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NOTICE OF MEETING

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HIGHWAYS, TRANSPORT AND ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

will meet on

TUESDAY, 14TH MARCH, 2017

At 6.30 pm

in the

COUNCIL CHAMBER - TOWN HALL,

TO: MEMBERS OF THE HIGHWAYS, TRANSPORT AND ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

COUNCILLORS HARI SHARMA (CHAIRMAN), JESSE GREY (VICE-CHAIRMAN), MALCOLM BEER, MARIUS GILMORE, MAUREEN HUNT, PAUL LION AND JULIAN SHARPE

SUBSTITUTE MEMBERS

COUNCILLORS DAVID EVANS, DAVID HILTON, LYNNE JONES, WESLEY RICHARDS, DEREK SHARP, JOHN STORY, SIMON WERNER AND LYNDA YONG

Karen Shepherd - Democratic Services Manager - Issued: 6 March 2017

Members of the Press and Public are welcome to attend Part I of this meeting. The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Wendy Binmore** 01628 796 251

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AGENDA

PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
1.	<u>APOLOGIES</u> To receive any apologies for absence.	
2.	<u>DECLARATIONS OF INTEREST</u> To receive any Declarations of Interest.	5 - 6
3.	<u>MINUTES</u> To confirm the Part I Minutes of the previous meeting.	7 - 10
4.	<u>EMERGENCY PLANNING - PROPOSED SHARED BERKSHIRE SERVICE</u> To consider the above report.	11 - 16
5.	<u>LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC AND PRESS</u> To consider the following resolution:- "That under Section 100(A)(4) of the Local Government Act 1972, the public can be excluded from the remainder of the meeting whilst discussion takes place on item 6 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 – 7 of Part I of Schedule 12A of the Act".	

PRIVATE MEETING - PART II

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
i.	<u>EMERGENCY PLANNING - PROPOSED SHARED BERKSHIRE SERVICE - APPENDIX A</u> To consider the above appendix <i>(Not for publication by virtue of Paragraph 1, 3 of Part 1 of Schedule 12A of the Local Government Act 1972)</i>	17 - 28

MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
 - a) that body has a piece of business or land in the area of the relevant authority, and
 - b) either (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body **or** (ii) the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

PREJUDICIAL INTERESTS

This is an interest which a reasonable fair minded and informed member of the public would reasonably believe is so significant that it harms or impairs your ability to judge the public interest. That is, your decision making is influenced by your interest that you are not able to impartially consider only relevant issues.

DECLARING INTERESTS

If you have not disclosed your interest in the register, you **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI or Prejudicial Interest. If you have already disclosed the interest in your Register of Interests you are still required to disclose this in the meeting if it relates to the matter being discussed. A member with a DPI or Prejudicial Interest **may make representations at the start of the item but must not take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the discussion or vote, you must move to the public area, having made your representations.

If you have any queries then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

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Agenda Item 3

HIGHWAYS, TRANSPORT AND ENVIRONMENT OVERVIEW AND SCRUTINY PANEL

TUESDAY, 31 JANUARY 2017

PRESENT: Councillors Hari Sharma (Chairman), Malcolm Beer, Marius Gilmore, Maureen Hunt, Paul Lion and Julian Sharpe

Also in attendance: Cllr Phillip Bicknell

Officers: Wendy Binmore, Andy Jeffs, Wendy Binmore, Mark Lampard and Ben Smith and Rob Stubbs

APOLOGIES

None received.

DECLARATIONS OF INTEREST

Cllr Beer – Declared a personal interest as he is a member of Old Windsor Parish Council and was also a member of the Old Windsor Carnival Committee.

Cllr Gilmore – Declared a personal interest as he works for Airbus.

Cllr Sharma – Declared a personal interest as he works for First Group.

MINUTES

RESOLVED: That the Part I minutes of the meetings of the Panel held on 6 December 2016 and also 9 January 2017 be approved.

BUDGET AND COUNCIL TAX 2017/18

Rob Stubbs, Head of Finance/Deputy Director Corporate & Community Services gave a presentation on the Budget 2017-2018 where the following key points were highlighted:

- Local Revenue Investments:
 - Expanding the planning team's expertise and capacity: £196,000
 - Increasing the care and maintenance of public trees: £100,000
 - More grants for voluntary organisations: £160,000
 - Funding the apprenticeship levy: 280,000
- Revenue recommendations:
 - In 16/17 it was £373 less than the average unitary, £213 less than any other Berks unitary and £189 less than any unitary authority.
 - 3% adult social care precept at band D of £27,75, adding to the 2% in 16/17 of £18.14
 - 0.95% increase in council tax at band D, adding £8.62 to the £906.95 which did not increase from 15/16 to 16/17
 - 0.95% is half of the reference inflation of 2.0% in September 2016 and the 1.99% increase permitted without a local referendum
 - Fees and charges are either not increased, or are increased at or below 2.0%, or are aligned to other council
 - Increases the real terms reduction in core council tax over eight years to 32.5% plus a priority social care levy of 5%
- 17/18 Capital investment:

- Used internal balances to fund Capital – will turn to significant borrowing in 2017/18
- Interest costs avoided in recent years by funding capital projects from available cash balances
- Capital receipts from the Maidenhead regeneration from 2018-2025 justify £73m of medium term borrowing in 17/18 for various capital projects.
- Business Rates – for business
 - Small business rate relief doubling to 100% up to £15,000 – to continue to extend to all commercial and industrial units.
 - Local newspaper business rate relief of £1,500 per title
 - All locally controlled rate reliefs maintained
 - Rural rate relief extended and redefined from large parishes to smaller voting wards
 - Relief for reinvigorating vacant retail units to be extended to all commercial and industrial premises
 - Ongoing deliberations and consultations on how local government will retain all business rates by the end of this Parliament.
- Context:
 - The Council continued to provide services with value for money for residents
 - Increased demand in adult social care with a permitted precept of up to 3% in each of 17/18, 18/19 and 19/20 capped at 6% in total, plus a one-off 17/18 £0.5m grant
 - New Homes Bonus £3.7m in 17/18, although reduced from six years to five years in 17/18 and then five to four in 18/19
 - Transition Grant £1.3m in 17/18
 - DSG increased by £4.8m in 17/18 to £109.8m largely due to rising pupil numbers, increases in SEN and Early Years
 - £280,000 0.5% apprenticeship levy on all payroll from 17/18

The Chairman welcomed the budget and appreciated the difficult times councils across the country faced. He added there were good investments in the transport system and public rights of way. He noted that additional investment was being made in Home to School Transport Services..

In response to a question about FTEs in the Highways & Transport section of the Revenue budget, Mark Lampard, Finance Partner - Corporate Services & Operations confirmed that the budget had been prepared on the basis for the existing business model, as details of the new contracts were at that time unconfirmed.. Ben Smith, Head of Highways & Transport stated that the numbers of staff affected were included in the previous presentations discussed in Part II at the previous meeting. The figures were not presented in the same way in the Budget report.

Ben Smith confirmed that the Highways & Maintenance contract was a five year contract and with an option to extend for two years.. Ben Smith, Head of Highways confirmed that school crossing patrols were being kept in house, as well as the rights of way team.

Members discussed income from waste recycling, and noted that the budget benefit for the Borough relates to lower tonnage rates for recyclables compared to those for black bin waste. It did not generate income but, saved the Borough money and helped the environment.

Mark Lampard, confirmed that the reason the figure had increased for licensing and enforcement was because of the number of licences within that category which reflected a small rise.

Mark Lampard, confirmed that the budget shows a rise in income from car parking, due to increased activity particularly in the Borough's Town Centres.

Cllr Beer requested that the borough take on the costs for road closures for voluntary organisation events such as the Old Windsor Carnival as the fees it costs to advertise the road closures etc. make the carnival unviable for the future. Cllr Bicknell stated there was a financial issue in the council having to save money and it was unable to help everyone as that would run into thousands. Those groups that needed to could talk to the Highways team and their requests could be looked at on a case by case basis.

Cllr Bicknell confirmed that parking charges were variable from site to site. However, he did not think that any Ward Members were against reviewing the times of charges at the various parking facilities within the Borough.

UNANIMOUSLY RESOLVED: Members of the Highways, Transport and Environment Overview and Scrutiny Panel recommend to Cabinet That: Cabinet recommend to Council that they note the report and approve the:

- i) Detailed recommendations contained in Appendix A which includes a Council Tax at band D of £915.57, including a 0.95% increase of £8.55.**
- ii) Adult Social Care Precept of 3% (an increase of £27.75 on the £18.14 precept included in the 2016/17 budget) to be included in the Council's budget proposals, making this levy the equivalent of £45.89 at band D.**
- iii) Fees and Charges contained in Appendix D are approved.**
- iv) Capital Programme, shown in appendices F and G, for the financial year commencing April 2017.**
- v) Prudential borrowing limits set out in Appendix L.**
- vi) Business rate tax base calculation, detailed in Appendix O, and its use in the calculation of the Council Tax Requirement in Appendix A.**
- vii) Head of Finance in consultation with the Lead Members for Finance and Children's Services is authorised to amend the total schools budget to reflect actual Dedicated School Grant levels.**
- viii) Head of Finance in consultation with the Lead Member for Finance is authorised to make appropriate changes to the budget to reflect the impact of the transfer of services to Achieving for Children and Optalis.**
- ix) Responsibility to include the precept from the Berkshire Fire and Rescue Authority in the overall Council Tax charges is delegated to the Lead Member for Finance and Head of Finance once the precept is announced.**

LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC AND PRESS

The meeting, which began at 6.30 pm, finished at 7.42 pm

CHAIRMAN.....

DATE.....

Agenda Item 4

Report Title:	Proposal for a Shared Emergency Planning Service for Berkshire
Contains Confidential or Exempt Information?	Main body of the report Part I Appendix A, Part II - Not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.'
Member reporting:	Councillor Carwyn Cox – Lead Member for Environmental Services including Parking.
Meeting and Date:	23 March 2017
Responsible Officer(s):	Andy Jeffs, Interim Strategic Director of Operations and Customer Services.
Wards affected:	All

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1. During 2016 a review of Emergency Planning services was completed across the six Berkshire Authorities on behalf of the Berkshire Chief Executives Group. The report concluded that the six authorities should seek to deliver Emergency Planning and Business Continuity Planning through a shared service arrangement, with West Berkshire being the host authority for the service.
2. The Royal Borough Emergency Planning Service currently has one officer who is required to cover all areas of planning. A shared arrangement would increase expertise and resilience of the service provided in the borough.
3. If approved by all six authorities the new shared service would go live on 1 October 2017 and cost the Borough £71,000.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) **Delegates authority to the Interim Strategic Director of Operations & Customer Services in conjunction with the Lead Member for Environmental Services including Parking to implement a shared Emergency Planning service subject to a satisfactory inter authority collaboration agreement being achieved, including provision for one FTE to have its primary base as Windsor & Maidenhead.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 The Royal Borough currently shares 30 services with other local authorities. This paper sets out a proposed additional shared service for Emergency Planning and Business Continuity Planning across Berkshire. The proposal to share services was initially proposed in 2015. At this point only four of the six Berkshire were in agreement. In late 2016 the six Berkshire Authorities requested the initial proposal be reviewed and a new shared service considered, see Appendix A.

- 2.2 The current Berkshire Emergency Planning model was introduced in 1998 and is based on each Unitary Authority employing dedicated resource with informal joint working arrangements across a range of shared activities managed through a Memorandum of Understanding (MOU). Resourcing levels for the six services have changed in each authority. There is now interest in a shared service.
- 2.3 The review, see appendix A, highlighted a number of issues with existing arrangements, for instance:
- A lack of resilience in each authority due to a reliance on one or two key individuals, with vulnerabilities identified where vacancies or prolonged periods of absence occurred.
 - No consistent approach and therefore on occasion duplicate work, wasted resource so inefficient use of resource
 - Disparity in the resourcing of Emergency Planning between the Councils, resulting in the cost of multi-agency work being funded inequitably.
 - A lack of career structure/personal development framework with opportunities for succession planning to aid retention.
 - Multiple points of contact for communication with partner agencies.
- 2.4 The review concluded that the EP services have demonstrated a high level of professionalism and some joint working. However, the operating framework established in 1998 is no longer effective or sustainable. The need for Berkshire to present a stronger single voice coupled with opportunities to avoid duplication of effort are clearly evident.
- 2.5 A team of five FTE is proposed. This would comprise two teams of two FTE with each team covering one of two regions, Berkshire West and Berkshire East. An Emergency Planning Team Manager would be based in the Lead Authority with the two operational teams working across the six authorities; see proposed staffing structure in Appendix A.
- 2.6 There are six critical success factors determined for this proposal:
- **Enhanced resilience:** resources can be deployed much more effectively to where they are needed rather than rely on mutual aid arrangements.
 - **Enhanced effectiveness:** considerable scope exists to reduce or eliminate duplication of effort. Enhanced leadership and strategic direction.
 - **Strengthened mutual aid arrangements:** this will be easier to coordinate in a shared arrangement.
 - **No increase in costs:** some authorities will realise a small efficiency saving. The proposal would result in no additional cost to the Royal Borough but offer value through increased resilience and more effective BCP arrangements.
 - **Local presence:** the proposed model is not based on dedicated resource located in each authority but two regional teams that will be deployed dynamically and based on need.
 - **Enhanced working relationship with Thames Valley Local Resilience Forum (TVLRF):** The appointment of a single manager providing one point of contact for Berkshire will greatly enhance relationships with the TVLRF. Efficiencies will be achieved through rationalising attendance at regional and sub-regional EP meetings and forums.

- 2.7 The host authority would be West Berkshire and the Berkshire Chief Executives Group would receive quarterly reports on the performance of the service, which will be shared with the Lead Cabinet member and Cabinet.
- 2.8 The council has a number of factors and high profile locations that influence its Emergency Planning risk profile:
- Fluvial Flood Risk from River Thames and tributaries
 - Crowded Spaces - Significant National and Regional Tourism Sites
 - Ministry of Defence facilities
 - Transportation - Heathrow Flight Paths, Motorway network
 - VIP presence - Royal Household, Eton College
 - Public Events - Ascot Racecourse, Horse Show
- 2.9 The inter authority collaboration agreement confirmed with the host authority will ensure proportionate and robust coverage and response mechanisms for the Boroughs high profile locations. West Berkshire is the only authority to have a higher profile than the Royal Borough and this is due to the Atomic Weapons Establishment, Aldermaston being located in its area.
- 2.10 There are a number of day to day operations that cross over with the EP function that will need support and input from any proposed shared service e.g. Safety Advisory Group, Ceremonial Events Group etc. These functions will be satisfactorily covered within the agreement entered. In addition the proposed Emergency Planning model incorporates BCP, supporting Council service areas in developing robust continuity plans.
- 2.11 The new team would coordinate out of hours arrangements for Emergency Planning. This is currently shared across Heads of Service and Service Leads in the Operations and Customer Services Directorate. This arrangement will mean that qualified EP personnel will provide out of hours cover going forward. This will not remove the need for a local 'duty officer' to lead on the Royal Borough's out of hours response and to initially fulfil the Local Authority Liaison Officer (LALO) role.

Table 1:

Option	Comments
Implement a shared Emergency Planning service with the five other Berkshire authorities conditional on one FTE having Windsor and Maidenhead as their base location in the Berkshire East region.	This option will offer an opportunity for the council to increase resilience and reactivity for Emergency Planning and Business Continuity Planning arrangements.
The recommended option	
Retain dedicated Emergency Planning resource and continue with a stand alone service delivery model.	The council will be able to deliver its statutory obligations under this arrangement. It will not have the opportunity to increase resilience through partnership with other Berkshire authorities.
Not recommended option	

3. KEY IMPLICATIONS

Table 2: Defined outcomes

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Shared Emergency Planning service implemented	30/11/17	01/10/17	25/09/17	18/09/17	01/10/17

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 3.1 The Borough has allocated £71,000 for emergency planning services in 2017/18.
- 3.2 Existing EP functions across Berkshire are estimated to have a net cost of £404,000 per annum. The proposed model is expected to operate with a budget of £371,000 in year one based on current assumptions and including a £14,000 contingency budget. A one off cost of approximately £9,000 is anticipated for the creation of the new working arrangement. This cost would be shared by the six authorities.

5. LEGAL IMPLICATIONS

- 5.1 Powers to share services are contained within sections 101 and 102 of the Local Government Act 1972 and Sections 9EA and 9EB Local Government Act 2000 (as amended) for executive functions. The legislation is supplemented by the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012/1019. The Regulations set out who within a Local Authority is able to authorise entering into shared arrangements or any delegation of functions. These authorised persons will usually be one of the following: the elected mayor, the executive of the local authority or a committee of the executive.
- 5.2 Inter authority collaboration agreement will be agreed between the six authorities prior to start up of the new shared service.

6. RISK MANAGEMENT

Table 4: Potential risks

Risks	Uncontrolled Risk	Controls	Controlled Risk
Loss of dedicated EP resource and ability to develop working relationships	Medium	A robust inter authority collaboration agreement is negotiated that is proportionate to the needs and risk profile of the council with provision	Low

Risks	Uncontrolled Risk	Controls	Controlled Risk
with local stakeholders and partners.		for one FTE resource to have the Royal Borough as their primary base.	
Staffing arrangements not reviewed and configured appropriately for the shared service.	Medium	A review of staffing arrangements and requirements undertaken including administrative, infrastructure and equipment support for a shared service has been undertaken. Staffing arrangements approved by the council.	Low
The council's requirements are/appear subordinate to partner authority's requirements.	Medium	The inter authority collaboration agreement secures the profile of the council with one FTE resource based in the Royal Borough.	Low

7. POTENTIAL IMPACTS

- 7.1 An external consultant is currently providing Emergency Planning services across the council under a consultancy agreement. Consequently there would be no TUPE implications for the council as the substantive post is vacant.
- 7.2 The shared service proposal strengthens the resilience of the council service.

8. CONSULTATION

- 8.1 This report is scheduled to be considered by the Highways, Transport & Environment Overview & Scrutiny meeting on 14 March 2017. The panel's comments will be provided to Cabinet prior to consideration of the report.

9. TIMETABLE FOR IMPLEMENTATION

Table 5: Indicative implementation timeline

Date	Details
23 March 2017	Cabinet considers shared service report
31 March 2017	Call in period ends
01 April 2017 – 30 June 2017	Inter authority collaboration agreement negotiation
01 July – 31 July	Collaboration agreement finalised and signed
21 August 2017	Six week transition/mobilisation period
01 October 2017	Shared service goes live

10. APPENDICES

Appendix A – Shared service review detailed report

11. BACKGROUND DOCUMENTS

11.1 None

12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Commented & returned
Cllr Carwyn Cox	Lead Member for Environmental Services inc. Parking	20/02/17	23/02/17
Alison Alexander	Managing Director	17/02/17	19/02/17
Andy Jeffs	Interim Strategic Director of Operations & Customer Services	13/02/17	17/02/17
Russell O'Keefe	Strategic Director of Corporate & Community Services	17/02/17	
Rob Stubbs	Head of Finance	17/02/17	
Terry Baldwin	Head of HR	17/02/17	
Roxanna Khakinia	Head of Shared Legal Services	17/02/17	21/02/17
Mark Lampard	Finance Partner	17/02/17	20/02/17
Steve Johnson	Enforcement Principal	13/02/17	
Arthur Rabjohn	Emergency Planning Lead	13/02/17	15/02/17

REPORT HISTORY

Decision type: Key decision	Urgency item? No
Report Author: Craig Miller, Head of Community Protection & Enforcement	

Agenda Item 6

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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