

**ENVIRONMENT, CULTURE AND  
COMMUNITIES OVERVIEW & SCRUTINY  
PANEL  
16 MARCH 2009  
7.35 - 9.40 PM**



**Present:**

Councillors Brunel-Walker (Chairman), Finnie (Vice-Chairman), Beadsley, Burrows, Finch, Mrs Fleming, Leake, Mrs McCracken, McLean and Mrs Ryder

**Executive Members:**

Councillors Mrs Ballin, Mrs Hayes and McCracken

**Apologies for absence were received from:**

Councillors Browne

**Also Present:**

Richard Beaumont, Head of Overview and Scrutiny  
Andrea Carr, Policy Officer (Scrutiny)  
Mark Devon, Chief Officer: Leisure and Culture  
Lynne Dick, Community arts Development Officer  
Jane Eaton, Chief Officer: Performance and Resources  
Simon Hendey, Chief Officer: Housing  
Steve Loudoun, Chief Officer: Environment and Public Protection  
Vincent Paliczka, Director of Environment, Culture and Communities  
Kirsten Shepherd, Communications Officer  
Katharine Simpson, Democratic Services Officer

**39. Minutes and Matters Arising**

**RESOLVED** that the minutes of the Environment, Culture and Communities Overview and Scrutiny Panel held on 18 December 2008 be approved as a correct record, and signed by the Chairman.

**40. Declarations of Interest and Party Whip**

Councillor Mrs McCracken declared a personal interest as the spouse of the Executive Member for Leisure, Corporate Services and Public Protection.

There were no other declarations of interest made at the meeting nor indications that Members would be participating whilst under the party whip.

**41. Urgent Items of Business**

There were no urgent items of business.

## 42. Performance Monitoring Report

The Director of Environment, Culture and Communities gave a presentation in respect of departmental performance with reference to the Performance Monitoring Report (PMR) for the 3<sup>rd</sup> quarter of 2008/09. The presentation outlined the Department's finances as at January 2009, highlighted variances on revenue and identified capital projects that would be carried forward. Staffing issues, key highlights and a forward look were also included.

The Panel noted that the six week Transport Research Laboratory (TRL) Planning Inquiry had placed significant demands on officer and financial resources. It was confirmed that the Council would not be able to claim costs if the appeal was won. The RAF Staff College Planning Inquiry had been much shorter and had not required the same level of legal expertise as the TRL inquiry and consequently had taken up fewer resources. Other major revenue variances included concessionary fares and highways maintenance. The latter was mainly due to increased and successful salting of the Borough's roads during the spell of bad winter weather.

The Panel was advised that the Department's staff turn over rate as at December 2008 was 21.72%. This was considered to be higher than would normally be expected and the situation was being managed through the use of agency staff in key posts and active recruitment. Sickness rates averaged two days per fulltime employee and were lower than the previous year.

Key highlights for the Department included: a reduction in the number of people housed in bed and breakfast accommodation, the implementation of two new home ownership schemes, the appointment of a new Chief Officer: Planning and Transport who would take up the post in May, the production of a draft Parks and Open Space Strategy, the introduction of mixed dry recycling in the blue bins. The impact of current financial environment was starting to be felt particularly at Easthampstead Park Conference Centre, where bookings were down, and at Downshire Golf Course and work to manage the drop in income was taking place. Looking forward, the Panel was advised that the Local Authority Carbon Management Plan would be launched on 31 March 2009.

Arising from Members' questions and comments the following points were noted:

- The new fast tracked planning appeals process meant that officers had only five or six months to prepare for a planning inquiry. Under the previous system officers had eighteen months to prepare.
- There had been a mixed response to the mixing of dry recyclable waste and the Department was working with contractors to identify those areas where recyclables were still being separated so that targeted advertising could occur.
- The news that there had been a 15% increase in the number of new library members during the period April to December 2008 when compared to the same period in 2007 was encouraging
- The principal reasons for the drop in the Council's overall Comprehensive Performance Assessment rating from 4 to 3 stars was the introduction of a 'harder test' for corporate services inspections, failure to increase the culture rating and the use of a complicated formula to calculate the final overall score
- The percentages of residents visiting libraries and museums related to residents using any libraries or museums and not just those in Bracknell Forest
- Following an audit in February, Forestcare had received accreditation from the Telecare Services Association.

- Clarification was sought over staffing levels by section as the information provided could be misconstrued. It was requested that this information be made clearer in future PMRs. The current number of vacant posts in the Housing Section was 10, of which two posts in the Benefits Section were deliberately held vacant to cover offsite processing work. The vacancy rate in the Leisure and Culture Section was less than 10% and the 43 vacant posts were those where the work was typically low paid and subject to unsociable hours and recruitment had always been problematic although an increase in applications was now being experienced.
- Test purchases of cigarettes, alcohol and knives with underage children where carried out with children whose appearance accurately reflected their age. Although the sample had been small the results were considered to be typical. Each case was judged on its merits with due regard to the nature of the offence and enforcement policy. A range of actions were available including formal discussions with the retailer, warning letters, restorative justice and prosecution of the retailer and or the person who sold the items.
- The 50 new members of the Leisure Saver Scheme were part of a continuing upward trend and not as a result of the economic climate.
- The state of the outdoor sports pitches at Priory Fields was a continuing concern and a timetable for pitch improvements would be circulated to the Panel.
- Input on the Green Spaces Strategy had been received from town and parish councils and relevant organisations including the Environment Agency. The Strategy was not expected to go through a formal public consultation process. A revised implementation date for the Strategy would be circulated to the Panel.
- There were currently only seven households accommodated in bed and breakfast accommodation.
- Improvement work to the Railway Station forecourt would be carried out in a phased approach to enable the taxi rank to remain open for the duration of the work; consequently it would take longer than if the taxi rank had been closed. Copies of the plans would be circulated to the Panel.
- A member enquired as to whether information concerning the Harvest Ride Speed Management Scheme was being routinely provided to the local Parish Council. Officers undertook to provide an answer.

The Panel requested that their thanks be passed to all staff who were involved in keeping the roads open and traffic moving during the inclement weather in February.

#### 43. **Briefing on Section 106 Arrangements**

The Panel received a briefing on the Section 106 process; a planning tool used to regulate the impact of development and the main instrument for requiring contributions from developers that would be used for infrastructure developments for the benefit of local residents. Section 106 agreements were legal documents and the Council's expectations for infrastructure provision within major and large scale developments. Methods of seeking impact mitigation payments from small scale developments were detailed in Core Strategy Policy CS6.

Any monies received from Section 106 agreements were normally spent within the boundaries of the parish in which the development occurred. Details of the schemes proposed under Section 106 funding arrangements were sent to the relevant town or parish council for comment. Details of where, and how, Section 106 funding was spent were regularly sent to parish and town council clerks.

A procedure note suggesting that an additional step giving the Planning and Transportation Section an opportunity to provide input be incorporated into the pre-

decision consultation process had been drafted. The Panel noted that at present the Implementation (Spatial Policy) Team in the Planning and Transport Section were able to consult Executive Members in respect of the use of Section 106 contributions. It was agreed that the draft procedure note would be brought to the Panel's next meeting for comment.

The Panel expressed concern about the lack of opportunity for ward members to provide input into the Section 106 process. It was agreed that the matter would be discussed with the relevant Executive Portfolio Holder.

The Panel noted the report.

#### **44. Bracknell Forest Community Arts Strategy 2009-2013**

The Panel was invited to consider, and comment on the draft Community Arts Strategy. The Strategy had been developed by a steering group whose membership had included two members of the Panel. The Panel's comments would be taken into account by the relevant Executive member when he formally approved the Strategy in April 2009. The Strategy provided a five year vision setting out how the Council would support arts in the borough and how the arts could contribute to the Council's priorities.

Arising from the members' questions and comments the following points were noted:

- The Strategy was intended to provide details of the Council's aims and objectives and included an action plan describing how these would be achieved. Consequently it did not include details of all the activities taking place in the borough.
- The addition to the strategy of an appendix providing a list of the known voluntary arts groups in the borough was sought by the Panel. The appendix would include details of the locations that each group operated in and the type of activities that each group ran.
- South Hill Park had been referenced a number of times due to the size of grant it received from the Council and the volume of arts activity taking place there.
- Resource implications were included in the Strategy's action plan and these would be revised as the Strategy developed
- The Strategy provided an opportunity to expand and help facilitate the range of arts opportunities available.
- The Strategy provided an excellent example of partnership working in the borough.

The Executive Member for Leisure, Corporate Services and Public Protection thanked the Panel for their constructive comments.

#### **45. Approach to Overview and Scrutiny of Bracknell Forest Partnership**

The Panel considered a report detailing the proposed approach to overview and scrutiny of the Bracknell Forest Partnership. The Overview and Scrutiny Commission together with the Health and Social Care and Learning Overview and Scrutiny Panels were also being invited to endorse the proposed approach in the interests of uniformity.

The suggested approach served to implement the recommendations contained in the Overview and Scrutiny Report on the Local Area Agreement in 2008. Whilst the Council held the statutory lead for overview and scrutiny of partnerships, representatives of partner organisations would be involved in the process to ensure that the goodwill and co-operation of partners was secured and for the process to benefit from the wider sharing and application of knowledge and different perspectives. Members acknowledged that overview and scrutiny of the Bracknell Forest partnership represented a significant and challenging workload.

The Panel endorsed the proposed approach to Overview and Scrutiny of the Bracknell Forest Partnership as set out in Annex 1 of the report.

#### 46. **'Waste Not Want Not'**

Councillor Brunel-Walker, Lead Member for the Waste and Recycling Service Review Working Group, presented the Working Group's final report.

The main focus of the review had been to undertake a strategic examination of waste collection, recycling and waste disposal including a review of the progress of the re3 waste contract and the success of the first year of operation of the Alternate Bin Collection scheme. The review had been a considerable undertaking and the support and input into the review given by town and parish councils had been invaluable.

Thanks were expressed to all officers involved in assisting the review and in particular to Janet Dowlman, the Council's Waste and Recycling Manager, for her support and knowledge.

Arising from Members' questions and comments the following points were noted:

- The Council aspired to be among the top twenty highest performing local authorities in the country with regard to waste and recycling and composting of waste.
- The amount of dry waste recycled by the Borough placed the Council amongst the highest performing local authorities in the country. However, the level of composting was much lower and work was being undertaken to increase this.
- The data supplied by the Waste and Recycling Team clearly illustrated the progress that had been made by the Council in the area of recycling since 2001.
- The recycling of Tetrapaks had been taken up with the Waste and Resources Action Programme and the Department for Environment, Food and Rural Affairs (DEFRA) and the Executive Member for the Environment would be pursuing the matter.
- As members of the community, supermarkets had a responsibility for the volume of packaging that they produced and had a duty to work with local authorities to reduce the amount of waste they generated.
- More detailed data was available from the Overview and Scrutiny Team on request.
- The Director of Environment, Culture and Communities and the Executive Member for the Environment would be meeting with schools' representatives to discuss how awareness about waste and recycling could be raised through the school curriculum
- It was requested that members publicise the mixing of recyclables in blue bins through individual newsletters.

- With reference to Recommendation 5.9, the panel was advised that its intention was not to commit to any course of action but to be mindful of Local Government Association and DEFRA waste reduction campaigns.

The Panel endorsed the Working Group's report and commended it to the Overview and Scrutiny Commission for adoption and its formal submission to the relevant Executive Member for comment

#### **47. Update on Working Groups**

The Panel received a report providing an update on the Panel's Working Groups.

##### Housing and Council Tax Benefits Working Group

The Working Group were examining the new benchmarking and assessment processes for Benefits Services and the implications this would have for Bracknell Forest. It was expected that an interim report would be brought to the next meeting of the Panel.

The Panel noted the report.

#### **48. Overview and Scrutiny Quarterly Progress Report**

The Panel considered a report outlining the activities of all the Council's Overview and Scrutiny Panels and the Commission and summarising significant national developments in overview and scrutiny and seeking agreement to the Panel's indicative work programme for 2009/10.

The Panel were informed that since the implications that the Police and Justice Act 2006 and the Local Government and Public Involvement in Health Act would have on overview and scrutiny of partnerships were being examined.

The Panel:

- i. Noted the overview and scrutiny activity over the period November 2008 to January 2009.
- ii. Noted the national legislative developments in overview and scrutiny set out in section 3 of the report.
- iii. Endorsed the draft indicative work programme for the panel for the 2009/10 municipal year.

#### **49. Executive Forward Plan**

The Panel noted the items on the Executive Forward Plan relating to the Environment, Culture and Communities Department.

##### Item I011069: Bracknell Forest Streetscene Supplementary Planning Document

It was requested that details of the Local Development Framework's revised timetable be circulated to members.

**CHAIRMAN**