

**EXECUTIVE
31 MARCH 2015
5.00 - 6.20 PM**



Present:

Councillors Bettison (Chairman), Ward (Vice-Chairman), Dr Barnard, Birch, Mrs Hayes, McCracken and Turrell

Apologies for absence were received from:

Councillor Brunel-Walker

35. Declarations of Interest

There were no declarations of interest.

36. Minutes

RESOLVED that the minutes of the meeting of the Executive on 10 February 2015 together with the accompanying decision records be confirmed as a correct record and signed by the Leader.

37. 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: Overview & Scrutiny Commission Review of Business Rates

RESOLVED that

- 1 The following recommendations of the Working Group on "A Review of Business Rates and Discretionary Relief" be accepted:
 - a) That efforts are made to ascertain the rate of take up of Small Business Rates Relief in Bracknell Forest, and if similarly low to the national average, to publicise the availability of this valuable relief scheme more widely.
 - b) That the Executive looks for opportunities – perhaps through the Local Government Association, and possibly directly to Government Ministers – to stress to central government the significance of Business Rates avoidance, and the need for early resolution.
 - c) That the Executive Members for Culture, Corporate Services and Public Protection; and Economic Development and Regeneration should ensure there is effective promotion of the proposed Discretionary Business Rate Relief scheme.

- 2 That the following recommendation of the Working Group on “A Review of Business Rates and Discretionary Relief” be accepted, with refinements:
 - d) That the draft scheme at Appendix 2, along with further considerations and details at Appendix 3, are put forward for consideration by the Executive and implementation during 2015/16.

Item 6: Joint Commissioning Strategy for Carers

RESOLVED that the Joint Commissioning Strategy for People in an Unpaid Caring Role 2015 -2020 be approved.

Item 7: Troubled Families (Family Focus) Phase Two

RESOLVED that

- 1 The progress and success of Phase 1 of the programme be noted.
- 2 The progression into Phase 2 of the potentially longer, five year programme, on the proposed basis set out in the body of the report be noted.
- 3 The outline budget plan set out in Annex 2 to the report be agreed.

Item 8: Staying Put Policy

RESOLVED that

- 1 The Staying Put Policy at Appendix A be agreed;
- 2 Option 3 from Appendix B, Staying Put Financial Implications be agreed.

Item 9: Community Safety Partnership (CSP) Plan 2014-17 - 2015 Refresh

RESOLVED that

- 1 The priorities and targets contained within the CSP Plan be noted and comments be provided to the Community Safety Manager by Friday 6 March 2015.
- 2 The Executive recommends to Council the CSP Plan 2014–2017 – 2015 Refresh for adoption as part of the Policy Framework. (Appendix 1 to the report).

Item 10: 2015/16 Highway Maintenance Programme

RESOLVED that

- 1 The 2015/16 capital programme budget for Highway Maintenance be targeted at the indicative work programme as set out in Annex 1;
- 2 The Integrated Transport Capital Programme for 2015/16, as set out in Annex 2 to the report be approved.

Item 11: Corporate Performance Overview Report

RESOLVED that the performance of the Council over the period from October - December 2014, highlighted in the Overview Report in Annex A to the report be noted.

Item 12: Cranbourne Award of Contract - Special Urgency Procedures

RESOLVED that the use of Special Urgency Procedures by the Leader to revise the award of contract for the construction works to create new classrooms at Cranbourne Primary School be noted.

Item 13: Redevelopment of Coopers Hill

RESOLVED that

- 1 Subject to the outcome of a financial viability study to approve in principle the redevelopment of the Coopers Hill site in partnership with TVHA to provide youth and housing facilities as outlined in the report be agreed.
2. To test the financial viability study looking at, the creation of a creative, digital and performing arts centre through the redevelopment of the Coopers Hill site, by securing the support of leading national organisations with a track record in delivering effective programmes for young people be agreed.
- 3 Subject to the successful outcome of 2.2; to negotiate and enter into a development agreement with TVHA be agreed.
- 4 To report back on the outcome of the feasibility study and the potential terms of a development agreement for the site by December 2015 be agreed.

38. Exclusion of Public and Press

RESOLVED that pursuant to Regulation 21 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000, members of the public and press be excluded from the meeting for the consideration of item 15, 16 & 17 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 (including the authority).

Item 15: Intermediate Care Services Contract

RESOLVED that the competition requirements of Contract Standing Orders be waived to allow negotiation of a contract for a period of 1 year (six month contract with option for a further six months) at a total estimated value as set out in the restricted report, with BHFT for staffing to support Intermediate Care Services.

Item 16: Implementation of Older Persons Accommodation & Support Services Strategy

RESOLVED that

- 1 The Council acquires the freehold interest of the Dennis Pilcher House site from Bracknell Forest Homes (BFH) as shown in Appendix A for the sum as

set out in the restricted report subject to a clawback by BFH if the Council disposes of the freehold interest in the future.

- 2 The Council disposes of the freehold interest of the Ladybank site as shown at Appendix B to BFH for the amount set out in the restricted report, conditional upon BFH obtaining satisfactory planning permission and to be simultaneous with the acquisition of Dennis Pilcher House.
- 3 The Council enters into a short term full repairing lease back of the Ladybank site for a nominal fee from the date it acquires vacant possession of the Dennis Pilcher site.

Item 17: Establishing a Local Housing Company

RESOLVED that

- 1 The development of Local Housing Company (LHC) to procure accommodation to provide homes for homeless households , households with learning disabilities and/or autism and care leavers so as reduce Council expenditure on accommodation be agreed;
- 2 The Council provides financial support to the Company in the form of a short term loan as set out in the restricted report, as start-up funding be agreed;
- 3 The Council provides loan finance to the company in the future of as set out in the restricted report, so that it can acquire properties, the loan to be repaid from the surplus income it generates be agreed;
- 4 The structure of the company will be as a company limited by shares, initially set up as a wholly owned subsidiary of the Council be agreed;
- 5 Minimum Council representation on the Board of the LHC will by the Executive member Adult social care , Health and housing, Executive member Transformation and finance, Chief executive , Borough Treasurer and Borough Solicitor be agreed.

Bracknell Forest Council Record of Decision

Work Programme Reference	I051746
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1. **TITLE:** Overview & Scrutiny Commission Review of Business Rates

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To consider the Executive's response to the Overview and Scrutiny Commission Working Group's review of business rates.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the following recommendations of the Working Group on "A Review of Business Rates and Discretionary Relief" be accepted:

a) That efforts are made to ascertain the rate of take up of Small Business Rates Relief in Bracknell Forest, and if similarly low to the national average, to publicise the availability of this valuable relief scheme more widely.

b) That the Executive looks for opportunities – perhaps through the Local Government Association, and possibly directly to Government Ministers – to stress to central government the significance of Business Rates avoidance, and the need for early resolution.

c) That the Executive Members for Culture, Corporate Services and Public Protection; and Economic Development and Regeneration should ensure there is effective promotion of the proposed Discretionary Business Rate Relief scheme.

2 That the following recommendation of the Working Group on "A Review of Business Rates and Discretionary Relief" be accepted, with refinements:

d) That the draft scheme at Appendix 2, along with further considerations and details at Appendix 3, are put forward for consideration by the Executive and implementation during 2015/16.

7. **REASON FOR DECISION**

The Overview and Scrutiny Commission's Working Group has spent considerable time on the review of a subject about which many local authorities are currently developing their thinking and formulating strategies. The Working Group has made a number of pragmatic recommendations, the most significant of which seek to encourage small businesses to take on premises within the Borough. This is a priority for the Council's Economic Development Strategy.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Not 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
31 March 2015	8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I050130
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1. **TITLE:** Joint Commissioning Strategy for Carers
2. **SERVICE AREA:** Adult Social Care, Health & Housing
3. **PURPOSE OF DECISION**

The Joint Commissioning Strategy for Carers is being submitted to the Executive for approval. Bracknell Forest Council and Bracknell and Ascot Clinical Commissioning Group are developing this strategy to set out how services will need to develop over the next five years in order to support informal carers to live the life they choose and to support them in their caring role.

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

6. **DECISION:**

That the Joint Commissioning Strategy for People in an Unpaid Caring Role 2015 -2020 be approved.

7. **REASON FOR DECISION**

To ensure that the strategic direction for supporting people in an unpaid caring role continues to reflect:-

- the needs and wishes of the people concerned
- national strategic direction
- recognised best practice.

8. **ALTERNATIVE OPTIONS CONSIDERED**

To continue with the strategic direction identified in the original commissioning strategy. However, this would not take account of people's current needs and aspirations or follow recent government legislation and best practice.

9. **PRINCIPAL GROUPS CONSULTED:** Adults caring for other adults
Parent carers who are supporting a young person approaching adulthood
Young carers approaching adulthood
People who support carers
People interested in supporting carers

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
31 March 2015	3 8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I051719
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1. **TITLE:** Troubled Families (Family Focus) Phase Two
2. **SERVICE AREA:** Children, Young People and Learning
3. **PURPOSE OF DECISION**

To agree the continuation of the Troubled Families (Family Focus) Programme into Phase Two and the associated funding requirements.

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

6. **DECISION:**

1. That the progress and success of Phase 1 of the programme be noted.
2. That the progression into Phase 2 of the potentially longer, five year programme, on the proposed basis set out in the body of the report be noted.
3. That the outline budget plan set out in Annex 2 to the report be agreed.

7. **REASON FOR DECISION**

This programme is a high priority nationally and it represents a key component of the Borough's Early Intervention Strategy.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The alternative is to continue with the current pattern of service delivery with escalating costs for specialist and acute services and increasing demand for those services. These are areas of statutory expenditure, which will drive up costs to the Council. This is particularly acute in the areas of children's social care, excluded pupils and youth crime. This will result in additional financial pressure on demand led services being placed on already stretched budgets all of which impact on the department's work on Prevention and Early Intervention.

9. **PRINCIPAL GROUPS CONSULTED:** Children, Young People and Learning DMT
Family Focus Reference Group
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
31 March 2015	8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I051471
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1. **TITLE:** Staying Put Policy
2. **SERVICE AREA:** Children, Young People and Learning
3. **PURPOSE OF DECISION**

For the Executive to approve a Staying Put Policy for Looked After Children wishing to remain in their foster care placement past the age of 18 and up to 21.

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

6. **DECISION:**

- 1 That the Staying Put Policy at Appendix A be agreed;
- 2 That Option 3 from Appendix B, Staying Put Financial Implications be agreed.

7. **REASON FOR DECISION**

To ensure the Council meets the requirements of the Children and Young Persons Act 2008 and the Children and Families Act 2014, which imposed the duty on LAs to provide Staying Put arrangements, and the Planning Transition to Adulthood for Care Leavers 2010 (Regulations and Guidance) to have a 'Staying Put Policy' that sets out arrangements to promote the extension of foster care placements beyond a young person's eighteenth birthday.

The recommended allowance payments are considered the most appropriate to balance the level of care to be provided against the Council's resources.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The alternative options are set out in Appendix B to the report.

9. **PRINCIPAL GROUPS CONSULTED:** Children, Young People and Learning
Departmental Management Team
Corporate Parenting Advisory Panel
Foster carers
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
31 March 2015	8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I05152
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1. **TITLE:** Community Safety Partnership (CSP) Plan 2014-17 - 2015 Refresh

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

3. **PURPOSE OF DECISION**

To endorse the 2015 Refresh to the Community Safety Partnership (CSP) Plan 2014-17

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the priorities and targets contained within the CSP Plan be noted and comments be provided to the Community Safety Manager by Friday 6 March 2015.

2 That the Executive recommends to Council the CSP Plan 2014–2017 – 2015 Refresh for adoption as part of the Policy Framework. (Appendix 1 to the report).

7. **REASON FOR DECISION**

To seek the Executive's endorsement of the CSP Plan.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The publication of a CSP Plan is a statutory requirement and therefore there are no alternative options to consider. The priorities adopted result from the annual CSP Strategic Assessment as well as partnership and community consultation. These priorities will be discussed by the CSP at its meeting on 9 March 2015.

9. **PRINCIPAL GROUPS CONSULTED:** Partners of the Community Safety Partnership, Overview & Scrutiny (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
31 March 2015	8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I051686
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1. **TITLE:** 2015/16 Highway Maintenance Programme
2. **SERVICE AREA:** Environment, Culture & Communities
3. **PURPOSE OF DECISION**

To approve the 2015/16 Integrated Transport and Highway Maintenance Capital Programmes.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1. That the 2015/16 capital programme budget for Highway Maintenance be targeted at the indicative work programme as set out in Annex 1;

2. That the Integrated Transport Capital Programme for 2015/16, as set out in Annex 2 to the report be approved.

7. **REASON FOR DECISION**

To facilitate transport services in line with the Council's Local Transport Plan (LTP3) and improve the condition of the highway network in pursuance of the Council's Medium Term Objectives.

8. **ALTERNATIVE OPTIONS CONSIDERED**

In respect of the 2015/16 Highway Maintenance Capital Programme, no alternative options are appropriate. The proposals seek to effect works according to priority based on an assessment of condition that also reflects general safety. The need to have a large range of schemes is essential in order to minimise delay and maximise operational efficiencies. The Annex (1) is updated annually.

Failure to deliver the 2015/16 Integrated Transport Capital Programme would impact negatively on the Council's adopted Transport Policy.

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

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
31 March 2015	8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I050179
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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 third quarter of 2014-15

4 **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the performance of the Council over the period from October - December 2014, highlighted in the Overview Report in Annex A the 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 as appropriate if needed.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None applicable.

9. **PRINCIPAL GROUPS CONSULTED:** Chief Executive and Assistant Chief Executive, Officer groups

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

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

Date Decision Made	Final Day of Call-in Period
31 March 2015	8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I052579
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1. **TITLE:** Cranbourne Award of Contract - Special Urgency Procedures

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

3. **PURPOSE OF DECISION**

To inform the Executive of the use of special urgency procedures for the award of a contract at Cranbourne Primary School

4. **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the use of Special Urgency Procedures by the Leader to revise the award of contract for the construction works to create new classrooms at Cranbourne Primary School be noted.

7. **REASON FOR DECISION**

To comply with Contract Standing Order 7 in relation to the reporting of any waiver of Contract Standing Orders approved by the Leader in relation to contracts valued at over £400k.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None, as to have delayed the decision until the next meeting of the Executive would have impacted significantly on the works programme and jeopardised the timely delivery of the new classrooms.

9. **PRINCIPAL GROUPS CONSULTED:** Headteacher, School Governors, neighbours/local residents, staff and parents.

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
31 March 2015	8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I048672
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1. **TITLE:** Redevelopment of Coopers Hill
2. **SERVICE AREA:** Adult Social Care, Health & Housing
3. **PURPOSE OF DECISION**

Proposals to redevelop the Council owned site at Coopers Hill to provide over 100 units of low cost home ownership residential accommodation and an exemplar youth arts centre/hub.

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

6. **DECISION:**

1. That subject to the outcome of a financial viability study to approve in principle the redevelopment of the Coopers Hill site in partnership with TVHA to provide youth and housing facilities as outlined in the report be agreed.
2. That to test the financial viability study looking at, the creation of a creative, digital and performing arts centre through the redevelopment of the Coopers Hill site, by securing the support of leading national organisations with a track record in delivering effective programmes for young people be agreed.
3. That subject to the successful outcome of 2.2; to negotiate and enter into a development agreement with TVHA be agreed.
4. That to report back on the outcome of the feasibility study and the potential terms of a development agreement for the site by December 2015 be agreed.

7. **REASON FOR DECISION**

The recommendations in the report support the Council's medium term objectives:

- Medium term objective 1 - to regenerate Bracknell Town Centre
- Medium term objective 4 - to support our young residents to maximise their potential
- Medium term objective 10 - to encourage a range of appropriate housing.

The redevelopment of Coopers Hill through a partnership between Bracknell Forest Council and TVHA will provide a completely new facility for delivering services to young people. The facility will deliver a wide range of services that are not currently available in the region, in accommodation that is fit for purpose and meets the specification drawn up through extensive consultation with young people. The facility will be unique in the region and make a significant contribution to the wider regeneration of the Town Centre.

The delivery of financially viable services for young people through the Coopers Hill facility will require strategic partnerships with business and enterprise in the region; with national

bodies; with arts, culture and technology organisations; with local schools, colleges, and universities. These partnerships will need to be in place to enable delivery of services from the completion and handover of the building. A partner or partners with an established, known high quality brand will add significant value to and secure the successful operation of the Coopers Hill Centre. The Council has commenced the process to identify potential partners.

The scheme proposed by TVHA will provide c.2,000 m² of accommodation for the creative, performing and digital arts centre. An outline is shown in Appendix A. This will be funded from the sale of 122 shared ownership homes to be provided on the same site. TVHA will design the scheme, in partnership with Bracknell Forest Council, seek planning permission and undertake an OJEU compliant procurement process through the Homes and Communities Development Agency panel. The Council, supported by the Youth Council, will be involved in the selection of the preferred bidder to ensure they have the experience, expertise and capacity to deliver a creative, digital and performing arts centre to the required quality and specification.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The Council has commissioned independent consultants to develop a business case that would allow the youth facility to be provided at no additional cost to the Council. The results are summarised in the confidential Appendix B. The business case itself has also been examined by independent financial analysts.

There are three options considered in the Full Business Case:

1. Continue current provision at Coopers Hill without a redevelopment programme. This option will require continued funding for maintenance, refurbishment, staffing and premises costs to be met by Bracknell Forest Council, thereby creating a financial liability for the Council.
2. Redevelop Coopers Hill with sufficient capacity to enable the delivery of services that cover operational costs. The 'breakeven' option has been developed to demonstrate that a viable and sustainable business can be delivered at no cost to the Council. This 'breakeven' position can be achieved through the participation of 7% of the target population.
3. Redevelop Coopers Hill and maximise the opportunity to use the whole of the proposed accommodation. This full operation model has the same staffing and premises costs as option 2 but will achieve a higher income.

Option 3 is recommended as it achieves a significantly greater return for the costs of operating the facility, maximises the use of the facility and engages a greater number of young people in purposeful activities. This model is predicted to generate a year on year surplus to be reinvested in the programmes for young people and in the equipment and facilities available to support this work.

The Council could consider investing circa £ 3.6 million of capital investment to deliver the performing arts centre to the current specification itself. However, as the current proposals do not require Council capital investment this has not been pursued.

9. **PRINCIPAL GROUPS CONSULTED:** To be confirmed.

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
31 March 2015	8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I051404
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1. **TITLE:** Intermediate Care Services Contract
2. **SERVICE AREA:** Adult Social Care, Health & Housing
3. **PURPOSE OF DECISION**

To approve a request to waive the competition requirements of the Contract Standing Orders for Staffing for Intermediate Care Services by Berkshire Healthcare NHS Foundation Trust.

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

That the competition requirements of Contract Standing Orders be waived to allow negotiation of a contract for a period of 1 year (six month contract with option for a further six months) at a total estimated value as set out in the restricted report with BHFT for staffing to support Intermediate Care Services.

7. **REASON FOR DECISION**

In July 2013, the Executive approved a request to waive the Contract Standing Orders in order to enter into a two year contract with BHFT while Adult Social Care undertook a review of the service. The current contract is due to end 31 July 2015.

As part of the review, a Joint Commissioning Strategy for Intermediate Care was developed. The strategy went to the Executive on the 16th December 2014. The minutes indicate:

RESOLVED that the overall approach within the Joint Commissioning Strategy for Intermediate Care 2015-18 is approved, and that final approval, following comment from the Clinical Commissioning Group, is delegated to the Better Care Fund Programme Boards.

The Strategy for Intermediate Care has now been approved.

Adult Social Care and the Clinical Commissioning Group (who jointly fund the service) are now undertaking an evaluation of the impact on the service of the Intermediate Care Strategy, which will determine what changes will be required to the future requirements. As such, it would not be possible to identify the new requirements and undertake a tender before the current contract ends. As this is an essential, front line service, there cannot be a break in service provision. One outcome of the review is that the Clinical Commissioning Group may commission some of the services themselves, which would reduce the level of services commissioned by the council.

8. **ALTERNATIVE OPTIONS CONSIDERED**

To tender for this service at this stage, however, this was discounted for the following

reasons:-

- The timescale to review the impact of the strategy on the service and competitively tender would take 9-12 months to complete. It would therefore not be possible to do this before the current contract expires

To request an alternative waiver of the contract standing orders which sought approval to undertake a limited competition to look at other suppliers (using a less time-consuming way than going through a formal tender), for an interim solution, who potentially might provide better value for money. It was felt that this was not an option for the following reasons:-

- ASC have been in partnership with BHFT for many years. BHFT understand the processes and procedures that relate to this service, which as previously mentioned, is a critical service. To bring in a new provider at this stage would be costly in terms of the manpower required to bed in a new provider, which would not be cost effective for a short period of time; would reduce officer hours to work on the review of the service ready for the re-tender, and de-stabilise the service at a time of change, particularly when A&E are struggling to cope with additional pressures over the winter months. Also, if we were to consider an alternative provider, we would need to consult the CCG, which could delay the process.

To directly employ all the staff at this stage. This has been discounted for the following reason:-

- TUPE may apply, and if so, there would not be any cost savings as staff would transfer under their current contractual terms and conditions and the Council would have to manage any further organisation changes
9. **PRINCIPAL GROUPS CONSULTED:** Internal teams within Adult Social Care, the current provider of the service, people who use the service and their carers.
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
31 March 2015	8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I051942
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1. **TITLE:** Implementation of Older Persons Accommodation & Support Services Strategy

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

3. **PURPOSE OF DECISION**

The acquisition of accommodation to provide improved services for older people and disposal of assets to finance that acquisition.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

1 That the Council acquires the freehold interest of the Dennis Pilcher House site from Bracknell Forest Homes (BFH) as shown in Appendix A for the sum as set out in the restricted report subject to a clawback by BFH if the Council disposes of the freehold interest in the future.

2 That the Council disposes of the freehold interest of the Ladybank site as shown at Appendix B to BFH for the amount set out in the restricted report, conditional upon BFH obtaining satisfactory planning permission and to be simultaneous with the acquisition of Dennis Pilcher House.

3 That the Council enters into a short term full repairing lease back of the Ladybank site for a nominal fee from the date it acquires vacant possession of the Dennis Pilcher site.

7. **REASON FOR DECISION**

The recommendations in this report directly support the Council's Medium Term Objective 7 to support our older and more vulnerable residents and in particular to improve the range of specialist accommodation for older people which will enable more people to be supported outside residential and nursing care.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The Council intends to relocate the re-ablement service currently provided at Ladybank to Dennis Pilcher House. Alternatively the Council could invest over £380,000 in the Ladybank site to address immediate repair issues. However, the current building does not provide the level of accommodation to achieve the standards expected by the Care quality commission. It would not be possible to achieve the accommodation standards required on that site without considerable capital investment. Therefore, conversion and improvement of the Dennis Pilcher House site represents best value for the Council.

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

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
31 March 2015	8 April 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I049461
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1. **TITLE:** Establishing a Local Housing Company
2. **SERVICE AREA:** Adult Social Care, Health & Housing
3. **PURPOSE OF DECISION**

Members are asked to consider further work to establish a local housing company to provide temporary accommodation for homeless households.

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

6. **DECISION:**

1. That the development of Local Housing Company (LHC) to procure accommodation to provide homes for homeless households , households with learning disabilities and/or autism and care leavers so as reduce Council expenditure on accommodation be agreed;
2. That the Council provides financial support to the Company in the form of a short term loan as set out in the restricted report, as start-up funding be agreed;
3. That the Council provides loan finance to the company in the future as set out in the restricted report, so that it can acquire properties, the loan to be repaid from the surplus income it generates be agreed;
4. That the structure of the company will be as a company limited by shares, initially set up as a wholly owned subsidiary of the Council be agreed;
5. That minimum Council representation on the Board of the LHC will by the Executive member Adult social care , Health and housing, Executive member Transformation and finance, Chief executive , Borough Treasurer and Borough Solicitor be agreed.

7. **REASON FOR DECISION**

There has been a 68% increase in homeless acceptances over the last twelve months. The main reason for households losing their home is loss of tenancy due to landlord serving notice to re-possess properties often with the intention of letting at an increased rent. Households are often finding it very difficult to find another home in the private rented sector and are thus approaching the Council. As the Council is unable to access private rented accommodation to help the household avoid homelessness the number of households accepted as homeless has and continues to increase. This impacts on the number of households who are housed in emergency bed and breakfast accommodation while they wait to be moved onto other temporary accommodation. In July 2013 there were 9 households in bed and breakfast at the end of the month and in July 2014 there were 24 a 260% increase. This increase manifests itself in additional expenditure on bed and breakfast for the Council.

The current estimated spend on bed and breakfast accommodation in 2014/15 will be in the region of £250,000 over the budget of £85,470. This additional expenditure is currently contained within departmental budgets by using the rental income generated from the Council owned temporary to permanent properties which have been purchased via the use of the stock transfer receipt.

As the problem is lack of access to accommodation that is driving up Council spend on bed and breakfast the Council needs to establish a way of making available more accommodation to act as temporary accommodation for homeless households and as quickly as possible. Increase in the number of properties that can be offered as temporary accommodation means households will spend less time in bed and breakfast thus reducing Council expenditure but also providing the family a better quality of life.

The provision of temporary accommodation provides a staging post for homeless households on their journey to a settled home which would discharge the Council's homeless duty. So as to keep pace with the increased homeless demand a higher proportion of affordable housing will need to be let to homeless households meaning it will take longer for first time applicants to be housed from the housing register. The LHC provides the opportunity to provide accommodation to homeless households to discharge the Council's homeless duty thus enabling more affordable housing allocation to first time applicants from the housing register.

The current state of the housing market is impacting on the ability of other households who could be housed in the private rented sector to secure a home. Adult Social Care (ASC) currently pay a top up to cover the difference between the maximum housing benefit that can be paid and the rent on properties occupied by people with learning disabilities. Many of these households are being evicted and approaching the Council as homeless thus increasing the demand to procure accommodation for homeless households. ASC estimate there will be 70 households approaching the Council for accommodation over the next two years. In addition Children, Young People & Learning (CYPL) pay organisations to provide accommodation for care leavers.. A local housing company set up by the Council to procure accommodation for households which the Council supports offers an opportunity to realise significant revenue savings whilst providing appropriate accommodation within the Borough.

The recommendations directly support the Council's medium term objective 10 to encourage the provision of a range of accommodation.

8. ALTERNATIVE OPTIONS CONSIDERED

The Council could continue to use the income from its temporary to permanent portfolio to meet bed and breakfast costs. This provides no return for the Council expenditure albeit it provides emergency accommodation. The Council is required to only use bed and breakfast for a maximum of 6 weeks for families with children after which time the bed and breakfast becomes unsuitable and the household should be housed in more appropriate accommodation. Without more appropriate temporary accommodation the Council risks not complying and could face financial penalty via the local Government Ombudsman as has been the case for other local authorities and a requirement to rehouse households.

The independent legal advice procured by the Council has confirmed that as long as the Council purchases properties to provide temporary housing for homeless households there will not be a requirement to re-open a housing revenue account. Therefore, the council could continue to purchase properties using the revenue from the existing temporary to permanent portfolio to support borrowing keeping the properties and not setting up a separate company. However, the Council cannot discharge its homeless duty by offering homeless households

accommodation that it owns without running the risk of re-opening the housing revenue account. The same applies for housing households with learning difficulties or care leavers if they are provided with self-contained accommodation. Therefore, the LHC offers the Council housing opportunities not available if it purchased property to let itself. However, it should be recognised that the LHC does generate additional costs in the form of operating costs and tax that do not accrue if the Council purchases the properties itself.

The Council could fund registered social landlords / registered providers to purchase properties. Registered social landlords are regulated and can only offer assured tenancies to households. Moreover, some registered social landlords are not prepared to house some households if there is a risk to their income. Thus this option does not offer the Council the flexibility of moving homeless households on after six months in occupation into a permanent home nor does it provide control over the nomination of the household. Lastly, it does not provide a return for the Council's investment and as such this option is not recommended.

The Council could consider paying above market rents to gain access to private rented accommodation. To date landlords and letting agents have not been receptive to this offer. It does not provide a return for Council investment and runs the risk of distorting the market. Consequently, this option is not recommended.

- 9. **PRINCIPAL GROUPS CONSULTED:** Not applicable at this stage.
- 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
31 March 2015	8 April 2015

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