Westwood Road, Porter End	0737	0856	1005		1405	1704	1804	1902	0806	0905	hour	1902
Stroud Green, Racecourse Road	0740	0859	1008	1408	1707	1807	1905	0809	0908	until	1905	
Chapel Corner	0741	0900	1009	1409	1708	1807	1905	0810	0909		1905	
Newbury, Cheap Street [N]	0743	0902	1011	1411	1710	1810	1908	0812	0911		1908	
<b>NEWBURY The Wharf</b>	0745	0904	1013	1413	1712	1811	1909	0814	0913		1909	


For other journeys to Greenham and Tesco's see Service 103.  
For other journeys serving Pigeon's Farm see Kennections Service 2.  
Tickets are inter-available.

No service on Sundays or Public Holidays

**Notes:**  
 - Rail station nearby  
**N** - Continues to Newbury as Service 8, 1853 to Newbury

This service is operated under contract to West Berkshire Council



Service operated by  
 Newbury & District

Part One: Contract Award for the Provision of Bus Service Network Contract

**RACECOURSE DEVELOPMENT - NEWBURY TOWN CENTRE**

**9b** Racecourse Development - Greenham (The Nightingales) and Tesco, The Triangle



**9c** Newbury - Tesco, The Triangle - The Nightingales - Racecourse Greenham (The Nightingales)

SERVICE No.	MONDAYS - FRIDAYS												SATURDAYS			
	9	9	9b	9	9	9	9	9	9c	9	9	9	9	9	9	9
Fetlock Drive	.....	0758	0825	0925	1025	1125	1225	1325	1450	1527	1628	1725	1825	.....	0825	1825
<b>THE RACECOURSE, Grandstand</b> ➡	0705	0800	0827	0927	1027	1127	1227	1327	1452	1529	1630	1727	1827	0726	0827	1826
The Racecourse, Rondetto Avenue	0706	0801	0829	0928	1028	1128	1228	1328	1453	1530	1631	1728	1828	0727	0828	1827
Stroud Green, Racecourse Road	0708	0803	.....	0930	1030	1130	1230	1330	1455	1532	1633	1730	1830	0729	0830	1830
Chapel Corner	0709	0804	.....	0931	1031	1131	1231	1331	1456	1533	1634	1731	1831	0729	0830	1830
Cheap Street [N] ➡	0711	0806	.....	0936	1032	1132	1232	1332	1457	1534	1635	1732	1832	0732	0833	1833
<b>NEWBURY The Wharf</b>	0712	0808	.....	0938	1033	1133	1233	1333	1459	1535	1636	1734	1833	0733	0834	1834
Westwood Road, Porter End	.....	.....	0836	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Greenham, The Nightingales	.....	.....	0837	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Greenham Road, Water Lane	.....	.....	0840	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
<b>TESCO, The Triangle</b>	.....	.....	0843	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....

then at same mins. past each hour until

SERVICE No.	MONDAYS - FRIDAYS												SATURDAYS			
	9	9	9	9	9	9	9	9	9c	9	9	9	9	9	9	
<b>NEWBURY The Wharf [C]</b>	.....	.....	.....	.....	.....	.....	.....	.....	1503	.....	.....	.....	.....	.....	.....	.....
Tesco, The Triangle	.....	.....	.....	.....	.....	.....	.....	.....	1508	1605	.....	.....	.....	.....	.....	.....
Pigeon's Farm, Greyberry Copse	.....	.....	.....	.....	.....	.....	.....	.....	1513	.....	.....	.....	.....	.....	.....	.....
Greenham, The Nightingales	.....	.....	.....	.....	.....	.....	.....	.....	1516	.....	.....	.....	.....	.....	.....	.....
Westwood Road, Porter End	.....	.....	.....	.....	.....	.....	.....	.....	1519	.....	.....	.....	.....	.....	.....	.....
<b>Newbury The Wharf [C]</b>	0750	0815	0915	1015	1115	1215	1315	1440	.....	1611	1715	1815	0815	.....	1815	.....
Chapel Corner	0752	0817	0917	1017	1117	1217	1317	1442	.....	1613	1718	1818	0817	.....	1817	.....
Stroud Green, Racecourse Road	0754	0819	0919	1019	1119	1219	1319	1444	.....	1615	1720	1820	0819	.....	1819	.....
The Racecourse, Rondetto Avenue	0754	0820	0920	1020	1120	1220	1320	1445	1521	1615	1720	1820	0820	.....	1820	.....
<b>THE RACECOURSE, Grandstand</b> ➡	0756	0822	0922	1022	1122	1222	1322	1447	1524	1616	1722	1822	0822	.....	1822	.....
Fetlock Drive	0758	0825	0925	1025	1125	1225	1325	1450	1527	1619	1725	1825	0825	.....	1825	.....

then at same mins. past each hour until

No service on Sundays or Public Holidays

This service is operated under contract to West Berkshire Council



Service operated by



Page 43



Notes:  
➡ - Rail station nearby

Page 42

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# Rural England Prosperity Fund Business Grant Scheme

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<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 December 2023
<b>Portfolio Member:</b>	Councillor Martin Colston
<b>Date Portfolio Member agreed report:</b>	18 September 2023
<b>Report Author:</b>	Sam Robins and Daniel Phelan
<b>Forward Plan Ref:</b>	EX4467

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## 1 Purpose of the Report

- 1.1 This report puts forward a proposal on how to design and administer the rural business grant scheme which forms the main part of West Berkshire's Rural England Prosperity Fund investment plan. The scheme is aimed at promoting diversification and stimulating growth in small rural businesses.
- 1.2 The Council's investment plan for the Rural England Prosperity Fund, submitted to Government in November 2022, allocated £297,994 to undertaking a capital grant scheme for micro and small businesses in rural areas; nearly half of the total £597,994 fund. This report outlines the scheme's intervention guidance, proposed scheme options, grant values, eligibility criteria, and scoring process.

### Acronyms

- UKSPF – UK Shared Prosperity Fund (national 'levelling up' funding scheme)
- REPF – Rural England Prosperity Fund (addendum to the UKSPF for rural Councils)

## 2 Recommendation

- 2.1 That the proposals for the design of the business grant scheme which are set out in Section 6 are approved; and that the scheme is launched in line with the delivery programme set out in paragraph 6.22.
- 2.2 If approved by Executive, then the scheme will be launched immediately.

### 3 Implications and Impact Assessment

Implication	Commentary
<p><b>Financial:</b></p>	<p>The business grant scheme will have a total value of <b>£297,994</b>, which is ring-fenced grant funding that has been provided by the Department for Environment, Agriculture and Rural Affairs (DEFRA) under the Rural England Prosperity Fund (REPF). The investment plan that was submitted to Government in November 2022 allocated <b>£297,994</b> of the total <b>£597,994</b> of funding to a business grant scheme.</p> <p>Any REPF funding that is not spent on eligible projects or distributed as grants by March 2025 will need to be returned to central government.</p> <p>The funding has been provided upfront and therefore there are no direct financial implications upon the Council, other than officer time required to administer the scheme.</p> <p>The UKSPF, which is the wider ‘umbrella’ fund that the REPF falls under, allows the Council to utilise up to £60,000 of the fund for administration up until March 2025 – a separate proposal will be put forward through the financial review panel to utilise this money to resource the schemes.</p>
<p><b>Human Resource:</b></p>	<p>The scheme will be delivered primarily by the Economic Development Team. Support will also be needed at certain intervals from the Communications Team and finance team to support with making payments.</p>
<p><b>Legal:</b></p>	<p>The Rural England Prosperity Fund (REPF) falls under the wider UK Shared Prosperity Fund (UKSPF) scheme and therefore consideration has been given to the UKSPF guidance and funding requirements when designing this scheme.</p> <p>Subsidy Control Act 2022 is one important area of consideration and all applicants to this scheme will need to demonstrate (through a declaration) that they are below the Subsidy Control grant threshold.</p> <p>All UKSPF / REPF schemes need to conform with the Council’s Procurement regulations where works are procured. The schemes also allow for grants to be distributed at the Council’s discretion (with a preference for competitive schemes – which this will be).</p>

<b>Risk Management:</b>	<p>Two key risks identified are fraud and underspend of grant funding.</p> <p>There is a potential risk of underspend in the 2023/24 financial year. However, DEFRA have stated that they will allow for a carry-over provided the majority of funds have been issued.</p> <p>Mitigating the risk of fraud is a high priority when providing grants using public money. The risk will be mitigated through cross checking various applicant details and including control / claw back rules in the application form.</p>			
<b>Property:</b>	There are no property related issues.			
<b>Policy:</b>	<p>The scheme will contribute towards the Council Strategy (2019-23) objectives of:</p> <ul style="list-style-type: none"> <li>- Priority 3 - Support businesses to start, develop and thrive in West Berkshire</li> <li>- Priority 4 - Develop local infrastructure, including housing, to support and grow the local economy</li> </ul> <p>The scheme aligns with the council's current <a href="#">Core Policy CS10: Rural Economy</a> which encourages proposals to diversify the rural economy, provide jobs, and maintain the vitality of rural settlements.</p> <p>West Berkshire's emerging Local Plan Review also provides policy support for the scheme through Policy DM36: Farm Diversification, and Policy DM35: Sustaining a Prosperous Rural Economy.</p> <p>The scheme is also aligned with the <a href="#">Economic Development Strategy</a>, which identifies the Council's aim to improve the resilience of the rural economy by encouraging rural businesses to diversify in order to improve their income potential and safeguard rural employment.</p>			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>		X		

## Rural England Prosperity Fund Business Grant Scheme

<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		The scheme aims to award funding to businesses based on their proposals for rural diversification. As such, the scheme should not have any negative effect on protected groups.
<b>Environmental Impact:</b>	X			The scheme aims to provide capital grant funding for small scale investment in micro and small enterprises in rural areas, which could include net zero infrastructure.
<b>Health Impact:</b>		X		
<b>ICT Impact:</b>		X		
<b>Digital Services Impact:</b>		X		
<b>Council Strategy Priorities:</b>	X			The REPF Business Grant scheme aims to support the commitments West Berkshire Council has made to rural diversification and support for the equestrian industry, as highlighted in the Economic Development Strategy.
<b>Core Business:</b>		X		
<b>Data Impact:</b>		X		Information from application forms will need to be stored according to GDPR.

<p><b>Consultation and Engagement:</b></p>	<p>Officers have held conversations with the following organisation in the development of both the Rural Prosperity Fund Investment Plan, and in the design of the business grant scheme:</p> <ul style="list-style-type: none"> <li>- National Farmers Union</li> <li>- North Wessex Downs Area of Outstanding Natural Beauty</li> <li>- Department for Environment, Agriculture and Rural Affairs</li> <li>- Representatives of rural businesses in West Berkshire at our Rural Business Forum</li> </ul> <p>Further engagement will happen at the next Rural Business Forum in November 2023 and through webinars after the scheme launches.</p>
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## 4 Executive Summary

- 4.1 This report sets out a proposal for the design of a capital grant scheme for rural businesses in West Berkshire, including details around the goals, timeline, eligibility, and assessment process. This scheme is the main element of the Council’s investment plan for the [Rural England Prosperity Fund](#), and a key way of stimulating rural economic growth and diversification.
- 4.2 If the proposals for the scheme set out in section 6 are approved by Executive, then the scheme can be publicised and opened for applications right away, with an aim to begin providing grant funding to rural businesses in early 2024.

## 5 Background

- 5.1 West Berkshire Council has been allocated £597,994 of funding through the Rural England Prosperity Fund, and our investment plan for how to spend this locally was approved by Economic Development Board in November 2022. The plan included £297,994 of funding for a capital grant scheme for small rural businesses to stimulate growth and diversification. The remaining £300,000 was allocated to a village hall grant scheme and a project to extend the Eling cycle way.
- 5.2 Funding for the grant scheme is divided across two financial years with **£99,498** in 2023–2024 and **£198,495** in 2024–2025. The main constraint imposed by the funding profile is a failure to distribute the entirety of the £99,498 2023/24 allocation in year, will require a request to carry it forward. Although a carry-over request is very likely to be agreed.
- 5.3 The Rural England Prosperity Fund is part of the wider UK Shared Prosperity Fund – but designed and managed by the Department for Environment, Food and Rural Affairs

(DEFRA) in partnership with the Department for Levelling Up, Housing and Communities.

### Rural Prosperity Fund ‘interventions’

5.4 The Rural England Prosperity Fund sets out several pre-determined ‘interventions’ that act as project categories which all REPF projects must fall under. [Read more about the interventions here.](#)

5.5 The rural business grant scheme will fall under the pre-defined intervention 1.1:

***Capital grant funding for small scale investment in micro and small enterprises in rural areas.*** This includes capital funding for net zero infrastructure for rural businesses, and diversification of farm businesses outside of agriculture to encourage starting up, expanding or scaling those businesses where this involves converting farm buildings to other commercial or business uses

5.6 The REPF guidance provides examples of projects which DEFRA envisage as being eligible for a business grant, which are copied in italics below:

*Creation and expansion of rural leisure and tourism businesses. For example:*

- *Creating event venues or farm tourism facilities such as accommodation, Agritourism, wedding venues and leisure facilities.*
- *Provision of facilities for pet and equines such as kennels, livery and pet health venues. This could relate to the equestrian industry which is prevalent around Lambourn.*

*Purchase of equipment for food processing for non-farmer-owned businesses. For example:*

- *Purchasing new process and packaging machinery such as brewing equipment and onsite vending machines.*
- *Equipping development kitchens, or modernising existing kitchen equipment for increased energy efficiency or increased productivity through automation.*

*Diversification of land use. For example:*

- *Creation of small Office units on rural estates*
- *Rental (redeveloping barns and land to be rented out to other business and customers)*

5.7 Case studies for examples of rural diversification can be found on the REPF prospectus linked below (Sections 2.2-2.4)

<https://www.gov.uk/government/publications/rural-england-prosperity-fund-prospectus/rural-england-prosperity-fund-prospectus>

## 6 Proposal

6.1 The UKSPF guidance stipulates that grants must be awarded on a competitive basis. A transparent competitive process necessitates a scoring system, and it is proposed this

## Rural England Prosperity Fund Business Grant Scheme

is done by a panel including members, officers and potentially an impartial rural business representative.

- 6.2 The Economic Development Team have experience in delivering schemes of this kind. The Covid Additional Restrictions Grant (ARG) 'Challenge Fund' was designed in a similar way where businesses were invited to submit project proposals which were assessed competitively, and the highest scoring applications were awarded funding. Nearly £700,000 was awarded across 44 businesses in early 2021.
- 6.3 Paragraphs 6.4 to 6.22 below set out proposals for key elements of the scheme such as the main goals, eligibility details, grant values and delivery timeline.

### Application process

- 6.4 As with previous grant schemes an application pack will be published on the Council's website containing the detailed scheme guidance and eligibility criteria, along with an application form which must be filled in and returned to the Council along with supporting information. This will be publicised widely as set out in Appendix A, and applications may be submitted digitally or physically.
- 6.5 Applications should be for a capital project proposal that the applicant business will deliver, asking for a specific level of grant funding to undertake the project. Businesses will need to provide a business case for their project in their application form, including details around background, purpose, local impact, costs, and deliverability – along with supporting evidence such as quotes for the work and any match funding.

### Scheme Criteria

- 6.6 The scheme will prioritise high-value grants to maximise impact, and businesses will be evaluated based on predefined criteria related to job creation, product and industry diversification, revenue generation, employment space creation, and carbon neutrality. Additionally, businesses should demonstrate additionality and their contribution to creating new economic activity or markets in West Berkshire.

### Grant Values

- 6.7 It is proposed that a minimum and maximum threshold for grant values is set, from £10,000 to £40,000, and that businesses may bid for the specific amount required for their project proposal, within that range. This allows the scheme to offer flexibility, while ensuring that: A. officers are not overwhelmed with small scale applications, and B. that the fund is not taken up by a very small number of large grants.
- 6.8 The flexible banding approach may mean that a small amount of residual grant funding remains. However, this can be addressed by allocating any residual funding to part-fund applications, or re-allocate to another REPF scheme (village halls or Eling Cycle Way)

### Scheme goals and scoring Criteria

- 6.9 Applications will be assessed against a pre-defined criteria, where there is a score and weight assigned to different outputs we are looking for. Below is an example of potential criteria.

## Rural England Prosperity Fund Business Grant Scheme

- Full Time equivalent (FTE) Jobs created and safeguarded as a result of the project
- New products as a result of diversification
- Increased number of tourists visiting rural West Berkshire
- Industries diversified into
- New revenue streams generated as a result of the project
- Employment space created, measured in sq. ft
- Projects that make progress towards carbon neutrality
- Must demonstrate additionality – i.e. activity that would not occur if this grant was not provided.
- Creation of economic markets that are new to West Berkshire
- Applicants from target industries e.g. businesses currently in agricultural or equestrian looking to diversify.
- Match funding – encouraged but not required
- Deliverability – including a timeline and any risks to deliverability such as planning permission, and how these are being addressed

6.10 In order to assess the points above businesses will be asked to provide the following information in their application:

- Benefits to the local rural community (employment, employment space, potential rent gained, capacity for number of tourists per year etc.)
- A full breakdown of costs for the project they are proposing funding for. This would include quotes from suppliers to demonstrate value for money.
- A breakdown of value for money (what would the potential revenue over the next 5 years be compared to the costs)
- Outline of potential risks that the project may face if funding is granted (planning permission, underspend of grant money, etc.)
- Outline of the time frame the projects will be delivered in.
- Agreement to acknowledge WBC in all promotional activity of their scheme. (See Appendix A section 4).

6.11 Applications will be assessed for eligibility and sent on to the panel, where they will be scored against the criteria given above. Using a specified criteria will ensure decision-making is as fair and transparent as possible.

### Match funding

6.12 It is not proposed that match-funding be an essential requirement for this scheme, in order to ensure applications are received from the widest range of businesses possible. However, match funding will be encouraged, and a score will be awarded (in line with the other scored criteria) to businesses that contribute match funding when grant funding has a significant impact on unlocking their initiative.

### Eligible geographies

6.13 As this scheme is specifically aimed at rural SMEs, it is necessary to define which parts of West Berkshire count as 'rural' for the purposes of the scheme. DEFRA employs the ONS 2011-based Built-Up Area and Built-Up Area Sub-Division geographies as its categorization for determining urban and rural areas.



- 6.14 It is proposed the same urban/rural classification approach used by DEFRA is used for this scheme locally. This means that any projects to receive funding will need to lay in the areas of West Berkshire that DEFRA deems as 'rural' and not within the 'urban' areas. This will be set out in the accompanying scheme guidance which will include both a map of eligible areas and instructions on how to use the DEFRA interactive map so businesses can easily input the address of their proposal and be informed on their eligibility.
- 6.15 A flexible approach will be taken to the geographic eligibility to ensure businesses are not arbitrarily excluded, for example if a business is registered in an urban area but predominantly operates in rural areas and this is explained in their application.

### **Business / applicant eligibility**

- 6.16 It is proposed any type of rural business will be eligible to apply, not just those in 'traditional' rural industries such as agriculture.
- 6.17 DEFRA guidance states that REPF intervention 1.1 (business grants) is for micro to small businesses, which ONS defines as a business with fewer than 10 full-time employees. Therefore, applicant businesses will need to have fewer than 10 FTE and provide confirmation of this in their application. There is a risk that this will severely limit the number, or scope, of applications, so we will keep this under review and, if necessary, address it with DEFRA.
- 6.18 Businesses should have been trading since August 2020 in order to apply for the scheme. This represents businesses that are at least 2 years old and were trading prior to the announcement that funding had been secured for the scheme.
- 6.19 This will reduce two key risks: the first being fraud, and the second being the risk of giving funding to a young business that is at a high risk of going bust or failing, as around 40% of businesses fail within the first 3 years of trading (source: [Statista](#)).
- 6.20 An essential requirement of the REPF defined in the scheme guidance is that grant funding is not provided to businesses that have received funding from any of the following DEFRA schemes:
- [The farming in protected landscape programme](#)
  - [The farming investment fund](#),
  - [The platinum jubilee village hall improvement grant fund](#).
- 6.21 Businesses will need to declare in their application that they have not received double funding or other funding sources from DEFRA. Additionally, businesses will need to declare that they are below the Subsidy Control threshold, as set out in the [UKSPF guidance](#).

### **Delivery timeline**

- 6.22 It is proposed to run a rolling scheme where applications are accepted on an ongoing basis and aim to allocate a set amount of funding per month or support a set number of applications per month.

1. **December 2023:** launch scheme and communications campaign (including videos and other assets), opening for applications on an open-ended basis. The Rural Business Forum on 6<sup>th</sup> November was used to promote the scheme to rural business stakeholders.
2. **January 2024 - February 2024:** Review applications on a monthly or bi-weekly basis through a Member/Officer panel. Awarding funding each month to the highest scoring applicants. Any eligible applicants that don't receive funding will be rolled over to the following months and be assessed again against newer applications.
3. **Late March (end of year 1):** Review applications and any residual funding. Depending on the amount of funding remaining after the previous rounds, we can request a rollover to the 2024–2025 financial year. If there is too much funding remaining for a rollover, previous pipelined projects can be re-assessed and distribute the remaining funding to the highest-scoring applications.
4. Repeat this process every month into 2024/2025 fiscal year until all funding has been awarded. Increase the funding awarded per month to circa £25,000, giving 8 months to award all the funding.

### Planning considerations

6.23 It is likely that applications for projects that require planning permission will be submitted. The published scheme guidance will clearly indicate that the Council is **not** giving any kind of planning consent or 'approval' of the principle of the project if the applicant receives REPF funding. Schemes will need to show that they either have permission or have undertaken a pre-application to determine the likelihood of receiving permission.

## 7 Other options considered

- 7.1 There is a need to conform with the guidance of the UKSPF which dictates that the scheme should be competitive and support rural businesses along with giving broad priorities for outcomes, which can be [read in more detail here](#). However, the thresholds for eligibility, grant levels and detailed priorities of the scheme are at the discretion of the Council to determine. The proposals above are designed in the interest of impact, fairness, and deliverability.
- 7.2 An alternative delivery timeline was considered where two fixed-term windows would be offered for applications, where bids are scored competitively at the end of each window and payments made to the highest scoring bids. While this has the benefit of creating the most competitive environment for applications and therefore the greatest value for money, along with being relatively simple to administer; it had the major drawback of lacking flexibility and condensing the resource requirements into a short space of time.
- 7.3 Another option would be to not deliver a business grant scheme at all, instead repurpose the funding into another eligible rural capital project based on economic development. In order to do this West Berkshire's REPF investment plan would need to be substantially changed and a suitable alternative project found – which would need to be

deliverable in full by March 2025. When designing the original investment plan no such alternative project was found.

## 8 Conclusion

- 8.1 A business capital grant scheme is an excellent way of using the Rural England Prosperity Fund grant to leverage the greatest local impact possible from a limited amount of funding. This type of scheme allows the Council to stimulate economic growth across a range of locations and industries, along with attracting private match funding.
- 8.2 Proposals around the scoring and eligibility criteria of the scheme are driven by a need to conform with Government guidance, while other elements such as the goals, grant values, and match funding are meant to allow as wide a range of applications as possible while ensuring deliverability.
- 8.3 The recommendation set out in Section 2 will allow the scheme to be launched with an application pack and communications campaign release, including a scheduled webinar. The aim will be to distribute the entire £98,498 2023/24 funding allocation by the end of March 2024, followed by the £198,495 2024/25 funding allocation by the end of March 2025. Finally, a follow-up period with the successful businesses will monitor their use of the funding and the impact of the scheme.

## 9 Appendices

### 9.1 Appendix A – Business Engagement Plan

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#### 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 Scrutiny Commission or associated Committees, Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

#### Officer details:

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## Appendix A

### Business Engagement Plan for the REPF grant scheme

#### 1. Purpose of the Engagement Plan

This engagement plan provided an overview of how we will publicise the REPF rural business grant scheme and engage with potential applicants. The aim is to reach as many rural businesses as possible and received applications from a wide range of rural industries.

This is an indicative overview to use as a basis for the communications campaign, which will evolve and develop as the scheme progresses.

#### 2. Timeline for the Engagement Plan (assuming scheme proposals are approved)

December following Executive approval: Application pack and scheme guidance published on Council website, along with press release, video with Portfolio Holder, social media, newsletters, and promotion through partner channels, ward members and town and parish councils.

December onwards: Webinar, direct engagement with businesses through available online and physical forums (such as FSB). Ongoing regular communications campaign to keep the scheme in focus, throughout its lifetime.

#### 3. Main stakeholders

Economic Development Team, Comms team, National Farmers Union, North Wessex Downs Area of Outstanding Natural Beauty, Rural business representatives, Berkshire LEP, Newbury Weekly News, graphics team, Economy Portfolio Holder, ward members and town and parish councils.

#### 4. Promotional material to be produced

Webpage, copy of (newsletter, socials, and press release), graphics, copy for webinar, member video, presentation for webinar, webinar link, potential for physical flyers.

As a requirement of funding, we need to comply with the UKSPF promotional material outlined in [section 7.7](#). This includes the Levelling Up and Funded by Gov logos, along with straplines.

# Senior Management Restructure (Resources)

<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 December 2023
<b>Portfolio Member:</b>	Councillor Jeff Brooks
<b>Report Author:</b>	Joseph Holmes – Executive Director (Resources)
<b>Forward Plan Ref:</b>	EX4471

## 1 Purpose of the Report

- 1.1 This report sets out the implication for the Executive of the consultation proposals for the Resources Management team restructure. The Senior Management Restructure (SMR) 2019 report set out a variety of changes to the Council’s management structure. These have only been partially implemented in the Resources Directorate to date. During November and early December a consultation took place within the Resources directorate concerning future senior management arrangements on a similar basis to the SMR 2019 report.
- 1.2 The Resources Restructure 2023 will see the removal of three substantive Head of Service posts with the creation of a Service Director post; this is in line with the Senior Management Structure paper March 2019 that was approved by the then Executive and established the Service Director post. As a result of the restructure there is a potential redundancy for a postholder and the purpose of this report is to seek the authority to make a redundancy payment if necessary.

## 2 Recommendation

Executive are asked to authorise the potential redundancy payments detailed in the Part II Report.

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	The restructure consultation report highlights potential cost savings of £96k arising from the proposal which are proposed

**Senior Management Restructure (Resources)**

	<p>to be re-invested in the Directorate to provide resilience in line with the intent of the SMR 2019 report.</p> <p>There could be a potential redundancy arising from this consultation and these are detailed in the part II element of the report.</p>			
<b>Human Resource:</b>	<p>The HR implications, consultation and timescales have been discussed with HR (Service Lead) and HR Business partnering manager</p>			
<b>Legal:</b>	<p>There are no legal implications beyond those in respect of the Council's organisational change policies.</p>			
<b>Risk Management:</b>	<p>This report does reduce strategic capacity (one Service Director versus three heads of service) within the Resources Directorate, though with the proposals for Service Leads this does allow for greater resilience within service areas to balance this.</p>			
<b>Property:</b>	<p>None identified</p>			
<b>Policy:</b>	<p>None identified</p>			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>		x		
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		See Appendix A

**Senior Management Restructure (Resources)**

<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
<b>Environmental Impact:</b>		x		
<b>Health Impact:</b>		x		
<b>ICT Impact:</b>		x		
<b>Digital Services Impact:</b>		x		
<b>Council Strategy Priorities:</b>		x		
<b>Core Business:</b>	x			<p>This should provide benefits by ensuring the directorate and wider leadership team of the Resources Directorate is consolidated and established, allowing for much greater comparability with other parts of the Council.</p> <p>There is greater resilience, especially in finance, with the ability for the new Service Director post having the ability to act as the section 151 officer and removing the requirement for the Executive Director (Resources) to be the s151 officer.</p>
<b>Data Impact:</b>		x		
<b>Consultation and Engagement:</b>	<p>The consultation document was shared with the Resources directorate on the 16<sup>th</sup> November 2023 and any members of staff directly affected on the 15<sup>th</sup> November.</p> <p>Unison were briefed the week commencing the 13<sup>th</sup> November.</p> <p>Executive portfolio holders for this area have been briefed.</p>			

## 4 Executive Summary

- 4.1 The proposed new structure for the Resources Directorate would see the following changes:
- (a) The creation of a new department supported by the previously agreed Service Director post
  - (b) The removal of existing Heads of Service posts
  - (c) The movement of services beneath the two Service Director posts. The paper also sees the Service Director (Transformation) post becoming permanent on the basis of future transformational work that will be required.
  - (d) The establishment of Service Lead posts beneath the Service Directors
- 4.2 The purpose of the restructure is to improve the efficiency of the directorate by establishing clear management arrangements broadly in line with the original Senior Management Restructure paper. The rationale for its establishment is not repeated here in full, but further in the report is the link to the original report.
- 4.3 The completion of the structure will enable:
- (a) Greater alignment between complementary services to improve efficiency and service delivery
  - (b) A simpler senior management structure for internal customers to understand and clarify responsibility and accountability
  - (c) Financial savings as originally articulated within the SMR paper; these are being proposed to be reinvested within the respective departments. Recruitment timescales to any of these posts will mean that the redundancy costs contained within this report are consumed in under 12 months.
  - (d) Clarity within the Resources directorate on service lead posts

## 5 Supporting Information

### Introduction

- 5.1 The original SMR paper sets out the background to this paper. In summary, the senior management structure in the Resources area has remained partially implemented, with the Strategy & Governance department created in 2020. The other half of the directorate, including Finance & Property, ICT and Commissioning & Procurement has not been implemented. The Resources restructure seeks to complete the full restructure of the directorate.

### Background

- 5.2 The original Senior Management Restructure (SMR) report can be found at <https://decisionmaking.westberks.gov.uk/documents/s73551/8.%20Senior%20Manage>



## Senior Management Restructure (Resources)

[ment%20Arrangements%20from%20April%202019%20Summary%20post%20consultation.pdf](#)

5.3 Since the approval of the SMR report, the emergent implementation that was expected to take “2-3 years” has not occurred in full. This restructure proposes the completion of the structure in the Resources directorate. The 2019 report approved the replacement of the 13 Heads of Service posts with 7 Service Director posts across the Council. For the Resources directorate this was originally seen as a Service Director (Strategy and Governance) and a Service Director (Customer Services). There have been some changes to original constitution of those two roles per the table below between 2019 and 2023:

**Table 1.1: Resources Restructure 2019 v 2023**

	<b>Service Director (Strategy &amp; Governance)</b>	<b>Service Director (Customer Services)</b>
<b>2019</b> (neither Service Director posts were immediately established)	<ul style="list-style-type: none"> <li>• Legal</li> <li>• Strategic Support</li> <li>• HR</li> </ul>	<ul style="list-style-type: none"> <li>• Finance &amp; Property</li> <li>• ICT and customer services</li> <li>• Commissioning</li> </ul>
<b>2021 (Strategy &amp; Governance restructure)</b>	<ul style="list-style-type: none"> <li>• Legal and Democratic Services</li> <li>• HR</li> <li>• Customer, Engagement and Transformation</li> <li>• Audit</li> </ul>	
<b>2023</b>	<ul style="list-style-type: none"> <li>• Legal and Democratic Services</li> <li>• ICT</li> <li>• HR</li> <li>• Customer, Engagement and Transformation</li> </ul>	<ul style="list-style-type: none"> <li>• Finance &amp; Property</li> <li>• Commissioning &amp; Procurement</li> </ul>

5.4 There is a potential redundancy implication arising from the restructure if nothing changes from the consultation document. This would be at the level requiring Executive approval, and it is proposed (subject to consultation) that the Executive approve this payment.

## 6 Other options considered

6.1 As detailed in the consultation, including the 'do nothing' option.

## 7 Conclusion

7.1 For the Executive to approve the redundancy payment included in the report.

## 8 Appendices

8.1 Appendix A - EIA

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### Background Papers:

SMR 2019- item 101

<https://decisionmaking.westberks.gov.uk/ieListDocuments.aspx?CId=117&MIId=4678>

### 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 Scrutiny Commission or associated Committees or Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

### Officer details:

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## Appendix A

## Equality Impact Assessment (EqIA) - Stage One

<b>What is the proposed decision that you are asking the Executive to make:</b>	To approve (in part II) potential redundancy payment
<b>Summary of relevant legislation:</b>	n/a
<b>Does the proposed decision conflict with any of the Council's priorities for improvement?</b> <ul style="list-style-type: none"> <li>• Ensure our vulnerable children and adults achieve better outcomes</li> <li>• Support everyone to reach their full potential</li> <li>• Support businesses to start develop and thrive in West Berkshire</li> <li>• Develop local infrastructure including housing to support and grow the local economy Maintain a green district</li> <li>• Ensure sustainable services through innovation and partnerships</li> </ul>	<b>Yes</b> <input type="checkbox"/> <b>No</b> <input checked="" type="checkbox"/>  This report completes a proposal as approved and consulted upon in March 2019 by the Executive
<b>Name of Budget Holder:</b>	Various within Resources
<b>Name of Service/Directorate:</b>	Resources
<b>Name of assessor:</b>	
<b>Date of assessment:</b>	
<b>Version and release date (if applicable):</b>	

Is this a .... ?		Is this policy, strategy, function or service ... ?	
<b>Policy</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>New or proposed</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Strategy</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>Already exists and is being reviewed</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Function</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<b>Is changing</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Service</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

<b>(1) What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	To complete the Resources directorate restructure

## Senior Management Restructure (Resources)

<b>Objectives:</b>	To enact a review structure
<b>Outcomes:</b>	A more resilient and cost effective structure
<b>Benefits:</b>	Resilience and financial benefits to re-invest in the directorate

### (2) Which groups might be affected and how? Is it positively or negatively and what sources of information have been used to determine this?

*(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation)*

Group Affected	What might be the effect?	Information to support this
Age	N/a	
Disability	N/a	
Gender Reassignment	N/a	
Marriage and Civil Partnership	N/a	
Pregnancy and Maternity	N/a	
Race	N/a	
Religion or Belief	N/a	
Sex	N/a	
Sexual Orientation	N/a	
<b>Further Comments:</b>		

### (3) Result

**Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?**

Yes  No

The initial SMR proposals were subject to a consultation and an EIA in February 2019 <https://decisionmaking.westberks.gov.uk/documents/s73551/8.%20Senior%20Management%20Arrangements%20from%20April%202019%20Summary%20post%20consultation.pdf>

This decision is enacting those decisions from March 2019.

<b>Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
See above	

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 EqlA 2.

If an EqlA 2 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 EqlA guidance and template – <http://intranet/index.aspx?articleid=32255>.

<b>(4) Identify next steps as appropriate:</b>	
<b>EqlA Stage 2 required</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Owner of EqlA Stage Two:</b>	
<b>Timescale for EqlA Stage Two:</b>	

Name: Joseph Holmes

Date: 13.11.2023

Please now forward this completed form to Pamela Voss, Equality and Diversity Officer (pamela.voss@westberks.gov.uk), for publication on the WBC website.

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# Response to Council Motion on the 'Rwanda Scheme'

<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 December 2023
<b>Portfolio Member:</b>	Councillor Denise Gaines
<b>Date Portfolio Member agreed report:</b>	5 November 2023
<b>Report Author:</b>	Sean Murphy
<b>Forward Plan Ref:</b>	EX4466

## 1 Purpose of the Report

- 1.1 The purpose of this report is to provide the Executive with further information to enable it to consider a motion relating to the plans to send asylum seekers to Rwanda for claims to be processed.

## 2 Recommendations

The Executive **RESOLVES** to:

- a) Write to the Government to request an end to the proposed offshoring of people seeking refuge to third countries and to demand an end to the deal with Rwanda, and
- b) Offer support where we can to ensure that all refugees are treated with dignity and given the opportunity to make a positive contribution to the economy and cultural life of West Berkshire, and
- c) Council be updated on the decision of the Executive.

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	There are no financial implications arising from this report.  Activities conducted by the Council to support arrivals in West Berkshire under the terms of the various schemes are grant funded.

Response to Council Motion on the 'Rwanda Scheme'

<b>Human Resource:</b>	None.			
<b>Legal:</b>	There are no legal implications for the Council. All legal implications relating to asylum policy are a matter for the government.			
<b>Risk Management:</b>	None			
<b>Property:</b>	None.			
<b>Policy:</b>	None			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		x		No. These are matters for the government to determine in setting national policy.
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	x			If responded to in a positive way by the government the view is that this would have a positive impact.
<b>Environmental Impact:</b>		x		None
<b>Health Impact:</b>		x		None.
<b>ICT Impact:</b>		x		None.



<b>Digital Services Impact:</b>		x		None.
<b>Council Strategy Priorities:</b>		x		None
<b>Core Business:</b>		x		None
<b>Data Impact:</b>		x		None.
<b>Consultation and Engagement:</b>				

## 4 Executive Summary

4.1 At the meeting of Council on 19<sup>th</sup> July 2022 the following motion was proposed:

'This Council is concerned that the Government plans to send asylum seekers to Rwanda'.

Council notes:

West Berkshire has a creditable record when it comes to welcoming refugees from across the globe – from as far back as the Ugandan expulsions and families fleeing the Balkan conflict, as well as Syrians, Hong Kong residents and Afghan nationals in recent years.

The outpouring of support and compassion from the people of West Berkshire for individuals and families displaced by the war in Ukraine.

West Berkshire draws huge strength from the contribution of migrants and refugees who make the district their home. This council works with the migrant and refugee support networks and other partners in the sector and should be proud of what is being done.

The main points of the motion are:

- People who cross the Channel seeking refuge and asylum will be taken to an RAF base in Yorkshire before being sent 4,500 miles away to Rwanda for "processing", and
- Offshoring asylum processing for those who have fled war, violence, famine and persecution is inhumane and cruel. This plan violates the principle of the UN Refugee Convention, of which the UK was a founding signatory, which states that we must "grant people a fair hearing on UK soil".

4.2 The Motion is now before Executive to consider the Council response.

4.3 The recommended response to the motion is set out in section 2 above.

## 5 Supporting Information

### Background

- 5.2 West Berkshire Council has been engaged with the delivery of a range of migration schemes. Over the last few years these have included those arriving from Syria, Hong Kong, Afghanistan and Ukraine. We have also supported those living in the two Home Office asylum facilities in West Berkshire.
- 5.3 In August 2021 the evacuation of Afghanistan led to many thousands of Afghans arriving in the UK under the Afghan resettlement scheme. For two years West Berkshire was host to a hotel providing temporary accommodation to Afghan individuals and families.
- 5.4 In February 2022 Russia invaded Ukraine. In response the Government set up the Homes for Ukraine Scheme where Ukrainian nationals supported by sponsors in the UK could apply for visas lasting for an initial three years. Locally in West Berkshire we have supported over 600 Ukrainian arrivals along with over 250 hosts. This has included around 200 children.
- 5.5 For over two years two asylum facilities have operated from two local hotels in West Berkshire. Although the primary support has come from our voluntarily sector partners, the Council has also provided support through Childrens Services, Public Health, Public Protection, Emergency Planning and Housing Services.

### The 'Rwanda Scheme'

- 5.6 Over the last few years there has been an increase in 'small boat' arrivals into the UK. In 2022 the numbers crossing the channel and arriving in the UK was just over 45,000. The numbers this year are around 20% lower. The vast majority of those arriving claim asylum and are then transferred to asylum facilities until their claims are processed. In recent years most have been housed in hotels and have often waited long periods for their claims to be processed.
- 5.7 The cost of accommodation to Central Government is stated to be around £3Bn per year. Over the last two years the government has been looking at a range of options relating to accommodation and processing of applications including using barges and former military bases. More recently the processing of applications has speeded up and a hotel closure programme has been announced.
- 5.8 In April 2022 the government announced the 'UK and Rwanda Migration and Economic Development Partnership'. The scheme has become known as the 'Rwanda Scheme'.
- 5.9 The basis of the scheme is that a number of those claiming asylum would not have their claims processed in the UK but would be relocated to Rwanda where their claims would be assessed. If their claims were adjudged valid then the individual would have the right to remain in Rwanda but not to return to the UK. If unsuccessful they can apply to settle in Rwanda on other grounds or apply to another 'safe' third country.

## Response to Council Motion on the 'Rwanda Scheme'

- 5.10 The government says that the stated purpose of the scheme is to deter those from arriving in the UK by 'illegal, dangerous or unnecessary methods' such as by 'small boat'.
- 5.11 The first group of asylum seekers were due to be flown to Rwanda in June 2022. However, a range of last minute legal challenges meant that eventually everyone was removed from the flight. To date no asylum seekers from the UK have been processed in Rwanda.
- 5.12 Following the removal of the passengers in June 2022 the scheme has been subject to ongoing challenge through the courts. Following consideration of a number of applications the High Court ruled the scheme to be lawful. However, in June 2023 the Court of Appeal ruled that the scheme was unlawful.
- 5.13 The Government appealed the decision of the Court of Appeal. On the 15<sup>th</sup> November 2023 the Supreme Court ruled on the lawfulness of the scheme. The ruling can be found here [R \(on the application of AAA \(Syria\) and others\) \(Respondents/Cross Appellants\) v Secretary of State for the Home Department \(Appellant/Cross Respondent\); \(supremecourt.uk\)](#).
- 5.14 In response to the ruling the Prime Minister released a statement indicating the legislation will be brought forward to address the matters raised by the Supreme Court. That statement can be found here: [PM remarks on Supreme Court Judgement: 15 November 2023 - GOV.UK \(www.gov.uk\)](#)

### The Motion

5.15 The concerns set out in the Motion are as follows:

- People who cross the Channel seeking refuge and asylum will be taken to an RAF base in Yorkshire before being sent 4,500 miles away to Rwanda for "processing", and
- Offshoring asylum processing for those who have fled war, violence, famine and persecution is inhumane and cruel. This plan violates the principle of the UN Refugee Convention, of which the UK was a founding signatory, which states that we must "grant people a fair hearing on UK soil".

5.16 The government is proposing to use former military bases to house asylum seekers prior to deportation to Rwanda. A number of locations are being considered but these plans are facing significant local resistance and in some cases legal challenges by Councils which are ongoing.

5.17 The United Nations Council for Refugees position on the Rwanda Scheme can be found here: [UN Refugee Agency opposes UK plan to export asylum | UNHCR](#)

### Motion Proposal

5.18 The Motion proposes that the Council RESOLVES:

- d) To write to the Government to request an end to the proposed offshoring of people seeking refuge and to demand an end to the deal with Rwanda, and

- e) To offer support where we can to ensure that all refugees are treated with dignity and given the opportunity to make a positive contribution to the economy and cultural life of West Berkshire.

5.19 Executive is asked to consider the Motion set out above.

## 6 Other options considered

None

## 7 Conclusion

7.1 This report sets out the background to the scheme. The question of legality has been determined by the Supreme Court. The government have indicated that they intend to legislate to address the issues raised by the Supreme Court.

7.2 Against this backdrop the Executive is asked to consider and recommend the Council's response to the motion set out above.

## 8 Appendices

8.1 None

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### 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 Scrutiny Commission or associated Committees, Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

**Wards affected:** All wards are potentially affected.

### Officer details:

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**Response to Council Motion on the 'Rwanda Scheme'**

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Name: Sean Murphy  
Job Title: Service Lead – Public Protection  
Tel No: 01635 519930  
E-mail: sean.murphy@westberks.gov.uk

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# Awareness Days

<b>Committee considering report:</b>	Executive
<b>Date of Committee:</b>	14 December, 2023
<b>Portfolio Member:</b>	Councillor Lee Dillon
<b>Date Portfolio Member agreed report:</b>	23 November 2023
<b>Report Author:</b>	Martin Dunscombe
<b>Forward Plan Ref:</b>	EX4458

## 1 Purpose of the Report

To provide an overview of the programme of Awareness Days which it is proposed West Berkshire Council supports in 2024.

## 2 Recommendation

To review and approve the programme of Awareness Days which will be supported in 2024.

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	There is no specific budget allocated to delivering communications activity in support of awareness days. This will be managed within existing resources.
<b>Human Resource:</b>	None
<b>Legal:</b>	There is no legal duty to undertake communications activity in support of specific awareness days.
<b>Risk Management:</b>	None
<b>Property:</b>	None

<b>Policy:</b>	This programme aligns with the Council's commitment to communicate and engage with our communities.			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	x			Some Awareness Days will highlight positive action and messaging in relation to equality and representation.
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		x		
<b>Environmental Impact:</b>		x		
<b>Health Impact:</b>	x			Some Awareness Days will highlight health and wellbeing issues which will involve promoting health advice and support and aiding understanding of these issues.
<b>ICT Impact:</b>				None
<b>Digital Services Impact:</b>				None
<b>Council Strategy Priorities:</b>				The programme of awareness days will provide opportunities to inform or educate residents about issues which relate to the Council Strategy.



## Awareness Days

<b>Core Business:</b>	x			The programme of awareness days will provide opportunities to inform or educate residents about issues which relate to the Council's core business.
<b>Data Impact:</b>				None
<b>Consultation and Engagement:</b>	In preparing the 2024 Awareness Day programme the following have been invited to comment on which initiatives should be supported: <ul style="list-style-type: none"><li>• Councillors</li><li>• Service Directors</li><li>• Communications Steering Group (including members of the Communications team and representatives from all services and corporate functions).</li></ul>			

## 4 Executive Summary

- 4.1 The Awareness Day Programme 2024 sets out the awareness days, weeks and months which will be acknowledged and supported by West Berkshire Council in the forthcoming calendar year.
- 4.2 The Awareness Day Programme 2024 should be approved to allow the Communications Steering Group to plan for, prepare and deliver communications in support of these during the year ahead.

## 5 Supporting Information

- 5.1 The Awareness Day Programme 2024 has been produced to confirm which of these initiatives will be supported over the coming year.
- 5.2 A large number of awareness days, weeks and months are held nationally and internationally each year. The purpose of these is to raise awareness of issues, encourage participation in activities or otherwise to celebrate or acknowledge certain events, communities, and services. Whilst not all of these are relevant to the work of local authorities, many of them are given the broad scope of council services and responsibilities.
- 5.3 It is not possible to be involved in every awareness day nor would it be appropriate to do so. It is considered that supporting too many would be detrimental as each would have less impact and crowd out those which are most important. In addition, there is not the capacity within the Communications team or frontline teams to create relevant, local content and events for each of these.

## Awareness Days

- 5.4 Implementation of the Awareness Day Programme is a small part of a much broader communications strategy which is led by the Communications team. The scope of work undertaken by the team includes support for delivery of the Council Strategy and communicating the progress of this, supporting the delivery of frontline services, delivering campaigns and other proactive communications activity to inform and engage residents in the work of the Council, and providing a service to local and national media organisations. Accordingly, the Awareness Day Programme will be progressed in the context of this wider body of work and may be subject to change depending on organisational priorities or other local or national events – such as a general election campaign or extreme weather events impacting on planned activities.
- 5.5 The Awareness Day Programme 2024 is based on similar programmes of activity undertaken in recent years. It has been produced by the Communications Team Manager in dialogue with the Communications Steering Group (which includes members from all Council departments) and with feedback invited from all councillors. This feedback was considered in producing the proposed programme, alongside considerations in relation to capacity to deliver it, any duplication of themes and how closely it supports service provision and delivery of the Council Strategy 2023-27.
- 5.6 In delivering this programme a flexible approach is proposed in recognition of who will lead on planning and delivering the awareness day and where it will be shared. Some will be produced and implemented by the Communications team and others by services themselves. Similarly, this communication may be targeted at specific groups by services themselves or shared across corporate channels for issues which have a wider relevance to local people.
- 5.7 Delivery of the Awareness Day Programme will be reviewed regularly by the Communications Steering Group. Alongside this a programme of religious festivals and events is also being drawn up to enable the Council to mark days important to faith communities across the district.

## 6 Other options considered

- 6.1 The Council is not required to support awareness days and could choose not to feature this in its communications plan. However, doing so would mean opportunities are missed to raise awareness of issues which are important to residents and to the Council.

## 7 Conclusion

- 7.1 Approval is sought for the Awareness Day 2024 programme.

## 8 Appendices

- 8.1 Appendix A – Awareness Day Programme 2024

**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 Scrutiny Commission or associated Committees, Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

**Officer details:**

Name: Martin Dunscombe  
Job Title: Communications Team Manager  
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## Appendix 1

### Awareness Days 2024

12 January	Stroke Prevention Day
27 January	Holocaust Memorial Day
5 February	National Apprenticeship Week Children's Mental Health Week
February (TBC)	National Care Leaver's Week
7 March	World Book Day
8 March	International Women's Day
15 March	Young Carer's Action Day
18 March	Child Sexual Exploitation Awareness Day
2 April	World Autism Day
1 May	National Walking Month
15 May	Mental Health Awareness Week
20 May	Dementia Action Week Walk to School Week
May (TBC)	Business Continuity Awareness Week Foster Care Fortnight
1 June	Pride Month National Volunteers Week
10 June	Carer's Week Bike Week
12 June	Healthy Eating Week
21 June	Thank A Teacher Day
June (TBC)	Learning Disability Week
15 June	Clean Air Day Drowning Prevention Week
17 June	Refugee Week
29 June	Armed Forces Day
19 July	Love Parks Week
10 September	World Suicide Awareness Day
22 September	World Car Free Day
October (TBC)	Libraries Week Bike to School Week Recycle Week
1 October	Black History Month
11 November	Armistice Day
November (TBC)	Carer's Rights Day Road Safety Week Safeguarding Adults Week White Ribbon Day
December (TBC)	Small Business Saturday

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