

**EXECUTIVE
15 DECEMBER 2015
5.00 - 5.40 PM**



Present:

Councillors Dr Barnard (Vice-Chairman, in the Chair), D Birch, Mrs Hayes MBE, Heydon, McCracken and Turrell

Apologies for absence were received from:

Councillors Bettison and Brunel-Walker

20. Declarations of Interest

There were no declarations of interest.

21. Minutes

RESOLVED that the minutes of the meeting of the Executive on 17 November 2015 together with the accompanying decision records be confirmed as a correct record and signed by the Vice-Chairman.

22. 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. Capital Budget 2016/17

RESOLVED that the Executive

- i. Approves, for consultation, an initial Council funded capital programme of £55.037m for 2016/17 as set out in paragraph 5.30 and summarised in Annex A, including the schemes listed in Annexes B – F of the Chief Executive's report
- ii. Approves, for consultation, the inclusion of an additional budget of £1m for Invest-to-Save schemes in addition to the specific schemes identified in paragraph 5.24 of the Chief Executive's report subject to the detailed business case being reviewed and agreed by the Borough Treasurer.
- iii. Approves, for consultation, the inclusion of £2.092m of expenditure to be funded from S106 as outlined in paragraph 5.31 of the Chief Executive's report
- iv. Approves, for consultation, the inclusion of £17.498m of expenditure to be externally funded as outlined in paragraph 5.31 of the Chief Executive's report
- v. Recommends to Full Council the approval of virements totalling £0.481m to the 2015/16 Children Young People and Learning Programme, as set out in Annex G of the Chief Executive's report, in order to meet the demands of the School Places Plan.

- vi. Recommends to Full Council the approval of £0.05m in 2015/16 from unallocated Basic Need Grant for Ascot Heath Schools as outlined in paragraph 5.35 of the Chief Executive's report.

Item 6. Revenue Budget 2016/17

RESOLVED that the Executive:

- i. Agree the draft budget proposals for 2016/17 as the basis for consultation with the Overview & Scrutiny Commission and other interested parties or individuals.
- ii. Agree the Treasury Management Strategy and associated documents at Annexe E of the Chief Executive's report and request that the Governance and Audit Committee review each of the key elements.
- iii. Agree that the 2016/17 Schools Budget be set at the eventual level of grant income plus any accumulated balances, with the Executive Member for Children, Young People and Learning authorised to make amendments and agree budgets for schools and services centrally managed by the Council.
- iv. Approve the virements relating to the 2015/16 budget as set out in Annexes F and G of the Chief Executive's report and recommend those that are over £0.100m for approval by Council.

Item 7. Annual Audit Letter

RESOLVED that the Executive note the Annual Audit Letter 2014/15 at Appendix 1 of the Chief Executive and Borough Treasurer's report

Item 8. Draft Homeless Strategy

RESOLVED that the Homelessness Strategy at Appendix A of the Director of Adult Social Care, Health and Housing's report be approved for wider consultation.

Item 9. Council Tax Reduction Scheme

RESOLVED that the Executive agree to make the following changes to the Council's Local Council Tax Benefit Scheme:

- i. That all working age households will pay at least 20% of their Council Tax liability, the maximum discount will be 80% of Council Tax liability.
- ii. That for working age household's child maintenance payments are taken into account when assessing income to calculate the Local Council Tax reduction.
- iii. That when calculating income for working age self employed people it will be assumed that after 12 months the self employed person is earning national living wage.
- iv. That all the income disregards for working people will be increased by £5 a week.
- v. That the hardship fund is increased to £20,000 and the criteria for support is amended to include those who had received a reduction in the previous twelve months and face financial hardship due to the proposed changes.
- vi. As a consequence of the above recommendations the Local Council Tax Benefit Summary Scheme at Appendix A of the Director of Adult Social Care, Health and Housing and Borough Treasurer's report is report is agreed.

- vii. The detailed scheme operation to be delegated to the Director of Adult Social Care, Health and Housing to finalise.
- viii. The Local Council Tax Benefit Scheme is referred to Council on the 20th January for adoption.
- ix. That the Local Council Tax Benefit Scheme will be reviewed on an annual basis.

Item 10. Suitable Alternative Natural Green Spaces (SANGs) Capital Spending (External Funding)

RESOLVED that the Executive recommend to Full Council that they approve the spending of a further £95,000 of developer contribution on SANGs for this financial year.

Item 11. Local Government Ombudsman Investigation Report - Notification of Outcome by Monitoring Officer

RESOLVED that the Executive;

- i. Notes the Ombudsman's findings and endorses the steps set out in paragraph 6.10 of the Monitoring Officer's report
- ii. Agrees that no further action needs to be taken in relation to the matter set out in the Monitoring Officer's report
- iii. Notes that a copy of the Monitoring Officer's report has been circulated to all members of the Council
- iv. Approves the draft report of the Executive attached here to as Annex A of the Monitoring Officer's report

Item 12. Corporate Performance Overview Report

RESOLVED that the Executive note the performance of the Council over the period from July - September 2015, highlighted in the Overview Report in Annex A of the Chief Executive's report

LEADER

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**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I052737
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1. **TITLE:** Capital Budget 2016/17
2. **SERVICE AREA:** Corporate Services
3. **PURPOSE OF DECISION**

To approve the Council's budget proposals for consultation.

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

6. **DECISION:**

That the Executive

- i. Approves, for consultation, an initial Council funded capital programme of £55.037m for 2016/17 as set out in paragraph 5.30 and summarised in Annex A, including the schemes listed in Annexes B – F of the Chief Executive's report
- ii. Approves, for consultation, the inclusion of an additional budget of £1m for Invest-to-Save schemes in addition to the specific schemes identified in paragraph 5.24 of the Chief Executive's report subject to the detailed business case being reviewed and agreed by the Borough Treasurer.
- iii. Approves, for consultation, the inclusion of £2.092m of expenditure to be funded from S106 as outlined in paragraph 5.31 of the Chief Executive's report
- iv. Approves, for consultation, the inclusion of £17.498m of expenditure to be externally funded as outlined in paragraph 5.31 of the Chief Executive's report
- v. Recommends to Full Council the approval of virements totalling £0.481m to the 2015/16 Children Young People and Learning Programme, as set out in Annex G of the Chief Executive's report, in order to meet the demands of the School Places Plan.
- vi. Recommends to Full Council the approval of £0.05m in 2015/16 from unallocated Basic Need Grant for Ascot Heath Schools as outlined in paragraph 5.35 of the Chief Executive's report.

7. **REASON FOR DECISION**

The reasons for the recommendations are set out in the Chief Executive's report.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The alternative options are considered in the Chief Executive's report.

9. **PRINCIPAL GROUPS CONSULTED:** Targeted consultation exercises will be undertaken with business rate payers, the Schools Forum, Parish Councils and voluntary organisations. In addition, this report and all the supporting information will

be publicly available to any individual or group who wish to comment on any proposal included within it. Internal consultation is via officers, members and more specifically the Overview & Scrutiny Commission and its panels.

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
15 December 2015	23 December 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I052627
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1. **TITLE:** Revenue Budget 2016/17
2. **SERVICE AREA:** Corporate Services
3. **PURPOSE OF DECISION**

To approve the Council's budget proposals for consultation.

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

That the Executive:

- i. Agree the draft budget proposals for 2016/17 as the basis for consultation with the Overview & Scrutiny Commission and other interested parties or individuals.
- ii. Agree the Treasury Management Strategy and associated documents at Annexe E of the Chief Executive's report and request that the Governance and Audit Committee review each of the key elements.
- iii. Agree that the 2016/17 Schools Budget be set at the eventual level of grant income plus any accumulated balances, with the Executive Member for Children, Young People and Learning authorised to make amendments and agree budgets for schools and services centrally managed by the Council.
- iv. Approve the virements relating to the 2015/16 budget as set out in Annexes F and G of the Chief Executive's report and recommend those that are over £0.100m for approval by Council.

7. **REASON FOR DECISION**

The recommendations are designed to allow the Executive to consult on its draft budget proposals for 2016/17 as required by the Local Government Act 2003.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The range of options being considered is included in the Chief Executive's report and its Annexes

9. **PRINCIPAL GROUPS CONSULTED:** Business rate payers, the Schools Forum, Parish Councils and voluntary organisations. The public will also have the opportunity to

submit comments.

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
15 December 2015	23 December 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I057190
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1. **TITLE:** Annual Audit Letter
2. **SERVICE AREA:** Corporate Services
3. **PURPOSE OF DECISION**

To note the contents of the External Auditor's Annual Audit Letter 2014/15.

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

6. **DECISION:**

That the Executive note the Annual Audit Letter 2014/15 at Appendix 1 of the Chief Executive and Borough Treasurer's report

7. **REASON FOR DECISION**

The Annual Audit Letter must be considered in public by those charged with governance. In Bracknell Forest this is the Governance and Audit Committee. However, given the Executive's overall responsibilities it is important that it also receives the report.

8. **ALTERNATIVE OPTIONS CONSIDERED**

None

9. **PRINCIPAL GROUPS CONSULTED:** N/A
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
15 December 2015	23 December 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I056053
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1. **TITLE:** Draft Homeless Strategy
2. **SERVICE AREA:** Adult Social Care, Health & Housing
3. **PURPOSE OF DECISION**

To consider a draft of the Homeless Strategy 2015/2020.

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

That the Homelessness Strategy at Appendix A of the Director of Adult Social Care, Health and Housing's report be approved for wider consultation.

7. **REASON FOR DECISION**

The Council has a statutory duty to review homelessness in its areas and formulate a strategy. The Council has been working with a number of agencies who provide advice and support to homeless people to develop the homeless strategy.

8. **ALTERNATIVE OPTIONS CONSIDERED**

As the Council is required to have a homelessness strategy there is no alternative.

9. **PRINCIPAL GROUPS CONSULTED:** Residents, stake holder organisations.
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
15 December 2015	23 December 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I056052
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1. **TITLE:** Council Tax Reduction Scheme
2. **SERVICE AREA:** Adult Social Care, Health & Housing
3. **PURPOSE OF DECISION**

To consider proposals to change the existing Council Tax Reduction Scheme for 2016/17.

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

That the Executive agree to make the following changes to the Council's Local Council Tax Benefit Scheme:

- i. That all working age households will pay at least 20% of their Council Tax liability, the maximum discount will be 80% of Council Tax liability.
- ii. That for working age household's child maintenance payments are taken into account when assessing income to calculate the Local Council Tax reduction.
- iii. That when calculating income for working age self employed people it will be assumed that after 12 months the self employed person is earning national living wage.
- iv. That all the income disregards for working people will be increased by £5 a week.
- v. That the hardship fund is increased to £20,000 and the criteria for support is amended to include those who had received a reduction in the previous twelve months and face financial hardship due to the proposed changes.
- vi. As a consequence of the above recommendations the Local Council Tax Benefit Summary Scheme at Appendix A of the Director of Adult Social Care, Health and Housing and Borough Treasurer's report is report is agreed.
- vii. The detailed scheme operation to be delegated to the Director of Adult Social Care, Health and Housing to finalise.
- viii. The Local Council Tax Benefit Scheme is referred to Council on the 20th January for adoption.
- ix. That the Local Council Tax Benefit Scheme will be reviewed on an annual basis.

7. **REASON FOR DECISION**

The recommendations in this report support the Council's 2015 – 2019 plan and specifically the objective to achieve value for money. The objective is measured by the Council charging appropriately for services and seeking opportunities to generate additional income.

8. **ALTERNATIVE OPTIONS CONSIDERED**

The Council could continue with the existing Local Council Tax Reduction Scheme.

However, there are a number of reasons why continuing with the existing scheme has been discounted. Firstly, there are anomalies in the existing scheme in terms of income calculations. As explained below it is considered unfair that household receiving child maintenance has that income ignored when calculating the Council Tax discount. Secondly, there is evidence that some households may be understating their earned income when self employed. Nevertheless, the Council wishes to incentivise work and to that end it is offering additional disregard of earned income. Lastly, in the context of the Council's reduced spending capacity over the next four years it is necessary to require customers of the scheme to pay more towards their council tax thus reducing the cost of the scheme.

As part of the consultation process respondents were asked whether they thought the Council should balance the amount spent on the Local Council Tax benefit compared to what it spends on other services. The responses found that 41% agreed that there should be a balance between the amount spent on the Local Council tax reduction scheme and what the Council spends on other services. The Supreme Court decision October 2014 concerning Haringey Borough Council found that they failed to recognise the other options available to the Council in funding their council tax reduction scheme other than introducing changes that reduced the support that the scheme provided. Although, some of the recommended changes to the scheme in this report will reduce household's council tax reduction some aim at addressing existing anomalies in the scheme

- 9. **PRINCIPAL GROUPS CONSULTED:** Residents and participating authorities
- 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
15 December 2015	23 December 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I057402
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1. **TITLE:** Suitable Alternative Natural Green Spaces (SANGs) Capital Spending (External Funding)

2. **SERVICE AREA:** Environment, Culture & Communities

3. **PURPOSE OF DECISION**

To seek approval to increase annual spending limit for Suitable Alternative Natural Green Spaces (SANGs) projects during 2015/16.

There is currently £150,000 previously approved for spending in this financial year. This report seeks approval to spend an additional £95,000 of developer contributions this financial year.

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Executive recommend to Full Council that they approve the spending of a further £95,000 of developer contribution on SANGs for this financial year.

7. **REASON FOR DECISION**

The current approved allowance of £150,000 will not be sufficient to accommodate the number of SANGs improvement projects already committed and planned for this financial year.

8. **ALTERNATIVE OPTIONS CONSIDERED**

Not increasing expenditure on SANGS provision and enhancement in this financial year would risk developments being stalled and delay to the occupation of those that have been completed. As developers pay commuted sums to the Council for enhancements, facilitation, and maintenance, the Council has a legal obligation to provide these facilities. Developers pay a commuted sum (s) on commencement of development works on the understanding that SANGs enhancements will have been carried out in time for residents to move in.

9. **PRINCIPAL GROUPS CONSULTED:** Consultees as described in Thames Basin Heath SPA Avoidance and Mitigation Supplementary Planning Document Consultation Statement.

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
15 December 2015	23 December 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I057395
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1. **TITLE:** Local Government Ombudsman Investigation Report - Notification of Outcome by Monitoring Officer

2. **SERVICE AREA:** Corporate Services

3. **PURPOSE OF DECISION**

To advise the Executive of the outcome of an investigation by the Local Government Ombudsman.

4 **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Executive;

- i. Notes the Ombudsman's findings and endorses the steps set out in paragraph 6.10 of the Monitoring Officer's report
- i. Agrees that no further action needs to be taken in relation to the matter set out in the Monitoring Officer's report
- iii. Notes that a copy of the Monitoring Officer's report has been circulated to all members of the Council
- iv. Approves the draft report of the Executive attached here to as Annex A of the Monitoring Officer's report

7. **REASON FOR DECISION**

To comply with the provisions of the Local Government and Housing Act 1989

To confirm that the steps taken by officers represent an appropriate response to the Ombudsman's findings

8. **ALTERNATIVE OPTIONS CONSIDERED**

In view of the fact that the Ombudsman has categorised the complaint as "Upheld: maladministration with injustice", the statutory process for reporting the decision must be followed.

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
15 December 2015	22 December 2015

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I052161
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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 second quarter of 2015-16.

4. **IS KEY DECISION** No

5. **DECISION MADE BY:** Executive

6. **DECISION:**

That the Executive note the performance of the Council over the period from July - September 2015, highlighted in the Overview Report in Annex A of the Chief Executive's report

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:** Not applicable

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

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

Date Decision Made	Final Day of Call-in Period
15 December 2015	21 December 2015

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