

Date Published: 29 September 2016



EXECUTIVE

27 SEPTEMBER 2016

SUPPLEMENTARY PAPERS

TO: ALL MEMBERS OF THE EXECUTIVE

The following papers have been added to the agenda for the above meeting.

These were not available for publication with the rest of the agenda.

Alison Sanders
Director of Corporate Services

	Page No
3. MINUTES	3 - 20
To consider and approve the minutes of the meeting of the Executive held on 18 July 2016.	
15. REGULATORY SERVICES - JOINT SERVICES PROPOSAL	21 - 64
To consider a proposal to establish a joint regulatory services unit with West Berkshire and Wokingham Borough Councils to be known as the Berkshire Public Protection Partnership.	

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Bracknell Forest Council Record of Decision

Work Programme Reference	I062423
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1. **TITLE:** Arrangements for the National and Regional Dispersal Scheme for Unaccompanied Asylum Seeking Children and Refugee Children

2. **SERVICE AREA:**

3. **PURPOSE OF DECISION**

To update the Executive on the Government proposals for the dispersal and allocation of Unaccompanied Asylum Seeking Children (UASC) and refugee children across Councils in England.

4. **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Executive confirms that the Council will be part of the national and regional dispersal scheme, accepting up to 0.07% of our general child population over time.

That Council Services make the necessary plans to receive children from the regional dispersal scheme on the basis of one or two a month as that is considered to be manageable for dispersal and coordination arrangements.

That funding to support UASC in excess of the Government Grant, be met from the contingency in the current year.

That relevant partners are included in the planning process, especially health services as there is expected to be additional health service needs associated with this vulnerable group.

7. **REASON FOR DECISION**

An UASC is a person who is under 18 years of age when their asylum application is submitted and is applying for asylum in their own right. The young person must be separated from both parents and not being cared for by an adult who in law or by custom has responsibility to do so.

There are, on average, around 3,000 UASC entering the UK every year. This year, following the former Prime Minister's decision to accept a group of children from the Middle East and North Africa as part of the 'children at risk' scheme there are a further group of approximately 3,000 who are at refugee camps and will be entering the UK over the lifetime of this Parliament (many but not all of this group could be with family/carers) along with refugee children currently in Europe who will be allowed to enter the UK (some will be unaccompanied but it is thought that many will join family in the UK).

The current system means that in most cases the children stay in the care of the local authority where they claim asylum. A small number of local authorities especially those who have a port, motorway service station or airport in their area are therefore looking after a disproportionate number of UASC. The dispersal arrangements are intended to ensure that any local authority does not face an unmanageable responsibility in accommodating and looking after unaccompanied children pursuant to its duties under parts 3, 4 and 5 of the Children Act 1989.

Within the UK some Council's have no UASC, whereas others have received very high numbers, with Kent the most affected. The Government has therefore developed a proposal for a national dispersal system using a mathematical formula based on the general child population in each Local Authority to provide a more equitable distribution mechanism. Under this scheme each local authority would be required to accept 0.07% of their general child population. In the case of Bracknell Forest, this equates to 19 young people under 18 years old.

Once UASC turn 18 years of age, they enter the after care system and will most likely move into supported living accommodation. Many leave the care system at aged 21 whilst others remain the local authority responsibility up to age 25 if they are in full time education. Even at 21 or 25 there are support needs as they become adults subject to the Immigration Act and seek to remain in the UK.

The national dispersal scheme was scheduled to start from 1 July 2016 and is coordinated regionally by the Strategic Migration Partnerships. The expectation is that national teams will allocate to the regions and the regional coordination team will allocate to local authorities.

The Government has confirmed that additional grant funding will be available to support these new UASC but this will be insufficient to cover the costs of education, care and accommodation particularly for care leavers. Council's are expected to meet the additional costs from their own budgets.

8. ALTERNATIVE OPTIONS CONSIDERED

There is no feasible alternative but to agree to be part of the scheme. The Immigration Act 2016 Section 72 enables the Secretary of State to require local authorities to cooperate in the transfer of unaccompanied migrant children if they are unwilling to do so on a voluntary basis, by creating a scheme for the transfer of the functions of one local authority to another local authority, in accordance with arrangements under section 69 and directing the relevant local authority to comply with the scheme. The Secretary of State has indicated that he will do this if Councils do not 'volunteer'.

By agreeing to be part of the scheme, the Council may have more control as part of a planned voluntary programme of settlement than it would if simply forced or 'required' to accept specific UASC, although this is untested.

9. PRINCIPAL GROUPS CONSULTED:

10. **DOCUMENT CONSIDERED:** Report of the Director of Children, Young People & Learning.

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
19 July 2016	Not applicable

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I060097
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1. **TITLE:** Revenue Expenditure Outturn 2015/16

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To note outturn expenditure and make recommendations to the Governance and Audit Committee on Reserves.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1. That the outturn expenditure for 2015/16 be noted, subject to audit, of £76.477m, which represents an under spend of -£2.702m compared with the approved budget.
2. That the budget carry forwards of £0.315m as set out in paragraph 5.9 and Annexe C of the Borough Treasurer's report be noted.
3. That the earmarked reserves as set out in Annexe D be approved.
4. That the virements relating to the 2015/16 budget between £0.050m and £0.100m set out in Annex E be approved.

Recommended that:

1. Council note the Treasury Management performance in 2015/16 as set out in Annexe B.
2. Council approve the virements relating to the 2015/16 budget over £0.100m set out in Annex E.

7. **REASON FOR DECISION**

The recommendations are intended to inform the Executive of financial performance against budget in the 2015/16 financial year.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The report set out the Council's actual financial performance in 2015/16 and the consideration of options is not therefore appropriate.

9. **PRINCIPAL GROUPS CONSULTED:** N/A

10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
18 July 2016	25 July 2016

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	IO60715
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1. **TITLE:** Capital Programme Outturn 2015/16

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To note outturn expenditure and financing and to approve carry forwards.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1. That the outturn capital expenditure be noted, in particular the key variances identified in paragraph 5.5 of the report
2. That the carry forward of £20.967m from the 2015/16 capital programme to 2016/17 including £0.339m relating to projects approved in 2014/15 be approved. (see paragraph 5.6 of the report)
3. That the financing of capital expenditure as detailed in Table 2 of the report be noted.
4. That the additions and virements to the 2016/17 Capital Programme be approved as outlined in paragraphs 5.14 to 5.18 of the report.

7. **REASON FOR DECISION**

The reasons for the recommendations are set out in section 5 of the report.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Not applicable.

9. **PRINCIPAL GROUPS CONSULTED:** N/A

10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
18 July 2016	25 July 2016

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I061425
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1. **TITLE:** RE3 Waste Strategy
2. **SERVICE AREA:** Environment, Culture & Communities
3. **PURPOSE OF DECISION**

Bracknell Forest, Wokingham and Reading Councils have joined together to form re3 for the purposes of our waste disposal needs. The Partnership has through the Joint Waste Disposal Board (JWDB) agreed the draft Strategy. All three Councils are being asked to endorse the Strategy so as to maximise the potential of the Partnership to reach its own targets and help the Councils achieve theirs.

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the draft re3 Strategy set out in Annex 1 of the report be endorsed.

7. **REASON FOR DECISION**

The PFI Contract binds the Partnership to achieve a 50% overall recycling rate for the facilities by the end of its term (31 October 2031). The Strategy seeks to help ensure that the target is met.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Not to endorse the Strategy as proposed by the Joint Waste Disposal Board.

9. **PRINCIPAL GROUPS CONSULTED:** Not applicable at this stage.
10. **DOCUMENT CONSIDERED:** Report of the Director of Environment, Culture & Communities
11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
18 July 2016	25 July 2016

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I061946
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1. **TITLE:** Community Access at Edgbarrow & Sandhurst Sports Centres

2. **SERVICE AREA:** Environment, Culture & Communities

3. **PURPOSE OF DECISION**

To seek approval to undertake a public consultation in order to provide information to help determine how community access to the leisure facilities at Edgbarrow and Sandhurst sports centres may be managed in the future.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1. That the proposed two delivery options be approved as the main focus for public consultation.
2. That the accompanying public consultation questionnaire be approved for circulation and feedback.

7. **REASON FOR DECISION**

One of the proposals for future community access represents a significant change from the current delivery. Full public consultation is therefore necessary.

8. **ALTERNATIVE OPTIONS CONSIDERED**

School management of full “pay and play” community access to the facilities have been discussed and rejected, as have community management of the facilities.

9. **PRINCIPAL GROUPS CONSULTED:** Public
Edgbarrow and Sandhurst Joint
Management Committee
Crowthorne Parish Council
Sandhurst Town Council

10. **DOCUMENT CONSIDERED:** Report of the Director of Environment, Culture & Communities

11. **DECLARED CONFLICTS OF INTEREST:** none

Date Decision Made	Final Day of Call-in Period
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18 July 2016	25 July 2016
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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I060374
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1. **TITLE:** Medium Term Financial Strategy

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To agree the Council's Medium Term Financial Strategy, Efficiency Plans and the Multi-Year Settlement.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1. That the Commitment Budget for the period 2017/18 to 2019/20, summarised in Annex A of the Borough Treasurer's report be approved.
2. That the Government's offer of a four year funding settlement be accepted, subject to the agreement of an efficiency plan at the Council meeting on 14 September 2016.
3. That the proposed budget process and timetable for 2017/18 as set out in paragraphs 5.18 to 5.22 of the Borough Treasurer's report be approved.

7. **REASON FOR DECISION**

The recommendations are designed to allow the development of the Medium Term Financial Strategy and to start to consider an appropriate budget strategy for 2017/18 and beyond.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Background information relating to the options considered is included in the Borough Treasurer's report.

9. **PRINCIPAL GROUPS CONSULTED:** CMT
Members

10. **DOCUMENT CONSIDERED:** Report of the Director of Corporate Services

11. **DECLARED CONFLICTS OF INTEREST:** none

Date Decision Made	Final Day of Call-in Period
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18 July 2016	25 July 2016
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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	IO61585
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1. **TITLE:** Youth Offending Service Inspection
2. **SERVICE AREA:** Children, Young People and Learning
3. **PURPOSE OF DECISION**

To inform the Executive of the outcome of the recent Inspection (short quality screening) carried out by Her Majesty's Inspectorate of Probation (HMIP) and to approve the action plan.

4. **IS KEY DECISION** No
5. **DECISION MADE BY:** Executive

6. **DECISION:**

1. That it should be noted that the HMIP report of Short Quality Screening of youth offending found the quality of work in Bracknell Forest to be excellent.
2. That the completed action plan be endorsed.

7. **REASON FOR DECISION**

Not applicable.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None.

9. **PRINCIPAL GROUPS CONSULTED:** N/A

10. **DOCUMENT CONSIDERED:** Report of the Director of Children, Young People & Learning.

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
18 July 2016	25 July 2016

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	IO62353
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1. **TITLE:** Proposed Changes to the Commissioning & Delivery of Drug & Alcohol Services

2. **SERVICE AREA:** Adult Social Care, Health & Housing

3. **PURPOSE OF DECISION**

To recommend to Executive the preferred option in respect of the future commissioning and delivery of substance misuse services in Bracknell Forest.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the decision of Corporate Management Team be agreed in order for option 3 of the Director of Adult Social Care, Health and Housing's report to proceed.

7. **REASON FOR DECISION**

Due to the Berkshire wide review of DAAT's, Bracknell Forest took the decision not to award a new contract but to extend the existing contract for 12 months. This means that the services need to be re-tendered. This gives us the opportunity to review the current arrangements and consider options for improvements and potential efficiencies.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Three options are contained within the Director of Adult Social Care's report.

9. **PRINCIPAL GROUPS CONSULTED:** None

10. **DOCUMENT CONSIDERED:** Report of the Director of Adult Social Care, Health & Housing

11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
18 July 2016	25 July 2016

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	IO61975
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1. **TITLE:** Binfield Learning Village at Blue Mountain - Award of Works Contracts
2. **SERVICE AREA:** Children, Young People and Learning
3. **PURPOSE OF DECISION**

To award the contract (including enabling works) for the construction of Binfield Learning Village at Blue Mountain.

4. **IS KEY DECISION** Yes
5. **DECISION MADE BY:** Executive

6. **DECISION:**

1. That the update to the Binfield Learning Village Procurement Plan in Appendix 1, Part 2 of the Director of Children, Young People and Learning's report be approved.
2. That the award of the Enabling Works contract for the construction of the Binfield Learning Village to Mace Limited for a value up to £850k be approved.
3. That the award of the Main Works contract to Mace Limited for a value of £36.3m (up to £37.15m including the Enabling Works) for the construction of Binfield Learning Village be approved
4. That a supplementary capital approval of £3.3m as referred to in Part 2 of the Director of Children, Young People and Learning's report be recommended to Council.

7. **REASON FOR DECISION**

The Binfield Learning Village (BLV) at Blue Mountain is a priority for Bracknell Forest Council. The programme will deliver statutory school places from September 2018 required in the Borough alongside meeting the need for new housing and the associated community facilities.

BLV has been proposed as a STEM school catering to children of all ages with a capacity of 1851 pupils, consisting of:

- a nursery to provide for up to 52 children,
- primary provision providing for up to 420 children, 2 Forms of Entry (FE),
- secondary provision providing for up to 1,050 pupils, 7FE,
- post-16 providing for up to 315 students, and
- an integrated SEN provision for up to 40 primary and secondary.

A school provider was selected by the Council and recommended to the Regional Schools

Commissioner (RSC). The RSC has made its decision in June 2016 supporting the Council's recommendation and has appointed the King's Group Academies.

The development of the Blue Mountain site in accordance with the Site Allocation Local Plan has been previously approved through the Executive process, which included a full Council consultation. Planning Permission for the BLV has been granted in June 2016, which is subject to a six-week judicial review period. The council is due to receive the land from the current site owner on the basis that an all-through school will be built by the Council.

The new BLV school is due to commence from September 2018, which means that the current timetable has very limited programme contingency. The programme also has several external dependencies, which could negatively impact the programme delivery.

The scope, timetable, funding model and the procurement plan for the Learning Village was approved by the Executive in October 2014. An update to the procurement plan to reflect the current position has been provided in Appendix 1.

Following the decision taken by the Executive on 21 October 2014 to use the IESE Framework for the Binfield Learning Village, and the appointment of Mace, by the Executive Committee in April 2015, as a contractor using the IESE framework for the Stage 1 pre-construction services a further decision is required to appoint Mace for the Stage 2 of the IESE framework for enabling and main works contracts.

8. **ALTERNATIVE OPTIONS CONSIDERED**

A decision to award the contract for enabling works and main works could be taken by the next meeting of the Executive in September 2016, which would lead to a significant delay to the delivery of the programme. As a result, the new Learning Village would most likely open a year later in September 2019. Over and above, external dependencies could further delay the programme delivery. The cost of delivering the programme would also increase during this period due to inflation.

9. **PRINCIPAL GROUPS CONSULTED:** Binfield Parish Council
Blue Mountain Programme Board
Public consultations
10. **DOCUMENT CONSIDERED:** Report of the Director of Children, Young People & Learning.
11. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
18 July 2016	25 July 2016

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I061274
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1. **TITLE:** Award of Framework Agreement for Supported Bus Passenger Transport Services

2. **SERVICE AREA:** Environment, Culture & Communities

3. **PURPOSE OF DECISION**

To approve the award of the Bus Passenger Transport Framework to the qualifying operators, following the evaluation of submitted tender applications.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Framework Agreement for Supported Bus Passenger Transport Services be awarded to the transport operators identified in the Confidential Annex 1 of the Director of Environment, Culture and Communities report.

7. **REASON FOR DECISION**

The tenderers have met the minimum thresholds set for quality which allow them to be invited to tender for routes without further qualification.

The officers have worked to the approved procurement plan.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Not to award a new Framework Agreement and instead to extend the current Framework. This was discounted as the new Framework includes an additional local bus operator who is likely to bid for services and this additional competition should help keep costs for services as low as possible.

9. **PRINCIPAL GROUPS CONSULTED:** Not applicable.

10. **DOCUMENT CONSIDERED:** Report of the Director of Environment, Culture & Communities

11. **DECLARED CONFLICTS OF INTEREST:**

Date Decision Made	Final Day of Call-in Period
18 July 2016	25 July 2016

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I059300
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1. **TITLE:** Contract Award for Health Visiting Services

2. **SERVICE AREA:** Adult Social Care, Health & Housing

3. **PURPOSE OF DECISION**

The Health Visiting contract is to be awarded via competitive tender with a 'chosen' provider to be identified by 5th May 2016. The purpose for which we seek a decision is for approval to award the contract to the chosen provider after the procurement has been completed.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Health Visiting Service contract due to commence on 1st January 2017 be awarded to Tenderer A, Option A (commercially sensitive details in confidential annexes of the Director of Adult Social Care, Health and Housing's report).

7. **REASON FOR DECISION**

- 1 Responsibility for commissioning Health Visitor Service passed to local authorities in October 2015 and the current contract expires in December 2016.
- 2 A new service contract is required to provide continuity of care and the opportunity to evaluate options for the future provision of Children's Public Health programmes as a whole. An initial 15 month contract (with a 9 month extension) is proposed so as to coincide with the period of currently guaranteed Public Health Grant funding.
- 3 A competitive tendering process has been completed and a preferred solution has been identified.

8. **ALTERNATIVE OPTIONS CONSIDERED**

To not invest in the continued provision of Health Visiting services. This would be likely to significantly undermine health outcomes in both young children and parents and represent a false economy in relation to the resulting demand on other services.

To integrate Health Visiting into existing council services rather than procure a service from an external provider. While this is an option for the future, the responsibility for Health Visiting Services only transferred to local authorities in October 2015. Given the potential complexity inherent in integrating services more time is required to properly evaluate all options and implement any agreed solution.

9. **PRINCIPAL GROUPS CONSULTED:** Public and Stakeholders

10. **DOCUMENT CONSIDERED:** Report of the Director of Adult Social Care, Health & Housing

11. **DECLARED CONFLICTS OF INTEREST:**

Date Decision Made	Final Day of Call-in Period
18 July 2016	25 July 2016

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

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