

**OVERVIEW AND SCRUTINY COMMISSION  
10 MAY 2018  
7.30 - 8.45 PM**



**Present:**

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

**Apologies for absence were received from:**

Councillors Finnie, Porter and Virgo  
Mrs L Wellstead

**Executive Members:**

Councillors D Birch and McCracken

**Also Present:**

Timothy Wheadon, Chief Executive and Chairman of Downshire Homes  
Simon Hendey, Chief Officer: Chief Officer: Early Help & Communities

**53. Minutes and Matters Arising**

**RESOLVED** that the minutes of the meeting of the Commission held on 29 March 2018 be approved as a correct record, and signed by the Chairman.

Responses to all of the queries raised in the meeting had been responded to apart from an explanation from the Borough Treasurer of the impact of the changing financial rules but assurance had been received this would be circulated when this was available.

**54. 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, Resources and Public Protection.

There were no indications that members would be participating while under the party whip.

**55. Urgent Items of Business**

There were no items of urgent business.

**56. Public Participation**

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

## 57. Corporate Performance Overview Report

The Commission noted the Corporate Performance Overview Report (CPOR) which covered the third quarter of the 2017-18 financial year (October – December). The Chief Executive acknowledged that the CPOR related to activity from some time before as it had already been discussed at Council.

He highlighted that in Quarter three the Lexicon had opened and visitors were now up to 10 million and the bus service had seen an 18% increase in usage. There was a very positive outcome within the town centre of a reduction in shoplifting of 32% and 27% reduction in criminal damage. Members involvement in the gateway reviews had been helpful. The Time2Change project had seen the last movement of staff into Time Square and overall the series of moves had gone well. He praised the Project team and the ICT team who had done incredibly well.

Of the things which had not gone so well he highlighted that the number of households in B&B accommodation had continued to be at a higher number than the target. Recycling was currently at 41% and was unlikely to hit the 20% target in 2020 but the RE3 partnership had won an award. He indicated that conversations regarding the frequency of collections and food waste collection would need to be had in the future.

The Chief Executive acknowledged that staff sickness in Adult Social Care and Environment, Culture and communities looked high and he had commissioned a piece of work to understand the figures once the long term sickness figures had been removed.

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

- Clarification was sought as to which school was expected to be considered as 'outstanding' at its next full inspection
- In relation to L202 'Number of families turned around through Family Focus Project' the Q2 figure was 72 but in Q3 was 0. Clarification was sought as to whether this change of figures was due to how this information was reported to central government.
- Although there were a number of Red status indicators on page 19 which were not reflected in the Chief Executive's summary and it was explained that some of the indicators were annual updates and therefore retained the red status for the whole year despite a positive trend from Ofsted and inspection reports. It was anticipated that these improvements would be reflected in the rating given at the end of the year for quarter four.
- The target for household nights in B&Bs was set to reflect the success of the Council's strategies to minimise this. The target was a reflection of the Council's budget which could support an average of four homeless households however recent support had been required by single people with complex needs.
- It was confirmed that as result of not meeting the recycling target there could be a financial penalty on the Council. However the Council was one of 95% of Councils who would not hit this EU target.
- It was confirmed that concessionary fare trips had continued to decline despite the overall increase in bus usage since the Lexicon had opened. It was suggested that there was a need to understand why older people were not travelling to the Lexicon.

## 58. Downshire Homes

Timothy Wheadon, Chairman of Downshire Homes had been invited to attend the meeting to provide the Commission with a briefing on the operation of the organisation and how its work supported the Council's objectives.

As part of this presentation it was explained:

- Downshire Homes was not a social registered landlord
- Downshire Homes had received advice from Trowers Hamlin (legal) and Social Finance Ltd (financial)
- Reiterated the Executive recommendation which focused Downshire Homes activities on procuring accommodation to provide homes for homeless households, households with learning disabilities and/or autism and care leavers so as to reduce Council expenditure on accommodation
- Downshire Homes had 39 properties with a purchase price of £11.682m which was now worth £11.477m
- Seven more offers had been accepted on properties which were being processed
- Rent was charged to Downshire Homes residents at the Local Housing Allowance plus 2.5%
- After the first year a review had been undertaken by Social Finance Ltd. The current yield was 2.3% but this was due to charging an affordable rent level rather than market level
- In 2016/17 Downshire Homes had been affected by the increase in stamp duty costs from 2% to 8% which had contributed to the operating loss, but Downshire Homes' activities had directly saved Bracknell Forest Council £560k
- Services provided by Bracknell Forest Council officers were recharged to Downshire Homes
- Downshire Homes' objective to make a profit was a long-term issue
- It had been acknowledged by Downshire Homes Board that greater transparency was needed and they were planning to bring an annual report to the Executive followed by six monthly update.
- A regular review of Board members conflict of interest was undertaken and it was noted that when sitting as the Board then decisions were made in the interest of the company but the basis on which it had been set up were to reduce the Bracknell Forest Council's spending. Downshire Homes had received advice on two occasions and it was agreed that it would be an issue if the role changed.

Arising from questions and discussions the following points were made:

- The Commission Chairman queried why the original resolution by the Executive was not reflected in the Memorandum of Agreement and the Chief Executive advised that the advice was that this should be cast as broad as possible so that Downshire Homes Ltd could undertake other activities that the Council wanted, such as key worker housing, without having to revise an Memorandum of Agreement.
- The Commission Chairman was concerned that the activities of Downshire Homes did not appear to be restricted at all given that their funding came from Bracknell Forest Council.
- There was no average stay in a household as tenants were monitored over periods of longer than six month then it could become their permanent home unless their circumstances changed.

- All of the money funding Downshire Homes came from the Council which the Council may have borrowed. This was charged at the rate of 0.5% above the rate charged to the Council if the Council borrowed the funding.
- In response to a query regarding the MRP rules change regarding the requirement to set aside capital the Chairman of Downshire Homes advised that this was guidance for Councils, not Downshire Homes Ltd, which is a private company. The Council would 'have regard to' the proposals but did not necessarily have to follow it, that being a matter for the Council and its external auditors. A number of members raised their concerns about this approach.
- It was confirmed that Downshire Homes Accounts were externally audited and would be consolidated into the Council's accounts.
- The direct savings to the Council included the cost of families being brought into the borough by school transport if they were housed out of the borough and was an intangible benefit of Downshire Homes helping students stay within the borough.
- Accommodation such as Tenterden Lodge were temporary and for families is only suitable for six weeks. Therefore it is not proposed to expand that type of accommodation. Downshire Homes provides self-contained accommodation that can be used to discharge the Council's homeless duty.
- Downshire Homes had a contract with Bracknell Forest Council to maintain its housing stock including ordering and managing repairs. This cost was charged back to Downshire Homes and was one full time equivalent member of staff.
- In response to concerns the Downshire Homes Chairman reiterated that Downshire Homes' primary objective was to save the Council money and that it was proving to be very successful in meeting that objective.
- In response to a query about Bracknell Forest Council acting as a sole shareholder and how it exercises its right to vote on Downshire Homes policy and decide the articles of association, the Downshire Homes Chairman said that this was exercised through appointing all the Board members.
- In response to the work regarding recruitment and retention, the Council had asked Downshire Homes to look at the viability of shared accommodation for keyworker housing but the Council would need to manage the void if only 2 beds within a 3 bedroom house were accommodated.
- The Commission Chairman queried whether the change to accommodating key workers was compliant with the original Executive resolution and the Downshire Homes Chairman agreed that the Council needed to formally ask Downshire Homes to undertake this role.
- It was confirmed that Downshire Homes did not currently have any external or non-Council employees, non-executive or executive directors of the company.
- Downshire Homes had asked Council to undertake financial checks to make sure that residents were able to afford the rental of their properties. Potential residents were nominated by Bracknell Forest Council.
- If residents were unable to afford the Downshire Homes rental of Local Housing Allowance plus 2.5% then they would be housed via other housing options. Bracknell Forest Council was unable to discharge its homelessness duty if residents could not afford the rental.
- Downshire Homes could purchase homes outside of the borough but had not yet done this.

The Commission Chairman thanked the Chairman of Downshire Homes for his presentation and asked that the slides be circulated to members of the Commission.

59. **Executive Forward Plan**

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

60. **Recruitment and Retention Working Group**

A briefing note was circulated to the Overview and Scrutiny Commission from Nikki Gibbons, Chief Officer: Human Resources updating members on the activities following the Recruitment and Retention Workshop on 29 March 2018. At the session the following areas had been highlighted as priority areas:

- Rebranding the Council's recruitment approach including approaching Universities
- Career flexibility and rotation
- Workforce planning and skills
- Exit interviews to give the Council better intelligence

The Chief Executive highlighted that Corporate Management Team had considered the approach to workforce planning to address what the organisation needed and where the gaps were. He added that although work was beginning on keyworker housing this would not benefit offered this September for the recruitment of Newly Qualified Teachers as they had been appointed but would be implemented for September 2019. He advised that he had been reviewing exit interviews with the Director of Children, Young People and Learning.

Arising from questions and debate it was noted that:

- The Council could create its own definition for what qualified as a keyworker
- Whilst there was a risk of trained staff leaving there was an opportunity for them to re-join the Council once they had gained experience elsewhere if their experience with the Council was positive
- A development programme was being developed but individuals will facilitate their own learning

The Chairman looked forward to seeing the outcome of this work within the organisation.

61. **Overview and Scrutiny Work programme 2018-19**

The Governance and Scrutiny Manager updated the meeting that the current Overview and Scrutiny Chairman and Vice Chairman had met with the new Governance and Scrutiny team to discuss the future of Overview and Scrutiny at Bracknell Forest. The meeting had focused on four key areas:

- What next for 2018/19? Focusing on what matters and how to prioritise the work programme?
- What does successful scrutiny look like and how do you assess its impact?
- What does effective scrutiny support look like?
- How do we get people involved – both Councillors and members of the public

The group agreed the following parameters for the next work programme:

- Budget scrutiny would be included in each Panel's programme
- All Task and Finish Groups would need to be concluded by the beginning of February to enable recommendations to be referred to the Executive as required before the 2019 election

- All Task and Finish Groups since 2015 to be reviewed to evaluate their impact, assess whether recommendations were implemented and follow up investigations as appropriate

The group agreed that each Overview and Scrutiny Panel (including both Health and Adult Social Care and Housing) should be asked for their top two suggestions for the work programme. These ideas would then be collated and recirculated to members asking for them to be prioritised. The outcome of this consultation would then be considered at the first meeting of the next municipal year when each Panel would agree its own work programme.

The Governance and Scrutiny team had also been asked to review how Task and Finish Groups were scoped and develop alternative approaches such as short/sharp reviews; mini programmes of three meetings as well as longer in-depth research topic style reviews.

**CHAIRMAN**