

**ENVIRONMENT, CULTURE AND
COMMUNITIES OVERVIEW & SCRUTINY
PANEL**

08 SEPTEMBER 2009

7.30 - 9.22 PM



Present:

Councillors Finnie (Chairman), McLean (Vice-Chairman), Mrs Barnard, Beadsley, Brossard, Finch, Leake, Mrs McCracken and Simonds

Executive Members:

Councillors Mrs Hayes and McCracken

Apologies for absence were received from:

Councillor Mrs Fleming

Also Present:

Andrea Carr, Policy Officer (Scrutiny)
Sue Boyce, Communications Officer
Mark Devon, Chief Officer: Leisure & Culture
Jane Eaton, Chief Performance & Resources Officer (Environment, Culture & Communities)
Colin Griffin, Community and Environmental Division, Team Leader
Simon Hendey, Chief Officer: Housing
Bev Hindle, Chief Officer Planning and Transport
Steve Loudoun, Chief Officer: Environment and Public Protection
Vincent Paliczka, Director of Environment, Culture & Communities
Nick Smith, Senior Leisure Manager
Richard Walton, Parks and Countryside Manager

16. Apologies for Absence/Substitute Members

The Panel noted the attendance of the following Substitute Member:

Councillor Brossard for Councillor Mrs Fleming

17. Minutes and Matters Arising

RESOLVED that the minutes of the Environment, Culture and Communities Overview and Scrutiny Panel held on the 23 June 2009 be approved as a correct record and signed by the Chairman.

18. Declarations of Interest and Party Whip

Councillor Mrs McCracken declared a personal interest as the spouse of the Executive member for Corporate Services and Public Protections and the Chairman of the Cultural Partnership.

Councillor Finnie declared a personal interest as a member of the Cultural Partnership.

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

19. Urgent Items of Business

There were no urgent items of business.

20. Carbon Management Plan

The Panel noted a report setting out the progress achieved to date in the implementation of the Council's Carbon Management Plan by the Carbon Management Project Team.

In February 2007, Bracknell Forest Council signed the Nottingham Declaration on Climate Change. The Bracknell Forest Council Climate Change Action Plan was adopted by Council in October 2008 as an outcome of that commitment. An action from this plan was to participate in the Carbon Trust's Local Authority Carbon Management Programme.

Bracknell Forest Council's carbon dioxide baseline was 18,380 tonnes / CO₂ for the financial year April 2007 – March 2008. The carbon reduction target established by the Carbon Management Programme Board was that Bracknell Forest would reduce CO₂ emissions from its own operation by 25% against the 2007/08 baseline by 2013.

The reduction of carbon emissions across the council would result in reduced CO₂ and waste, helping to address local, national and international climate change issues. The cumulative cost savings from the 25% carbon emission reduction target is £4,107,225 compared to the 'business as usual' scenario with rising energy costs. £250k of 'Invest to Save' grant funding had been earmarked to reduce carbon emissions.

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

- The carbon emission reduction target of 25% related to reduction within the council including council managed schools, from a variety of short, medium and longer term opportunities.
- Whilst the Council was committed to reducing carbon emissions across the borough as a whole it could only provide advice, encouragement and leadership to external organisations and the public.
- The T12 street lamps which were currently being used in Sandhurst and Easthampstead Park were to be replaced with a new more efficient T5 model, by either the replacement of the full unit or using an adaptor which upgraded the current unit.
- Eighteen schools had inefficient oil fired boilers, some of which would be replaced with biomass boilers. Some smaller schools who had a smaller energy demand would receive replacement gas boilers as which would be more viable.
- Since the signing of the Nottingham Declaration partners had come together to identify schemes and assess viability. It had taken time to gain co-operation

from all partners involved in some schemes and to co-ordinate the best time to deliver specific schemes.

- Schools were a particular challenge for energy efficiency due to a complex funding and management structure. The Council was committed to carbon reduction in schools. The driving force for schools were penalties for bad performance, likely to come into force in 2010.

The Panel noted that Councillor Brunel-Walker was nominated to support Councillor Mrs Hayes on the Carbon Management Programme Board due to his personal interest and not in his former capacity as Chairman of the Panel.

The Panel congratulated the Director of Environment, Culture and Communities and all the officers involved in the Carbon Management Plan for the excellent work achieved in tackling an important issue for the Borough and for reducing the Council's carbon emissions so far. The Panel looked forward to the future progress made by the initiatives identified in the plan.

21. Working Group Updates

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

The Panel confirmed that it was to continue to monitor the Housing and Council Tax Benefit Improvement Plan which was to be agreed by the Executive. The Lead Member for the Working Group would arrange a meeting once the plan had been approved and implemented.

It was agreed that the note of the Playbuilder Working Group was to be circulated to all Panel Members.

22. South Hill Park Restoration

Richard Walton, Parks and Countryside Manager, gave a presentation in respect of the Heritage Lottery Fund and the Big Lottery Fund grant to restore South Hill Park.

South Hill Park was a key location in the Borough. Originally part of Windsor Great Forest the park reflected the development of Bracknell since the 17th Century. The park was developed from hunting forest to a landscaped park with a lake, woodland clumps, new gardens, terrace, shrubbery and walks. Temple Moore redesigned the later house and terrace.

In 1973 the house was established as an Arts Centre within a public park. Changes to South Hill park included construction of Ringmead dividing the park in two, and the building of Housing over two thirds of the park area. South Hill Park was designated a landscape of national and local importance and was registered as a Grade II Historic Park. The designations highlighted the fragility of the Park which contained sites that were highly vulnerable.

The budget for all restoration works was £4.4 million, 70% of which was to come from the Heritage Lottery Fund and the Big Lottery Fund grant money.

The vision of the South Hill Park Conservation Management Plan was to revitalise the Park as thriving, vibrant, varied open space which built on the special qualities of the

historic landscape, its natural beauty and arts activities, as a safe and attractive oasis in Bracknell town which benefits the whole community.

Planned work included:

- Redesign of the entrances and gateways
- Revised car park layout
- Revised surfacing
- New paths
- New signage which included interpretation boards and self guided trails
- Restoration of the Arts centre Terrace and other stonework
- Redesign and replanting of the Italian garden
- New gardens at the head of the south lake
- New meadows
- Woodland work
- Improvement work to the north and south lake

The Panel noted that members of the public would be encouraged to continue to use the park during restoration works and every effort would be made to make as much of the park available for use to minimise the impact of works. Part of the short listing process for companies who wished to tender for the restoration work was to demonstrate how the park could be kept open and how the public would be involved in the development.

The Panel suggested that a historian should be commissioned to record the development for historical purposes.

23. Performance Monitoring Report (PMR)

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 1st quarter of 2009/10. the presentation outlined the Department's revenue and capital finances as at June 2009 and highlighted variances on revenue. Staffing issues, key highlights and a forward look were also included.

The Panel noted that the gross revenue budget had increased by £609,000 from April 2009. Major revenue variances included a fall in on/off street parking income and a reduction in the local land charges income both resulting from the current economic circumstances. There were concerns that there had been a 4%, equating to 400K, reduction in leisure income, primarily from a reduction in the use of Easthampstead Park Mansion for conferences. Officers were currently looking at how expenditure could be reduced at Easthampstead Park Mansion. No capital schemes had been identified for carry forwards.

The Panel were advised that a number of hard to recruit posts had been successfully filled and that the Department's staff turnover rate for the quarter ending June 2009 was low at 2.36%. Sickness stood at 2.31 days per employee for the quarter. The Panel noted that management improvements had led to a reduction in short term sickness and that the increase was due to long term sickness, typically serious illness, where the Council's Occupational Health service was involved.

Key highlights from the Department included: confirmation of the South Hill Park grant, strong performance relating to the environment with very effective street cleansing, waste disposal and notices being issued for fly tipping where necessary, a more consistent price structure for cemetery and crematorium services, safeguarding training undertaken within Leisure Services to help staff identify and respond to any issues that arose, an increase in the number of traders who are now part of the 'Buy with Confidence Scheme', business continuity plans were now in place to cope with any staffing issues that occurred due to swine flu and minor changes within the structure of the Department.

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

- The new Choice Based Letting computer system had been purchased. A system bespoke to Bracknell Forest was to be written to reflect the Council's recently agreed allocation policy.
- The target for the increase in the number of affordable homes in the Borough (action 3.7 in support of Medium Term Objective 3) was to be clarified by the Chief Officer for Housing.
- Due to variation in the number of new build lets available at particular times of the year, the number of applicants for new build lets in the quarter was higher than the number of new build lets available.
- The Chief Officer for Environment and Public Protection had requested that the Highways Maintenance budget be returned to the Enhancing the Environment Budget to allow more effective management.

The Panel congratulated officers on the production of an education pack on the pitfalls of shopping and consumer rights for Year 10 and 11 students. The pack had been successfully trialled at Easthampstead Park School and would be launched nationally at the Trading Standards Institute Conference. A copy of the Fair Trading education pack, featuring a DVD for Year 10 and 11 students was to be made available for Members of the Panel to view.

The Panel congratulated officers on their successful management of the Department's performance and budget.

24. Review of Cultural Partnership

Having declared a personal interest being a member of the Cultural Partnership, Councillor Finnie vacated the Chair for this item and Councillor McLean took his place.

VICE-CHAIRMAN, COUNCILLOR MCLEAN, IN THE CHAIR

As part of the agreed approach to the Overview and Scrutiny of Bracknell Forest Partnership, the Panel received a completed questionnaire detailing the Cultural Partnership's governance, performance management, financial management, and relating issues. The Partnership's terms of reference and membership list were also received.

The Panel noted that the key focus of the Cultural Partnership was to drive forward the Council's Cultural Strategy and allow assessment of the progress made against targets in the strategy.

It was suggested that a mechanism by which the Environment, Culture and Communities Overview and Scrutiny Panel could be made aware of developments in the Cultural Partnership should be developed.

The Panel congratulated the Cultural Partnership on a successful and valuable partnership that brought together many different aspects of the Borough.

COUNCILLOR FINNIE IN THE CHAIR

25. **Nomination for Bracknell Forest Overview and Scrutiny Partnership Group**

The Panel was invited to nominate one of its members to join the Partnership Overview and Scrutiny Group being established to co-ordinate Overview and Scrutiny of the Bracknell Forest Partnership and its Themed Partnerships.

RESOLVED that Councillor Finnie be the Environment, Culture and Communities Overview and Scrutiny Panel representative on the Partnership Overview and Scrutiny Group.

26. **Use of Covert Closed Circuit Television (CCTV) in Bracknell Forest**

Further to questions raised by the Panel at its meeting on 23 June 2009 in relation to the Regulation of Investigatory Powers Act 2000 (RIPA) and the use of CCTV for surveillance purposes, Members received a report which set out the background to the control and use of surveillance techniques including CCTV as part of the Council's normal enforcement activity, particularly that of Trading Standards and Environmental Health Services.

The nature of some enforcement activity undertaken by the Council required surveillance techniques to be used. Some of that surveillance was overt whilst other needed to be covert to be effective.

The Council had a covert CCTV policy which had been produced by the Borough Solicitor. The policy set out the framework for use of CCTV and specified that where surveillance was required to be covert the provisions of RIPA, which gave specific authorisation of an operation, should be used to protect public rights. Bracknell Forest's use of RIPA was examined and reported on, every other year.

Currently covert CCTV had only been used in respect of under age test purchases. The cameras had been used overtly at a number of recycling sites around the Borough as a deterrent to flytipping. As yet the cameras had not been used covertly, however a need had been identified to do so on some sites that were prone to flytipping and where other techniques were impractical if the objective was to address the associated crime.

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

- The footage from the cameras was extremely clear allowing individuals to be identified.
- The overt CCTV camera and the covert CCTV camera were the same camera used in a different way.

- The current estimated cost to the Council of flytipping in the Borough was £100,000 a year, which related to collection and removal cost.
- The Borough Solicitor was responsible for the Council's CCTV policy and the policy was available on the staff intranet. A copy of the use of CCTV Policy could be made available to any Member wishing to see it.
- Members were involved in the use of covert CCTV through the Trading Standards Committee which approved test purchases.
- The register of CCTV use was managed by the Borough Solicitor and it was thought that this would be available to the public through a Freedom of Information request.
- Overt CCTV did not act as a suitable deterrent in some cases as offenders would move from one place which had an overt camera to another location in the Borough which did not have a camera in place. The use of covert CCTV was a pro-active approach to catch serious offenders.

The Panel noted the report with the exception of one Member who indicated that the report had not answered all of his questions about the use of covert CCTV in Bracknell Forest.

27. Sports Pitches at Priory Fields

The Panel noted the report providing further information regarding the sports pitches at Priory Fields.

A specification was being prepared for Option 4 specifically – cultivation and overseeding as recommended by the Institute of Groundsmanship. The initial estimate was that the cost of the work would be between £10,00 and £15,000. This would be confirmed once the specification was finalised and quotes obtained. The intention was for the work to commence in September 2009. The pitches would then be available for full use from September 2010. Some limited use could be possible before this date depending on weather and the establishment rate of the new grass.

It was noted that whilst it was not possible to guarantee that the pitches would be suitable for use from September 2010, the solution being followed was recommended by the Institute of Groundsmanship who were the leading independent specialists.

The Panel noted that if the solution failed to work and the pitches could not be used after September 2010 serious questions would be asked about the management of the sports pitches.

28. 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.

The Panel noted the report.

29. Work Programme for the 2009/10 Municipal Year

The Panel noted the agreed 2009/10 work programme for the Environment, Culture and Communities Overview and Scrutiny Panel, attached as Appendix 1 to the report.

30. **Executive Forward Plan**

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

CHAIRMAN