

**EXECUTIVE
24 JUNE 2014
5.00 - 5.35 PM**



Present:

Councillors Bettison (Chairman), Dr Barnard, Brunel-Walker, Mrs Hayes, McCracken and Turrell

Apologies for absence were received from:

Councillors Ward and Birch

5. Declarations of Interest

There were no declarations of interest.

6. Minutes

RESOLVED that the minutes of the meeting of the Executive on 20 May 2014 together with the accompanying decision records be confirmed as a correct record and signed by the Leader.

7. Executive Decisions

The Executive considered the reports submitted on the items listed below and the decisions taken are recorded in the decision sheets attached to these minutes and summarised below:

Item 5. Community Infrastructure Levy Revised Charging Schedule & Draft Obligation Supplementary Planning Document for Public Consultation

RESOLVED that, having regard to the Equalities Screening record appended to the Director of Environment, Culture and Communities' report:

- i. the amended Draft Charging Schedule, attached as Appendix A of the Director of Environment, Culture and Communities' report, be approved for publication and consultation
- ii. the amended Draft 'Regulation 123' List of Infrastructure Projects for which CIL will be charged, attached as Appendix B of the Director of Environment, Culture and Communities' report, and the Draft Instalment Policy at Appendix C of the Director of Environment, Culture and Communities' report, be approved for the purpose of consultation;
- iii. the Director of Environment, Culture and Communities, in consultation with the Executive Member for Planning and Transport, be authorised to:
 - a. approve the Draft Charging Schedule for submission to the Secretary of State;

- b. agree minor modifications to the Draft Charging Schedule as appropriate following public consultation; and,
- c. approve the statements referred to in regulations 16 and 19 of the Community Infrastructure Regulations 2010; and,
- iv. the Draft Planning Obligations Supplementary Planning Document at Appendix J of the Director of Environment, Culture and Communities' report be approved for the purpose of consultation.

Item 6. Community Safety Partnership (CSP) Plan 2014-17

RESOLVED that, having regard to the equalities screening report appended to the Assistant Chief Executive's report, the Executive recommend to Council that the Community Safety Partnership Plan 2014–2017 be adopted

Item 7. Capital Expenditure 2013/14

RESOLVED that the Executive:

- i. Notes the outturn capital expenditure and in particular the key variances identified in paragraph 5.6 of the Borough Treasurer's report.
- ii. Approves the carry forward of £17.717m from the 2013/14 capital programme to 2014/15 including £1.193m relating to projects approved in 2012/13, see paragraph 5.7 of the Borough Treasurer's report
- iii. Notes the financing of capital expenditure as shown in Table 2 of the Borough Treasurer's report.
- iv. Approves the use of the Community Capacity Grant in 2014/15, see paragraph 5.12 of the Borough Treasurer's report
- v. Approves the re-profiling of the Targeted Basic Needs grant, see paragraph 5.13 of the Borough Treasurer's report
- vi. Approves the additional S106 money at Easthampstead Park School in 2014/15, see paragraph 5.14 of the Borough Treasurer's report
- vii. Approves the use of the Local Pinch Point grant, see paragraph 5.15 of the Borough Treasurer's report

Item 8. Revenue Expenditure Outturn 2013/14

RESOLVED that the Executive:

- i. Note the outturn expenditure for 2013/14, subject to audit, of £84.207m, which represents an under spend of £1.032m compared with the approved budget
- ii. Note the budget carry forwards of £0.719m, see paragraph 5.9 and Annex C of the Borough Treasurer's report
- iii. Recommends to Council the Treasury Management performance in 2013/14 as set out in Annex B of the Borough Treasurer's report
- iv. Approve the earmarked reserves as set out in Annex D of the Borough Treasurer's report
- v. Approve the virements relating to the 2013/14 budget between £0.050m and £0.100m and recommend those that are over £0.100m for approval by Council, see Annex E of the Borough Treasurer's report

Item9. Corporate Performance Overview Report

RESOLVED that the performance of the Council over the period from January to March 2014, highlighted in the Overview Report be noted

Item 10. Education Capital Programme - The Pines Primary School Award of Contract

RESOLVED that the contract for Phase 1 of the expansion of the Pines Primary School be awarded to Tenderer A, as detailed in the confidential appendix A of the Director of Children, Young People and Learning's report, subject to the final lump sum not exceeding the amount set out in paragraph 13 h of the report.

8. Exclusion of Public and Press

RESOLVED that pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2012 and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of item 12 which involves the likely disclosure of exempt information under the following category of Schedule 12A of the Local Government Act 1972:

- (3) Information relating to the financial or business affairs of any particular person.

Item 12. Commissioning of Sexual Health Services

RESOLVED that the Executive gives approval to extend current contracts of £295,000 per annum with provider Berkshire Healthcare NHS Foundation Trust for a period of three years (plus 2) with review after 2 years.

LEADER

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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I044531
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1. **TITLE:** Community Infrastructure Levy Revised Charging Schedule & Draft Obligation Supplementary Planning Document for Public Consultation
2. **SERVICE AREA:** Environment, Culture & Communities
3. **PURPOSE OF DECISION**

To approve the revised draft charging schedule and associated documents for consultation and submission to the Secretary of State and to seek approval to consult on the revised draft document which will detail the Council's requirements for Section 106 planning obligations from new developments.

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

That, having regard to the equalities screening record appended to the Director of Environment, Culture and Communities' report:

- i. the amended Draft Charging Schedule, attached as Appendix A of the Director of Environment, Culture and Communities' report, be approved for publication and consultation
- ii. the amended Draft 'Regulation 123' List of Infrastructure Projects for which CIL will be charged, attached as Appendix B of the Director of Environment, Culture and Communities' report, and the Draft Instalment Policy at Appendix C of the Director of Environment, Culture and Communities' report, be approved for the purpose of consultation;
- iii. the Director of Environment, Culture and Communities, in consultation with the Executive Member for Planning and Transport, be authorised to:
 - a. approve the Draft Charging Schedule for submission to the Secretary of State;
 - b. agree minor modifications to the Draft Charging Schedule as appropriate following public consultation; and,
 - c. approve the statements referred to in regulations 16 and 19 of the Community Infrastructure Regulations 2010; and,
- iv. the Draft Planning Obligations Supplementary Planning Document at Appendix J of the Director of Environment, Culture and Communities' report be approved for the purpose of consultation.

7. REASON FOR DECISION

The Community Infrastructure Levy (CIL) will become an important mechanism by which the Council will secure money to create new and improve existing infrastructure to support growth in the Development Plan. The publication and submission and examination of a Draft Charging Schedule and carrying out consultation on it are legal requirements for the introduction of CIL.

8. ALTERNATIVE OPTIONS CONSIDERED

The proposed approach is to amend the draft schedule, consult on the changes, submit the amended draft for examination and then move as quickly as possible to adopt the schedule and commence charging. There are two alternative options to the recommended approach as follows:

- Submit the schedule as it stands and proceed to examination and introduction of CIL as early as possible; or,
- Abandon CIL

The advantages and disadvantages of these options are set out in the following table:

Option	Pros	Cons	Conclusion
Option 1 Submit the previous version of the schedule and proceed to examination and introduction of CIL	Quickest way to get CIL in place. Some rates are higher than in amended schedule	Proposed rates are not supported by most up to date evidence. Some rates are lower than in amended schedule Risk that examiner will significantly lower rates	On balance this option is not supported as it would undermine the Council's credibility at examination.
Option 2 Abandon CIL	Avoids abortive work if CIL is abandoned by government following 2015 elections.	Risk of significant loss of infrastructure funding after April 2015 if CIL is not abandoned	While CIL may be abandoned by government in future, the consequences if it is not abandoned are too serious for this approach to be supported at present.

<p>Option 3</p> <p>Amend the draft schedule, consult on, and then submit, the amended draft for examination and then move as quickly as possible to adopt the schedule and commence charging (proposed option)</p>	<p>Would have properly justified draft schedule at examination, more likely to be supported by the examiner.</p>	<p>Would need Executive approval and further consultation on changed rates and zones before submission.</p>	<p>Robust approach for examination with most rapid introduction of charging following examination.</p> <p>Preferred option.</p>
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9. **PRINCIPAL GROUPS CONSULTED:** Public, developers, agents, landowners, town and parish councils, public service providers and other key interested parties including statutory bodies.
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
24 June 2014	1 July 2014

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I046244
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1. **TITLE:** Community Safety Partnership (CSP) Plan 2014-17

2. **SERVICE AREA:** Chief Executive's Office

3. **PURPOSE OF DECISION**

To endorse the Community Safety Partnership Plan 2014-17 and recommend to Council that it be adopted.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That, having regard to the equalities screening report appended to the Assistant Chief Executive's report, the Executive recommend to Council that the Community Safety Partnership Plan 2014–2017 be adopted

7. **REASON FOR DECISION**

To seek the Executive's endorsement of the Community Safety Partnership Plan.

8. **ALTERNATIVE OPTIONS CONSIDERED**

There are no alternative options to the publication of a Community Safety Partnership Plan as this is a statutory requirement. The priorities adopted result from the annual Community Safety Partnership Strategic Assessment as well as partnership and community consultation. These priorities were approved by the Community Safety Partnership at its meeting on 10 March 2014.

9. **PRINCIPAL GROUPS CONSULTED:** Partners of the Community Safety Partnership
Overview & Scrutiny Commission (Crime & Disorder Committee)

10. **DOCUMENT CONSIDERED:** Report of the Assistant Chief Executive

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

Date Decision Made	Final Day of Call-in Period
24 June 2014	1 July 2014

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I046450
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1. **TITLE:** Capital Expenditure 2013/14

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:**

That the Executive:

- i. Notes the outturn capital expenditure and in particular the key variances identified in paragraph 5.6 of the Borough Treasurer's report.
- ii. Approves the carry forward of £17.717m from the 2013/14 capital programme to 2014/15 including £1.193m relating to projects approved in 2012/13, see paragraph 5.7 of the Borough Treasurer's report
- iii. Notes the financing of capital expenditure as shown in Table 2 of the Borough Treasurer's report.
- iv. Approves the use of the Community Capacity Grant in 2014/15, see paragraph 5.12 of the Borough Treasurer's report
- v. Approves the re-profiling of the Targeted Basic Needs grant, see paragraph 5.13 of the Borough Treasurer's report
- vi. Approves the additional S106 money at Easthampstead Park School in 2014/15, see paragraph 5.14 of the Borough Treasurer's report
- vii. Approves the use of the Local Pinch Point grant, see paragraph 5.15 of the Borough Treasurer's report

7. **REASON FOR DECISION**

The reasons for the recommendations are set out in section 5 of the Borough Treasurer's report.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None applicable.

9. **PRINCIPAL GROUPS CONSULTED:** None.

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
24 June 2014	1 July 2014

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I046348
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1. **TITLE:** Revenue Expenditure Outturn 2013/14

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:**

That the Executive:

- i. Note the outturn expenditure for 2013/14, subject to audit, of £84.207m, which represents an under spend of £1.032m compared with the approved budget
- ii. Note the budget carry forwards of £0.719m, see paragraph 5.9 and Annexe C of the Borough Treasurer's report
- iii. Recommends to Council the Treasury Management performance in 2013/14 as set out in Annexe B of the Borough Treasurer's report
- iv. Approve the earmarked reserves as set out in Annexe D of the Borough Treasurer's report
- v. Approve the virements relating to the 2013/14 budget between £0.050m and £0.100m and recommend those that are over £0.100m for approval by Council, see Annexe E of the Borough Treasurer's report

7. **REASON FOR DECISION**

The recommendations are intended to inform the Executive of financial performance against budget in the 2013/14 financial year.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None applicable.

9. **PRINCIPAL GROUPS CONSULTED:** None.

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
24 June 2014	1 July 2014

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I046414
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1. **TITLE:** Corporate Performance Overview Report

2. **SERVICE AREA:** Chief Executive's Office

3. **PURPOSE OF DECISION**

To inform the Executive of the Council's performance over the fourth quarter of 2013/14.

4. **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the performance of the Council over the period from January to March 2014, highlighted in the Overview Report be noted

7. **REASON FOR DECISION**

To brief the Executive on the Council's performance, highlighting key areas, so that appropriate action can be taken if needed.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None applicable.

9. **PRINCIPAL GROUPS CONSULTED:** None

10. **DOCUMENT CONSIDERED:** Report of the Assistant Chief Executive

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

Date Decision Made	Final Day of Call-in Period
24 June 2014	1 July 2014

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I038226
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1. **TITLE:** Education Capital Programme - The Pines Primary School Award of Contract

2. **SERVICE AREA:** Children, Young People and Learning

3. **PURPOSE OF DECISION**

To award the contract for the capacity works at The Pines Primary school

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the contract for Phase 1 of the expansion of the Pines Primary School be awarded to Tenderer A, as detailed in the confidential appendix A of the Director of Children, Young People and Learning's report, subject to the final lump sum not exceeding the amount set out in paragraph 13 h of the report.

7. **REASON FOR DECISION**

The value of this contract requires Executive approval under the Council's Contract Standing Orders.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None at this time.

9. **PRINCIPAL GROUPS CONSULTED:** Headteacher
School Governing Body
Education Capital Programme Board

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
24 June 2014	1 July 2014

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I046696
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1. **TITLE:** Commissioning of Sexual Health Services
2. **SERVICE AREA:** Adult Social Care, Health & Housing
3. **PURPOSE OF DECISION**

Services aimed at improving Sexual Health and have been reviewed with the intention of commissioning them in a form that best matches local need from the start of 2015/16. The results of the review and financial modelling will be presented and a recommendation made for ongoing commissioning.

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

That the Executive gives approval to extend current contracts of £295,000 per annum with provider Berkshire Healthcare NHS Foundation Trust (BHFT) for a period of three years (plus 2) with review after 2 years.

7. **REASON FOR DECISION**

- i. A sexual health service review has been completed, with input from a variety of stakeholders following local consultations in Bracknell Forest. This has shown that the current main service provider (BHFT) performs well against national standards, and has strong positive feedback from service users.
- ii. The financial modelling exercise has indicated that, in the case of Bracknell Forest, entering into a competitive tendering process would entail moving from a block contract to a tariff based system that would cost more. Specifically, the estimate is that tendering would risk a growth in cost of an estimated £113,000 increase in costs for a similar service model.
- iii. In addition, work in 2013/4 has enabled the current block contract to be split according to usage (rather than population size) and has removed service costs not attributable to Bracknell Forest Council (related to HIV treatment). This has resulted in the potential for significantly lower costs for Bracknell Forest going forward. These costs will not be paid by Bracknell Forest Council from April 2014 onwards and negotiations are underway with NHS England in relation to repayment for 2013/14.
- iv. The lower costs resulting from this new method of splitting the contract, and from staying with current terms and conditions, will allow for more investment in programmes tailored specifically tailored to the needs of Bracknell Forest.
- v. Initial discussions with BHFT have confirmed that they are prepared to agree a new block contract providing two or more Unitary Authorities wish to proceed on this basis.

8. **ALTERNATIVE OPTIONS CONSIDERED**

To enter into a competitive tendering process. Aside from the service review and needs analysis showing that the current main service provider (BHFT) performs well, the current financial modelling indicates that a tendering process would entail moving from a block contract to a tariff based system that would cost more.

9. **PRINCIPAL GROUPS CONSULTED:** A range of stakeholders including local representatives of healthcare providers, schools, youth services and council members.

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
24 June 2014	1 July 2014