

EXECUTIVE

MINUTES OF THE MEETING HELD ON THURSDAY, 17 FEBRUARY 2011

Councillors Present: Barbara Alexander, Pamela Bale, David Betts, Hilary Cole, Graham Jones, Alan Law, Gordon Lundie, Joe Mooney and Anthony Stansfeld

Also Present: John Ashworth (Corporate Director - Environment), Teresa Bell (Corporate Director - Community Services), Nick Carter (Chief Executive), Gabrielle Esplin (Finance Manager (Capital and Treasury Management)), Margaret Goldie (Corporate Director - Children and Young People), David Holling (Head of Legal & Electoral), Joseph Holmes (Accountancy Manager), Robert O'Reilly (Head of Human Resources), Susan Powell (Safer Communities Partnership Team Manager), Keith Ulyatt (Public Relations Manager) and Andy Walker (Head of Finance), Councillor Jeff Beck, Stephen Chard (Policy Officer), Councillor Roger Hunneman, Councillor Royce Longton, Councillor Alan Macro, Councillor Gwen Mason, Councillor Tim Metcalfe, Linda Pye (Principal Policy Officer), Councillor David Rendel, Robin Steel (Group Executive (Cons)), Councillor Julian Swift-Hook, Councillor Tony Vickers, Councillor Quentin Webb and Councillor Keith Woodhams

Apologies for inability to attend the meeting: Councillor Jeff Brooks and Councillor Keith Chopping

PART I

87. Councillor Keith Lock

The Leader of Council proposed a one minute silence in respect of Councillor Keith Lock who had sadly passed away on Saturday 12th February 2011.

88. Minutes

The Minutes of the meeting held on 13 January 2011 were approved as a true and correct record and signed by the Leader.

89. Declarations of Interest

Councillor Julian Swift-Hook declared an interest in Agenda Item 13 and any other applicable items, but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate.

Councillor Alan Macro declared an interest in Agenda Item 13, but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate.

90. Public Questions

(a) Question submitted by Mr Richard Garvie to the Leader of the Council

A question standing in the name of Mr Richard Garvie on the subject of CCTV in West Berkshire was answered by the Leader of the Council.

(b) Question submitted by Fiona Walker to the Portfolio Holder for Community Care

A question standing in the name of Fiona Walker on the subject of the future of the ROAR project was answered by the Executive Member for Community Care, Pensions, Insurance, Strategy, Performance, Community Safety.

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(c) **Question submitted by Joan Lawrie to be answered by the Portfolio Holder for Environment and Public Protection**

A question standing in the name of Joan Lawrie on the subject of the Village Green (105, Tilehurst) Application was answered by the Executive Member for Highways, Transport (Operational), ICT.

91. **Petitions**

There were no petitions presented to the Executive.

92. **Application to Register a Town or Village Green - Village Green 105, Tilehurst (EX2201)**

The Executive considered a report (Agenda Item 6) concerning the ratification of the report received from the Inspector appointed by the Council in respect of an application to register a Town or Village Green in relation to Village Green 105 Tilehurst (Pincents Hill).

Councillor Hilary Cole, in introducing the report, made the following points:

- West Berkshire Council was the Commons Registration Authority (CRA) for the District and was subject to the receiving and reviewing of applications for Town or Village Green status under the Commons Act 2006.
- An application was received on 7 April 2009 from Mrs Joan Lawrie on behalf of the Save Calcot Action Group to add certain areas of land at Pincents Hill, Tilehurst to the Register of Town or Village Greens.
- Any individual could apply to register land as a Town or Village Green if certain conditions were met.
- On receipt of the application, the Council proceeded with the consultation of various interested parties and relevant land owners. An objection was received from Blue Living, the owners of a significant area of land at Pincents Hill, and also owners of smaller areas of land who held interests with Blue Living for the development of the land.
- Various exchanges of correspondence between the main parties and the Commons Registration Officer determined that a non statutory public inquiry should be held and this was arranged for June 2010. The cost of the inquiry was borne by the Council as the CRA.
- On considering the evidence before him, the Inspector recommended to the Council that no part of the application site should be added to the register of Town and Village Greens as it did not meet the statutory tests required for such registration under any of the relevant sections of the Commons Act 2006.
- The Executive was therefore asked to ratify the report and accept the recommendation that the Council should not register the land as a Village Green.

Councillor Joe Mooney felt that a number of questions remained unanswered in the report and he was disappointed with the recommendation. He would therefore be voting against the recommendation. This would also be a disappointing outcome for the large number of Tilehurst residents involved in the application and Councillor Mooney took the opportunity of thanking Mrs Lawrie and her team for all their hard work in attempting to register this land as a Village Green.

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Councillor Alan Macro also expressed disappointment with the recommendation and added that this had an impact on Calcot and Theale. Councillor Macro reported that Tilehurst Parish Council had not received a copy of the Individual Decision as part of the consultation.

Councillor Cole advised that she took the decision to bring the report to Executive for ratification due to the high level of public interest, rather than approve as an Individual Decision. She was not aware that Tilehurst Parish Council had not received a copy of the report, but it was published on the West Berkshire Council website early in 2011. It had also been made available to Mrs Lawrie.

Councillor Macro pointed out that relevant consultees needed to be made aware of when information was published on the website.

RESOLVED that the Applicant and objectors be informed that the Council will not register the land at Pincents Hill as a Village Green.

Reason for the decision: As the Inspector cites in his Report annexed to this Decision there is insufficient evidence of use over the relevant periods stated in his Report for the land to be registered as a Village Green

Other options considered: None.

This decision is eligible to be 'called-in'. However, if the decision has not been 'called-in' by 5.00pm on 25 February 2011, then it will be implemented.

93. **Financial Performance Report Q3 of 2010/11 (EX2048)**

The Executive considered a report (Agenda Item 7) concerning the latest financial performance of the Council.

Councillor Graham Jones, in introducing the report, stated that during 2010/11 the Council had had its direct revenue budget cut by over £1.05m due to measures taken by the Coalition Government as part of the Emergency Budget.

For Quarter 3 of 2010/11 the Council was predicting an underspend of £393k which was a significant swing from the figure which was last reported to the Executive and the Resource Management Select Committee. There were two main factors for this underspend – firstly, following a change in the accounting guidelines the Council had been able to move net just under £1.5m from the revenue budget to the capital budget. This amount related to expenditure on planned highways maintenance which would enhance the district's road infrastructure over the next ten years. This change in accounting procedures had brought the Council's financial position to a break even position. Secondly, in early January 2011 the Department of Health had announced a one-off sum of money for the additional pressures, due to the winter, on the adult social care and health system and was a benefit to the Council of £326k. This additional funding had helped the Council in achieving a forecast underspend position.

Councillor Jones referred to the 2011/12 Budget paper which would be considered later on the agenda and stated that it would be necessary to utilise some funds from the general reserves in order to balance the budget. However, the underspend would assist in offsetting some of the impact of using these reserves to ensure the Council maintained an adequate and appropriate level of general reserves.

Councillor David Betts reiterated that the decision to capitalise the highways maintenance element of the budget had been based on accounting procedures which would guarantee future expenditure on West Berkshire roads.

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Councillor Joe Mooney reported that the large overspend in Community Care had been considerably reduced. However, Councillor Mooney had requested that the expenditure in respect of Learning Disability and Adult Social Care should be shown separately in order to make the tracking of these elements much simpler. The Government had made £162m available to cover the winter pressures in adult social care and the health service and the share which had been allocated to West Berkshire would help considerably in this area.

Councillor David Rendel queried when the decision on the capitalisation of highways maintenance expenditure had first been made. He also queried why this expenditure variance had been shown in the levies and interest line and he queried why amounts were accrued but not spent. Councillor Graham Jones responded that the capitalisation of highways maintenance expenditure had been referred to in at least two previous reports which had been considered at the Resource Management Select Committee and this measure had been undertaken on advice from the Council's Auditors. Andy Walker confirmed that the IFRS had released the guidelines at the end of December and Officers had then needed time to interpret the advice. This had been the first available Executive meeting to bring the proposed change in procedures forward to. Andy Walker advised Councillor Rendel that the reason that the amount was reported below the line was purely an issue of timing. The highways revenue budget had been reduced accordingly. In respect of accruals Andy Walker explained that the amount of accruals was lower than in previous years.

Councillor Keith Woodhams referred to page 128 of the agenda and the planned reduction in some highways maintenance activities of £250k. He queried whether this reduction would affect pot hole repairs. Councillor David Betts confirmed that the reduction would not affect pot hole repairs. The £250k reduction had been achieved across a range of highway areas but would not have an effect on the roads budget. The month of January had been relatively mild and work had commenced on an additional patching and repairing programme. A refund had also been received from SSE in respect of lighting costs.

Councillor Julian Swift-Hook welcomed the windfall from the Department of Health which would assist with the pressures in Adult Social Care. However, it was noted that there was still an underlying overspend in the region of £1.8m. Page 124 of the agenda referred to the Royal Berkshire Hospital Foundation Trust (RBHFT) intending to fine local authorities for official delayed transfers which would be in the region of £100 per day. This was a change on the previous situation and he asked for clarity in that area. Councillor Joe Mooney responded that the £100 fine was for bed blocking. However, since the report had been written the number of people bed blocking had reduced to one. It was therefore unlikely that West Berkshire would be fined and indeed the Royal Berkshire Hospital had been working closely with West Berkshire Council to reduce the amount of bed blocking. In respect of capital depleters Councillor Mooney reported that last year the Council had had eight of these. Every four capital depleters equated to £100k additional spend on the budget and currently the Council already had 14 this year with 6 pending and a further two or more expected to come through the system.

RESOLVED that the Financial Performance Report for Quarter 3 2010/11 be noted.

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

Other options considered: None.

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This decision is eligible to be 'called-in'. However, if the decision has not been 'called-in' by 5.00pm on 25 February 2011, then it will be implemented.

94. **Local Government Act 2003 - Borrowing Limits and Annual Investment Strategy 2011/12 (C2180)**

The Executive considered a report (Agenda Item 8) summarising the Council's borrowing limits as set out by CIPFA's Prudential Code in compliance with the Local Government Act 2003 and recommending the Annual Investment Strategy for the coming year.

Councillor Graham Jones stated that other than a brief introduction, no debate would be held on any of the finance papers on the agenda that would be presented to full Council on 3 March 2011. The items could be debated at the Council meeting in line with the practice of recent years.

Councillor Jones, in introducing the report, made the following points:

- The report set the Council's policy for borrowing and investment for 2011/12. This included a limit on the amount the Council might borrow to fund capital expenditure. The borrowing limit would increase by smaller amounts in 2011/12 and future years than in previous years (i.e. by £10m in 2011/12 and £7m in 2012/13 as against £15m in 2010/11). This reflected the reduction in Council funded capital spend as explained in the report on the Capital Strategy and Programme, but also allowed for the transfer of highways maintenance from revenue to capital.
- The investment policy required that Council's funds might be invested with UK banks with the highest credit ratings, top ranking UK building societies or other local authorities. The overall emphasis of the policy was to maximise investment income while giving the greatest priority to the security and liquidity of the Council's funds.
- In order to support local business, the Council was also entering into a new arrangement to place short term investments directly with the Newbury Building Society (currently ranked 23rd in the UK) whenever this was beneficial for the Council's cash flow and when the Society offered a competitive rate of interest.

RESOLVED that the Annual Investment Strategy, as detailed in Section 3 of the report, be recommended to Council for 2011/12.

Reason for the decision: To recommend the Annual Investment Strategy as detailed in Section 3 of the report to Council for 2011/12.

Other options considered: Formulation of Treasury Management Policy.

This decision is not subject to call in as the item is due to be referred to Council for final approval, therefore it will be implemented immediately.

95. **Capital Strategy and Programme 2011-2016 (C2181)**

The Executive considered a report (Agenda Item 9) outlining the Council's proposed five year Capital Strategy for 2011 to 2016, including the Minimum Revenue Provision (MRP) statement and setting out the funding framework for the Council's five year Capital Programme for 2011/12-2015/16.

Councillor Graham Jones stated that the five year Strategy and Programme reduced the revenue impact of capital spending by minimising the level of Council funded capital

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(financed from borrowing) and made optimum use of government grants and developer contributions.

Council funded spend had been set at £35.5m over five years which equated to an average of £7.1m per year. This included the capitalisation of highways maintenance which generated a further saving in the revenue budget. The total capital spend, including government grants and developer contributions, was £121m over five years, which would fund the most urgent needs for investment in the Council's assets.

Highways and Education were particularly dependent upon government grants and Highways capital grants had so far been announced for 2011/12 to 2014/15 but Education grants had been announced for 2011/12 only. The programme assumed both Highways and Education grants would continue at a similar level going forward but it might be necessary to review the programme when the final grant allocations were made.

Councillor Jones advised that the five year programme included the following:

- Over £12m per year to improve the suitability, capacity and condition of primary and secondary school buildings;
- £7.2m per year for highways and transport improvements and road maintenance;
- £1.6m per year for equipment and home adaptations to assist elderly and disabled people to remain independent;
- £2m for the redevelopment of the Newbury Museum (£1.2m of which was from lottery funding);
- Essential maintenance of Council buildings and IT systems, rights of way and play areas;
- Projects to support localism and the Big Society e.g. Parish Councils, local Visions and Members' bids.

RESOLVED that the five year Capital Strategy as set out within the report be approved.

Reason for the decision:

- To enable the Council to align corporate resources to agreed Council priorities.
- To clarify the processes and procedures to ensure that the Capital Programme is managed in accordance with the Council Plan.
- To provide a mechanism for the effective medium term planning of capital resources.
- To ensure effective, efficient and economic use of the Council's assets and resources, and achieve best value for money.

Other options considered: None.

This decision is not subject to call in as the item is due to be referred to Council for final approval.

96. Revenue Budget 2011/12 (C2178)

The Executive considered a report (Agenda Item 10) advising Members of the Council's final Formula Grant settlement for 2011/12 received on 31 January 2011 and outlining the revenue budget for 2011/12, including proposals for investment and savings.

Councillor Graham Jones introduced the item and made the following points:

- The Council was proposing to freeze Council Tax for the 2011/12 financial year. This had been achieved by reducing expenditure across the Council, with a focus

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on maintaining a good level of 'front line' service provision and utilising efficiencies at every possibility. All of this had been achieved when the Council's funding had been reduced from central government by approximately 8% on a like for like basis, and when there continued to be required investment in services, most notably in Adult Social Care.

- The past few months had seen a significant amount of change to how Local Government was financed following the Government's Comprehensive Spending Review. As a result of this, the Government had made less money available to local Councils to help deal with the country's financial deficit. Though Government had reduced spending, it had at every opportunity given local Councils more flexibility over where money was spent. Under the previous Government, the Council received a number of specific ring-fenced grants that needed to be spent according to the Government's priorities. These had ceased and been replaced with non ring-fenced grants allowing money to be spent on local priorities.
- To ensure that Council services had been protected wherever possible, but at the same time maintaining strong financial management, the 2011/12 budget included a proposal to utilise just over half a million pounds from the general reserves. This would ensure that the Council had adequate time to enact some of its longer term savings, while keeping the general reserve above the minimum level recommended by the Section 151 Officer.
- On the topic of local priorities, the Council had started to utilise the results of the budget simulator exercise completed in late 2010, to help formulate the 2011/12 budget. The public provided an excellent response rate to the exercise and it gave a clear steer to some of the services the public wished to see more protected than others. Broadly, the public placed more emphasis on reducing 'people' based services less than 'place' based services.
- As part of the 2011/12 budget, Adult Social Care would see net investment of over £1m, with Children's Services see a, proportionally, low level of savings. At the other end of the spectrum, the Directorate with the largest percentage saving was the Chief Executive Directorate, which included the majority of 'back-office' services. The results of the budget simulator would be used in greater detail for the 2012/13 budget setting process.
- The changes alluded to earlier in Local Government finance meant that on the 10 February 2011 the Council received a further allocation of funding from the Home Office of £147k. This additional non ring-fenced funding would be utilised to reduce the amount of general reserve being used to fund the 2011/12 budget.
- In conclusion, the revenue budget 2011/12 contained a significant level of savings, at £8.2m, but also included investment in the Council's front line services and infrastructure. The budget maintained the Council's reputation for strong financial management and enabled the Council to move forward on a strong financial footing into an era of considerable change.

Councillor Alan Law then presented a further positive amendment to the revenue budget 2011/12, in addition to the funding received from the Home Office.

It had been proposed that the post of Access Officer would be cut following a loss of grant funding. However, as part of efforts to protect vital services, the savings identified from the loss of this post (£29k) would instead be funded by an increase to the anticipated income from setting planning fees to £279k. Therefore the post would be

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retained. The additional income identified would be achieved by charging the local market rate for planning services.

Councillor Keith Woodhams suggested that the responsibilities of this post would be made clearer if it was renamed Disabled Access Officer.

Councillor David Rendel commented that the absence of a debate on the budget at the Executive removed the opportunity to ask detailed questions. He felt it would be timelier to conduct this at the Executive rather than delaying it to full Council which would reduce the value of the debate, thereby excluding the press and public from a more detailed discussion.

In response, Councillor Jones advised that he had informed Councillor Jeff Brooks, Leader of the Opposition, that the budget reports would not be debated at Executive and no concerns had been raised.

Further, there was time for debate in the press and Finance Officers were contactable. There was also the opportunity for a fuller debate at Council should an alternative option be put forward for the budget if this was received within a realistic timeframe.

RESOLVED that, with the inclusion of the amendments referred to by Councillor Jones and Councillor Law, the Executive recommends to Council that:

- (1) the Fees and Charges be approved as set out in Appendices I(a)-(d) and the appropriate statutory notices be placed where required in accordance with the decision of the Executive on 17 February 2011;
- (2) the Special Expenses be approved as set out in Appendices J(a)-(e) in accordance with the decision of the Executive on 17 February 2011;
- (3) a budget requirement for 2011/12 of £111.41 million, requiring a freeze in the Council Tax, be approved.

Reason for the decision: Formulation of the 2011/12 Budget is a requirement to meet the Council's statutory duties.

Other options considered: None.

This decision is not subject to call in as the item is due to be referred to Council for final approval.

97. **Interim Medium Term Financial Strategy (C2179)**

The Executive considered a report (Agenda Item 11) concerning the medium term financial planning and strategy for the organisation.

Councillor Graham Jones introduced the Medium Term Financial Strategy (MTFS) which set out the financial planning for the next two years. Due to the considerable changes that the Government was proposing to local authority financing over the coming years, the Council had shortened the MTFS to a two year period. A revised MTFS would be presented to the Executive in due course once there was greater stability over the funding of local government.

The MTFS built on the 2011/12 budget and contained similar savings strands to that found in the revenue budget document. All figures included in the report would be reviewed during the Summer of 2011 to include the latest revisions from Government on funding changes.

RESOLVED that the Interim Medium Term Financial Strategy report be approved.

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Reason for the decision: To set the Council's financial planning framework for the coming years.

Other options considered: None.

This decision is not subject to call in as the item is due to be referred to Council for final approval.

98. **West Berkshire Admission Arrangements 2012-13 for Community and Voluntary Controlled Schools (EX2160)**

The Executive considered a report (Agenda Item 12) concerning determination of the West Berkshire Admission Arrangements 2012-13 for Community and Voluntary Controlled Schools.

Councillor Barbara Alexander, in introducing the item, advised that the Local Authority, in its role as the admissions authority for Community and Voluntary Controlled Schools, needed to determine admission arrangements for those schools for the 2012-13 academic year. The deadline for doing so was 15 April 2011.

It was important that the arrangements did not conflict with the West Berkshire Co-ordinated Admissions Scheme for all maintained schools in their relevant area as agreed by the West Berkshire Admissions Forum.

The consultation period, which encompassed Ward Members, closed on 7 January 2011 and as a result it was proposed that the arrangements would be largely similar to the previous year. Some minor amendments were proposed to the catchment areas of five Community primary schools and one Community secondary school which would harmonise with changed catchment areas for two Voluntary Aided primary schools and one Foundation secondary school. It was also proposed that the oversubscription criteria within the arrangements would remain unaltered other than:

- an amendment to the definition of a catchment area to take account of a transition period due to the changes described in catchment areas. This was specifically in response to consultation comments received, the majority of which concern the likelihood of places being available for siblings resident within the changed areas, and
- an amendment to define the period in which to confirm congregation attendance to meet denominational criteria following comments from the Oxford Diocese.

Following consultation responses a number of amendments to the admissions policy for nursery schools and nursery classes were proposed. These related to application and allocation dates and the availability of places in the future for funded two year olds from vulnerable families.

Councillor Alan Macro was pleased to hear that comments had been taken on board from members of the public and schools. He suggested that it would be beneficial for a flow diagram to be produced to help clarify the procedures involved with determining admission arrangements. Councillor Alexander agreed to investigate this.

Councillor Macro then questioned the absence of any mention of school academies, while accepting that the position was unclear. Councillor Alexander advised that this view had been taken based on the uncertain future situation with regard to academies. A limited number of schools were expected to pursue academy status at this time and discussions would need to be held with them to ascertain the way forward when appropriate.

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An academy would act as its own admissions authority. This was already the case with Voluntary Aided and Foundation schools so there was experience of such an arrangement. The Admissions Forum were consulted on these arrangements.

RESOLVED that the West Berkshire Admission Arrangements 2012-13 for Community and Voluntary Controlled Schools be approved.

Reason for the decision: Statutory requirement.

Other options considered: None.

This decision is eligible to be 'called-in'. However, if the decision has not been 'called-in' by 5.00pm on 25 February 2011, then it will be implemented.

99. **Review of Number of Parish/Town Councillors**

(Councillor Julian Swift-Hook declared a personal interest in agenda item 13 by virtue of the fact that he was a Member of Greenham Parish Council. As his interest was personal and not prejudicial he determined to take part in the debate on this item).

(Councillor Alan Macro declared a personal interest in agenda item 13 by virtue of the fact that he was the Chairman and a Member of Theale Parish Council. As his interest was personal and not prejudicial he determined to take part in the debate on this item).

The Executive considered a report (Agenda Item 13) concerning the review of the number of Councillors on Parish/Town Councils.

Councillor Anthony Stansfeld stated that the report proposed to change the number of Parish Councillors on Greenham and Theale Parish Councils but that no change would be made to the number of Councillors on any other Parish/Town Council in the district.

Councillor Julian Swift-Hook welcomed the increase in the number of Parish Councillors proposed for Greenham Parish Council as this would bring additional resources to deal with the increased number of residents which might be forthcoming in future years. Councillor Alan Macro also welcomed the increase in the number of Councillors on Theale Parish Council as there was a planning application being considered in Theale which would increase the amount of residents by 25% if it was approved.

It was hoped that by increasing the number of Parish Councillors in these areas it would put additional pressure on local residents to become involved in the Parish.

RESOLVED that:

- (1) an Order be made in accordance with Section 17(3) of the Local Government and Rating Act 1997 to change the number of Parish Councillors on Greenham and Theale Parish Councils;
- (2) no change be made to the number of Councillors on any other Parish/Town Council in the District.

Reason for the decision: A review of the number of Parish/Town Councillors has not been undertaken since 2001.

Other options considered: None considered as Council has a statutory duty to keep numbers under review.

This decision is not subject to call in as a delay in implementing the decision would cause the Council serious financial implications or could compromise the Council's position, therefore it will be implemented immediately.

100. Members' Question(s)

- (a) **Question to be answered by the Portfolio Holder for Finance submitted by Councillor Alan Macro**

A question standing in the name of Councillor Alan Macro on the subject of cancellation of Jobs Fair was answered by the Executive Member for Finance, Economic Development, Property, Health and Safety.

- (b) **Question to be answered by the Executive Member Responsible for Procurement submitted by Councillor Royce Longton**

A question standing in the name of Councillor Royce Longton on the subject of the Council's Print Room charges was answered by the Executive Member for Strategy and Performance (responsible for Procurement).

- (c) **Question to be answered by the Portfolio Holder for Highways, Transport (operational) and ICT submitted by Councillor Keith Woodhams**

A question standing in the name of Councillor Keith Woodhams on the subject of the closure of the waiting room at Newbury bus station was answered by the Executive Member for Highways, Transport (Operational), ICT.

- (d) **Question to be answered by the Portfolio Holder for Highways, Transport (Operational) and ICT submitted by Councillor Keith Woodhams**

A question standing in the name of Councillor Keith Woodhams on the subject of the charge for a grit bin was answered by the Executive Member for Highways, Transport (Operational) and ICT.

101. 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 and 2 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the [Local Government \(Access to Information\)\(Variation\) Order 2006](#). [Rule 4.2 of the Constitution](#) also refers.

102. Revised Staffing Implications Associated with the Draft 2011/12 Revenue Budget - Adult Social Care (EX2197)

(Paragraph 1 – information relating to an individual)
(Paragraph 2 – information identifying an individual)

The Executive considered an exempt report (Agenda Item 16) concerning staff at risk of redundancy arising from restructuring proposals in Care Management and Day Services which was not included in the Special Executive report of 8 November 2010. The report also sought approval to fund the costs of individual redundancies (redundancy payments and pension fund costs) in Care Management, if these occurred as a result of the restructuring.

RESOLVED that the recommendations set out in the exempt report were approved.

Reasons for the decision:

- (1) To ensure that the Council is able to meet its proposed revenue budget savings for 2011/12.
- (2) To ensure that the Council is able to restructure its care management function to deliver the commitments made in the Putting People First programme.

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- (3) To ensure that the Council is able to meet its statutory and policy obligations towards employees whose employment is terminated by reason of redundancy.

Other options considered: For the Adult Social Care redundancies, the initial proposal was to carry out the reorganisation of Care Management (CM) separately from the reorganisation of Day Services (DS). This would have enabled the CM reorganisation to be carried out without the overall loss of posts, other than those 12 vacant FTE already earmarked for deletion. However, this approach potentially denied some 'at risk' employees in Day Services the opportunity to apply for posts in the reorganised CM structure. Thus the recommended approach is to run the two reorganisations together as one 'ring-fence'.

This decision is not subject to call in as a delay in implementing the decision this would cause the Council serious financial implications or could compromise the Council's position, therefore it will be implemented immediately.

103. Restructuring of Services within Children & Young People (EX2211)

(Paragraph 1 – information relating to an individual)
(Paragraph 2 – information identifying an individual)

The Executive considered an exempt report (Agenda Item 17) concerning setting out the rationale for the restructure of Early Years services in line with the DfE Business Plan 2011-2015 and the levels of funding available within the Early Intervention Grant. It also set out the proposal to reconfigure the Parent Partnership service in line with the DfE Business Plan. The impact on the Adult and Community Learning Team, resulting from the imposed change to the Council's contract with the Skills Funding Agenda was considered.

RESOLVED that the recommendations set out in the exempt report were approved.

Reasons for the decision: Funding has been reduced overall for a number of services within the Early Intervention Grant, requiring new approaches to service delivery. West Berkshire does not meet the minimum contract level for the continuation of the ACL contract with the Skills Funding Agency.

Other options considered: None.

Resolved that the recommendations set out in the exempt report were approved.

This decision is eligible to be 'called-in'. However, if the decision has not been 'called-in' by 5.00pm on 25 February 2011, then it will be implemented.

104. Financial Performance Report Q3 of 2010/11 - Appendix 2(e) (EX2048)

RESOLVED that the recommendations set out in the exempt report were approved.

This decision is eligible to be 'called-in'. However, if the decision has not been 'called-in' by 5.00pm on 25 February 2011, then it will be implemented.

(The meeting commenced at 6.30 pm and closed at 7.52 pm)

CHAIRMAN

Date of Signature