

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

10 JANUARY 2012

7.30 - 9.30 PM



Present:

Councillors Finnie (Chairman), McLean (Vice-Chairman),
Mrs Angell, Angell, Brossard, Ms Brown, Gbadebo, Ms Miller and Porter

Executive Member:

Councillor Mrs Ballin

Also Present:

Vincent Paliczka, Director of Environment, Culture & Communities
Alex Jack, Borough Solicitor, Corporate Services
Mark Devon, Chief Officer: Leisure & Culture
Simon Hendey, Chief Officer: Housing
Bev Hindle, Chief Officer: Planning & Transport
Steve Loudoun, Chief Officer: Environment & Public Protection
Andrea Carr, Policy Officer
Sue Hills, Democratic Services Officer

Apologies for absence were received from:

Councillor Finch

27. Substitute Members

The Panel noted the attendance of the following Substitute Member:

Councillor Angell for Councillor Finch

28. Minutes and Matters Arising

RESOLVED that the minutes of the meeting of the Panel held on 18 October 2011 be approved as a correct record and signed by the Chairman.

29. Declarations of Interest and Party Whip

There were no declarations of interest relating to any items on the agenda, nor any indications that members would be participating whilst under the party whip.

30. Public Participation

No submissions had been received from members of the public under the Council's Public Participation Scheme for Overview and Scrutiny.

31. 2012/2013 Draft Budget Proposals

The Director of Environment, Culture and Communities introduced the budget proposals which included detailed information on budget pressures and savings,

proposed fees and charges and Capital Programme 2012/13 to 2014/15. Service pressures amounted to £275,000 and proposed savings amounted to £1,694,000 in 2012/13 and £250,000 in 2013/14.

Arising from members' questions, the following points were made:

- Budget Pressure –
The equalisation of working hours in Leisure and Landscape sections was an advisable pressure affecting 230 Leisure and 35 Landscape employees who worked at least 39 hours per week whereas other Council employees worked 37 hours a week. The Borough Solicitor advised members that employment legislation could not be compartmentalised into a departmental level.
- Budget Savings Proposals –
 - (i) South Hill Park Arts Trust - reduction of £85,000 to the grant. The £25,000 grant to help community groups had not been affected.
 - (ii) Car Parking – The anticipated increased income of £50,000 from car parking at The Look Out and Coral Reef.
 - (iii) Edgbarrow/Sandhurst Sports Centres – the Edgbarrow and Sandhurst Management Committee would meet next week to consider the budget proposals.
 - (iv) Waste Management, Brown Bins – existing users were exempt from paying the new charges for the first year, as when residents purchased their brown bins they thought the garden collection service would always be free. The exemption had been a member initiative.
- Proposed Fees and Charges -
 - (v) Golf Course – in relation to the charge for golf for residents aged 60+, the Golf Course Manager took demand into account and compared prices locally coming to a professional view of how to maximise the Council's income.
 - (vi) Private Sector Housing Enforcement Action – the fee was calculated on officer time and it was benchmarked against other Berkshire authorities.
 - (vii) High Hedge Enquiries – the resident who raised the objection paid the fee.
- Capital Programme –
 - (viii) Car Park Controls at Look Out and Coral Reef - £200,000 had been included in the capital programme but it was not expected to cost that much. Currently the estimate was for just over £150,000, to include 14 machines, power supply and cabling, signage and contingency fees.
 - (ix) Waste Collection Contract Vehicles – The Council owned the SITA vehicles and £157,000 was the balance due on the recently purchased vehicles.

RESOLVED that, as requested by the Executive, a Working Group to review the proposed reductions to public transport subsidies and concessionary fare support be established comprising Councillors Finnie, Brossard and Gbadebo and that Councillors Finch and Leake be asked if they would like to be members of the Working Group.

32. **Quarterly Service Report (QSR) and Service Plan 2011/2012**

The Director of Environment, Culture and Communities gave a presentation in respect of departmental performance with reference to the Quarterly Service Report (QSR) and Service Plan for the second quarter of 2011/2012 (July to September). The presentation outlined the department's finances as at November 2011 and highlighted:

- Major budget changes in relation to street cleaning, Bracknell Forest Homes and additional works, highway maintenance pothole grant, Supporting People handyman grant and housing benefit initial claim.
- Major variances on Revenue in relation to coroner's service, Safer Roads Partnership, Edgbarrow and Sandhurst Sports Centres, Coral Reef and cemetery/crematorium income, building control, Joint Startegic Planning Unit and concessionary fares.
- The capital programme 2011/12 was £17055k at November 2011.
- Capital schemes now identified for carry forwards were minor works – refurbishment, Leisure S106 schemes, Horse and Groom roundabout improvement scheme and mortgages for low cost Home Ownership Properties. The Home Buy scheme was to be re-launched in the next couple of weeks.
- Relating to staffing issues, the average vacancy factor was 7.75%, staff turnover rate was 2.75% at quarter end and the sickness rate was 1.36 FTE for the quarter (projected to 4.51 at year end). The Panel noted that a few years ago the annual sickness rate was 8 FTE.
- Key highlights included the new salt barn; excellent Coral Reef attendance; South Hill Park regeneration; nine families in bed and breakfast accommodation (compared to a target of 3); the securing of a 14 month sentence following a Trading Standards investigation into fraudulent trading activities around the provision of wills; the early completion of gas main works in Crowthorne High Street; and the fall in car parking season ticket income. Some of the loss had been offset by an increase in short term parking income.

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

- A concern had been raised at the last meeting of possible rutting on the Bagshot Road. Officers had carried out an inspection and confirmed that this was not the case. The Panel noted that there was a three year guarantee on the road surface.
- The transfer of the three play areas and the Country Park at Jennett's Park had not yet been completed.
- The Council was required to collect the equalities data collected via the e+card

The Chairman thanked the Director for his presentation.

33. **Proposed Highway Works 2012/2013**

The Chief Officer: Environment and Public Protection and the Chief Officer: Planning and Transport presented the report informing the Panel of the indicative Highway Maintenance Works Programme for 2012-2013 and the outline plans for Integrated Transport projects.

Annex 1 outlined the capital block funding allocation for 2012/2013 and the grant conditions. The grant for highways maintenance was £1,781,000 and for integrated transport £561,000.

Annex 2 showed the roads of greatest need of repair from a safety point of view. The cost of the works listed exceeded the available budget. The Panel noted that adjustments would occur during the year and the budget would not be overspent. Whenever possible, the aim was for street lighting works to coincide with highways works.

Annex 3 listed the bridges and structures programme.

The Panel noted that Executive approval would be sought before work commenced.

Arising from questions:

- As much notice as possible would be given to local residents but that was not always possible. Leaflet drops were carried out and ward members advised.
- It was the Council's responsibility to maintain "private" cabling in street lighting.

The Chief Officer: Planning and Transport gave a presentation which outlined which schemes fell under Integrated Transport (IT). The funding came from Government Grant Allocation and Section 106 agreement developer contributions. The Capital Programme was developed in line with Council policy Local Transport Plan 3; in response to infrastructure demands from development; and in response to Government legislation. The Panel noted how the IT Capital Programme developed and that officers were reviewing the way the programme was developed to seek earlier identification of potential priorities, to ensure efficiencies were found and implemented and to develop more clarity in the Council's strategies to avoid conflict in future delivery of the programme.

The complexity of the process to generate schemes meant that a more detailed list of projects would not be available until late January, when it would be circulated to the Panel for information. Schemes in excess of £50,000 included expanding urban control capability at key junctions; junction improvement at the Stag and Hounds; link route from Easthampstead Park School to Peacock Farm; junction improvement at Stoney Road/Wokingham Road; improvements at Skimped Hill Roundabout; phase 2 of sports centre roundabout improvements; improvements to Beehive Road north of Berkshire Way and junction signalisation at Crowthorne High Street.

Arising from questions:

- Ward member input into the section 106 process should be at the time the planning application was considered. If ward members had no input at that time, they had lost the opportunity to influence the contents of the legal agreement.
- This programme was split between two Chief Officers as there was a fundamentally different process to arrive at the required work. Highway maintenance work was driven by survey work as well as reactive responses, whilst Integrated Transport could probably be considered a more complicated process involving detailed planning and design and being driven by strategic

objectives within the Local Transport Plan. The only similarity might be that they used the same contractor.

- The Panel noted that much of the Integrated Transport works in the coming years would be mainly to the north of the borough, with the exception of the TRL site.
- The Network Manager co-ordinated works and he was working towards improving early notification systems.

The Panel noted the report and the Chairman thanked both officers.

34. Winter Preparations

The Chief Officer: Environment and Public Protection gave a brief oral update on winter preparations. The salt barn held 3000 tons of salt, of which 150 tons had been used this winter. The gritting vehicles had moved to Downmill Road and extra equipment had been purchased at a cost of £70k.

The Panel noted that the salt would be fine as long as it was stored dry. However if it did become unusable it was the contractor's responsibility to replace it.

35. Local Development Framework - Update Report

The Chief Officer: Planning and Transport presented his report on the Local Development Framework which set out policies and proposals for the development and use of land in an area taking account of social and environmental factors.

The LDF was a portfolio of documents. The one main adopted document with development plan status was the Core Strategy which set out the overarching strategy for the area, including the level of housing growth. A list of the Council's adopted documents was contained in Appendix 1 to the report.

The two key development plan documents proposed for preparation over the three year period from August 2011 to August 2014 were the Site Allocations DPD and commencement of the Core Strategy Review in March 2012, requiring a full assessment of the Borough's development needs for the period to at least 2031 and to allocate sites to meet those needs.

The Localism Act included a number of changes to the planning system including:

- Abolishing regional policy
- A new duty to co-operate with neighbouring local authorities
- Neighbourhood Planning allowing communities to shape and influence where they live and work. Neighbourhood Plans needed to conform with strategic national and local policies and could not be used to block the building of new homes and businesses, particularly if a need for growth had been identified.

However many requirements would remain in an amended form including retention of the LDF in the form of a Local Plan; Supplementary Planning Documents where they bring forward sustainable development at an accelerated rate and did not add financial burdens to development; and the duty to monitor the implementation of planning policies for local people in the interests of transparency.

Arising from questions –

- Neighbourhood Planning would be a challenge for the Parish and Town Councils.
- Bracknell Forest would suffer the consequences of developer led planning if the Council did not plan for the future. Unsustainable development should be avoided where possible.
- The Council already collaborates with other Berkshire authorities. The Council would become a “flood authority”. There was some short term funding for this but it may in the future be a funding issue.

The Panel noted the documents that currently formed part of the Bracknell Forest Borough LDF and the stage reached in the preparation of other documents that would eventually form part of the Bracknell Forest Borough LDF on adoption.

36. **Community Infrastructure Levy (CIL)**

The Director of Environment, Culture and Communities presented the report updating the Panel on the member involvement in creating the Community Infrastructure Levy (CIL). The CIL would become the key mechanism by which the Council would secure money to create and modify infrastructure to ensure the impact of development was mitigated. The levy was important to the Council and its services.

The Executive this evening agreed that the Overview and Scrutiny Commission be invited to establish a working group to support the development of the Council's first CIL and that the Commission should consider inviting a representative of the Town and Parish Councils onto the working group. The working group would be expected to contribute to the steps that would need to be followed to introduce a CIL. The intention was to have a CIL regime in place before autumn 2013 and member input was sought as soon as practically possible.

The Panel noted the report.

37. **Localism Act 2011**

The Borough Solicitor presented his report on the Localism Act which received the Royal Assent in November 2011. The most relevant areas in terms of the Environment, Culture and Communities Department were:

Planning, particularly

- the abolition of Regional Strategies, although the Council would need to have an appropriate assessment of housing need;
- amendments to the Community Infrastructure Regime to allow CIL to be used for future infrastructure maintenance and to provide some of the CIL receipts to Parish Councils;
- promoting neighbourhood planning – this could lead to a budget pressure as assistance, not financial, would need to be given to Parish Councils;
- amending development control legislation
- powers to tackle unauthorised advertisements and graffiti.

Housing, particularly

- flexibility in the allocation of housing;
- requirement to publish a Tenancy Strategy;
- flexible tenancies.

Assets of community value - giving local communities the opportunity to express an interest in purchasing land or buildings of community value.

Pre-determination – the Act did not entirely abolish the rule against pre-determination but it contained provisions aimed at allowing members to express a view in advance of a meeting. The Borough Solicitor explained that case law, not statute, was relevant in pre-determination and the law in recent years had taken a more lax view. The Panel noted that the Protocol for members in dealing with planning matters would be reviewed.

38. **2012/2013 Overview and Scrutiny Work Programme**

The Panel received the report of the Assistant Chief Executive inviting it to suggest items to be included in the work programme for 2012/2013. The following appendices were attached:

Appendix 1 – revised work programme for Overview and Scrutiny in 2011/2012

Appendix 2 – proposed reviews for 2012/2013

Appendix 3 - completed reviews as at July 2011

Any unfinished items in the current work programme would be rolled over to next year. In addition, a working group had been appointed tonight to review the proposed reductions to public transport subsidies and concessionary fare support.

39. **Executive Response to the Interim Highway Maintenance Report**

The Panel noted the report of the relevant Executive Member's response to the interim report of the working group review of highway maintenance.

Since preparing the interim report the working group had reformed to complete its review. Ongoing work would include formulating a view on the Executive Member's response to the interim report.

40. **Executive Forward Plan**

The Executive Forward Plan items relating to Environment, Culture and Communities were noted.

I031929 – Binfield Nursery – The Panel noted that the Executive had agreed to declare the nursery surplus to requirements.

41. **Date of Next Meeting**

Tuesday 24 April 2012

CHAIRMAN