

# DRAFT

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

## EXECUTIVE

### MINUTES OF THE MEETING HELD ON

**THURSDAY, 28 NOVEMBER 2013**

**Councillors Present:** Pamela Bale, Dominic Boeck, Hilary Cole, Roger Croft, Marcus Franks, Alan Law, Gordon Lundie, Joe Mooney, Irene Neill and Graham Pask

**Also Present:** John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive), Sarah Clarke (Team Leader - Solicitor), Andy Walker (Head of Finance), Rachael Wardell (Corporate Director - Communities), Councillor David Allen, Councillor Adrian Edwards, Moira Fraser (Democratic and Electoral Services Manager), Councillor Roger Hunneman (Deputy Liberal Democrat Group Leader), Councillor Gwen Mason, Linda Pye (Policy Officer), Robin Steel (Group Executive (Cons)), Councillor Tony Vickers and Councillor Quentin Webb

#### PART I

##### 39. Minutes

The Minutes of the meeting held on 17 October 2013 were approved as a true and correct record and signed by the Leader subject to the following amendment:

**Page 7 – Members’ Question (b) – Question standing in the name of Councillor Keith Woodhams.** Councillor Gordon Lundie stated that Councillor Woodhams was not allowed his supplementary question as it was not related to the original question. However, Councillor Woodhams was asked to submit the question in writing whereupon it would receive a written response.

Councillor Lundie welcomed Councillor Marcus Franks to the Executive and confirmed that he would be Portfolio Member for Health and Wellbeing. He thanked Councillor Graham Jones for all the work he had undertaken as the previous Portfolio Member.

##### 40. Declarations of Interest

Sarah Clarke, Solicitor, declared an interest in Agenda Item 7, and reported that, as her interest was personal and prejudicial and a disclosable pecuniary interest, she would be leaving the meeting during the course of consideration of the matter.

Councillor Marcus Franks declared an interest in Agenda Item 10, but reported that, as his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate.

##### 41. Public Questions

There were no public questions submitted.

##### 42. Petitions

There were no petitions presented to the Executive.

##### 43. Policy for Supporting Adults with a Learning Disability (EX2740)

The Executive considered a report (Agenda Item 6) which outlined the findings of the consultation on the policy for supporting adults with a learning disability. This policy would replace ‘Local Services for Local People’ and clarified how the Council would support adults with a learning disability. It also clarified what service users and their families could expect from the Council.

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The main changes to the policy included highlighting that the first option would be to support people to remain living with their family; a shift in emphasis from providing services locally to putting in appropriate arrangements which might not be in the district; providing clarification in respect of resources; and a focus on ensuring the Council used good quality services.

Section 3 of the report set out the policy consultation process and the feedback that had been received.

Councillor Joe Mooney highlighted the fact that page 29 of the agenda set out the principles which would underpin planning and service delivery for people with learning disabilities across West Berkshire.

Councillor Roger Hunneman referred to out of district placements and he asked what was being done to minimise those placements and also what was being done within West Berkshire to provide additional facilities. He also mentioned the right of assessment for carers and queried what was being done to improve such an under-resourced service. Councillor Mooney thought that he had responded to Councillor Hunneman in respect of delays to assessments and what was being done to improve the situation and he therefore did not propose to go over that information again. In regard to out of district placements Councillor Mooney assured Councillor Hunneman that wherever possible clients would be placed within West Berkshire and he highlighted a recent case where one individual had been brought back into the district to the delight of his family. Councillor Mooney advised that land at the Phoenix Centre was also being used to provide support to people with learning disabilities in the community.

Councillor Tony Vickers referred to the call for sites and stated that there was a piece of land in north Newbury near Castle School which would be ideal and he queried whether the site at the Phoenix Centre would be sufficient. Councillor Mooney responded that he did not know what the future requirement would be – he had been told that there would be an increase but the number was not quantified. He did ask Members to make him aware of any suitable areas of land that became available as there was a shortage of sites and he therefore thanked Councillor Vickers for the information.

**RESOLVED that** agreement would be given for this policy to be adopted by the Council.

**Reason for the decision:** To note comments received during consultation and adopt the amended policy.

**Other options considered:** None.

#### 44. **Kings Road Link Road, Newbury - Exception to the Contract Rules of Procedure (EX2751)**

*(Sarah Clarke declared a personal and prejudicial interest in Agenda item 7 by virtue of the fact that she lived close to the site in question. As her interest was personal and prejudicial and a disclosable pecuniary interest she left the meeting and therefore did not provide any legal advice on the matter).*

The Executive considered a report (Agenda Item 7) which sought an exception to the Contract Rules of Procedure (11.11) and which sought approval to enter into an agreement with the developer for the construction of the Kings Road Link Road.

Councillor Pamela Bale in introducing the report noted that the Kings Road Link improvement line (linking Hectors Way to the Boundary Road/Hambridge Road junction) had been incorporated in the Local Plan in 1992. It was also included in the Local Development Framework and dissected the Stirling Cables Site. If approved this scheme would provide a bypass for Kings Road and Mill Lane thereby improving journey times in this busy part of Newbury and providing significant environmental improvements.

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Councillor Bale noted that the Stirling Cables Site was heavily contaminated and would require an unacceptably high density of housing on the site to meet the costs of decontaminating the site. Officers had therefore been in discussions with the developer to explore options for delivering the link road whilst safeguarding the redevelopment and decontamination of the brown field site.

The Berkshire Local Transport Body had received £14m of funding from the Department for Transport. The six Berkshire unitary authorities had been invited to submit bids for this funding in May 2013. This scheme was currently ranked first for drawing down the funding. Two options had been considered for the delivery of the scheme. The first option would involve the Council paying for the delivery of the road through the developer of the Stirling Cables Site. The second option involved the Council procuring and constructing the link road independently of the development.

Officers were recommending that the first option be followed as it would achieve a number of benefits including the fact that risk of costs would be transferred to the developer and the developer could achieve savings on site set up and accommodation. The savings could be shared with the Council through a legal agreement.

However, the Council's Contract Rules of Procedure required all contracts to be subject to a competitive process. Adoption of option one would mean that there would have to be a deviation from the Council's Rules of Procedure although it was noted that the cost of the scheme would not exceed the European Union threshold of £4.3m which would require the scheme to be advertised in the Official Journal of the European Union.

In the absence of the Monitoring Officer the Chief Executive reminded Members that this report sought agreement to procure the road and that the merits or otherwise of the application would be discussed at the appropriate planning committee.

In response to a query from Councillor David Allen it was noted that that the developer would pay for the road right through to Scats. Councillor Bale also responded that the developer would fund the de-contamination of the whole site.

### **RESOLVED that:**

- (a) The Executive would grant an exception to the Contract Rules of Procedure (CRoP), paragraph 11.11 of the Constitution, to allow the negotiations to proceed with the developer of the Stirling Cables Site without a tender process under the CRoP.
- (b) The Executive would delegate to the Head of Highways and Transport authority (in consultation with the Head of Legal, Head of Finance and the Portfolio Member) to enter into an agreement or agreements with the developer of the said site, relating to the construction of the Kings Road Link Road.

**Reason for the decision:** This will allow the Council to contract with the developer of the Stirling Cables site to deliver the link road.

**Other options considered:** The Council procures and constructs the Kings Road Link independently of the Stirling Cables development.

## **45. Financial Performance Report - Q2 of 2013/14 (EX2669)**

The Executive considered a report (Agenda Item 8) which informed Members of the latest financial performance of the Council.

Councillor Alan Law stated that this was the second report to the Executive as part of the financial reporting cycle for the 2013/14 financial year. The forecast revenue overspend for the 2013/14 financial year was £261k which was a worsened position from Quarter One when an underspend of £51k was reported. However, this equated to a 0.2% variance from a total budget of £122m. The overspend position was as a result of a larger

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than expected number of Looked After Children. An additional £650k had been put into the Children's Placement budget but this was still insufficient and it was proposed to build up a risk fund to help cope with the volatility in this area, but this was proving difficult at present due to the pressure on the budget.

Councillor Roger Hunneman referred to paragraph 2.2 of the report which stated that expenditure across Children's non-placement budgets and all Communities Services' budgets was being deliberately slowed in order to address the projected overspend within the Directorate. He asked what effect this action would have on service users. Rachael Wardell responded that areas where there was a pressure for services would not be slowed and there would therefore be no detrimental effect to the most vulnerable clients. Councillor Hunneman felt that this was an area which might need to be picked up in the Equality Impact Assessment. Councillor Gordon Lundie asked if Councillor Hunneman could be provided with a more detailed written response to his question.

Councillor Tony Vickers noted that on page 56 of the agenda there were a number of acronyms which he did not understand i.e. GT site and MVF. It was suggested that the GT site referred to the Gypsy & Traveller site at Four Houses Corner and MVF was a short form for Managed Vacancy Factor. Councillor Law thanked Councillor Vickers as this was a point well made – there should not be so many acronyms particularly when the report would be available in the public domain.

**RESOLVED that** Members noted the report.

**Reason for the decision:** To ensure that Members are fully aware of the latest financial position for the Council.

**Other options considered:** None.

### 46. City Deal (EX2761)

The Executive considered a report (Agenda Item 9) which informed of the final City Deal proposal for Berkshire and which advised that this had to be signed off by the Leader of the Council and Portfolio Holder given the timetable laid down by the Cabinet Office.

Councillor Alan Law welcomed the initiative involving the Local Enterprise Partnership. The scheme sought to improve employment outcomes for young people in Berkshire and to support economic growth. Reading Borough Council's initial submission had focussed on reducing the skills gap and tackling the number of young people not in Education, Employment or Training (NEET).

West Berkshire only had a small number of NEET's but it did have a higher proportion of young people in low skilled employment. This issue had been identified in the recently adopted Economic Strategy. The focus locally would therefore be on 'up scaling' the young people in lower skilled jobs in order to improve their employment prospects and the City Deal would be one of the mechanisms for delivering the Strategy.

Councillor Tony Vickers explained that he had attended a meeting of the South East Reserve Forces and Cadets Association recently and they had shown an interest in this area of work. He therefore wondered if they could be approached to assist with 'up skilling' and he would be happy to provide Councillor Law with the relevant contact details. Councillor Law agreed to look into this option.

**RESOLVED that:**

1. It be noted that the Leader of the Council, in consultation with the Portfolio Holder, signed off along with the other Berkshire Chief Executives the final City Deal proposal for Berkshire.

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2. It be noted that as part of the City Deal proposal, a Joint Committee will be established comprising a representative from each of the six Berkshire Unitaries and a representative from the Local Enterprise Partnership.
3. It be noted that the West Berkshire element of the City Deal proposal (West Berkshire Futures) is focused on young people in employment but without adequate skills and training.

**Reason for the decision:** To ensure that the City Deal was signed off given that it is a Berkshire wide project.

**Other options considered:** n/a

### 47. Members' Questions

- (a) **Question to be answered by the Portfolio Holder for Community Care and Insurance submitted by Councillor Adrian Edwards**

*(Councillor Marcus Franks declared a personal interest in Agenda item 10 by virtue of the fact that he was employed by Sovereign Housing Association. As his interest was personal and not prejudicial or a disclosable pecuniary interest he was permitted to remain and take part in the debate).*

A question standing in the name of Councillor Adrian Edwards on the subject of the Extra Care Home, Redwood House in Hungerford was answered by the Portfolio Holder for Community Care and Insurance.

- (b) **Question to be answered by the Portfolio Holder for Highways, Transport (Operations) Emergency Planning and Newbury Vision submitted by Councillor Roger Hunneman**

A question standing in the name of Councillor Roger Hunneman on the subject of what was being done to reduce the incidence of irresponsible cycle riding in the pedestrianised areas of Newbury was answered by the Portfolio Holder for Highways, Transport (Operations), Emergency Planning and Newbury Vision.

- (c) **Question to be answered by the Portfolio Holder for Strategy and Performance, Housing, ICT, and Corporate Support, Legal and Strategic Support submitted by Councillor Roger Hunneman**

A question standing in the name of Councillor Roger Hunneman on the subject of what was being done to integrate the management of data across its databases thus avoiding duplicated data entry and enhancing searching was answered by the Portfolio Holder for Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

- (d) **Question to be answered by the Portfolio Holder for Strategy and Performance, Housing, ICT, and Corporate Support, Legal and Strategic Support submitted by Councillor Tony Vickers**

A question standing in the name of Councillor Tony Vickers on the subject of the effect the Spare Room Subsidy ending this April would have on the District's social housing mix was answered by the Portfolio Holder for Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

- (e) **Question to be answered by Portfolio Holder for Strategy and Performance, Housing, ICT, and Corporate Support, Legal and Strategic Support submitted by Councillor Tony Vickers**

A question standing in the name of Councillor Tony Vickers on the subject of how many of the 690 households expected to be affected by the end of the Spare Room Subsidy had at least one adult in full time employment was answered by the Portfolio Holder for

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Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

- (f) **Question to be answered by the Portfolio Holder for Strategy and Performance, Housing, ICT, and Corporate Support, Legal and Strategic Support submitted by Councillor Tony Vickers**

A question standing in the name of Councillor Tony Vickers on the subject of how the 690 households expected to be affected by the ending of the Spare Room Subsidy were expected to manage their finances, when there were hardly any smaller homes available and bills for food and domestic fuel were rising faster than earnings was answered by the Portfolio Holder for Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

- (g) **Question to be answered by Portfolio Holder for Strategy and Performance, Housing, ICT, and Corporate Support, Legal and Strategic Support submitted by Councillor Tony Vickers**

A question standing in the name of Councillor Tony Vickers on the subject of how the requirement for the Council to match fund the Government's allocation of Discretionary Housing Payment money was affecting the Council and its clients was answered by the Portfolio Holder for Strategy and Performance, Housing, ICT and Corporate Support, Legal and Strategic Support.

*(The meeting commenced at 5.00pm and closed at 5.43pm)*

**CHAIRMAN** .....

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