

**ENVIRONMENT, CULTURE AND
COMMUNITIES OVERVIEW & SCRUTINY
PANEL**

23 JUNE 2009

7.30 - 9.05 PM



Present:

Councillors Finnie (Chairman), McLean (Vice-Chairman), Mrs Barnard, Beadsley, Brossard, Finch, Leake, Mrs McCracken and Thompson

Executive Members:

Councillors McCracken

Apologies for absence were received from:

Councillors Mrs Fleming and Simonds

Also Present:

Richard Beaumont, Head of Overview & Scrutiny

Mark Devon, Chief Officer: Leisure & Culture

Jane Eaton, Chief Performance & Resources Officer (Environment, Culture & Communities)

Simon Hendey, Chief Officer: Housing

Bev Hindle, Chief Officer: Planning & Transport

Steve Loudoun, Chief Officer: Environment & Public Protection

Vincent Paliczka, Director of Environment, Culture & Communities

Emma Silverton, Overview & Scrutiny Officer

David Steeds, Head of Environmental Health and Safety, Environment

1. Election of Chairman

RESOLVED that Councillor Finnie be elected Chairman of the Environment, Culture and Communities Overview and Scrutiny Panel for the Municipal Year 2009/10.

COUNCILLOR FINNIE IN THE CHAIR

2. Appointment of Vice-Chairman

RESOLVED that Councillor McLean be appointed Vice-Chairman of the Environment, Culture and Communities Overview and Scrutiny Panel for the Municipal Year 2009/10.

3. Apologies for Absence/Substitute Members

The Panel noted the attendance of the following Substitute Members:

Councillor Brossard for Councillor Mrs Fleming
Councillor Thompson for Councillor Simonds

4. **Minutes and Matters Arising**

RESOLVED that the minutes of the Environment, Culture and Communities Overview and Scrutiny Panel held on 16 March 2009 be approved as a correct record and signed by the Chairman.

Matters Arising

Minute 45: Approach to Overview and Scrutiny of Bracknell Forest Partnership

Proposals for the scrutiny of the Bracknell Forest Partnership had been approved by the Bracknell Forest Partnership Board on 21 May 2009 and initial information gathering work was now taking place.

Minute 46: 'Waste Not want Not'

The report of the Waste and Recycling Service Review Working Group had now been sent to the appropriate Executive Portfolio Holder for a response.

5. **Declarations of Interest and Party Whip**

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

There were no other declarations of interest made at the meeting nor indications that Members would be participating whilst under the party whip.

6. **Urgent Items of Business**

There were no urgent items of business.

7. **Performance Monitoring Report**

The Director of Environment, Culture and Communities gave a presentation in respect of departmental performance with reference to the Performance Monitoring Report (PMR) for the 4th quarter of 2008/09. The presentation outlined the Department's finances as at March 2009, highlighted variances on revenue and identified capital projects that would be carried forward. Staffing issues, key highlights and a forward look were also included.

The Panel noted that due to good performance the Department had, at the end of the 2008/09 financial year, achieved a saving of £402,000. Major revenue variances included a fall in the income derived from Land Charges and savings made in the Waste Management Contract. Consistently bad weather and the recession had impacted Downshire Golf Course's revenue however the Course was still making a surplus and early 2009/10 returns looked promising.

Carry forwards identified in the Capital Programme included: restoration of the grounds at South Hill Park, management of access to and habitat of Wildmoor Heath, refurbishment work to the libraries, work at the Elms Recreation Ground, building maintenance, refurbishment and extension of Bullbrook Community Centre, improvements to urban woodlands and a programme of Section 106 leisure schemes.

The Panel was advised that the Department's staff turnover rate for the 2008/09 year was 15.9%. Sickness rates at the end of the year stood at 8.26%. Long term sickness accounted for over half of this figure and this was being managed through Occupational Health.

Key highlights for the Department included: a 60% reduction in the number of households accommodated in Bed and Breakfast (as of the beginning of June 2009 the Council had no households placed in bed and breakfast accommodation), the formation of the Climate Change Partnership, early intervention had prevented 212 households from becoming homeless, the Benefits Team continued to provide an excellent service despite a significant increase in workload, the waste and highways services had continued despite periods of consistently bad weather and the new Mill Lane Footbridge had been the subject of an engineering award. Looking forward, the Panel was advised that the Waste Recycling Centre at Longshot Lane would be reopened on 3 July 2009, a programme of library refurbishments would be carried out and the Department were supporting the Social Care and Learning Department's delivery of the Playbuilder Project.

The Panel was advised that the Carbon Management Plan may be of interest. It was agreed that this would be brought to the Panel's next meeting.

Arising from Members' questions and comments the following points were noted:

- The Playbuilder Project, funded by a grant of £1.8million to be spent over two years, was intended to support and develop play in the Borough. As part of the scheme plans were in place to improve 22 play areas across the Borough and work would start on 11 of the identified play areas this year. The Project was overseen by a Board that included representatives of the Police, Primary Care Trust and town and parish councils; Council views were represented at Board meetings by Councillors Dr Barnard, McCracken and Mrs Shillcock. The panel agreed that a working group including Councillors Finnie and McLean be set up to review the Playbuilder Project.
- Work to resolve the condition of the football pitches at Priory Fields was ongoing. To date, £183,000 had been spent attempting to remedy the problem. Quotes were being obtained for the remedial work required and this would be carried out this financial year.
- It was expected that the Historic Documents Microfiche Project would be completed within the next three months
- An audit of the Pest and Dog Control Service had identified inconsistencies in the processes used to bank money received and a new procedure has now been put in place to ensure that all money was banked appropriately and in a timely fashion. It was stressed to Members that there had never been any suggestion that money was being misappropriated.
- The Great Hollands Neighbourhood Centre Masterplan set out the strategic vision for the Neighbourhood Centre and would form part of the Local Development Scheme (LDS). As part of the LDS, the Masterplan would be reviewed and tested for soundness before being given an official status in planning guidelines.
- During 2008/09 there had been a higher number of lettings to households than in 2007/08 due to a rise in the supply of houses being made available by Registered Social Landlords.

The Panel congratulated officers on their successful management of the Department's performance and budget.

8. Section 106 Procedure

The Panel received a report detailing the basis on which the Council secured Section 106 (S106) receipts and how receipts were utilised once received.

Receipts tended to be used for improvements to education facilities, transport infrastructure and leisure and culture facilities. In the areas of transport infrastructure and education the expenditure of S106 receipts was usually governed by legal agreements signed with developers, while there was generally more flexibility in the way that leisure and culture receipts were spent.

It had been acknowledged that the current procedures for allocating discretionary S106 funding gave little opportunity for ward members to provide input into the decision making process. To address this it had been agreed, by the Executive Member for Planning and Transport and the Executive Member for Leisure, Corporate Services and Public Protection, that an additional step would be added to the consultation process from September 2009. This additional step would enable members to comment on 'in year' S106 projects proposed in their wards in advance of the approval decision.

The Town and Parish Council Liaison Group received regular reports detailing expenditure of S106 receipts on a parish by parish, ward by ward basis and it was agreed that these reports would also be sent to all members.

It was suggested that the reports were expanded to include any caveats that restricted how and where receipts were spent and it was agreed that where it was possible to do so the information would be included.

9. Housing Strategy Review

The Panel noted the correspondence resulting from the review of the Council's draft Housing Strategy, carried out by a Working Group of the Panel.

10. A Clean Sweep - Working Group Update

David Steeds, Head of Environmental Health and Safety, gave a presentation in respect of the Cleaner Borough Group.

The Cleaner Borough Group was set up partially in response to the A Clean Sweep Review carried out by a Working Group of the Panel. The Cleaner Borough Group is a sub-group of the Anti-social Behaviour Safety Group which is accountable to the Crime and Disorder Reduction Partnership.

The Cleaner Borough Group was made of representatives from range of organisations including the Police, the Fire and Rescue Service, Bracknell Forest Homes and a range of Council Teams including Environmental Health, Parks and Countryside, Landscape Services, Waste and Cleansing Services and the Crime and Disorder Reduction Team. The Group's remit covers the tackling of a range of environmental crimes including fly tipping, littering, fly posting, graffiti and abandoned vehicles.

During 2008/09 the Group had focused their attention on improving the layout and signage at recycling sites, targeting known hotspots for dumped rubbish and fly tipping with CCTV cameras and providing training on waste enforcement.

The Head of Environmental Health and Safety undertook to provide further information in respect of Target C17 (Signage).

Enforcement action is being taken against people who have been caught littering the Borough. To date:

- Two formal cautions had been issued for fly tipping
- One fly-tipping case would be prosecuted in court later in the year
- Fixed penalty notices had been issued for littering
- One successful prosecution has taken place for fly posting
- One prosecution for fly posting was pending

The Panel expressed concern over the use of covert CCTV filming to monitor people and questioned what checks and balances were in place to protect residents. Although, covert filming had been used by the Council for the past two or three years to record underage test purchase exercises it had not, to date, been used to capture incidents of fly tipping or other environmental crimes. The Council's Corporate Management Team had recently reviewed the approvals procedure for covert operations and had agreed that only Directors, the Chief Officer: Environment and Public Protection and the Head of Trading Standards would be able to authorise covert filming and any requests for the use of covert filming had to be supported by a sound business case. In addition, a formal audit of all covert operations authorised was carried out by a high court judge on a regular basis.

It was agreed that a report detailing the Council's use of covert filming would be brought to the Panel's next meeting.

11. Housing Benefit and Council Tax Benefit Improvement Plan

The Panel received the report of the review of the implementation of the Housing and Council Tax benefits improvement plan undertaken by a working group of the Panel.

The Panel were pleased to see that the relationship between the Housing Benefits Section and the Citizens' Advice Bureau had improved and that a number of the recommendations in the report had already been implemented by the Department.

The Working Group thanked Emma Silverton for the support that she had provided during the review.

12. Working Group Updates

The Panel noted a report providing an update on the Panel's Working Groups.

13. Overview and Scrutiny Quarterly Progress Report

The Panel considered a report outlining the activities of all the Council's Overview and Scrutiny Panels and the Commission and summarising significant national developments in overview and scrutiny.

It was noted that the publication of statutory guidance on partnership scrutiny was still awaited. Scrutiny reports were now being presented to the Executive by Working Group Lead Members.

The Panel noted the report.

14. Work Programme for the 2009/10 Municipal Year

The Panel considered a report containing the indicative work programme for the Environment, Culture and Communities Overview and Scrutiny Panel for 2009/10.

It was noted that scrutiny of four of the Bracknell Forest Partnership theme groups were within the remit of this Panel. The Panel agreed that initial work on this area would focus on the Cultural Partnership and the Chairman and Lead Officer would be invited to attend the Panel's meeting in September. The Director informed Members that the Transport panel had not met for some time and was to be re-launched following a review of its remit and terms of reference.

The Panel agreed that a Working Group would be set up to review Highways Maintenance and Improvement. Councillor McLean would take on the position of Lead Member of the Working Group assisted by Councillors Beadsley, Brossard and Leake. The town and parish councils would also be invited to participate in the review.

The Panel agreed its indicative work programme for 2009/10, attached as Appendix 1 to the report, for recommendation to the Overview and scrutiny Commission for adoption

15. Executive Forward Plan

The Panel noted the items on the Executive Forward Plan relating to Environment, Culture and Communities.

CHAIRMAN