

**OVERVIEW AND SCRUTINY COMMISSION
16 NOVEMBER 2017
7.30 PM - 10.15 AM**



Present:

Councillors Leake (Chairman), Angell (Vice-Chairman), Mrs Angell, Mrs Birch, Brossard, Finnie, Harrison, Mrs McCracken, Mrs Temperton and Tullett

Executive Members:

Councillor Dr Gareth Barnard, Executive Member for Children, Young People & Learning
Councillor Iain McCracken, Executive Member for Culture, Resources & Public Protection
Councillor Chris Turrell, Executive Member for Planning & Transport

Also Present:

Councillors Peacey and Virgo

Apologies for absence were received from:

Councillors Allen and Porter

In Attendance:

Timothy Wheadon, Chief Executive
Alison Sanders, Director of Resources
Nikki Edwards, Director of Children, Young People & Learning
Andrew Hunter, Chief Officer: Planning, Transport & Countryside
Chris Taylor, Interim Chief Officer: Strategy, Resources and Early Help

25. Minutes and Matters Arising

RESOLVED that the minutes of the meeting of the Commission held on 21 September 2017 be approved as a correct record, and signed by the Chairman.

26. Declarations of Interest and Party Whip

Councillor Mrs Birch declared a personal interest as the spouse of the Executive Member for Adult Services, Health and Housing.

Councillor Mrs McCracken declared a personal interest as the spouse of the Executive Member for Culture, Corporate Services and Public Protection.

27. Urgent Items of Business

There were no items of urgent business.

28. Public Participation

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

29. **Quarterly Service Reports**

These reports were not available at the time of the agenda publication but had been published and circulated to members of the Commission. Members were encouraged to raise any queries after the meeting with the Director of Resources regarding the departmental performance reported in the QSR for the second quarter of 2017/18 (July to September 2017) relating to the Resources Department.

As a result of Members' comments and questions, the following points were made:

- Staff had been shuffled within Time Square before the construction phase started and the Finance, HR and ICT teams were now co-located at Time Square. The move team head by Matt Howlett, Time2Change project manager and the ICT teams had done a great job as there had been weekend moves throughout August, September and October. Moves started on Fridays and staff were ready to start work in their new locations on Monday mornings. Works were still ongoing in the Atrium and ground floor and teams would not be able to fully work agilely until there was enough space. It was a big culture change for staff and although it was challenging staff were coping well.
- In relation to L256 regarding online transactions it was explained that this indicator reported data from Customer Services only and needed to be redefined to report on data on online usage across the whole council. The drop in online use reflected a problem with the reporting software as the Council moved to a different version and a number of other factors also contributed to the reduction. The Council were working to define a better indicator to capture digital usage of council services by residents.
- It was noted at 4.4.11 that the budget for Downshire Homes Ltd to purchase homes would be stretched to 22/23 properties rather than the anticipated 20.
- It was clarified that the decline in performance against L064 related to reduced capacity within the accounts receivable team due to long-term staff sickness.

30. **Executive Forward Plan**

Members received and noted the scheduled Key and Non-Key Executive Decisions of a corporate nature.

In relation to item reference 1072169 - Establishment of a People Directorate Members discussed that they were not happy with the proposed name of the new directorate and suggested 'Service Support Directorate' as an alternative. It was clarified that the Executive had given a clear steer that the newly formed Department would be called 'People'.

In relation to item reference 1072157 – Commercial Property Investment Strategy Update the Chairman raised his concern that the forward plan indicated that the Commission had given a view. It was clarified that the body of the report supporting this item made it clear that reservations were expressed.

31. **Work Programme and Panel Activity Update**

The Commission noted progress against the Overview and Scrutiny work programme for 2017-18 and the reports from Overview and Scrutiny Panel Chairmen on each Panel's progress against the work programme (where provided).

32. **Bracknell Forest Infrastructure Provision**

The Commission received a presentation from Andrew Hunter, Chief Officer: Planning, Transport & Countryside in respect of Infrastructure Provision within the

borough and an explanation of how the Infrastructure Delivery Plan was drafted and developed alongside the Local Plan. It was explained how the Council influenced and lobbied external providers, applied for funding and delivered infrastructure through Section 106, Community Infrastructure Levy (CIL), capital funding, partnership working and planning permissions.

The following points arose from questions and discussion:

- It was clarified that priority of infrastructure delivery was dependent upon when developments came forward and was directly related to funding availability or when the main site got developed.
- Frustration was expressed regarding the Council's role in encouraging health provision and it was explained that whilst the Council could secure land for development of a Doctors surgery the site and fit out would need a provider to commit to delivery. Instead the Council was working with the Clinical Commissioning Groups (CCGs) regarding expansion of other surgeries and working collaboratively with health regarding what was required.
- It was explained that traffic modelling was undertaken to consider what was feasible on and off site for particular development sites. Infrastructure constraints would then be investigated and a site proposal may need to be adapted to respond to the specifics of the site. A site would not necessarily be discarded as an option as sites have a number of different options and reasonable access points.
- The priority order of site selection versus resolution of infrastructure issues was discussed as Members were concerned that determined sites may present unsolvable infrastructure issues. It was explained that it was an evolving process that testing would be undertaken in general terms if it was a preferred site and then the proposal would be developed and adjusted as necessary with more detail as the site progresses through the local plan and then planning application process.
- Concerns were raised around the ability of the borough's infrastructure to cope with additional cars as traffic was already heavy in certain areas. In response the Chief Officer: Planning, Transport & Countryside explained that traffic modelling as undertaken first to identify issues. The transport team sought additional funding to deliver improvements that were required. Each scheme would be different and the final infrastructure plan would incorporate proposed development and infrastructure mitigation as well as the funding sources available.
- In response to queries regarding traffic modelling it was stated that the Council used an up to date traffic model which was Webtag compliant, which was regularly reviewed and updated. It was reported that it was well used and a proven tool which worked well with neighbouring authorities models. This modelling had been used to validate funding proposed for Downshire Way expansion.
- Members were reassured that Wokingham Borough Council's decision to slow down its Local Plan did not affect the Council's ability to continue to develop its Local Plan . It was clarified that local authorities had a duty to cooperate and their proposals would be checked against Bracknell Forest Council's and the Council would seek mitigation if appropriate. The Local Planning process would allow the Council to put forward arguments to the Wokingham local plan inquiry and seek changes to their plan if it was considered that it would negatively impact on the borough.
- It was acknowledged that traffic studies planned for everyday volumes and could not take into account single unusual events or the short term development disruption.

- It was confirmed that Surrey were taking the lead on developing the Meadows roundabout in partnership with Berkshire, Hampshire and the Local Economic Partnership. Bracknell Forest Council would be a consultee on the proposals.

The Chairman summarised that the Commission was concerned about the road network and linkages being made within and outside the borough.

33. **Exclusion of the Public and Press**

RESOLVED that pursuant to section 100A of the Local Government Act 1972, as amended, and having regard to the public interest, members of the public and press be excluded from the meeting for consideration of item X which involved the likely disclosure of exempt information under category 1 of Schedule 12A of that Act:

- (3) Information relating to the financial or business affairs of any particular person (including the authority holding that information).

34. **Matters relating to Local Plan**

The Commission considered the report which updated Members on the progress of the new local plan and outlined the progress to date and the programme for the plan from the present time to adoption.

The Local Plan was discussed at some length and the following points arose from questions to Andrew Hunter, Chief Officer: Planning, Transport & Countryside:

- The phrase 'preferred option' was not compulsory and it was noted that the term gave residents the impression that the decision had been made.
- It was confirmed that the Local Plan proposed sites would be considered as a package of identified sites selected from an evidence based approach rather than consideration given to individual sites separately to build up the final proposal.
- The Local Plan timetable was as set out in the Local Development Scheme which had been approved by Council.
- The new local plan would aid the 5 year land supply trajectory which would help the Council provide a justifiable defence against developer led applications for sites. It was explained that Planning Inspectors would be looking to see if the authority was looking forward and were plan led.
- The Council's policies were last reviewed in 2002 and would be updated to bring the framework of policies up to date.
- It was believed that the Local Plan would be deliverable with larger sites being included which combined with medium and smaller site together with existing sites from the previous plan. The volume of housing on sites can be altered through the planning application process.
- Concerns were raised regarding the Council's ability to deliver affordable homes as the projected numbers had not been delivered in the past.
- In response to a concerns raised about whether development of the new plan could be slowed to allow more time to review the sites available it was confirmed that officers were assessing sites. Members were concerned that sites options were full understood, measured and all issues were quantified such as traffic impact. The Chief Officer: Planning, Transport & Countryside stated that have a suite of deliverable sites and having a long-term plan in place would be the best approach for the Council.

Councillor Turrell, Executive Member for Planning and Transport added that discussions on the new local plan has started in 2014 and he thanked Members for their involvement in the Local Plan Working Group meetings.

The Chairman summarised that the Commission were concerned that the Council took time to get the new Local Plan proposals right.

35. **School Places Plan and School Capacity Strategy**

The Commission considered an update report and received a comprehensive presentation in respect of the School Places Plan and School Capacity Strategy. Chris Taylor, Interim Chief Officer: Strategy, Resources and Early Help explained to Members that the Council's School Places Plan (SPP) provided a five year forecast for pupil numbers and the School Capacity Strategy (SCS) was based on the SPP and both were updated annually. He explained how the plans responded to issues such as house building in the borough, consideration of the 'local schools for local people' and the diseconomy costs associated with opening new schools until they reached capacity. In order to explain the development of the SPP and SCS he explained how officers reviewed demographic information alongside school places trends and projections based on new housing developments. He highlighted the unpredictability of the issues which impacted upon school numbers such as delays in house building and lower pupils forecast.

Nikki Edwards, Director of Children, Young People and Learning explained that the team were working closely with the Chief Officer: Planning, Transport & Countryside regarding the development of the new Local Plan.

The School Places Plan and School Capacity Strategy were discussed at some length and arising from discussion and question the following points were made:

- The Bracknell Forest Schools Forum had agreed that schools falling below 85% would have their revenue deficit refunded to them because the base cost for schools remained the same despite the size of the intake. This was funded from Schools block money which would otherwise have been distributed amongst the schools.
- The current risk descriptors were set based on previous experience e.g. no school's project had ever been aborted and the risk to the Council's reputation was considered low based on previous experience. The Interim Chief Officer: Strategy, Resources and Early Help agreed to review the categories used as there was an increased factor in those areas however the impact would be to adjust the Council's strategy.
- Pupil projections were based on the number of houses and this was changeable from application to delivery especially if land was sold.
- Members noted that it was disappointing that the Amen Corner North school was on the road but it was explained that it was set out to respond to all the schools needs including a flat playing pitch. The Department for Education design guide requirements would be complied with. The large boundary of trees would offer some protection to the site.
- External consultants door knocked new Bracknell Forest houses to investigate occupancy so data used was robust. However it was noted that anecdotally officers were aware that smaller dwellings were housing higher numbers of children but this would need to be proven in the next survey.
- Viability of small school model was being considered and housing development may not justify two form entry school. There were different options to address this such as sites sharing headteachers to reduce costs.

- The projections do factor in a level of churn in the housing market but it was noted that in some housing developments the children had now finished school.
- It was noted that if an Academy changed its catchment area the Council would need to revise its catchment area to respond.
- Children with special needs provided with a statement would determine where a child needed to be schooled. The Council was sending children outside of the borough to be educated which was an emerging issue for the department.

The Director of Children, Young People and Learning advised the meeting that she had raised the safeguarding issue with the Children's Commissioner that there was a risk of academies selecting who was on their roll to make results look better. Academies are attracting pupils based on academic need and unwanted pupils are being told there is no space, that they need to be educated at home or are excluded.

The Director of Children, Young People and Learning concluded that Bracknell Forest's school places team were the strongest she had worked with in her career. She hoped that they had given Members confidence in the process as it was a fine art.

Councillor Dr Barnard, Executive Member for Children, Young People and Learning added that he had a lot of confidence in the team who had been consistently successful in achieving funding for these school developments.

On behalf of the Commission, the Chairman thanked the Director and the Head of Education Capital & Property for providing such open information delivered with sincerity. The Commission recognised this was an important document and would follow its process.

CHAIRMAN